

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

AGENDA
JOINT POWERS AUTHORITY - REGULAR MEETING
MONDAY, NOVEMBER 7, 2022 – 5:00 PM

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/88382917748>

To join by telephone, please dial (669) 900-6833 or (346) 248-7799 and enter Webinar ID: 883 8291 7748

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/JPALivestream. 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 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 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 APPROVAL OF FINDINGS OF RESOLUTION NO. 20 (AB 361)**
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: Special Meeting of October 12, 2022 (Pg. 4)**
Approve.

- 4.B **Statement of Revenues, Expenses and Changes in Net Position: September 2022 (Pg. 11)**
Receive and file the Statement of Revenues, Expenses and Changes in Net Position for the period ending on September 30, 2022.

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

- 5.A **Recognition of JPA Director Lynda Lo-Hill**

- 5.B **State and Federal Legislative Update (Pg. 20)**

- 5.C **Pure Water Project Las Virgenes-Triunfo: Update (Pg. 95)**

6. **ACTION ITEMS**

6.A **Proposed 2023 JPA Board Meeting Calendar (Pg. 99)**

Review the proposed 2023 JPA Board Meeting Calendar, and make any scheduling changes.

6.B **Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project: Additional Environmental Permitting Support (Pg. 103)**

Authorize the Administering Agent/General Manager to issue Contract Adjustment No. 2, to Rincon Consultants, Inc., in an amount not to exceed \$37,663, to provide additional Coastal Development Permit and CEQA Support for the Tapia WRF 003 Outfall Rehabilitation Project.

6.C **Farm Sprayfield Operations and Maintenance: Authorization of Change Order No. 2 (Pg. 111)**

Authorize the Administering Agent/General Manager to execute Change Order No. 2 with W. Litten Land Preparation, in an amount not to exceed \$392,600, for annual costs associated with operations and maintenance of the Rancho Las Virgenes Farm Sprayfields through November of 2023, and ratify Contract Extension No. 1 in the amount of \$384,900 extending the term through November 1, 2022.

7. **BOARD COMMENTS**

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

9. **FUTURE AGENDA ITEMS**

10. **INFORMATION ITEMS**

10.A **Tapia Tertiary Filter Media Replacement: Authorization (Pg. 114)**

10.B **Tapia Carbon Tower Media Replacement: Authorization (Pg. 116)**

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.

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

5:00 PM

October 12, 2022

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Eric Schlageter.

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

Absent: None

2. APPROVAL OF AGENDA AND ADOPTION OF RESOLUTION NO. 20 (AB 361)**A Approval of Agenda and Reauthorization of Revised Use of Teleconferencing for Public Meetings**

Approve the agenda and pass, approve, and adopt proposed Resolution No. 20, reauthorizing the revised use of teleconferencing for public meetings pursuant to the Brown Act provisions enacted by Assembly Bill 361.

RESOLUTION NO. 20

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. 20 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.

Director Lo-Hill moved to approve the agenda and pass, approve, and adopt Resolution No. 20 (AB 361). Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of September 6, 2022 and Special Meeting of September 8, 2022: Approve

B Financial Review for Fiscal Year 2021-22

Receive and file the financial review for Fiscal Year 2021-22, and adopt the updated Capital Improvement Program Budget for Fiscal Year 2022-23.

C Statement of Revenues, Expenses, and Changes in Net Position: July 2022

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

Director Caspary lost connection to the teleconference at 5:04 p.m.

Director Polan moved to approve the Consent Calendar. Motion seconded by Director Wall. Motion carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Caspary

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A State and Federal Legislative Update

Director Caspary reconnected to the teleconference at 5:05 p.m.

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK),

reported that a letter was sent in opposition to S. 4295 (Warner), The Financial Data Transparency Act of 2022, which would mandate burdensome reporting requirements should the JPA issue municipal bonds and would go against current law. Lowry Crook, federal lobbyist for the JPA with BBK, added that the Senate was considering the possibility of attaching S. 4295 to the National Defense Authorization Act, which was the reason for going on record opposing S. 4295.

Ms. Schwab also reported that Congress adopted a continuing resolution to fund the federal government through December 16th, and an omnibus appropriations bill would likely be passed in December. She stated that she would provide an update regarding Committee Chair appointments in December. She responded to a question regarding the bill matrix by stating that the report covered all of the bills followed by BBK during the 117th Congressional Session from January 3, 2021 through January 2, 2023. She also responded to a question regarding H.R. 8682, Federal Infrastructure Bank Act of 2022, by stating that this bill had not moved forward, but could return in the next Congress for reconsideration. She also responded to a question regarding whether H.R. 3112, Western Water Recycling and Drought Relief Act of 2021, might be of value to the JPA by stating that BBK staff would follow-up on the specific provisions of this bill.

Syrus Devers, state lobbyist for the JPA with BBK, presented a summary of several bills listed in the state legislative report. He responded to a question regarding any bills dealing with microplastics in water by stating that there were no state bills regarding this topic in the past year; however BBK would monitor for any proposed bills. He also responded to a question regarding the status of the State Water Resources Control Board's case related to its inability to curtail pre-1914 water rights, which it had lost in the 6th District Court of Appeals, by stating that he would follow-up.

Chair Lewitt noted that he and Administering Agent/General Manager David Pedersen met with Senator Bob Hertzberg regarding concerns with SB 1157, Indoor Water Use Efficiency Standards, and noted that Governor Gavin Newsom included a signing message in the bill to protect investments in water recycling.

B Pure Water Project Las Virgenes-Triunfo: Update

Oliver Slosser, Engineering Program Manager, presented the report. He noted that 12 comment letters were received in response to the Program Environmental Impact Report for the Pure Water Project Las Virgenes-Triunfo, and two letters were received requesting an extension to the comment period. He also noted that the comment period would not be extended upon advice of legal counsel. He stated that the Environmental Impact Report would be presented to the Board for adoption in December. He reminded the Board that the Pure Beer Event would be held in November at an offsite location, where the public may sample beer brewed using pure water. He stated that staff was transitioning into the procurement process, and would begin to develop the contract documents and release the

Request for Proposals/Request for Qualifications in January. He responded to a question regarding feedback received following the presentation at the Oak Park Municipal Advisory Council (MAC) by stating that the presentation was generally well received, and presentations were also well received at local City Council meetings. He also responded to a question regarding who requested an extension to the comment period by stating that letters were received from Ventura County Supervisor Linda Parks and Dr. Janice Smets from Oak Park MAC.

A discussion ensued regarding continuing to conduct outreach and tours of the Pure Water Demonstration Facility, and holding additional pure water tasting events.

6. ACTION ITEMS

A Pure Water Project Las Virgenes-Triunfo: Cost, Funding and Financing Update

Approve a budget of \$364 million for the Pure Water Project Las Virgenes-Triunfo; and pass, approve, and adopt proposed Resolution No. 21, authorizing the Administering Agent/General Manager to sign and submit a letter of interest and application for a financing agreement through the Water Infrastructure Finance and Innovation Act.

RESOLUTION NO. 21

A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES – TRIUNFO JOINT POWERS AUTHORITY AUTHORIZING THE ADMINISTERING AGENT/GENERAL MANAGER AS THE REPRESENTATIVE FOR THE WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT FUNDING AND DEDICATING A SOURCE OF REVENUE FOR LOAN AGREEMENTS

(Reference is hereby made to Resolution No. 21 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.

Administering Agent/General Manager David Pedersen provided introductory remarks.

Don Patterson, Director of Finance and Administration, provided a PowerPoint presentation regarding the Pure Water Project Las Virgenes-Triunfo cost update.

The following consultants were introduced: Jennifer Phillips and Anna James from Jacobs Engineering Group (Jacobs); and Greg Swartz, Halina de la Rosa, and Mathilde Tabora from Piper Sandler.

The consultants continued the PowerPoint presentation with an overview of project cost estimate, potential system requirements, concept design process, cost

breakdown, financing plan, and estimated bill impacts.

The Board engaged in discussion and provided feedback regarding the proposed size of the Advanced Water Purification Facility, analysis of the flow equalization system, and capacity for future expansion,

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

Mr. Patterson continued the PowerPoint presentation and reviewed the user fee and rate impacts and next steps. He responded to questions regarding Water Infrastructure Finance and Innovation Act (WIFIA) and State Revolving Funds (SRF) financing.

Motion carried unanimously by roll call vote.

B Annual Toxicity Testing and Reporting: Authorization

Authorize the Administering Agent/General Manager to execute a one-year agreement with Aquatic Bioassay & Consulting Laboratories, Inc., in the amount of \$162,750, for toxicity testing and reporting, including four one-year renewal options based on a 5% annual escalator.

Director Orkney departed from the teleconference at 6:35 p.m.

Doug Anders, Administrative Services Coordinator, presented the report.

Director Wall moved to approve Item 6B. Motion seconded by Director Tjulander.

Mr. Anders responded to a question regarding other laboratories that might perform toxicity testing and reporting by stating that the next closest laboratory was located in Bakersfield, which would require samples to be shipped overnight. He noted that staff was delivering the samples to Aquatic Bioassay and Consulting Laboratories, located in Ventura. Brett Dingman, Water Reclamation Manager, added that make-up water is added for toxicity testing, which would also make it difficult to ship samples for testing.

Motion carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Orkney

7. BOARD COMMENTS

Director Polan provided comments regarding marketing and working with the

public to make the Pure Water Project Las Virgenes-Triunfo more appealing. He noted that staff provided a presentation at the last Las Virgenes Municipal Water District Board meeting regarding earned media, and stated that the District accumulated \$125 million worth of earned media value. He suggested finding a method of similar value.

Director Lo-Hill reported that she attended the Colorado River Symposium in Santa Fe, New Mexico, where presentations included discussion on declining water supply in the Colorado River. She also reported that she attending a Fire Department hardening class and learned about designing fire-safe outdoor landscaping.

Director Renger commended Administering Agent/General Manager David Pedersen on his rebuttal to a Letter to the Editor that was published in *The Acorn* regarding the Pure Water Project Las Virgenes-Triunfo.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that the flow in Malibu Creek measured 18.3 cubic feet per second (CFS). He noted that staff was working closely with recycled water customers to conserve recycled water use, which minimized the need for potable water supplement. He also reported that he was invited to provide a presentation regarding the Pure Water Project Las Virgenes-Triunfo at the Los Angeles Regional Water Quality Control Board meeting on November 10th at Culver City Hall. He noted the panel discussion would include the Los Angeles Department of Water and Power's Operation NEXT and MWD's Pure Water Southern California. He reminded the Board that the next JPA Board meeting would be held on November 7th.

9. FUTURE AGENDA ITEMS

None.

10. INFORMATION ITEMS

None.

11. PUBLIC COMMENTS

None.

12. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:44 p.m.**

Jay Lewitt, Chair

ATTEST:

Leon E. Shapiro, Vice Chair

DATE: November 7, 2022
TO: JPA Board of Directors
FROM: Finance and Administration

SUBJECT: Statement of Revenues, Expenses and Changes in Net Position: September 2022

SUMMARY:

To ensure effective utilization of the public’s assets and money, a monthly Statement of Revenues, Expenses and Changes in Net Position (Statement) is provided to the Board for review. The report is a high-level overview that summarizes the JPA’s financial status through the end of the referenced month. The report is formatted to mirror the presentation in the JPA’s Annual Financial Statements and consists of an operating financial section, non-operating financial section and year-to-date changes in net position. The report is unaudited and preliminary due to the timing of its preparation versus month-end closing for the reported month.

RECOMMENDATION(S):

Receive and file the Statement of Revenues, Expenses and Changes in Net Position for the period ending on September 30, 2022.

FINANCIAL IMPACT:

There is no financial impact associated with the report.

DISCUSSION:

JPA operating revenues through the first quarter of Fiscal Year 2022-23 were \$1.6 million, an increase of \$0.8 million compared to prior year revenues. This increase in revenues year-over-year was due mainly from a one-time insurance claim payment of \$581 thousand received by the JPA in August 2022. This payment compensated the JPA for building damage repair costs at the Rancho Composting Facility that resulted from the Woolsey Fire in 2018.

Wholesale recycled water sales of \$1.0 million are favorable to prior year sales by \$0.2 million or 27.8% through the first quarter of the fiscal year. This increase in revenues is in line with expectations as wholesale recycled water rates were budgeted to increase by 25% from \$456.63 per acre-foot in Fiscal Year 2021-22 to \$570.32 per acre-foot in Fiscal Year 2022-23.

