

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
TUESDAY, SEPTEMBER 3, 2024 – 5:00 PM

PUBLIC PARTICIPATION: The public may join this meeting virtually or attend in person in the Board Room. Teleconference participants will be muted until recognized at the appropriate time by the Chair. To join via teleconference, please use the following Webinar ID:

Webinar ID: <https://us06web.zoom.us/j/86058443518>

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860 5844 3518

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; or inform the Executive Assistant/Clerk of the Board if attending in person.

Members of the public can also access and request to speak at meetings live on-line, with audio and limited video, at www.lvmwd.com/livestream. 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 or accommodation, in order to attend or participate in a meeting, including auxiliary aids or services, may request such reasonable modification or accommodation by contacting the Executive Assistant/Clerk of the Board by telephone at (818) 251-2123 or via email to jguzman@lvmwd.com at least 48 hours prior to the 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**
3. **PUBLIC COMMENTS**

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

4. **CONSENT CALENDAR**

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

- 4.A **Minutes: Regular Meeting of August 5, 2024 and Special Meeting of August 8, 2024 (Pg. 4)**
Approve.
- 4.B **Third Amendment to Joint Exercise of Powers Agreement (Pg. 13)**
Approve a Third Amendment to the Joint Exercise of Powers Agreement, authorizing the Las Virgenes-Triunfo Joint Powers Authority to enter into financing agreements with the Las Virgenes-Triunfo Public Financing Authority.
- 4.C **Malibou Lake Siphon Replacement Project: Approval of Contract Amendments (Pg. 21)**
Authorize the Administering Agent/General Manager to execute a first amendment to the professional services agreement with Padre Associates, Inc., in the amount of \$42,120, for additional environmental compliance monitoring during construction; and to execute a first amendment to the professional services agreement with Cannon Corporation, in the amount of \$93,120, for additional construction management and inspection services during construction of the Malibou Lake Siphon Replacement Project.
- 4.D **Rancho Las Virgenes Composting Facility: Biofilter Media Replacement (Pg. 30)**

Authorize the Administering Agent/General Manager to execute a contract to North Hills Recycling, Inc., in the amount of \$149,200, for biofilter media replacement at the Rancho Las Virgenes Composting Facility.

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

5.A **State and Federal Legislative Update (Pg. 32)**

5.B **Pure Water Project Las Virgenes-Triunfo: Update (Pg. 77)**

5.C **Pure Water Project Las Virgenes-Triunfo: Funding and Financing Update (Pg. 83)**

6. **ACTION ITEMS**

6.A **Salinity Management Pipeline Discharge Service Connection with Calleguas Municipal Water District: Agreement (Pg. 109)**

Authorize the Administering Agent/General Manager to execute an Agreement for Construction and Use of Salinity Management Pipeline Discharge Service Connection with Calleguas Municipal Water District for the Pure Water Project Las Virgenes-Triunfo.

7. **BOARD COMMENTS**

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

9. **FUTURE AGENDA ITEMS**

10. **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*

11. **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
REGULAR MEETING**

5:00 PM

August 5, 2024

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by David Rydman.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:02 p.m.** by Chair Jay Lewitt in the Board Room at Triunfo Water & Sanitation District headquarters at 370 N. Westlake Boulevard, Westlake Village, California, 91362. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Burns, Caspary, Coradeschi, Jarecky, Lewitt, Nye, Polan, Shapiro, Tjulander and Wall

Present via

Teleconference: Director Coradeschi

Absent: None

Director Coradeschi requested attendance via teleconference under the AB 2449 “Just Cause” provision due to contagious illness, and he confirmed that no one was in the room with him at his teleconference location.

Steven O’Neill, Legal Counsel, explained the “Just Cause” provision under AB 2449 for remote participation.

Director Polan moved to make a finding that telephonic attendance by Director Coradeschi was warranted. Motion seconded by Director Caspary. Motion carried 10-0 by the following roll call vote:

AYES: Burns, Caspary, Coradeschi, Jarecky, Lewitt, Nye, Polan Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

2. APPROVAL OF AGENDA

Director Wall moved to approve the agenda. Motion seconded by Director Nye. Motion carried 10-0 by the following roll call vote:

AYES: Burns, Caspary, Coradeschi, Jarecky, Lewitt, Nye, Polan Shapiro, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: None

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of July 1, 2024: Approve

Director Polan asked to pull Item 4A for discussion. He noted that the minutes included a discussion regarding the names of the Pure Water Project Las Virgenes-Triunfo and the Advanced Water Purification Facility, and he expressed concern regarding the use of two different names. Director Shapiro noted that the overall project was the Pure Project Las Virgenes-Triunfo, and the Advanced Water Purification Facility would be a specific facility.