JPA operating expenses year-to-date through the first quarter were \$5.6 million, which were

\$0.5 million (or 10.8%) above prior year's operating expenses of \$5.1 million and encompass 24.7% of the \$22.7 million annual operating budget for the fiscal year. Actual expenses are in line with budgeted expectations a quarter (25%) through the fiscal year.

Increases in operating expenses versus the prior year were primarily due to higher general and administrative (G&A) costs reported, which were up \$0.4 million through the first quarter. G&A costs of \$3.0 million through the first quarter equate to just under 25% of the \$12.3 million budgeted for fiscal year 2022-23; in line with expectations through the first quarter.

Expenses of \$819,000 at the Rancho Composting Facility are up \$181,000 year over year through the first quarter. This increase is driven mainly from one-time costs of \$110,000 for the purchase and transportation of a new Bio Filter. 24.1% of the budget has been expensed at the Composting Facility through the first quarter which is in line with expectations 25% through the fiscal year.

Expenses of \$1.0 million at the Tapia Treatment Plant, and \$0.7 million in Recycled water transmission and distribution costs are in line with prior year expenses through the first quarter of also \$1.0 million and \$0.7 million respectively. Continuing revenue and expense trends will be monitored and reported as part of ongoing financial reviews presented throughout the fiscal year.

Within the attached report, the "Current Budget" column pertains to the current fiscal year budget that was adopted and/or amended by the Board. The "Actual Year-to-Date" columns presents the cumulative year-to-date revenues and expenses for both the current fiscal year and prior fiscal year. Lastly, the "Variance with Prior Year" column calculates the net difference between the current fiscal year-to-date balance and the prior fiscal year-to-date balance.

Attachment A provides a report summarizing Fiscal Year 2022-23 year-to-date financial results. All data on the report is through September 30, 2022.

Attachment B provides a Capital Improvements Project status report that includes project-to-date and current year expenses through September 30, 2022.

GOALS:

Ensure Effective Utilization of the Public's Assets and Money

Prepared by: Brian Richie, Finance Manager

ATTACHMENTS:

[Attachment A](#)

[Attachment B](#)

Attachment A

LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY
Statement of Revenues, Expenses, and Changes in Net Position
For the Quarter ended September 30, 2022 (Preliminary) and 2021
(dollars in thousands)



	Current Budget 2022/23	Through 25% of fiscal year Actual Year-to-Date		Variance with Prior Year Positive (Negative) 2022/23 to 2021/22
		2022/23	2021/22	
OPERATING REVENUES:				
Wholesale recycled water sales	\$ 2,691	\$ 1,006	\$ 787	\$ 219
Other income	65	594	14	580
Total operating revenues	2,756	1,600	801	799
OPERATING EXPENSES:				
Treatment Plant	4,406	1,027	1,035	(8)
Recycled water transmission and distribution	2,130	708	737	(29)
Compost Plant	3,397	819	638	181
Sewer	171	34	41	(7)
General and administrative	12,341	3,000	2,566	434
Other operating expenses	265	17	42	(25)
Total operating expenses	22,710	5,605	5,059	546
OPERATING INCOME (LOSS) BEFORE BILLING TO PARTICIPANTS	(19,954)	(4,005)	(4,258)	253
Billing to Participants	19,954	4,005	4,258	(253)
OPERATING INCOME (LOSS)	-	-	-	-
NONOPERATING REVENUES (EXPENSES):				
Interest income (expense)	-	20	10	10
Other revenues (expenses)	-	5	-	5
Total nonoperating revenues (expenses)	-	25	10	15
CHANGES IN NET POSITION	-	25	10	15
NET POSITION:				
Beginning of fiscal year	101,134	101,134	98,362	2,772
Ending Net Position	\$ 101,134	\$ 101,159	\$ 98,372	\$ 2,787

Attachment B

Capital Improvement Project Detail Fiscal Year 2022-23

Sanitation					
SCADA System Communications Upgrade-CIP10520					
	Project Manager Nkwenji	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		93,100	32,447	-	60,653
Migration of the existing communication system from a serial radio network to an ethernet based radio network. Provide redundant data paths for uninterrupted communication. Eliminate need to rely on telephone company equipment.					
	Sanitation Replacement (100%)	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
	LV Share Amount (70.6%)	17,474	-	2,228,136	
	TWSD Share Amount (29.4%)	7,277	-	927,864	
	Project Totals	24,750	-	3,156,000	3,213,197
Tapia Programmable Logic Controller Upgrades-10567					
	Project Manager Nkwenji	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		2,500,000	2,434,455	65,545	0
This project replaces programmable logic controllers (PLC's) with newer PLCs and provides necessary equipment upgrades (fiber optics, network switches and programming) to complete the installation. This is a program project which addresses Tapia in the first two years and contrate treatment in the third year. Design will occur in the first year for all facilities.					
	Sanitation Replacement (100%)	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
	LV Share Amount (70.6%)	46,275	-	-	
	TWSD Share Amount (29.4%)	19,270	-	-	
	Project Totals	65,545	-	-	2,500,000
Summer Season TMDL Compliance-10619					
	Project Manager Nkwenji	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		4,597,942	3,047,884	1,368,727	181,331
In February 2017 the SWRCB adopted the implementation Plan for the 2013 TMDL. The plan provides for compliance with summer time limits within five years. The options for compliance include a "side stream" treatment plant, the use of potable water and nutrient trading in the watershed. This CIP funds the selection, preliminary studies, outreach, CEQA analysis, preliminary design, and final design for the summer time compliance. Project 10611 (Duct Bank Infrastructure Upgrade) was added to this program for the FY19-20 planning period. Construction of a 1 MGD "side stream" treatment facility at Tapia to treat potable water for stream flow augmentation.					
	Sanitation Replacement (100%)	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
	LV Share Amount (70.6%)	1,302,377	208,037	-	
	TWSD Share Amount (29.4%)	542,350	86,633	-	
	Project Totals	1,844,727	294,670	-	4,597,942
Pure Water Project-CIP10635					
	Project Manager Slosser	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		12,473,632	5,475,377	2,120,747	4,877,508
The Pure Water Project relies on indirect potable reuse, a water supply strategy now adopted by many cities and water agencies in California and across the United States to provide local, reliable water. The ultimate, full-scale project will minimize the discharging of usable recycled water into Malibu Creek and instead will convert this resource into a viable source for potable, locally-produced water. The full-scale project involves the construction of several pipelines and an advanced treatment plant that will convert recycled water into pure drinking water. The Pure Water Project creates an affordable and reliable local water supply that will be cost-competitive with imported water, help stabilize water rates, safeguard the local economy, and significantly reduce the uncertainty of supply associated with importing water due to climate change and long-term and reoccurring drought conditions. The project will require public participation and acceptance, regional leadership, and funding to move from concept to reality.					
	Sanitation Replacement (100%)	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
	LV Share Amount (70.6%)	5,082,580	338,417	172,265,306	
	TWSD Share Amount (29.4%)	2,116,542	140,927	71,736,544	
	Project Totals	7,199,122	479,344	244,001,850	256,475,482
	Project Offset			Net Project	256,475,482

Capital Improvement Project Detail Fiscal Year 2022-23

Tapia Effluent Pump Station-CIP10702

	Project Manager Gil/Leu	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		496,000	12,676	5,619	477,705

Remove or abandon in place existing 4160 volt feeders currently suspended from the top slab of the Effluent Pump Station wet well, underneath the existing MCCs. Perform electrical design and replace the overhead 4160 volt feeders. Ensure coordination with 480 volt switch gear improvements.

	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	341,818	616		
TWSD Share Amount (29.4%)	142,343	257		
Project Totals	484,161	873	-	496,000

Multi Site Security Assessment and Improvement JPA-CIP10724

	Project Manager Nkwenji	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		105,000	-	-	105,000

Security Assessment of various District sites and facilities. This will include access controls and security camera installations and improvements.

	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	74,130	-	808,907	
TWSD Share Amount (29.4%)	30,870	-	336,853	
Project Totals	105,000	-	1,145,760	1,250,760

Tapia Flow Equalization-CIP10737

	Project Manager Leu/Slosser	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		450,000	710	-	449,290

This project consists of the development of a preliminary design report to evaluate the storage and conveyance of Tapia primary effluent to help store and equalize the diurnal peak flows that Tapia sees between dry and wet weather events. This maximizes effluent available for the AWT and also improves and provides consistent water quality for the feed water to the AWT.

	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	317,700	501	4,701,960	
TWSD Share Amount (29.4%)	132,300	209	1,958,040	
Project Totals	450,000	710	6,660,000	7,110,000

Concrete Corrosion/Crack Repair-Tapia-CIP10741

	Project Manager Triplett/Dingman Hurtado	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		132,000	-	-	132,000

Repair failing concrete at the Tapia Water Reclamation Facility.

	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	35,300	-	128,492	
TWSD Share Amount (29.4%)	14,700	-	53,508	
Project Totals	50,000	-	182,000	314,000

Lift Station Improvements-CIP10742

	Project Manager Korkosz/Acevedo	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		555,000	-	-	555,000

Repair and rehabilitate aging lift stations.

	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	141,200	-	658,274	
TWSD Share Amount (29.4%)	58,800	-	274,126	
Project Totals	200,000	-	932,400	1,132,400

Capital Improvement Project Detail Fiscal Year 2022-23

Fire Hardening- JPA Facilities FY2022-24-CIP10743

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Korkosz	Budget	Expenditures	Contract Balance	Budget
Project Description:		528,000	-	-	528,000

Fire hardening strategy for JPA facilities includes preventive measures and protection systems for both internal and external sources of fire. Potential facility improvements include: 1) employing advanced detectors and utilizing a plant fire safety systems; and 2) evaluation and, if feasible, installation of a perimeter fire defense system. Fire Hardening also includes creating larger defensible space around critical structures and providing wider access roads and preventative improvements to facilities.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	186,384	-	186,384	
TWSD Share Amount (29.4%)	77,616	-	77,616	
Project Totals	264,000	-	264,000	528,000

Discharge Point Rehab-CIP10745

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman/Hurtado	Budget	Expenditures	Contract Balance	Budget
Project Description:		669,300	80,476	19,428	569,396

Evaluate and repair failed 003 Discharge point pipeline (into Malibu Creek). Contract for inspection, an engineering study and a design report to determine the most cost effective means to repair failed 24" potable water pipeline from the Tapia Water Reclamation Facility to Malibu Creek. The pipeline will be used to supply potable supplement to the Malibu Creek during low flow periods. Approximately one (1) mile of pipeline needs to be and preventative improvements to facilities.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	386,710	192	391,830	
TWSD Share Amount (29.4%)	161,038	80	163,170	
Project Totals	547,748	273	555,000	1,182,951

Centrate Tank Inspection and Rehabilitation Assesment-CIP10748

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman	Budget	Expenditures	Contract Balance	Budget
Project Description:		132,000	-	-	132,000

Tank inspections and recommendations for rehabilitation.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	93,192	-	-	
TWSD Share Amount (29.4%)	38,808	-	-	
Project Totals	132,000	-	-	132,000

Tapia Air Line Repair-CIP10753

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman/Acevedo	Budget	Expenditures	Contract Balance	Budget
Project Description:		330,000	-	-	330,000

The air line which conveys compressed air to the treatment process has leaks which not only allow air to escape, but also allow contaminants to enter into the pipeline and potentially the air diffusers. A large portion of this line was repaired, however a section of the pipeline was not addressed. This section needs to be addressed to stop leakage and protect the diffuser membranes.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	232,980	-	-	
TWSD Share Amount (29.4%)	97,020	-	-	
Project Totals	330,000	-	-	330,000

Trunk Sewer System Improvements-CIP10756

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Korkosz/Slosser	Budget	Expenditures	Contract Balance	Budget
Project Description:		501,600	18,802	-	482,798

Replace or rehabilitate trunk sewer system components based on CCTV, condition assessment & SSMP, end of useful life, or obsolescence. Specific projects are identified for each fiscal year.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	354,130	964	354,130	
TWSD Share Amount (29.4%)	147,470	402	147,470	
Project Totals	501,600	1,366	501,600	1,003,200

Capital Improvement Project Detail Fiscal Year 2022-23

Tapia Secondary Clarifier Rehabilitation-CIP10794

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman/Leu	Budget	Expenditures	Contract Balance	Budget
Project Description:		847,000	3,939	-	843,061

Repair the secondary clarifiers. The current launders are leaking and need to have the wall seal repaired. Replacement on the inlet diffusers and skimming tubes is also necessary as they are corroded and leaking. Recaulking the expansion joints and structural repairs to catwalks are needed as they are separating from the wall.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	597,982	2,781	-	
TWSD Share Amount (29.4%)	249,018	1,158	-	
Project Totals	847,000	3,939	-	847,000

JPA Condition Assessment and Rehabilitation Planning-CIP10797

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Korkosz/Leu	Budget	Expenditures	Contract Balance	Budget
Project Description:		100,000	314	-	99,686

Hire engineering firm to assess all electrical systems and make recommendations on necessary rehab or replacement of switch gear, VFD's transformers, switching, etc.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	70,600	222	-	
TWSD Share Amount (29.4%)	29,400	92	-	
Project Totals	100,000	314	-	100,000

Centrifuge Controls Upgrade-CIP10798

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Korkosz	Budget	Expenditures	Contract Balance	Budget
Project Description:		158,400	-	-	158,400

With the summertime compliance project being constructed next year, the 001 out fall meter will be removed. Additionally, the Tapia groundwater meter has aged out and the 003 meter needs to be replaced. These meters are regulatory required. This project replaces the 001, 003 and the Tapia groundwater effluent meters.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	111,830	-	-	
TWSD Share Amount (29.4%)	46,570	-	-	
Project Totals	158,400	-	-	158,400

Rancho Reliability Improvements FY22-24-CIP10799

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman/Rabajá	Budget	Expenditures	Contract Balance	Budget
Project Description:		132,000	-	-	132,000

Replace or rehabilitate facilities and equipment at the Rancho facility based on failure, beyond useful life, or obsolescence. Specific projects are identified for each fiscal year.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	93,192	-	93,192	
TWSD Share Amount (29.4%)	38,808	-	38,808	
Project Totals	132,000	-	132,000	264,000

Tapia Water Reclamation Facility Improvements FY22-24-CIP10800

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman/Bril	Budget	Expenditures	Contract Balance	Budget
Project Description:		132,000	-	-	132,000

Replace or rehabilitate facilities and equipment at the Rancho facility based on failure, beyond useful life, or obsolescence. Specific projects are identified for each fiscal year.

	FY 22-23	FY 22-23	Future Year	
Sanitation Replacement (100%)	Budget	Expenditures	Appropriations	Project Total
LV Share Amount (70.6%)	93,192	-	93,192	
TWSD Share Amount (29.4%)	38,808	-	38,808	
Project Totals	132,000	-	132,000	264,000

Capital Improvement Project Detail Fiscal Year 2022-23

Tapia Aluminum Sulfate Tank Replacement-CIP10801

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman/Korkosz	Budget	Expenditures	Contract Balance	Budget
Project Description:		816,000	5,746	-	810,254
Replace aging sodium bisulfite tank that is leaking. Project includes feed pump and delivery pipeline.					
	Sanitation Replacement (100%)	FY 22-23	FY 22-23	Future Year	
		Budget	Expenditures	Appropriations	Project Total
	LV Share Amount (70.6%)	576,096	4,057	279,576	
	TWSD Share Amount (29.4%)	239,904	1,689	116,424	
	Project Totals	816,000	5,746	396,000	1,212,000

Rancho Control Building HVAC Replacement-CIP10802

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman/Korkosz	Budget	Expenditures	Contract Balance	Budget
Project Description:		330,000	-	-	330,000
Replace HVAC at Rancho Control Building. HVAC has reached end of useful life and is not feasible to replace existing unit.					
	Sanitation Replacement (100%)	FY 22-23	FY 22-23	Future Year	
		Budget	Expenditures	Appropriations	Project Total
	LV Share Amount (70.6%)	232,980	-	-	
	TWSD Share Amount (29.4%)	97,020	-	-	
	Project Totals	330,000	-	-	330,000

Malibou Lake Siphon Project-CIP10803

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Korkosz/Leu	Budget	Expenditures	Contract Balance	Budget
Project Description:		1,337,000	24,998	175,316	1,136,685
Repair Malibou Lake Siphon to address inflow and infiltration at the site.					
	Sanitation Replacement (100%)	FY 22-23	FY 22-23	Future Year	
		Budget	Expenditures	Appropriations	Project Total
	LV Share Amount (70.6%)	943,922	17,649	-	
	TWSD Share Amount (29.4%)	393,078	7,349	-	
	Project Totals	1,337,000	24,998	-	1,337,000

Rancho Las Virgenes - New Flare-CIP10804

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	DingmanZhao	Budget	Expenditures	Contract Balance	Budget
Project Description:		150,000	688	-	149,312
Design and install a new larger flare that can handle all of the digester gas flow (over 100 scfm). The current flare, which has a limited capacity of 75 scfm will remain in place to provide redundancy. The current flare does not have the capacity to dispose of all of the digester gas.					
	Sanitation Replacement (100%)	FY 22-23	FY 22-23	Future Year	
		Budget	Expenditures	Appropriations	Project Total
	LV Share Amount (70.6%)	105,900	486	391,830	
	TWSD Share Amount (29.4%)	44,100	202	163,170	
	Project Totals	150,000	688	555,000	705,000

Rancho: Replace Agitators-CIP10806

	Project Manager	Project to Date	Project to Date	Outstanding	Available
	Dingman	Budget	Expenditures	Contract Balance	Budget
Project Description:		1,304,250	-	1,373,130	(68,880)
Purchase new compost agitators to replace the existing ones.					
	Sanitation Replacement (100%)	FY 22-23	FY 22-23	Future Year	
		Budget	Expenditures	Appropriations	Project Total
	LV Share Amount (70.6%)	920,801	-	-	
	TWSD Share Amount (29.4%)	383,450	-	-	
	Project Totals	1,304,250	-	-	1,304,250

Capital Improvement Project Detail Fiscal Year 2022-23

Rancho Las Virgenes SCADA Improvements-CIP10807

	Project Manager Nkwenji	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		855,000	-	-	855,000

Upgrade Process Control and Instrumentation System (PCIS) at Rancho. Rancho's PLC and HMI systems are inconsistent with current District Standards for Operational Technology.

	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
Sanitation Replacement (100%)				
LV Share Amount (70.6%)	603,630	-	186,384	
TWSD Share Amount (29.4%)	251,370	-	77,616	
Project Totals	855,000	-	264,000	1,119,000

Sanitation Summary

		Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
		29,725,224	11,138,512	5,134,975	13,451,737
Sanitation Replacement (100%)					
	FY 22-23 Budget	FY 22-23 Expenditures	Contract Balance	Available Budget	
LV Share Amount (70.6%)	12,962,374	573,922	3,625,292	8,763,159	
TWSD Share Amount (29.4%)	5,397,929	238,999	1,509,683	3,649,248	
Project Totals	18,360,303	812,921	5,134,975	12,412,407	

Recycled Water

Calabasas Park Recycled Water Main Extension-CIP10666

	Project Manager Leu	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		463,000	3,156	-	459,844

Install approximately 1,200 linear feet of 6-8 inch pipeline to loop the existing recycled water system.

	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
Recycled Water Replacement Fund				
LV Share Amount (100%)	463,000	3,156	577,200	
Project Totals	463,000	3,156	577,200	1,040,200

Recycled Water Pump Station Battery Energy Storage System (BESS)-CIP10793

	Project Manager Zhao	Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
Project Description:		1,381,950	-	-	1,381,950

Rehabilitation of Cordillera Tank including interior and exterior coating, valve and appurtenance upgrades and replacements, restoration of deteriorated asphalt, and work to ensure up-to-date compliance for safety and water quality equipment.

	FY 22-23 Budget	FY 22-23 Expenditures	Future Year Appropriations	Project Total
Recycled Water Replacement Fund				
LV Share Amount (70.6%)	975,657	-	-	
TWSD Share Amount (29.4%)	406,293	-	-	
Project Totals	1,381,950	-	-	1,381,950
Project Offset	(1,170,000)			(1,170,000)
			Net Project	211,950

Recycled Water Summary

		Project to Date Budget	Project to Date Expenditures	Outstanding Contract Balance	Available Budget
		1,844,950	3,156	-	1,841,794
Recycled Water Replacement Fund					
	FY 22-23 Budget	FY 22-23 Expenditures	Contract Balance	Available Budget	
LV Share Amount (70.6%)	1,438,657	3,156	-	1,300,306	
TWSD Share Amount (29.4%)	406,293	-	-	541,487	
Project Totals	1,844,950	3,156	-	1,841,794	



To: Las Virgenes-Triunfo JPA Board of Directors and Staff
From: John Freshman, Ana Schwab, Lowry Crook, and Samantha Sabol
Date: October 31, 2022
RE: Federal Report

A Continuing Resolution Has Passed, Congress Now Looks Ahead To November Elections

After a busy end to a full session in September, both the House and the Senate are out of session gearing up for the November election and a potentially busy month of legislating to follow. The end of September brought the highly anticipated passage of a Continuing Resolution (CR), which will continue federal funding until December 16th. The Senate passed the CR on Thursday September 29th, and the House subsequently passed this legislation and it was signed into law by President Biden on Friday, September 30th. Congress must still pass the full appropriations bills before funding expires on December 16th.

As a reminder, in July, the House passed H.R.8294, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, a six-bill appropriations package that included \$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. The House still must pass the Commerce-Justice-Science, Defense, Homeland Security, Labor-HHS-Education, Legislative Branch, and State-Foreign Operations appropriations bills. It is predicted that the appropriations bills and full FY23 budget will be signed into law by the close of the year.

In addition to the FY23 appropriations, Congress must pass the National Defense Authorization Act (NDAA) before the end of the year. The House passed the NDAA in July, and the bill currently awaits Senate consideration. It is currently expected that the Water Resources Development Act (WRDA) will be attached to the NDAA. Depending on how the election goes, the Congressional majority may negotiate some additional end-of-year packages to pass and have signed into law before the new Congress on January 3, 2023.

The November Election

The general election will take place on November 8th, and with many close races in play there has yet to be a decisive prediction on the outcome and makeup of the 118th Congress. This tense and unpredictable election will put the majority party of both chambers in question, and the current and historic 50-50 Senate will likely lose its balancing numbers, but predictions are still unclear. The 118th Session of Congress will begin on January 3rd, 2023.



Supreme Court Opening Hearing

The Supreme Court of the United States (SCOTUS) opened their new term on October 3rd, 2022, with a landmark environmental protection case. *Sackett vs. Environmental Protection Agency* (EPA) brought up controversies over the jurisdiction of the Clean Water Act over wetlands and streams. The property owners, the Sacketts, sought to develop the property and ran into the Army Corps position that the property contained jurisdictional wetlands.

The issue before the Court was whether the property contained wetlands that that qualify as Waters of the United States (“WOTUS”) based on the fact that wetlands across the street from the property connect to Priest lake via a drainage ditch that connects to a stream that leads to the Lake.

Based on the questions during Oral Arguments, it seems a majority decision will move away from the “significant nexus standard” that came out of the 2006 *Rapanos* case and seeks a more concrete and limited way of determining what is jurisdictional. From their comments during the hearing, it appears that Justices Gorsuch, Alito and Thomas are aligned and would adopt a very narrow interpretation of what constitutes WOTUS. Justices Barret, Kavanaugh, and Roberts seemed to be looking for a more moderate position that is more limited than “significant nexus” and provides some concrete way of determining what is jurisdictional. From their questions, Justices Jackson, Sotomayor and Kagan appear to believe that the Sackett’s property contains wetlands that qualify as WOTUS. It is possible that the conservative Justices will not split 3-3, and instead will find a unified test that is similar to Justice Scalia’s decision in the *Rapanos* case. But, it is also possible that Justices Barrett, Kavanaugh and/or Roberts could join the liberal wing with some alternative test. This is what happened in the *Maui* case, and we could see a repeat.

Funding Opportunities

Bureau of Reclamation Funding Opportunity

The Bureau of Reclamation announced a funding opportunity for innovative proposals related to water treatment technology. This is particularly focused on projects that will reduce water treatment costs and increase water availability. The Bureau is offering \$250,000 in funding over two years for laboratory-scale projects, and \$800,000 in funding over three years for pilot-scale projects. The deadline for applications is November 30, 2022. More information can be found [here](#).

Environmental Protection Agency Funding Opportunity

The Environmental Protection Agency (EPA) announced multiple Brownfield grant opportunities with a total of \$169 million allocated for funding. These grants include Multipurpose, Assessment, Revolving Loan Fund, and Cleanup (MARC) Grants. The purpose of this funding is to address water contamination of hazardous substances, including PFAS, and assist communities in the effort to clean their water from these chemicals. The deadline for applications is November 22, 2022. More information can be found [here](#).