Administering Agent/General Manager David Pedersen noted that Consent Calendar Item 4A was for approval of the July 1, 2024 minutes.

Director Polan moved to approve the Consent Calendar. Motion seconded by Director Jarecky. Motion carried 10-0 by the following roll call vote:

AYES: Burns, Caspary, Coradeschi, Jarecky, Lewitt, Nye, Polan Shapiro, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: None

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A State and Federal Legislative Update

Syrus Devers, state lobbyist for the JPA with Syrus Devers Advocacy LLC, provided an update regarding AB 1255 (Durazo), Public Water Systems, Needs Analysis, Water Rate Assistance Program. which would impose a mandatory Low-Income Rate Assistance (LIRA) program on all water districts with over 3,300 connections. He stated that legislators had been attempting to create a LIRA program for low-income consumers since 2017 when a water tax was proposed to

fund LIRA statewide. He noted that there were concerns with the administrative burden that AB 1255 would create, including tracking and documentation.

A discussion ensued the proposed bill, which would be funded by ratepayers' voluntary contributions who would then need to opt-out as opposed to opt-in.

Lowry Crook, federal lobbyist for the JPA with BBK, accompanied by Chris Keosian, reported that the House of Representatives passed the Water Resources Development Act (WRDA) bill on July 22nd, which authorized Army Corps of Engineers' projects, and the Senate passed its WRDA bill the previous week. He stated that the House of Representatives WRDA bill would make water supply a higher priority for the Army Corps of Engineers, which could assist in prioritizing updating the water control manuals for Lake Oroville to allow additional water storage. He also reported that the House of Representatives passed the Interior, Environment, and Related Agencies Appropriations Act, and attempted to move the Energy and Water Development Appropriations bill, which was stalled due to disagreements regarding funding. He also reported that the Senate Appropriations Committee passed the Interior, Environment, and Related Agencies Appropriations Act and the Energy and Water Development Appropriations bill. He noted that perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) became designated as hazardous under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) effective July 8th, and there was now potential liability anywhere that PFOA and PFOS are found in any concentration going forward.

B Pure Water Project Las Virgenes-Triunfo: Update

Oliver Slosser, Engineering Program Manager, presented the report. He responded to questions regarding the State Water Resources Control Board Water Rights Order for the Wastewater Change Petition to allow effluent from the Tapia Water Reclamation Facility to be diverted to the Advanced Water Purification Facility, the application to Calleguas Municipal Water District for a discharge service connection to the Salinity Management Pipeline, and Advanced Water Purification Facility timeline for completion.

6. ACTION ITEMS

A Tapia Aluminum Sulfate Tank Replacement Project: CEQA Determination and Call for Bids

Find that the work is exempt from provisions of the California Environmental Quality Act and authorize the issuance of a call for bids for the Tapia Aluminum Sulfate Tank Replacement Project.

John Soderberg, Assistant Engineer, presented the report.

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

Mr. Soderberg responded to questions regarding the factor for dosing aluminum sulfate.

Motion carried 10-0 by the following roll call vote:

AYES: Burns, Caspary, Coradeschi, Jarecky, Lewitt, Nye, Polan Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

B Title 22 Engineering Report Update: Approval of Contract Amendment No. 2

Authorize the Administering Agent/General Manager to approve Contract Amendment No. 2, in the amount of \$100,894, with Larry Walker Associates for the Title 22 Engineering Report Update.

Oliver Slosser, Engineering Program Manager, presented the report.

Director Caspary moved to approve Item 6B. Motion seconded by Director Burns.

Mr. Slosser responded to questions regarding addressing comments from the Regional Water Quality Control Board.

Motion carried 10-0 by the following roll call vote:

AYES: Burns, Caspary, Coradeschi, Jarecky, Lewitt, Nye, Polan Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

7. BOARD COMMENTS

Director Caspary reported that he hosted the Quarterly Wastewater Tour held on July 20th attended by approximately 20 participants, which included tours of the Tapia Water Reclamation Facility, Rancho Las Virgenes Composting Facility, and Pure Water Demonstration Facility. He noted that participants were very engaged in learning how wastewater is treated.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that flow at

Malibu Creek measured 4.85 cubic feet per second (CFS). He noted that the flow had measured below the 2.5 CFS threshold for two weeks in a row; however, the flow increased in the third week and augmentation was not needed. He reminded the Board of the JPA Special Meeting scheduled on August 8th for a workshop regarding to consider architectural renderings and the initial concept for the public benefit area for the Advanced Water Purification Facility.