**LAS VIRGENES-TRIUNFO - HIGH PRIORITY LEGISLATION IN THE 117TH CONGRESS
THROUGH OCTOBER 31, 2022**

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.202</u> <u>SALT Fairness Act of 2021</u>	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	
<u>S.29</u> <u>Local Water Protection Act</u>	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	
<u>S.Res.17</u> <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>	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	
<u>H.R.616</u> <u>Emergency Water is a Human Right Act</u>	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	
<u>S.85</u> <u>SALT Deductibility Act</u>	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
<u>H.R.613</u> <u>SALT Deductibility Act</u>	<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>	
<u>S.101</u> <u>Environmental Justice Mapping and Data Collection Act of 2021</u>	<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>	
<u>H.R.516</u> <u>Environmental Justice Mapping and Data Collection Act of 2021</u>	<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>	
<u>H.R.535</u> <u>Special District Provide Essential Services Act</u>	<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><u>S.91</u> <u>Special Districts Provide Essential Services Act</u></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"> • reduced revenue or operational funding derived from provided services, taxes, fees, or other sources of revenue; • reduced indirect funding from the federal government, the state, or a unit of general government below the state level; or • as a result of the COVID-19 emergency, increased expenditures necessary to continue operations. <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><u>H.R.737</u> <u>RENEW WIIN Act</u></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
<u>H.R. 692</u> <u>Recognition of Local Interests in NEPA Decision Making</u>	<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>	
<u>H.R.848</u> <u>GREEN Act of 2021</u>	<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>	
<u>H.Res.104</u> <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>	<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>	
<u>S.Res.43</u> <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>	<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>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.946</u> <u>SALT Act</u>	<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>	
<u>H.R.1015</u> <u>Water Recycling Investment and Improvement Act</u>	<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>
<u>H.R.988</u> <u>Recreational Lands Self-Defense Act of 2021</u>	<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>	
<u>H.R.1066</u> <u>Wildfire Recovery Act</u>	<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
<u>S.421</u> <u>Western Tribal Water Infrastructure Act of 2021</u>	<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>	
<u>H.R.1319</u> <u>American Rescue Plan Act of 2021</u>	<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>
<u>H.R.1352</u> <u>Water Affordability, Transparency, Equity, and Reliability Act of 2021</u>	<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>	
<u>S.479</u> <u>Lifting Our Communities through Advance Liquidity for Infrastructure (LOCAL Infrastructure) Act of 2021</u>	<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>H. R. 1438 FLOODS Act</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"> • requires NOAA to estimate and communicate the frequency of precipitation; • 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. <p><i>Companion bill to S.558.</i></p>	<p>Introduced by Rep. Mikie Sherrill (D-NJ) – February 26, 2021</p>	
<p>S.498 A bill to amend title 54, United States Code, to limit the authority to reserve water rights in designating a national monument</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>S.558 FLOODS Act</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"> • requires NOAA to estimate and communicate the frequency of precipitation; • 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. <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>H.R.1563 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</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><u>H.R.1679</u> <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></p>	<p>This bill prohibits the Departments of the Interior and Agriculture from</p> <ul style="list-style-type: none"> 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 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. <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><u>H.R.1804</u> <u>Community Cleanup Act</u></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
<p>H.R.1844 STOP CSO Act of 2021</p>	<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>	
<p>S.715 NEPA Data Transparency and Accountability Act</p>	<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>	
<p>S.716 NEPA Legal Reform Act</p>	<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
<u>S.717</u> <u>UNSHACKLE Act</u>	<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"> • establishing deadlines for federal agencies to complete reviews of the environmental effects of proposed major federal actions; • establishing penalties for agencies that do not comply with these deadlines; • 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; • requiring agencies to only consider alternatives to proposed actions that are technically and economically feasible; • prohibiting agencies from considering whether proposed actions or alternatives to those actions will have an effect on climate change; and • establishing requirements concerning the judicial review of NEPA cases.. 	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	
<u>S.718</u> <u>NEPA Agency Process Accountability Act</u>	<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>	
<u>S.719</u> <u>NEPA State Assignment Expansion Act</u>	<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
<p><u>S.722</u> <u>Wastewater Efficiency and Treatment Act of 2021</u></p>	<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>	
<p><u>H.R.1820</u> <u>RETROACTIVE Policy Act</u></p>	<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>	
<p><u>H.R. 1821</u> <u>RURAL Act</u></p>	<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><u>H.R.1848</u> <u>Leading Infrastructure for Tomorrow's America Act</u></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><u>H.R.1881</u> <u>To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes</u></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
<u>H.R.1889</u> <u>Environmental Justice for Coronavirus Affected Communities Act</u>	<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>	
<u>H.R.1915</u> <u>Water Quality Protection and Job Creation Act of 2021</u>	<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"> • programs to control water pollution; • pilot projects related to watershed management of wastewater discharges (e.g., sewer overflows or stormwater discharges) during wet weather; • alternative water source projects, including projects to reclaim stormwater; or • measures to manage, reduce, treat or recapture stormwater, such as sewer overflows. <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>	
<u>S.804</u> <u>SALT Deduction Fairness Act</u>	<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><u>H.R.2021</u> <u>Environmental Justice For All Act</u></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>S.855 Water Rights Protection Act of 2021</p>	<p>This bill prohibits the Departments of the Interior and Agriculture from</p> <ul style="list-style-type: none"> • 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; • 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 • 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. <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>S.872 Environmental Justice For All Act</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><u>H.R.2095</u> <u>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.</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><u>S.914</u> <u>Drinking Water and Wastewater Infrastructure Act of 2021</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><u>H.R.2008</u> <u>Local Water Protection Act</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><u>H.R.2173</u> <u>Wastewater Workforce Investment Act</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>S.939 IMAGINE Act</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"> • 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; • 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; • 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 • provides grants for the design and installation of water infrastructure projects. <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><u>S.953</u> <u>Water for Conservation and Farming Act</u></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"> • provide assistance to agricultural producers to create and maintain waterbird and shorebird habitats, • award grants to eligible government entities and nonprofit conservation organizations for habitat restoration projects that improve watershed health, and • prepare plans to sustain the survival of critically important fisheries during periods of drought. 	<p>Introduced by Sen. Ron Wyden (D-OR) – March 24, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R.2197 IMAGINE Act	<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"> • 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; • 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; • 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 • provides grants for the design and installation of water infrastructure projects. <p><i>Companion bill to S.939.</i></p>	<p>Introduced by Rep. David Cicilline (D-RI) – March 26, 2021</p>	
H.R.2288 Investing in Our Communities Act	<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><u>H.R.2397</u> <u>Protection from Cumulative Emissions and Underenforcement of Environmental Law Act of 2021</u></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>H.R.2434 Environmental Justice Act of 2021</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"> • Executive Order 12898; • a guidance issued in 1997 by the Council on Environmental Quality titled Environmental Justice Guidance Under the National Environmental Policy Act; • 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; • the National Environmental Justice Advisory Council; • the Environmental Justice Small Grants Program; and • the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program. • 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. <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
<p><u>H.R.2442</u> <u>Climate Justice Grants Act</u></p>	<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>	
<p><u>H.R.2467</u> <u>PFAS Action Act of 2021</u></p>	<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><u>H.Res.318</u> <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></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><u>H.R.2468</u> <u>Made in America Act of 2021</u></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"> • 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; • 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 • construction materials, that all manufacturing processes for the construction material occurred in the United States. <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>S.1094 Made in America Act of 2021</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"> • 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; • 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 • construction materials, that all manufacturing processes for the construction material occurred in the United States. <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
<p><u>S.1121</u> <u>PFAS Registry Act of 2021</u></p>	<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>	
<p><u>H.R.2660</u> <u>WATER Act</u></p>	<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>	
<p><u>H.Res.320</u> <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></p>	<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><u>S.Res.166</u> <u>A resolution recognizing the duty of the Federal Government to create a Green New Deal</u></p>	<p>This resolution calls for the creation of a Green New Deal with the goals of</p> <ul style="list-style-type: none"> • achieving greenhouse gas and toxic emissions reductions needed to stay under 1.5 degrees Celsius of warming; • establishing millions of high-wage union jobs and ensuring economic security for all; • investing in infrastructure and industry; • securing clean air and water, climate and community resiliency, healthy food, access to nature, and a sustainable environment for all; and • promoting justice and equality. <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"> • building smart power grids (i.e., power grids that enable customers to reduce their power use during peak demand periods); • upgrading all existing buildings and constructing new buildings to achieve maximum energy and water efficiency; • removing pollution and greenhouse gas emissions from the transportation and agricultural sectors; • cleaning up existing hazardous waste and abandoned sites; • ensuring businesspersons are free from unfair competition; and • providing higher education, high-quality health care, and affordable, safe, and adequate housing to all. <p><i>Companion bill to H.Res.332.</i></p>	<p>Introduced by Sen. Ed Markey (D-MA) – April 20, 2021</p>	
<p><u>H.R.2673</u> <u>CERCLA Liability Expansion and Accountability for Negligent and Unjust Pollution Act</u></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
<p><u>H.Res.332</u> <u>Recognizing the duty of the Federal Government to create a Green New Deal</u></p>	<p>This resolution calls for the creation of a Green New Deal with the goals of</p> <ul style="list-style-type: none"> • achieving greenhouse gas and toxic emissions reductions needed to stay under 1.5 degrees Celsius of warming; • establishing millions of high-wage union jobs and ensuring economic security for all; • investing in infrastructure and industry; • securing clean air and water, climate and community resiliency, healthy food, access to nature, and a sustainable environment for all; and • promoting justice and equality. <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"> • building smart power grids (i.e., power grids that enable customers to reduce their power use during peak demand periods); • upgrading all existing buildings and constructing new buildings to achieve maximum energy and water efficiency; • removing pollution and greenhouse gas emissions from the transportation and agricultural sectors; • cleaning up existing hazardous waste and abandoned sites; • ensuring businesspersons are free from unfair competition; and • providing higher education, high-quality health care, and affordable, safe, and adequate housing to all. <p><i>Companion bill to S.Res.166.</i></p>	<p>Introduced by Rep. Alexandria Ocasio-Cortez (D-NY) – April 21, 2021</p>	
<p><u>S.1239</u> <u>A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for certain waste water management subsidies</u></p>	<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
H.R.2674 Superfund Reinvestment Act	<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>	
H.R.2742 PFAS Registry Act of 2021	<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>	
S.1334 PFAS Accountability Act of 2021	<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>	
H.R.2751 PFAS Accountability Act of 2021	<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
S.1341 Water Resources Research Amendments Act	<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>	
S.1303 Build America, Buy America Act	<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>	
H.R.2781 Water Resources Research Amendments Act	<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><u>H.R.2810</u> <u>Build America, Buy America Act</u></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
H.R.2895 REPAIR Act	<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"> • 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; • sets forth terms and limitations on direct loans and loan guarantees; • establishes a funding mechanism to make the IFA a self-sustaining entity, including through fees and risk premiums on loans and loan guarantees; and • increases from \$15 billion to \$16 billion the national limitation on the amount of tax-exempt highway or surface freight transfer facility bonds. 	<p>Introduced by Rep. Scott Peters (D-CA) – April 28, 2021</p>	
H.R.2952 WISE Act	<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>	
H.R.2979 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	<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>	
H.R.3023 Restoring WIFIA Eligibility Act	<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
H.R.3112 Western Water Recycling and Drought Relief Act of 2021	<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>	
H.R.3113 MAPLand Act	<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"> • federal interests, including easements and rights-of-way, in private land; • status information as to whether roads and trails are open or closed; • the dates on which roads and trails are seasonally opened and closed; • the types of vehicles that are allowed on each segment of roads and trails; • 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. 	<p>Introduced by Rep. Blake Moore (R-UT) – May 11, 2021</p> <p>Became Public Law No. 117-114 – April 29, 2022</p>	
H.R.3218 Wastewater Infrastructure Improvement Act of 2021	<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
S.1605 National Defense Authorization Act for Fiscal Year 2022	<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>	
H.R.3267 Protect Drinking Water from PFAS Act of 2021	<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>	
H.R.3282 Drinking Water Funding for the Future Act of 2021	<p>This bill reauthorizes through FY2026 several drinking water programs, such as programs concerning efforts to</p> <ul style="list-style-type: none"> • assess risks to community water systems, • deploy innovative water technologies, • enforce compliance with standards under the Safe Drinking Water Act, • monitor unregulated drinking water contaminants, • assist water systems through the drinking water state revolving fund, • protect source waters, • test water quality in small and disadvantaged communities, and reduce lead in drinking water. 	<p>Introduced by Rep. David McKinley (R-WV) – May 17, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><u>H.R.3291</u> <u>Assistance, Quality, and Affordability Act of 2021</u></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><u>H.R.3293</u> <u>Low-Income Water Customer Assistance Programs Act of 2021</u></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
<u>H.R.3292</u> <u>Water Debt Relief Act of 2021</u>	<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>	
<u>H.R.3339</u> <u>National Infrastructure Bank Act of 2021</u>	<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>	
<u>S.1761</u> <u>Water Quality Certification Improvement Act of 2021</u>	<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
<p><u>H.R.3404</u> <u>FUTURE Western Water Infrastructure and Drought Resiliency Act</u></p>	<p>This bill addresses water-related resources and infrastructure.</p> <p>Among other provisions, the bill”</p> <ul style="list-style-type: none"> • reauthorizes through FY2026 the California Bay-Delta program, the Water Availability and Use Science Program, and a water desalination program; • reauthorizes through FY2028 the Fisheries Restoration and Irrigation Mitigation program; • creates various grants for water projects and expands the allowable uses of grants for water recycling and reuse projects; • establishes a funding source for certain water resources development projects in western states; • 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; • establishes prizes for water technology applications; • requires the U.S. Army Corps of Engineers to use specified funds for water control manual updates for forecast-informed water operations projects; and • allows certain funding to be used for the remediation of land formerly used to cultivate marijuana. <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>	
<p><u>H.R.3422</u> <u>Water Quality Certification Improvement Act of 2021</u></p>	<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>S.1726 21st Century Buy American Act</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>H.R.3473 Build Local, Hire Local Act</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>S.1827 Build Local, Hire Local Act</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>S.1907 Clean Water Standards for PFAS Act of 2021</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><u>S.1855</u> <u>Wildfire Emergency Act of 2021</u></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><u>H.R.3622</u> <u>Clean Water Standards for PFAS Act of 2021</u></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
<p><u>H.R.3684</u> <u>INVEST in America Act</u></p>	<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"> • extends FY2021 enacted levels through FY2022 for federal-aid highway, transit, and safety programs; • reauthorizes for FY2023-FY2026 several surface transportation programs, including the federal-aid highway program, transit programs, highway safety, motor carrier safety, and rail programs; • 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; • revises Buy America procurement requirements for highways, mass transit, and rail; • establishes a rebuild rural bridges program to improve the safety and state of good repair of bridges in rural communities; • implements new safety requirements across all transportation modes; and • 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. 	<p>Introduced by Rep. Peter DeFazio (D-OR) – June 4, 2021</p> <p>Became Public Law No. 117-58 – November 15, 2021</p>	
<p><u>H.R.3691</u> <u>Wastewater Infrastructure Modernization Act</u></p>	<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
<u>H.R.3701</u> <u>PIPE Act</u>	<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>	
<u>H.R.3722</u> <u>21st Century Infrastructure Bank Act</u>	<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>	
<u>H.R.3751</u> <u>Clean Water Infrastructure Resilience and Sustainability Act of 2021</u>	<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>	
<u>H.R.3814</u> <u>UNSHACKLE Act</u>	<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"> • establishing deadlines for federal agencies to complete reviews of the environmental effects of proposed major federal actions; • establishing penalties for agencies that do not comply with these deadlines; • 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; • requiring agencies to only consider alternatives to proposed actions that are technically and economically feasible; • prohibiting agencies from considering whether proposed actions or alternatives to those actions will have an effect on climate change; and • establishing requirements concerning the judicial review of NEPA cases. 	<p>Introduced by Rep. Liz Cheney (R-WY) – June 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R.4018 NEED Water Act	<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>	
S.2168 Define WOTUS Act of 2021	<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>	
H.R.4069 Septic Upgrade Grant Act	<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>	
H.R.4099 Large-Scale Water Recycling Project Investment Act	<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
<p><u>S.2286</u> <u>Western Water, Jobs, and Infrastructure Act</u></p>	<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>	
<p><u>H.R.4224</u> <u>PFAS Transparency Act</u></p>	<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>	
<p><u>H.R.4284</u> <u>Clean Drinking Water Equity Act</u></p>	<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>	
<p><u>H.R.4336</u> <u>NEPA State Assignment Expansion Act</u></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 Rep. David Schweikert (R-AZ) – July 1, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><u>H.R.4372</u> <u>Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022</u></p>	<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>	
<p><u>S.2334</u> <u>Large Scale Water Recycling Project and Drought Resiliency Investment Act</u></p>	<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>	
<p><u>H.R.4413</u> <u>National Infrastructure Development Bank Act of 2021</u></p>	<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
S.2361 Green Retrofits Act	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.	Introduced by Sen. John Reed (D-RI) – July 15, 2021	
H.R.4502 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	This bill provides FY2022 appropriations to the Departments of Labor, Health and Human Services, and Education; and related agencies.	Introduced by Rep. Rosa DeLauro (D-CT) – July 19, 2021 Passed the House; received in the Senate – August 3, 2021	
H.R.4549 Energy and Water Development and Related Agencies Appropriations Act, 2022	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.	Introduced by Rep. Marcy Kaptur (D-OH) – July 20, 2021 Passed via legislative minibus H.R.4502 – August 3, 2021	
H.R.4570 Define WOTUS Act of 2021	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. <i>Companion bill to S.2168</i>	Introduced by Rep. Mary Miller (R-IL) – July 20, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
S.2404 Western Wildfire Support Act of 2021	<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"> • accounts in the Treasury for addressing wildfires, • a program to train and certify citizens who wish to be able to volunteer to assist USDA or Interior during a wildland fire incident, • 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, • the Theodore Roosevelt Genius Prize for the management of wildfire-related invasive species, and • the Management of Wildfire-Related Invasive Species Technology Advisory Board. 	<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>	
S.2406 Protect Drinking Water from PFAS Act of 2021	<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>	
H.R.4597 Clean Water SRF Parity Act	<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
H.R.4602 WIPPES Act	<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>	
S.2430 Water Conservation Rebate Tax Parity Act	<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>	
S.2454 Water Reuse and Resiliency Act of 2021	<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>	
H.R.4647 Water Conservation Rebate Tax Parity Act	<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
H.R.4712 Desalination Development Act	<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>	
H.R.4614 Resilient Federal Forests Act	<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"> • the Departments of Agriculture (USDA) and Interior to conduct fireshed management projects in fireshed management areas, • certain categorical exclusions for various purposes, • the balancing of the short- and long-term effects of forest management activities while considering injunctive relief, • USDA and Interior to establish their own discretionary arbitration pilot programs as an alternative dispute resolution process for forest management activities, • increasing the maximum term for a stewardship end result contract to 20 years, • 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, • the decommissioning of certain Forest Service Roads within designated high fire-prone areas, • repealing of the Eastside Screens requirements on National Forest System lands, • making the Northwest Forest Plan Survey and Manage Mitigation Measure Standards and Guidelines inapplicable to any National Forest System lands or public lands, • development of a protection plan for giant sequoia trees on National Forest System lands and public lands, and • 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. 	<p>Introduced by Repl. Bruce Westerman (R-AR) – July 22, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
S.2567 Navigable Waters Protection Act of 2021	<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>	
S.2605 Energy and Water Development and Related Agencies Appropriations Act, 2022	<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
<p>S.2630 Environmental Justice Act of 2021</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"> • Executive Order 12898; • a guidance issued in 1997 by the Council on Environmental Quality titled Environmental Justice Guidance Under the National Environmental Policy Act; • 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; • the National Environmental Justice Advisory Council; • the Environmental Justice Small Grants Program; and • the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program. • 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. <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>	
<p>H.R.4976 Ensuring PFAS Cleanup Meets or Exceeds Stringent Standards Act</p>	<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
H.R.4979 Maintaining Access to Essential Services Act of 2021	<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>	
S.2698 Stop CATASTROPHES Act	<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>	
S.Con.Res.14 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	<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"> • federal revenues, • new budget authority, • budget outlays, • deficits, • public debt, • debt held by the public, and • the major functional categories of spending. 	<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><u>H.R.5305</u> <u>Extending Government Funding and Delivering Emergency Assistance Act</u></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><u>S. 2792</u> <u>National Defense Authorization Act for Fiscal Year 2022</u></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><u>H.R.5438</u> <u>Water Advanced Technologies for Efficient Resource Use Act of 2021</u></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
<u>H.R.5376</u> <u>Inflation Reduction Act of 2022</u>	<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>	
<u>S.3031</u> <u>Clean Water Allotment Modernization Act of 2021</u>	<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>	
<u>S.3034</u> <u>Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022</u>	<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>	
<u>H.R.5653</u> <u>Clean Water Allotment Modernization Act of 2021</u>	<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>	
<u>H.R.5716</u> <u>Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act</u>	<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
S.3156 Federal Agency Climate PREP Act of 2021	<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>	
S.3169 Keep Food Containers Safe from PFAS Act of 2021	<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>	
H.R.5987 PFAS Definition Improvement Act	<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>	
H.R.6010 Protect Our Workers Act of 2021	<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>	
H.R.6026 Keep Food Containers Safe from PFAS Act of 2021	<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
<u>H.R.6058</u> <u>PFAS Health Study Act of 2021</u>	<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>	
<u>S.3277</u> <u>Section 401 Certification Act</u>	<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>	
<u>S.3282</u> <u>Water Infrastructure Modernization Act of 2021</u>	<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>	
<u>H.R.6088</u> <u>Water Infrastructure Modernization Act</u>	<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><u>H.R.6119</u> <u>Further Extending Government Funding Act</u></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><u>S.3371</u> <u>Land and Water Conservation Fund Amendments Act of 2021</u></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><u>H.R.6229</u> <u>Land and Water Conservation Fund Water Amendments Act of 2021</u></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"> • 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 • any proposed water quality project to be conducted with respect to such body of water. <p><i>Companion bill to S.3371.</i></p>	<p>Introduced by Rep. Brian Mast (R-FL) – December 9, 2021</p>	
<p><u>S.J.Res.33</u> <u>A joint resolution joint resolution relating to increasing the debt limit</u></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
H.R.6336 Western Wildfire Support Act of 2021	<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"> • accounts in the Treasury for addressing wildfires, • a program to train and certify citizens who wish to be able to volunteer to assist USDA or Interior during a wildland fire incident, • 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, • the Theodore Roosevelt Genius Prize for the management of wildfire-related invasive species, and <p>the Management of Wildfire-Related Invasive Species Technology Advisory Board.</p>	<p>Introduced by Rep. Joe Neguse (D-CO) – December 20, 2021</p>	
H.R.6591 PIPES Act	<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>	
S.3539 Watershed Results Act	<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>	
H.R.6617 Further Additional Extending Government Funding Act	<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
S.3662 Preventing PFAS Runoff at Airports Act	<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>	
H.J.Res.75 Extension of Continuing Appropriations Act, 2022	<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>	
H.R.2471 Consolidated Appropriations Act, 2022	<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>	
S.3886 Future of Water Act of 2022	<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>	
H.R.7182 Future of Water Act of 2022	<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
S.3893 WASH Sector Development Act of 2022	<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>	
S.3956 WIPPES Act	<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>	
H.R.7289 Federal PFAS Research Evaluation Act	<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
S.3893 WASH Sector Development Act of 2022	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	
S.4076 PFAS Firefighter Protection Act	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	
S.4081 Healthy H2O Act	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	
H.R.7597 PFAS Firefighter Protection Act	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	
H.R.7612 Desalination Research Advancement Act	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
S.4136 Water Resources Development Act of 2022	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	
S.4137 Water Resources Development Act of 2022	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	
S.4139 HEATR Act	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	
S.4144 ICEE HOT Act of 2022	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	
S.4161 Clean Water Standards for PFAS 2.0 Act of 2022	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	
H.R.7696 Clean Water Standards for PFAS 2.0 Act of 2022	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
<p><u>H.R.7771</u> <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></p>	<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>	
<p><u>H.R.7776</u> <u>Waters Resources Development Act of 2022</u></p>	<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>	
<p><u>S.4231</u> <u>STREAM Act</u></p>	<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
S.4237 Fire Ready Nation Act of 2022	<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>	
S.4236 Water Data and Security Act of 2022	<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
<u>H.R.7792</u> <u>Water Data Act</u>	<p>To provide for a national water data framework, and for other purposes.</p>	<p>Introduced by Rep. Melanie Stansbury (D-NM) – May 17, 2022</p> <p>House Natural Resources Subcommittee on Water, Oceans, and Wildlife hearing held – June 16, 2022</p>	
<u>H.R.7847</u> <u>Water Efficiency, Conservation, and Sustainability Act of 2022</u>	<p>To increase efficiency and conservation in public water systems, and for other purposes.</p> <p><i>Companion bill to S.4279.</i></p>	<p>Introduced by Rep. Jerry McNerney (D-CA) – May 19, 2022</p>	
<u>H.R.7897</u> <u>PFAS Reference Standards Act</u>	<p>To require manufacturers of PFAS to submit analytical reference standards to the Environmental Protection Agency, and for other purposes.</p>	<p>Introduced by Rep. John Sarbanes (D-MD) – May 27, 2022</p>	
<u>H.R.7900</u> <u>National Defense Authorization Act for Fiscal Year 2023</u>	<p>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.</p>	<p>Introduced by Rep. Adam Smith (D-WA) – May 27, 2022</p> <p>Passed by the House – July 14, 2022</p>	
<u>H.R.8018</u> <u>Healthy H2O Act</u>	<p>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.</p> <p><i>Companion bill to S.4081.</i></p>	<p>Introduced by Rep. Chellie Pingree (D-ME) – June 9, 2022</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
S.4279 Water Efficiency, Conservation, and Sustainability Act of 2022	<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>	
H.R.8090 To reauthorize funding for the Reclamation Climate Change and Water Program	<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>	
H.R.8127 To reauthorize the Water Infrastructure Finance and Innovation Act of 2014, and for other purposes	<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>	
S.4492 Federal PFAS Research Evaluation Act	<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>	
H.R.8255 Energy and Water Development and Related Agencies Appropriations Act, 2023	<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
<u>H.R.8262</u> <u>Department of the Interior, Environment, and Related Agencies Appropriations Act, 2023</u>	This bill provides FY2023 appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), and several related agencies.	Introduced by Rep. Charlie Pingree (D-ME) – July 1, 2022 Placed on the House calendar – July 1, 2022	
<u>H.R.8300</u> <u>Empowering Resilient Local Communities Act</u>	To direct the Administrator of the Federal Emergency Management Agency to issue guidance on extreme temperature events and resilience goals, and for other purposes.	Introduced by Rep. Earl Blumenauer (D-OR) – July 7, 2022	
<u>H.R. 8255</u> <u>Energy and Water Development and Related Agencies Appropriations Act, 2023</u>	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.	Introduced by Rep. Marcy Kaptur (D-OH) – June 30, 2022 Passed the House of Representatives in a minibus – July 20, 2022	
<u>H.R.8294</u> <u>Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023</u>	This bill provides FY2023 appropriations to the Department of Transportation (DOT), the Department of Housing and Urban Development (HUD), and several related agencies.	Introduced by Rep. David Price (D-NC) – July 5, 2022 Passed by House and received in Senate – July 26, 2022	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R. 8682</u> <u>Federal Infrastructure Bank Act of 2022</u>	To establish the Federal Infrastructure Bank to facilitate investment in, and the long-term financing of, economically viable United States infrastructure projects that provide a public benefit, and for other purposes.	Introduced by Congressman Webster (R-FL) – August 9, 2022	
<u>H.R. 8676</u> <u>Salton Sea Public Health and Environmental Protection Act of 2022</u>	To require the Secretary of the Interior to take certain measures with respect to protecting the Salton Sea, and for other purposes.	Introduced by Congressman Ruiz (D-CA) – August 5, 2022	
<u>S.4815</u> <u>A bill to clarify regulatory certainty, and for other purposes</u>	This bill would codify many provisions relating to permitting, and give authority to states over obtaining natural resources on federal land located within a state. This bill also eliminates federal jurisdiction over project review and approval.	Introduced by Senator Capito (R-WV) – September 12, 2022	
<u>Energy Independence and Security Act of 2022</u> <i>Bill number not yet available.</i>	A bill to codify permitting regulations; directs the President to issue an executive order designating priority projects; limits timeline for federal permitting review and approval; limits 401 considerations to water quality impacts; completes the Mountain Valley Pipeline.	Introduced by Senator Joe Manchin (D-WV) – September 21, 2022	