9. FUTURE AGENDA ITEMS

None.

10. INFORMATION ITEMS

A Repair of Boiler Hot Water Loop at Rancho Las Virgenes Composting Facility: Update

Administering Agent/General Manager David Pedersen noted that the cost for the replacement of the hot water loop system was now estimated at \$609,000 due to the cost of stainless-steel material for the pipe.

11. PUBLIC COMMENTS

None.

12. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **5:54 p.m.**

Jay Lewitt, Chair

ATTEST:

James Wall, Vice Chair

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

9:00 AM

August 8, 2024

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Craig Jones.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **9:00 a.m.** by Chair Jay Lewitt in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Burns, Coradeschi, Jarecky, Lewitt, Nye, Polan, ,
Tjulander, and Wall

Absent: Directors Caspary and Shapiro

2. APPROVAL OF AGENDA

Director Wall moved to approve the agenda. Motion seconded by Director Polan. Motion carried 8-0 by the following vote:

AYES: Burns, Coradeschi, Jarecky, Lewitt, Nye, Polan, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Caspary, Shapiro

3. PUBLIC COMMENTS

None.

4. PURE WATER PROJECT LAS VIRGENES-TRIUNFO WORKSHOP

A Pure Water Project Las Virgenes-Triunfo: Review of Advanced Water Purification Facility Architecture and Public Benefit Area Concept Plan

Administering Agent/General Manager David Pedersen and Oliver Slosser, Engineering Program Manager, provided introductory remarks.

The Walsh Team, including RRM Design, Urban Water Group, Consulting West, Brown and Caldwell, and Carollo Engineers, provided a presentation of the architectural renderings, building finishes, and public benefit area initial concept for the Advanced Water Purification Facility.

The JPA Board provided comments, and no actions were taken.

5. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **10:54 a.m.**

Jay Lewitt, Chair

ATTEST:

James Wall, Vice Chair

DATE: September 3, 2024
TO: JPA Board of Directors
FROM: Finance and Administration

SUBJECT: Third Amendment to Joint Exercise of Powers Agreement

SUMMARY:

The Las Virgenes-Triunfo Joint Powers Authority (JPA) and the Las Virgenes-Triunfo Public Financing Authority (PFA) continue to work together to identify and secure the funds necessary to construct the Pure Water Project Las Virgenes-Triunfo (Pure Water Project). As formed, the PFA is the financing conduit for the JPA for the project. While the PFA was formed with the required authority to execute the funding agreements for the project, it is necessary to amend the Joint Exercise of Powers Agreement that governs the JPA to provide the explicit authority for the JPA to enter into agreements with the PFA.

RECOMMENDATION(S):

Approve a Third Amendment to the Joint Exercise of Powers Agreement, authorizing the Las Virgenes-Triunfo Joint Powers Authority to enter into financing agreements with the Las Virgenes-Triunfo Public Financing Authority.

DISCUSSION:

The JPA Board has approved a number of actions to support the JPA's applications for outside funding to reduce the cost of the Pure Water Project Las Virgenes-Triunfo to its ratepayers. As part of this effort, the JPA Board supported the formation of the PFA to serve as the financing authority for the project on August 7, 2023. The JPA is currently negotiating loan terms with the U.S. Environmental Protection Agency to close a Water Infrastructure Finance and Innovation Act (WIFIA) loan by January 2025, and the State Water Resources Control Board to close loans and grants through the Clean Water State Revolving Fund (SRF) Program. These actions will significantly contribute to the funds needed to complete the project.

The current Joint Exercise of Powers Agreement does not clearly authorize the JPA Board to enter into the necessary agreements with the PFA to execute the necessary financing documents to close the WIFIA and SRF loans. The proposed Third Amendment to the Joint Exercise of Powers Agreement adds language to specifically authorize the JPA to execute necessary agreements to finance the Pure Water Project with the PFA by explicitly providing this authority.

Prepared by: Donald Patterson, Director of Finance and Administration

ATTACHMENTS:
Amendment No. 3 to JPA Agreement

AMENDMENT NO. 3 TO JOINT EXERCISE OF POWERS AGREEMENT

**LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY
agreement dated January 26, 2009 relating to joint facilities of
Las Virgenes Municipal Water District and Triunfo Water & Sanitation District**

between

LAS VIRGENES MUNICIPAL WATER DISTRICT

and

TRIUNFO WATER & SANITATION DISTRICT

Dated _____, 202__

AMENDMENT NO. 3 TO JOINT EXERCISE OF POWERS AGREEMENT

LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY agreement dated January 26, 2009 relating to joint facilities of Las Virgenes Municipal Water District and Triunfo Water & Sanitation District

This AMENDMENT NO. 3 TO JOINT EXERCISE OF POWERS AGREEMENT (this “**Amendment**”), dated _____, 202__, is entered into by and between the LAS VIRGENES MUNICIPAL WATER DISTRICT, a municipal water district that is duly organized and existing under the Municipal Water District Act (Water Code Section 71000 *et seq.* of the State of California) (“**LVMWD**”), and TRIUNFO WATER & SANITATION DISTRICT, a county sanitation district that is duly organized and existing under the County Sanitation District Act (Health & Safety Code Section 4700 *et seq.* of the State of California) (“**TWSD**”).