DATE: November 7, 2022
TO: JPA Board of Directors
FROM: Engineering and External Affairs

SUBJECT: Pure Water Project Las Virgenes-Triunfo: Update

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: Josie Guzman, Executive Assistant/Clerk of the Board

ATTACHMENTS:

[Jacobs Update October 2022](#)

To: Las Virgenes-Triunfo JPA Board of Directors
From: Jennifer Phillips, Jacobs
Date: October 28, 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

- Completed the 45-day public review period for the draft PEIR. Prepared a summary of comments received and approach for addressing comments in the final PEIR.
- Presented the updated project cost and funding approach to the JPA Board on October 12.

Key Program Accomplishments Last Month

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

October Accomplishments:

Programmatic:

- Coordinated technical, procurement, financial, regulatory and environmental efforts.
- Developing a roadmap for evaluating the viability of water augmentation source opportunities that is focused on technical, environmental, financial and partnership elements.

Technical:

- Received and responded to LVMWD review comments on the Tapia WRF and AWPf Equalization draft report.
- Provided the draft conveyance alignment study for LVMWD review on October 26.
- Continued support for the Demonstration Facility with weekly meetings to review performance data trends, share insights, and provide recommendations on the sampling plan to increase source water quality characterization for the AWPf design. Facilitated the technical coordination for autopsy of UF-3 to troubleshoot performance irregularities.
- Continued support for 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. Developed plan for next phase of the pilot.
- Continued to progress the AWPf conceptual design to confirm major PWP elements for LVMWD review.
- Investigating near-term approaches for reservoir management.
- Held kickoff meeting for development of an Enhanced Source Control Plan, which augments existing water reclamation facility pretreatment programs with the goal of protecting human health in potable reuse projects.

Regulatory/Environmental:

- Completed the 45-day review period on October 7 for the draft PEIR and provided a summary of comments and responses to aid in development of the final PEIR.
- Began development of the 1211 petition application for Tapia WRF.
- Prepared a strategy and schedule for engaging regulators to discuss PWP elements.

Financial:

- Attended biweekly coordination meetings to develop the Water Infrastructure Finance and Innovation Act (WIFIA) Letter of Interest. Prepared draft WIFIA Letter of Interest for review by LVMWD and TWSD.
- Presented the project cost and funding approach update to the JPA Board on October 12 to obtain approval for submission of the WIFIA LOI.
- Continued tracking of funding options and supporting LVMWD staff, as needed.

Procurement:

- Continued development of details for the Request for Qualifications (RFQ) and Request for Proposals (RFP) as part of the PDB process.
- Participated in an initial legal meeting on October 24, to discuss RFQ and RFP process with special advisor.

Public Outreach:

- Provided support and information to address public comments and concerns about water reuse.

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 November.

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

- Provide a Final PEIR document addressing public comments.
- Finalize Letter of Interest application for submission to WIFIA.
- Provide draft Conceptual Design report for LVMWD review.
- Change RO concentrate pipe run testing to remove the air gap, implement preformed monochloramine dosing prior to MF/UF, and support performance trending for the Demonstration Facility.
- Draft 1211 petition application for LVMWD review.
- Engage regulators to gain input on PWP technical items and provide progress update.
- Prepare guidance for implementing preformed monochloramine disinfection at Tapia WRF to reduce disinfection byproduct formation in the AWPf feed.

DATE: November 7, 2022
TO: JPA Board of Directors
FROM: General Manager

SUBJECT: Proposed 2023 JPA Board Meeting Calendar

SUMMARY:

The JPA Board regularly meets on the first Monday of each month. Attached for reference is the proposed 2023 JPA Board Meeting Calendar.

RECOMMENDATION(S):

Review the proposed 2023 JPA Board Meeting Calendar, and make any scheduling changes.

ITEM BUDGETED:

Yes

DISCUSSION:

The JPA Board regularly meets on the first Monday of each month. Attached for reference is the proposed 2023 JPA Board Meeting Calendar. The first Monday in January falls on the observed New Years Day holiday; therefore, the regular meeting will be held on January 3, 2023. The first Monday in September falls on the Labor Day holiday; therefore, the regular meeting will be held on September 5, 2023.

There is one conflict with the WateReuse California Conference, scheduled from November 5 to 7, 2023. The Board might want to consider cancelling the November 6, 2023 regular meeting and scheduling a special meeting on a different date.

As previously approved by the Board, the March and September JPA Board meetings are to be held at the Oak Park Library; however, due to restrictions on social distancing in response to the coronavirus (COVID-19) pandemic, all JPA Board meetings are currently being held in the board room at Las Virgenes Municipal Water District. Triunfo Sanitation & Water District recently acquired new office space and board room in Westlake Village. The Board may wish to consider scheduling the March and September JPA Board meetings at the new Triunfo Water & Sanitation District board room.

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

ATTACHMENTS:

Proposed 2023 JPA Board Meeting Calendar

2023 (DRAFT)

JANUARY						
S	M	T	W	T	F	S
1	2	3 L J	4	5	6	7
8	9	10	11	12	13	14
15	16	17 LV	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

CASA Winter Conf. Palm Springs 01/25 – 01/27

FEBRUARY						
S	M	T	W	T	F	S
			1	2	3	4
5	6 JPA	7 LV	8	9	10	11
12	13	14	15	16	17	18
19	20	21 LV	22	23	24	25
26	27	28				

CASA Washington DC Policy Form 02/27 – 03/01
ACWA Washington DC 02/28 – 03/02

MARCH						
S	M	T	W	T	F	S
			1	2	3	4
5	6 JPA	7 LV	8	9	10	11
12	13	14	15	16	17	18
19	20	21 LV	22	23	24	25
26	27	28	29	30	31	

WaterReuse Symposium Atlanta, GA 03/05 – 03/08
ACWA Legislative Symposium, Sacramento 03/23

APRIL						
S	M	T	W	T	F	S
						1
2	3 JPA	4 LV	5	6	7	8
9	10	11	12	13	14	15
16	17	18 LV	19	20	21	22
23	24	25	26	27	28	29
30						

Passover 04/05 – 04/07
Passover 04/11 – 04/13

MAY						
S	M	T	W	T	F	S
	1 JPA	2 LV	3	4	5	6
7	8	9	10	11	12	13
14	15	16 LV	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

ACWA Spring Conf. Monterey 05/09 – 05/11
Shavuot 05/25 – 05/27

JUNE						
S	M	T	W	T	F	S
				1	2	3
4	5 JPA	6 LV	7	8	9	10
11	12	13	14	15	16	17
18	19	20 LV	21	22	23	24
25	26	27	28	29	30	

	LV Meeting
	JPA Meeting
	District Holiday
	TWSD Meeting

2023 (DRAFT)

JULY						
S	M	T	W	T	F	S
						1
2	3 JPA	4	5 LV	6	7	8
9	10	11	12	13	14	15
16	17	18 LV	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST						
S	M	T	W	T	F	S
		1 LV	2	3	4	5
6	7 JPA	8	9	10	11	12
13	14	15 LV	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

CASA Annual Conf. San Diego 08/09 – 08/11
CSDA Annual Conf., Monterey 08/28 – 08/31

SEPTEMBER						
S	M	T	W	T	F	S
					1	2
3	4	5 L	6 J	7	8	9
10	11	12	13	14	15	16
17	18	19 LV	20	21	22	23
24	25	26	27	28	29	30

OCTOBER						
S	M	T	W	T	F	S
1	2 JPA	3 LV	4	5	6	7
8	9	10	11	12	13	14
15	16	17 LV	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Rosh Hashanah 09/15 – 09/17
Yom Kippur 09/24 – 09/25
Sukkot 09/29 – 10/01

Shmini Atzeret 10/06 – 10/07
Simchat Torah 10/07 – 10/08

NOVEMBER						
S	M	T	W	T	F	S
			1	2	3	4
5	6 JPA	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21 LV	22	23	24	25
26	27	28	29	30		

DECEMBER						
S	M	T	W	T	F	S
					1	2
3	4 JPA	5 LV	6	7	8	9
10	11	12	13	14	15	16
17	18	19 LV	20	21	22	23
24	25	26	27	28	29	30
31						

WaterReuse California, Indian Wells 11/05 – 11/07
LV 11/07 canceled
ACWA Fall Conf. Indian Wells 11/28 – 11/30

Chanukah 12/07 – 12/15
TWSD Dec. Meeting to be determined

	LV Meeting
	JPA Meeting
	District Holiday
	TWSD Meeting

DATE: November 7, 2022
TO: JPA Board of Directors
FROM: Facilities and Operations

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

SUMMARY:

The 003 Outfall, located adjacent to Tapia Water Reclamation Facility (WRF), is used to discharge effluent during high flow periods which are caused by rain events, for Tapia groundwater discharge, and for flow required for augmentation to protect endangered species. During the winter of 2019/2020, a CCTV inspection found holes in the outfall pipeline revealing severe scaling and missing coating in several areas.

In June of 2020, the JPA Board authorized MKN & Associates, Inc. to design repairs to the 003 Outfall. In October of 2020, Rincon Consultants, Inc. was administratively issued a purchase order to provide support obtaining Local Coastal Planning (LCP) and California Environmental Quality Act (CEQA) approval for the project to proceed under the assumption that the project was exempt from full CEQA and a full Coastal Development Permit since the project involves maintenance of an existing facility. In January of 2021, Los Angeles County Planning, Coastal Development Services informed us that it does not consider this project exempt from Coastal Development Permit (CDP) requirements.

To assist with the CDP application and other environmental permitting issues, a purchase order in an amount of \$63,981 was issued to Rincon Consultants, Inc. An additional \$9,890 was authorized at the September 6th JPA meeting to address additional support needed to obtain a Letter of Authorization from the California State Parks.

Progress is being made as the LCP has determined that the CDP application is complete. However, Rincon's scope of work needs to be amended again to address additional services. During review of the project's Application Package, the Arborist Report and Biological Resources Assessment report resulted in new requests from the County for additional project design changes. Rather than address each change in scope individually with the Board, staff requested that Rincon develop a proposal to address all anticipated environmental support changes in the scope for the entire project. As a result, Rincon has provided the attached proposal for scope modifications in an amount not to exceed \$37,663.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to issue Contract Adjustment No. 2, to

Rincon Consultants, Inc., in an amount not to exceed \$37,663, to provide additional Coastal Development Permit and CEQA Support for the Tapia WRF 003 Outfall Rehabilitation Project.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Funding for this project is included in the Fiscal Year 2022/23 budget under IIP # 10745. Each JPA partner is allocated with a cost split of 70.6% for LVMWD and 29.4% for Triunfo.

DISCUSSION:

One of the capital improvement projects included in the Infrastructure Investment Plan (IIP) is the Tapia WRF 003 Discharge Point Rehabilitation Project. The 003-discharge point, or outfall, was constructed in 1979 to convey 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 003 Outfall is also used to supplement flow in Malibu Creek in the summer season to protect endangered species as required in the NPDES permit. The outfall is constructed of a 24-inch 10-gauge steel pipeline, with asphalt coating and wrapping. The length of the outfall is approximately 2,250 linear feet.

During the winter of 2019/2020, staff noticed that discharge was backing up in the 003 pipeline and a CCTV consultant was brought in to conduct a video inspection of the interior of the pipeline. The inspection found holes in the pipeline that soil had dropped through causing water to back up. The CCTV inspection revealed that the pipe has areas of severe scaling, and the asphalt coating is missing in several areas.

In June of 2020, JPA Board authorized a purchase order to MKN & Associates, Inc., for design of repairs to the 003 Outfall. MKN completed design in 2021. In October of 2020, Rincon Consultants, Inc. was administratively issued a purchase order to provide support obtaining Local Coastal Planning (LCP) and CEQA clearance for the project to proceed. It was believed that the project would be exempt from both LCP and CEQA because it is a repair of an existing facility.

In January of 2021, the Los Angeles County Planning Coastal Development Services staff informed the JPA that it does not consider this project exempt from Coastal Development Permit (CDP) requirements based upon the presence of H1 Habitat, including protected trees in the project area, and the potential for the project activities 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 as a CEQA Categorical Exemption, requiring an Initial Study with Mitigated Negative Declaration (IS-MND) to be completed.

In March of 2021 the JPA Board authorized a purchase order in the amount of \$63,981 to Rincon Consultants, Inc., to provide Coastal Development Permit and CEQA Support for the Tapia WRF 003 Outfall Rehabilitation Project.

The scope of work required to obtain a CDP was amended at the September 6th JPA meeting to address additional support to obtain a Letter of Authorization from the California State Parks for the application to be completed. An additional \$9,890 was authorized to cover this change in scope. Work has progressed, and the CDP application has been submitted and is now deemed complete.

As the CDP application is being reviewed, new items have arisen that require additional environmental support at additional cost. During review of the project's Application Package, the Arborist Report and Biological Resources Assessment (BRA) report resulted in new requests from the County for what amounts to additional project design changes. As a result, staff requested a proposal be developed from Rincon to address the anticipated changes in scope for the entire project rather than addressing each smaller scope change with the JPA Board individually. Rincon has provided the attached proposal outlining the anticipated change in scope and cost for project completion in an amount not to exceed \$37,663.

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_Scope Modification Proposal No. 2_003 Outfall Rehab Project 09-30-22.pdf](#)



Rincon Consultants, Inc.

180 North Ashwood Avenue
Ventura, California 93003

805 644 4455 OFFICE AND FAX

info@rinconconsultants.com
www.rinconconsultants.com

September 30, 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

Subject: Scope Modification Proposal No. 2 for Expanded Support for the 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 support to the Las Virgenes-Triunfo Joint Powers Authority (JPA) for the Tapia Water Reclamation Facility (WRF) 003 Outfall Rehabilitation Project ("project"). This proposal addresses revisions to the scope of work which developed as a result of the Los Angeles County Department of Regional Planning (LADRP) functioning as the project's lead agency under the California Environmental Quality Act (CEQA), and the need to navigate the project through additional analyses to satisfy the LADRP's unique processes to achieve CEQA compliance for the project. Compliance of the project with CEQA is necessary for issuance of the Coastal Development Permit (CDP), which also requires additional effort to satisfy the LADRP processes.

Rincon's scope of work for the preparation of CEQA documentation in the form of an Initial Study with Mitigated Negative Declaration (IS-MND) was approved by the JPA on May 20, 2021, and included preparation of an Administrative Draft IS-MND, a public review Draft IS-MND, and a Final IS-MND. To date, Rincon has prepared an Administrative Draft IS-MND for the project; however, that document requires revisions to reflect project design changes introduced in response to involvement of California Department of Parks and Recreation ("State Parks"). In addition, the LADRP's review of the project's CDP Application Package, including the Arborist Report and Biological Resources Assessment (BRA) report, resulted in new requests from the County for what amounts to additional project design changes, which subsequently must be reflected in the Project Description (PD) and all documents informed by the PD, including the Administrative Draft IS-MND issue area analyses.

The purpose of this amendment is to address efforts reasonably anticipated to be necessary to complete the project, including through certification of a CEQA document, and issuance of a CDP for the project. This scope is informed by assumptions regarding reasonably foreseeable additional tasks, particularly those associated with the County's required processes. To clarify the difference between the scope amendment that was approved by the BOD on September 6th, and the scope amendment proposed herein, the table below provides a side-by-side overview of both.



Table 1. Overview of Scope Modifications

	June 2022 amendment (approved by BOD Sept 6)	September 2022 amendment (anticipated BOD review Oct 18)
Project design changes	<ul style="list-style-type: none"> The unpaved access road was extended to the north and south The width of the access road was expanded from 8 to 12 feet The manhole disturbance areas (temporary and permanent) were expanded (increasing tree impacts) 	<ul style="list-style-type: none"> The boundaries and position of the construction staging area were modified to avoid coyote brush A new mitigation measure for oak tree replacement planting was introduced The seeding palette for certain habitat areas were modified
Agency processes¹	<ul style="list-style-type: none"> County rejected the initial CDP Application Package as Incomplete due to lack of site ownership documentation, and requested additional mapping CA State Parks required a site visit to regarding ownership and to address easement for the project 	<ul style="list-style-type: none"> County accepted the expanded CDP Application Package, and provided new comments requiring revisions to the BRA report, the Arborist Report, and the mitigation plan for oak trees County advised it will engage the ERB² for review of the IS-MND County requested support including a presentation for the County Planning Commission hearing for the CDP
Additional scope to address project & process changes	<ul style="list-style-type: none"> Plan and conduct a site visit with CA State Parks and LADRP Conduct additional habitat mapping related to the project design changes Update the BRA report and Arborist Report with the new mapping info Collection of LADRP-requested information to respond to the CDP Application status of Incomplete, including coordination regarding site ownership and easement requirements 	<ul style="list-style-type: none"> Revise the arborist survey approach with more conservative buffer areas and update the Arborist Report accordingly Revise/Refine vegetation maps to inform the new tree replacement mitigation Develop a Tree Replacement Plan³ Staff time to coordinate ERB review of the Draft IS-MND, provide a PPT presentation to the ERB, and respond to ERB comments with minor revisions⁴ Additional staff time to respond to public comments on the Draft IS-MND⁵ Staff time to attend the County Planning Commission’s public hearing for the CDP, and provide a PPT presentation⁶

1. During LADRP’s review of the project’s expanded CDP Application Package, the County’s biologist reviewed the BRA Report and Arborist Report and provided new comments and requests which were not provided during LADRP’s review of the initial CDP Application Package.
2. The Environmental Review Board (ERB) is a citizens’ committee that reviews CEQA documents and provides recommendations including suggested revisions and the appropriate level of analysis. This scope assumes the ERB review will not result in elevating the CEQA document to an EIR, as the LADRP has already approved an IS-MND level of analysis.
3. A Tree Replacement Plan has not been explicitly requested by the County; however, it is anticipated one will be required for issuance of the project’s CDP. In an effort to identify reasonably foreseeable costs associated with completing this project (with CEQA certification and CDP issuance), we have included the effort and cost associated with a Tree Replacement Plan.
4. Review of the project’s Draft IS-MND by the ERB introduces a new round of review and revisions not previously scoped for. While it is possible the ERB could request additional project revisions, for the purposes of this scope amendment we assume the County will not change the project design in a way that affects mapping or the impact analyses, including as related to comments from the ERB.
5. It is anticipated that more comments will be provided on the Draft IS-MND than initially anticipated, due to factors mentioned above including CA State Parks’ role as a Responsible Agency, the ERB review cycle, and additional public interest likely generated by the project’s individual CDP.
6. The PPT presentation for the County’s Planning Commission will be different from the PPT for the County’s ERB, as the former will concern issuance of a CDP for the project and compliance with the Local Coastal Plan requirements, and the latter will concern project design and CEQA compliance.



The expanded support outlined above would be provided under four new tasks, which are detailed below and numbered to consecutively follow the approved scope of work.

Task 5: Project Management

- The project's timeline has extended longer than anticipated, resulting in a greater level of management support, including for internal and external coordination, scheduling, and billing.
- An additional effort is required for quality assurance and quality control (QA/QC) reviews, which are conducted for all deliverables, including revisions and PPT presentations.

Task 6: CEQA Compliance

- The PD including figures will be revised to reflect all project changes identified above, including the modified staging area location, the new limits of potential impacts to trees and coyote brush, and the authority of State Parks as a Responsibly Agency.
- Update relevant issue area analyses in the Administrative Draft IS-MND affected by the project changes; issue areas are anticipated to include: aesthetics, biological resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use, recreation, and wildfire. The Administrative Draft IS-MND is an internal document and has not been circulated for public review, so these revisions will not require an addendum or supplemental document.
- Provide support for the County ERB's review of the Administrative Draft IS-MND, including by preparing and conducting a PPT presentation for the ERB, and providing responses to the ERB's comments on the Administrative Draft IS-MND including associated revisions, if needed. The presentation for the ERB will review the purpose and requirements of CEQA, the main elements of the proposed project, the impacts identified in the IS-MND and an overview of the impact significance determinations, and review of recommendations and mitigation measures. This scope of work assumes the ERB meeting will not be open to the public, and virtual attendance to conduct the PPT presentation and answer questions from the ERB will be acceptable. The ERB meeting be attended virtually by Rincon's Project Manager, Shelby Crampton, and Rincon's CDP Specialist, Jerry Hittleman, as well as Rincon's Senior Biologist for this project, Julie Love.
- Respond to a greater number of substantive comments on the Draft IS-MND than originally scoped for, due to scope changes that may garner an increased amount of public and agency interest in the project, including: the project's independent CDP with LADRP as the CEQA lead agency; the involvement of State Parks as a CEQA responsible agency; potential impacts to oak trees resulting in the need for a Tree Replacement Plan.

Task 7: Biological Resources

- Incorporate additional revisions to the Arborist Report, in response to the County biologist's comments on the re-submitted CDP Application Package; specifically, addressing a comment requesting the project include five replacement trees. Rincon will conduct one additional site visit to identify potential on-site locations for planting replacement trees, and to provide mapping data for the identified locations, and also show them on a figure. The County has not specifically requested this figure; however, in an effort to anticipate future County requests, mapping is included herein.