RECITALS

A. The Las Virgenes-Triunfo Joint Powers Financing Authority (the “**Authority**”) is a public entity that is duly organized and existing under a Joint Exercise of Powers Agreement, dated January 26, 2009 (the “**JPA Agreement**”), by and between LVMWD and TWSD.

B. LVMWD and TWSD are currently undertaking the Pure Water Project (the “**Project**”), which will consist of an advanced water purification facility to treat effluent from the Authority’s Tapia Water Reclamation Facility for potable reuse. LVMWD and TWSD desire to cause the Authority to acquire, construct and operate the Project.

B. LVMWD and TWSD desire to amend the JPA Agreement: (i) to clarify certain powers of the Authority in connection with the Project; and (ii) to include the Project as part of the Joint System.

AGREEMENT

SECTION 1. This Amendment hereby incorporates by reference all terms and conditions of the JPA Agreement unless specifically modified by this Amendment. All terms and conditions of the JPA Agreement which are not specifically modified by this Amendment shall remain in full force and effect.

SECTION 2. Capitalized terms that are used in this Amendment and not otherwise defined have the meanings that are set forth in the JPA Agreement.

SECTION 3. The following is added at the beginning of Article One, Section 8, prior to clause a.:

“Notwithstanding any other provision of this Agreement, the Authority is hereby authorized, in its own name, to make and enter into contracts, including but not limited to an installment purchase agreement with the Las Virgenes-Triunfo Public Financing Authority in connection with the acquisition and construction of the Project; to acquire, hold or dispose of

property, whether real or personal, tangible or intangible, wherever located; and to pledge any property or revenues or the rights thereto as security.”

SECTION 4. The definition of “Joint System” in Article One, Section 2.d., is hereby amended and restated in its entirety as follows:

““Joint System” means jointly owned facilities in Los Angeles and Ventura Counties presently described in Exhibits A, B, C and D. Subsequently acquired joint facilities shall be identified in exhibits attached hereto.”

SECTION 5. The description of the Project set forth in Exhibit D hereto is hereby added to the JPA Agreement as Exhibit D.

SECTION 6. THIS AMENDMENT SHALL BE CONSTRUED AND GOVERNED IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA.

SECTION 7. This Amendment shall become effective upon its execution and delivery.

SECTION 8. This Amendment may be executed in several counterparts, each of which shall be deemed as an original, all of which shall constitute but one of the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment by their officers thereunto duly authorized as of the day and year first written above.

LAS VIRGENES MUNICIPAL WATER DISTRICT

By _____
President

Attest:

District Secretary

TRIUNFO WATER & SANITATION DISTRICT

By: _____
Chair

Attest:

District Secretary

EXHIBIT D
DESCRIPTION OF PURE WATER PROJECT

The Pure Water Project Las Virgenes-Triunfo (PWP or Project) represents a unique opportunity to proactively address three major challenges facing the Las Virgenes-Triunfo Joint Powers Authority (JPA):

- 1) Comply with more stringent regulatory requirements for discharge to Malibu Creek
- 2) Balance seasonal variation in recycled water demand
- 3) Create a valuable resource to supplement the region’s water supplies, supported by California’s reservoir water augmentation regulations

The fundamental plan is to build an Advanced Water Purification Facility (AWPF) to treat tertiary effluent from the Tapia Water Reclamation Facility (Tapia WRF) for indirect potable reuse, and convey the purified water to the Las Virgenes Reservoir, where it will be blended with Metropolitan Water District of Southern California (Metropolitan) supply. Water from the Las Virgenes Reservoir will continue to be subsequently treated at the Westlake Filtration Plant (WFP) prior to distribution. Additionally, four pipelines will be constructed to convey source water, purified water, reverse osmosis concentrate (ROC), and residuals.

The Joint Powers Authority will continue to own and operate the Tapia Water Reclamation Facility and will own and operate the new Advanced Water Purification Facility. Las Virgenes Municipal Water District will continue to own and operate Las Virgenes Reservoir and the Westlake Filtration Plant.



DATE: September 3, 2024
TO: JPA Board of Directors
FROM: Engineering and Facilities

SUBJECT: Malibou Lake Siphon Replacement Project: Approval of Contract Amendments

SUMMARY:

On February 5, 2024, the JPA Board awarded a construction contract to Mladen Buntich Construction Company, Inc., in the amount of \$3,339,000. Due to the complex nature of this project and limited staff resources, staff determined it would be beneficial to hire outside companies to provide construction management and inspection services and environmental compliance monitoring during construction for this project. Construction work began on March 13, 2024.

On February 5, 2024, the JPA Board authorized a professional services agreement with Padre Associates, Inc., to provide environmental compliance monitoring during construction. The original fee included 45 workdays of biological monitoring services during construction. On March 4, 2024, the JPA Board authorized a professional services agreement with Cannon Corporation to provide construction management and inspection services during construction. The original fee included 100 working days of full-time on-site inspection services. With construction anticipated to be completed in December 2024, staff recommends accepting Padre Associates, Inc.'s proposal to provide additional environmental compliance monitoring during construction, and Cannon Corporation's proposal to provide additional construction management and inspection services during construction for the Malibou Lake Siphon Replacement Project.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute a first amendment to the professional services agreement with Padre Associates, Inc., in the amount of \$42,120, for additional environmental compliance monitoring during construction; and to execute a first amendment to the professional services agreement with Cannon Corporation, in the amount of \$93,120, for additional construction management and inspection services during construction of the Malibou Lake Siphon Replacement Project.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funding for the work is available in the adopted Fiscal Year 2024-25 JPA Budget. The cost of the project is allocated 28.93 percent to Las Virgenes Municipal Water District, and 71.07 percent to Triunfo Water & Sanitation District.

DISCUSSION:

Located by Malibou Lake, the sewer siphon was constructed around 1967 and consists of three steel pipes that are 10-inch, 14-inch, and 24-inch in diameter. Record drawings indicate the pipes are encased in concrete on three sides, but were laid on bare ground without proper bedding material. From manhole-to-manhole, the siphon is 134-feet long and is 19-feet below grade at its lowest point. Video observations from the inlet manhole indicate the 24-inch pipeline is largely obstructed, and recent attempts by the JPA to clean and inspect the pipelines were unsuccessful. Furthermore, there is infiltration from groundwater into the siphon at the inlet manhole that prevents dewatering of the pipelines, and it appears there is structural failure of the 24-inch pipeline.

During routine inspection and cleaning of the JPA's trunk sewer collection system, damage was observed in the siphon conveying flow across Medea Creek at the inlet of Malibou Lake. In addition, corrosion of the inlet and outlet siphon manholes was observed due to the off-gas that is released as the flow passes through the siphon. Staff worked to identify the extent of the damage to the siphon; however, it was determined that the damage was great enough that it was beyond the internal capabilities of staff to repair, and outside help would be needed to bring the siphon back into full working condition.

While staff has confirmed there is no evidence of sewage escaping the siphon and flow is still being conveyed through the smaller pipelines, it is imperative that the larger 24-inch siphon be addressed quickly to avoid any further damage or the possibility of a sanitary sewer overflow (SSO). Flow meters have been installed on the upstream and downstream sides of the existing siphon to monitor flow conditions and notify staff of any impending SSO. Staff have also developed an emergency response plan and have on-call contractors available to mobilize expeditiously in the event conditions deteriorate and an SSO event becomes eminent.

On February 5, 2024, the JPA Board approved the award of a construction contract to Mladen Buntich Construction Company, Inc., in the amount of \$3,339,000. Construction began in March of 2024, and is anticipated to be completed by December 2024. At this meeting, the JPA Board also authorized a Professional Service Agreement with Padre Associates Inc. (Padre) to provide environmental compliance monitoring during construction.

Medea Creek is within the jurisdiction of the California Department of Fish and Wildlife, and any work within the creek requires a Streambed Alteration Agreement. Condition 2.11 in the JPA's Streambed Alteration Agreement EPIMS-LAN-39620-R5 requires that before the start of daily project activities, the qualified biologist shall survey the project area to ensure wildlife incidentally trapped due to project activities are allowed to escape. Padre's original contract was based on providing biological monitoring services during construction for 45 working days. With biological monitoring initiated on March 13, 2024, the 45 working days was

exceeded in mid-May. The additional funds will cover the required biological monitoring within Medea Creek until work in Medea Creek is completed at the end of October 2024.