- Revise the BRA report for consistency with the Arborist Report revisions, including the potential replacement tree locations.
- This scope of work assumes mitigation planting can occur on site or that LVMWD will be able to receive mitigation credit for preserving existing seedlings/saplings on site, which is typically an acceptable approach when there is no suitable planting location on site. This scope of work does not include off-site mitigation planting, which is unlikely to be necessary due to the availability of on-site mitigation planting or mitigation credits for preserving seedlings/saplings on site.
- Prepare a Tree Replacement Planting Program (TRPP) for compliance with the Santa Monica Mountains (SMM) Local Implementation Program (LIP). The County has not requested a TRPP; however, Rincon is aware compliance with the SMM LIP will require a TRPP for replacement trees, which are now required pursuant to the County biologist's comments requesting replacement trees, and the project's compliance with its CDP will be conditioned upon compliance with the SMM LIP. Therefore, we are proactively recommending a TRPP be prepared and submitted to the LADRP. The TRPP will include the following components: replacement tree locations, tree or seedling size, planting specifications, and a monitoring program to ensure that the replacement planting program is successful (including performance standards and procedures for periodic monitoring and implementation of corrective measures). Rincon will respond to up to one round of comments and associated revisions on the TRPP.

Task 8: Additional CDP Support

- Additional staff time is required to support ongoing coordination with LADRP regarding its processing of the project's CDP Application Package, to ensure responses incorporated (including but not limited to the replacement trees) will appropriately address comments while also providing project compliance with the LIP, to be conditioned by the CDP.
- Prepare and conduct an additional PPT presentation for the County Planning Commission during its public hearing for consideration of issuance of an independent CDP for the project. This PPT presentation is different from the ERB PPT presentation, as its purpose will be to inform consideration of CDP requirements and compliance, whereas the former will inform consideration of project design and impacts for CEQA compliance. The presentation for the County Planning Commission will review the main elements of the proposed project, consistency of the project with the LCP requirements, the project impacts and mitigation measures as they relate to issuance of a CDP for the project, and the key components of the CDP Application Package. This scope assumes in-person attendance at the County Planning Commission hearing by Rincon's CDP Specialist, Jerry Hittleman, and Rincon's Senior Biologist for this project, Julie Love.

Rincon's proposed not-to-exceed cost for this modified scope of work proposal is **\$37,663.00**, as detailed by subtask in the table on the following page. For clarity, we have presented this additional support under a new set of tasks, rather than incorporating it into the originally approved tasks, as we did for the amendment which was approved on September 6th



RINCON CONSULTANTS, INC.
20-10352 Tapia WRF 003 Outfall Rehab Project
Cost Estimate - REV 09-30-22

	Hours	Labor Budget	Direct Expenses	Total Budget
Task 5: Extended Project Management	24.00	\$3,580.00	\$0.00	\$3,580.00
Task 6: Additional CEQA & County Support	104.00	\$15,306.00	\$0.00	\$15,306.00
Task 6.1: Update Project Description	18.00	\$2,794.00	\$0.00	\$2,794.00
Task 6.2: Update 2021 Admin Draft IS-MND	30.00	\$4,300.00	\$0.00	\$4,300.00
Task 6.3: Environmental Review Board (ERB) review & PPT	36.00	\$5,356.00	\$0.00	\$5,356.00
Task 6.4: Additional Public Comments	20.00	\$2,856.00	\$0.00	\$2,856.00
Task 7: Additional Biological Resources Support	86.00	\$11,962.00	\$275.00	\$12,237.00
Task 7.1: Arborist Report revisions	29.00	\$3,860.00	\$275.00	\$4,135.00
Task 7.2: BRA report revisions	25.00	\$3,306.00	\$0.00	\$3,306.00
Task 7.3: Tree Replacement Planting Program	32.00	\$4,796.00	\$0.00	\$4,796.00
Task 8: Additional CDP Support	36.00	\$6,370.00	\$170.00	\$6,540.00
Project Total	250.00	\$37,218.00	\$445.00	\$37,663.00
Direct Expenses Summary			Amount	
GPS			\$190.00	
Vehicle Day Rate			\$255.00	
Direct Expenses Subtotal			\$445.00	

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 LVMWD and the JPA 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: November 7, 2022
TO: JPA Board of Directors
FROM: Engineering and External Affairs

SUBJECT: Farm Sprayfield Operations and Maintenance: Authorization of Change Order No. 2

SUMMARY:

The Rancho Las Virgenes Farm Sprayfields have been operated and maintained by W. Litten Land Preparation (Litten) for over two decades. Consistent with the JPA's Purchasing Policy, a Request for Proposals (RFP) was issued for the work in September of 2020 to ensure that the JPA continues to receive competitive rates for the service. A single bid for the work was received from (Litten, in the amount of \$384,900. The JPA Board subsequently authorized a professional services agreement on November 2, 2020. Change Order No. 2 provides for the annual renewal of the contract through November of 2023.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute Change Order No. 2 with W. Litten Land Preparation, in an amount not to exceed \$392,600, for annual costs associated with operations and maintenance of the Rancho Las Virgenes Farm Sprayfields through November of 2023, and ratify Contract Extension No. 1 in the amount of \$384,900 extending the term through November 1, 2022.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

There are no price modifications to the existing fee schedule. The cost of the services is not expected to exceed \$392,600 for the annual extension. The adopted Fiscal Year 2022-23 budget includes sufficient funding.

DISCUSSION:

W. Litten Land Preparation (Litten) provides effluent disposal services for recycled water at the Rancho Las Virgenes Farm Sprayfields as required by the discharge permit for the Tapia

Water Reclamation Facility. The services include planting and harvesting of crops for nutrient removal, management of the irrigation system for the sprayfields, maintenance of catch basins to prevent off-site runoff, and general upkeep of the facility. Additionally, Litten performs maintenance and weed abatement services at other JPA facilities as needed.

Most of the work performed at the sprayfields is agricultural in nature and requires expertise and familiarity with agricultural operations. The Rancho Las Virgenes Farm is not proximate to other areas with active agricultural operations, which are more common in Oxnard and Camarillo. As a result, the number of prospective contractors is limited by experience, expertise, and willingness to travel to the area. Additionally, agricultural work is largely exempt from prevailing wage regulations with the exception of providing minimum wage, breaks, restroom facilities, and other basic human resources. As such, most agricultural contractors choose not to pursue prevailing wage jobs due to the increase in regulatory requirements and the associated costs. Litten has been performing work at the Rancho Las Virgenes Farm for over 20 years and has extensive familiarity with the facility and its operational and maintenance needs. The JPA has historically had a difficult time attracting other contractors and has generally not been satisfied with the performance and quality of work by others that have been hired to perform these services for brief periods.

On February 25, 2020, staff sent a request to the California Department of Industrial Relations (DIR) for a special wage determination for agricultural services at the sprayfields. On July 14, 2020, staff received a final determination from DIR, denying the JPA's request for a special wage determination and opining that the work falls within the scope of existing prevailing wage job classifications. Based upon this determination, staff encouraged prospective bidders to review all available job classifications listed in the final DIR determination to ensure compliance with prevailing wage law. To help offset additional labor costs associated with prevailing wage compliance, staff narrowed the scope of work by accounting for land area that had recently been taken up by the expansion of the solar farm and no longer needs to be maintained as part of the sprayfields contract.

Consistent with the JPA's Purchasing Policy, a Request for Proposals (RFP) was issued for the work in September of 2020 to ensure that the JPA continues to receive competitive rates for the service. A single bid for the work was received from Litten, in the amount of \$384,900. The JPA Board subsequently authorized a professional services agreement on November 2, 2020. Change Order No. 1 in the amount of \$7,700 was administratively approved by the Administering Agent/General Manager on November 9, 2020, to address the inclusion of certain insurance requirements that were not included in the bid submitted by Litten. This increased the contract amount to \$392,600.

Staff has been very satisfied with the work performed by Litten over the years. The long-term working relationship has also allowed for the achievement of operational efficiencies, and Litten has a long history of completing its services within budget. Staff proposes to continue working closely with Litten to minimize expenses, while maintaining the existing level of service. In September of 2020, when staff issued the last Request for Proposals, a provision was included that alerted prospective bidders that the annual services can be extended for up to four additional years for five years total. Therefore, competitive bidding is not required on an annual basis. The contract was extended last year at the administrative level, but after reviewing the original contract terms and the action taken by the Board when the original contract was authorized, staff determined that the contract needs to be reauthorized by the JPA each year. The recommendation includes formal ratification by the Board for renewal of

the contract through November 1, 2022. Since the latest effort to obtain multiple bids in 2020 proved unsuccessful and since Litton is holding their original price for their services despite recent inflationary pressures, staff is recommending that the contract be extended for a third year via Change Order No. 2.

GOALS:

Ensure Effective Utilization of the Public's Assets and Money

Prepared by: Craig Jones, Interim Resource Conservation Manager

DATE: November 7, 2022
TO: JPA Board of Directors
FROM: Facilities and Operations

SUBJECT: Tapia Tertiary Filter Media Replacement: Authorization

Las Virgenes-Triunfo Joint Powers Authority approved funding for this matter in the Joint Powers Authority Budget. The Las Virgenes Board, as the administering agent, authorized the General Manager to execute a service agreement with Karbonous, Inc., in the amount of \$115,526, for the replacement of media in Tertiary Filter Nos. 9 and 10 at the Tapia Water Reclamation Facility at the October 6, 2022 LVMWD board meeting.

SUMMARY:

One of the scheduled maintenance projects in the adopted budget involves the replacement of the tertiary filter media at the Tapia Water Reclamation Facility (Tapia). The tertiary filters remove particulate matter before final disinfection and distribution of the recycled water. There are 12 tertiary filters at Tapia that need to have their media replaced approximately every 12 to 15 years due to the loss of anthracite from backwashing and a decrease in performance due to use. For this fiscal year, Filter Nos. 9 and 10 are scheduled for media replacement. The last time the media was replaced in these filters was 2009. Each filter contains 4-feet of anthracite placed over a 1-foot layer of gravel that separates the anthracite from the underdrain to prevent it from escaping the filter. Karbonous, Inc. was the low bidder for the work.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funds are available for this work 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 and Sanitation District.

DISCUSSION:

A request for bids was advertised on the District's website, and the following four bids were

received for the work:

Karbonous, Inc.	\$115,526.00
Carbon Activated Corp.	\$187,031.98
ERS Industrial Services, Inc.	\$136,990.00
Carbon Supply, Inc.	\$173,800.00

The cost has increased since last year when media replacement was performed by Karbonous, Inc., for Tertiary Filter Nos. 7 and 8 at a cost of \$92,914. Staff recommends authorization for a service agreement with Karbonous, Inc., in the amount of \$115,526, for the work.

GOALS:

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

Prepared by: Brett Dingman, Water Reclamation Manager

DATE: November 7, 2022
TO: JPA Board of Directors
FROM: Facilities and Operations

SUBJECT: Tapia Carbon Tower Media Replacement: Authorization

Las Virgenes-Triunfo Joint Powers Authority approved funding for this matter in the Joint Powers Authority Budget. The Las Virgenes Board, as the administering agent, authorized the General Manager to issue a purchase order to Carbon Activated Corporation, in an amount \$55,597.16, for carbon tower media replacement at the Tapia Water Reclamation Facility and Lift Station Nos. 1 and 2 at the October 6, 2022, LVMWD board meeting.

SUMMARY:

One of the regular maintenance projects included in the budget is for replacement of granular activated carbon in the towers that are used for odor control at the Tapia Water Reclamation Facility and at Lift Station Nos. 1 and 2. There are four carbon towers at Tapia’s headworks facility, and three carbon towers at the primary sedimentation tanks. These carbon towers need to have the carbon replaced regularly. For this fiscal year, two primary carbon towers (6,000 lbs. each) and one headworks carbon tower (18,000 lbs.) are scheduled for carbon replacement. Carbon life expectancy for the primary carbon towers is approximately one year, while the life expectancy for the headworks carbon towers is approximately two years. Additionally, there are 600 lb. carbon towers at each lift station that need carbon replacement annually. Carbon Activated Corporation was the low bidder for the work.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funding for this work is available in the adopted Fiscal Year 2022-23 Budget. Carbon replacement at Tapia is a JPA expense that is allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District. However, Lift Station Nos. 1 and 2 are LVMWD-only facilities, so expenses for that portion of the work are allocated 100% to LVMWD.

DISCUSSION:

A request for quotes was advertised on the District website, and the following four bids were received for the work:

Carbon Activated Corp.	\$55,597.16
Karbonous, Inc.	\$56,844.72
Carbon Supply, Inc.	\$85,581.00
PureAir Filtration	\$133,745.00

It is recommended that Carbon Activated Corporation be issued a purchase order for the work. The bid amount for similar work last year was \$41,953. Carbon Activated Corporation has performed this service satisfactorily in the past.

GOALS:

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

Prepared by: Brett Dingman, Water Reclamation Manager