On March 4, 2024, the JPA Board authorized a Professional Service Agreement with Cannon Corporation (Cannon) to provide construction management and inspection services during construction. Cannon’s original contract was based on providing construction management and inspection services during construction for 100 working days. On-site inspections began on March 13, 2024, and the 100 working days will be exceeded at the end of August 2024. Due to the complexity of the project and limited resources, staff requested to have Cannon’s inspectors on-site more frequently to ensure construction was being done correctly. The additional funds will cover the required inspections for the months of September 2024 and October 2024, after which time the project work within Medea Creek is anticipated to be completed.

The additional working days needed for biological monitoring and inspection services during construction resulted from the change in the cofferdam from a “port-a-dam” system to individual sheet piles. The individual sheet pile method resulted in an extended duration in Medea Creek resulting in additional biological monitoring. The proposed contract amendments will provide the necessary support to complete the project. As a professional service, only the time necessary to support these tasks will be billed to the project.

The Las Virgenes Municipal Water District Code establishes that if changes are equal or greater than ten percent of the original Professional Service Agreement amount, the change must be approved by the Board. Below is a summary of the original agreement and amendments to date:

Padre Associates Inc.:

Description	Cost	Cumulative Cost	Cumulative Percent Change
Original Agreement	\$58,690.00	-	-
First Amendment	\$42,120.00	\$100,810.00	72%

Cannon Corporation:

Description	Cost	Cumulative Cost	Cumulative Percent Change
Original Agreement	\$261,540.00	-	-
First Amendment	\$93,120.00	\$354,660.00	36%

Schedule:

Construction began in March 2024 and is anticipated to be completed in December 2024.

GOALS:

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

Prepared by: Alex Leu, Senior Engineer

ATTACHMENTS:

[Malibou Lake Siphon_Permit compliance_budget increase request_Jul24.pdf](#)
[240117 Cannon ASA No.01 - Malibou Lake Siphon Replacement.pdf](#)

July 23, 2024
Project no. 2402-1221

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

Attention: Mr. Alex Leu

Subject: Request to Modify Our Contract to Provide Compliance Monitoring for the
Malibou Lake Siphon Replacement Project

Dear Alex:

The purpose of this letter is to request a modification to our Professional Services Contract to address additional biological monitoring requirements. Our contract is based on providing biological monitoring services during project construction for 45 workdays. Monitoring was initiated on March 13, 2024 and is anticipated to be required until the end of October 2024. The 45 workday limit was exceeded in mid-May. Therefore, we request an increase in the contract fee.

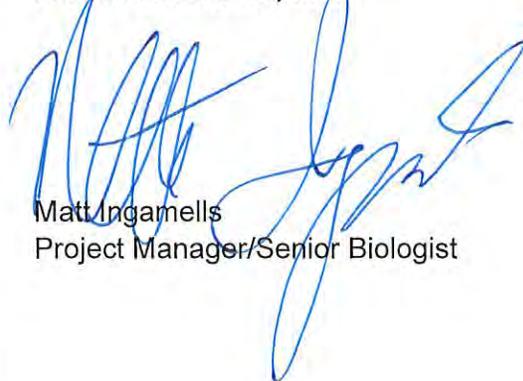
Based on the attached spreadsheet you prepared which I have updated to July 15, 2024, Padre requires a contract fee increase of \$42,120. This would increase the current contract fee of \$58,690 to \$100,810.

It may be prudent to increase this value to \$45,000 to account for unexpected construction delays. The proposed fee increase will be sufficient for all anticipated construction monitoring activities through the end of October 2024.

Should you have any questions concerning our scope or fee, please contact me at 805/644-2220 ext. 413 at your earliest convenience.

Sincerely,

Padre Associates, Inc.



Matt Ingamells
Project Manager/Senior Biologist

Attachment: Budget modification spreadsheet

Construction Tasks

As of 7/15/24

\$ 12,037.50 remaining

4. Biological Monitoring	\$ 28,990.00
5. Nesting Bird Surveys, Reporting, Monitoring	\$ 6,040.00
8. Habitat Restoration Plan	\$ 1,720.00
9. Final Report	\$ 3,240.00

\$ 457.50 REMAINING FOR INSPECTION

Days

July	12
August	23
September	23
October	23

Post Construction

1. Monitor Planting & Prep Letter to CDFW	\$ 1,800.00
2. Restoration Monitoring & Report (2 Years)	\$ 4,820.00

Total Days 81 4 hrs / day

TOTAL POST CONSTRUCTION \$ 6,620.00

Car \$ 6,480.00

Labor \$ 35,640.00

Total \$ 42,120.00



August 14, 2024

Mr. Alex Leu, PE
Senior Engineer
Las Virgenes Municipal Water District
4232 Las Virgenes Road
Calabasas, CA 91302

**SUBJECT: CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE MALIBOU LAKE
SIPHON REPLACEMENT PROJECT - REQUEST FOR ADDITIONAL SERVICE AGREEMENT**

Dear Mr. Leu:

Cannon has provided continuous construction management and inspection services for the Malibou Lake Siphon Replacement project since the start of construction in March 2024. Over the course of the project, we've been able to maintain our staffing efforts to adequately cover the work and we look forward to successfully completing this project with the Las Virgenes Municipal Water District (District).

Cannon has reviewed the remaining labor and administrative costs for construction management and inspection services associated with the Contractor's project schedule. Per our original agreement, we assumed a project duration of 100 working days with construction work starting April 2024. However, construction work started earlier in March 2024 and the Contractor's construction schedule anticipates completing the project by the end of October 2024. As such, the project's total construction duration is estimated to be approximately 150 working days, or about 50% more than we originally estimated.

In addition, Cannon will continue working closely with the District at the completion of the construction phase of the project in order to rectify any and all outstanding change orders, review final payments owed to the Contractor, and perform project closeout activities.

Considering this extended schedule, we request an additional construction management budget of \$93,120 to cover the remaining construction days on this project. We remain committed to providing the District with high quality and responsive service throughout the final months of this project. If you have any questions, or wish to discuss this request further, please contact me at (805) 503-5903 or NikB@Cannoncorp.us.

Sincerely,

A handwritten signature in blue ink that reads "Nik Boas".

Nik Boas, PE
Senior Resident Engineer



ADDITIONAL SERVICES AGREEMENT

Project Client: Las Virgenes Municipal Water District Date: August 14, 2024
Project Name: Malibou Lake Siphon Replacement Project Number: 240117

Description of Additional Services and/or Materials:

Additional Construction Management and Inspection Services to cover the extended schedule of the project.

Additional Fee (T&M, not to exceed): \$93,120.00
Not to exceed without prior written authorization.

Reimbursable expenses are not included in this additional service agreement.

Authorization:

In witness whereof, the parties hereto have caused this agreement consisting of the Request for Additional Services, the original signed agreement, and any other necessary and applicable documents to be executed and effective as of the date and year first above written.

Any additions and/or corrections to this agreement will be addressed in a separate agreement.

Client: Las Virgenes Municipal Water District Cannon

x

Client Representative

Patrick R. Riddell, PE
Director, Construction Management

Date: _____

Date: _____

Las Virgenes Municipal Water District
Construction Management and Inspection
Malibou Lake Siphon Replacement Project

Phase	Role	Name	Rate	2024							Total Est. Hours	Estimated Cost	Additional Services Request					
				Mar	Apr	May	Jun	July	Aug	Sep			2024			Total Est. Hours	Estimated Cost	
													Sep	Oct	Nov			
Pre-Construction																		
	Principal-in-Charge	Patrick Riddell, PE	\$220	12							12	\$2,640						
	Sr. Resident Engineer	Nik Boas, PE	\$210	44							44	\$9,240						
	Construction Inspector III (Prevailing Wage)	Ron Tegland	\$160	16							16	\$2,560						
	Engineering Assistant III	Marcia Bohac	\$115	8							8	\$920						
Construction																		
	Principal-in-Charge	Patrick Riddell, PE	\$220		12	12	12	12	8		56	\$12,320	4	4	4	12	\$2,640	
	Sr. Resident Engineer	Nik Boas, PE	\$210		56	88	80	88	88		400	\$84,000	60	50	40	150	\$31,500	
	Construction Inspector III (Prevailing Wage)	Ron Tegland	\$160		112	176	160	176	176		800	\$128,000	160	184	16	360	\$57,600	
	Engineering Assistant III	Marcia Bohac	\$115		8	8	8	8	8		40	\$4,600	4	4	4	12	\$1,380	
Post-Construction																		
	Principal-in-Charge	Patrick Riddell, PE	\$220							8	8	\$1,760						
	Sr. Resident Engineer	Nik Boas, PE	\$210							44	44	\$9,240						
	Construction Inspector III (Prevailing Wage)	Ron Tegland	\$160							24	24	\$3,840						
	Engineering Assistant III	Marcia Bohac	\$115							8	8	\$920						
Total Estimated Cannon Hours				80	188	284	260			84	1460		228	242	64	534		
											Total Estimated Cost of Cannon Labor	\$ 260,040	Total Estimated Cost of Additional Cannon Labor					\$ 93,120
Other Direct Costs - Reimbursables																		
Miscellaneous Reimbursables, Field Materials, Photo Copies, Software, Etc.												\$1,500						
											Total Estimated Cost of Services	\$ 261,540						

- NOTES:
- 1 Fees are based on a 100 Working Day construction schedule and assume full-time on-site inspection services during days of construction.
 - 2 Work is assumed to occur during normal working hours. Overtime, night, and weekend work are excluded, but available at an additional fee.
 - 3 Fees include conducting one (1) preconstruction meeting and nineteen (19) weekly progress meetings.
 - 4 Fees are provided on a time and materials basis, not to exceed the total estimated cost without prior written authorization.
 - 5 Rates are subject to change.

DATE: September 3, 2024
TO: JPA Board of Directors
FROM: Water Operations

SUBJECT: Rancho Las Virgenes Composting Facility: Biofilter Media Replacement

SUMMARY:

The Rancho Las Virgenes Composting Facility (Rancho) utilizes biofilters for odor control, which require regular replacement of wood chip media to meet air quality permit standards. Biofiltration uses wood chip media as a substrate for organisms, which remove ammonia and volatile organic compounds from the foul air generated by the composting process. The media breaks down over time and needs to be replaced or loosened annually to maintain sufficient air flow to sustain biological activity and odor control properties.

A Request for Proposals (RFP) for Biofilter Wood Chip Media Replacement, Zones Nos. 1 to 6, was posted on the JPA's website. Three bids were received from qualified suppliers for the supply and removal of biofilter media ranging from \$149,200 to \$392,654. The lowest responsive bid is from North Hills Recycling, Inc. (NHR). NHR provided a sample of the media to JPA staff for evaluation. The media has been determined to meet the specifications for size and composition outlined in the request for proposals.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute a contract to North Hills Recycling, Inc., in the amount of \$149,200, for biofilter media replacement at the Rancho Las Virgenes Composting Facility.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funds are available in the adopted Fiscal Year 2024-25 JPA Budget. The operations budget includes a \$240,000 appropriation for odor control at the Rancho Las Virgenes Composting Facility.

DISCUSSION:

The Rancho Las Virgenes Composting Facility (Rancho) utilizes biofilters for odor control. Large blowers are used to pull foul air from the composting process. The blowers push the foul air through six biofilter zones layered with baseplates, gravel and wood chips, which remove pollutants and odor from the exhaust gas. Biofiltration uses wood chip media as a substrate for organismal growth, which beneficially work to remove ammonia and volatile organic compounds from the foul air generated by the composting process. The media breaks down over time and needs to be replaced. Annual replacement or loosening of the biofilter media is necessary to maintain biological activity and odor control properties. A Request for Proposals (RFP) to replace media in Zones Nos. 1 to 6 was posted on the JPA’s website, and three bids were received for this work as follows:

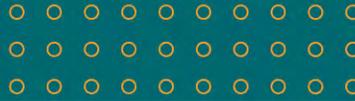
North Hills Recycling, Inc.	\$149,200.00
Viramontes Express, Inc.	\$187,199.55
GES Biotek	\$392,654.00

In 2022, biofilter media for Zone Nos. 1 to 4 was replaced by Viramontes Express, Inc., at a cost of \$110,175.35. This is the first year North Hills Recycling (NHR) has provided a proposal to supply media for the biofilters. NHR is a local company offering services and materials that make them an ideal supplier for wood chip media. Some of the services they offer include land clearing, tree trimming, hydroseed applications, emergency grinding, and recycling. In turn, these services provide materials such as mulch, wood chips, soils and amendments. NHR provided a sample of the wood chip media that met the size and composition specifications outlined in the RFP. JPA staff are confident that NHR will provide the appropriate media necessary for Rancho’s biofilters.

GOALS:

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

Prepared by: Veronica Hurtado, Water Reclamation Manager



Las Virgenes-Triunfo Joint Powers Authority

August 28, 2024

Ana Schwab, Lowry Crook, Chris Keosian, Madeline Voitier, and Alex Dunn

Congress

As the 2024 election draws near, the U.S. Congress has adjourned for its annual August recess, shifting most of the political world’s attention to the races for the White House and Congress. The Democratic National Convention in Chicago took the center stage this month, where the nomination of Vice President Kamala Harris and her selected running-mate Minnesota Governor Tim Walz was formalized.

While Members of Congress are busy hosting August recess in their districts, a lengthy to-do list awaits them upon their return to Washington, D.C. Most notably, the Federal Government’s FY24 funding expires on September 30, 2024. This gives Congress only 13 legislative days in September to pass all 12 FY25 appropriations bills—which is unlikely—or pass a Continuing Resolution to extend government funding further into the year. Speaker Johnson’s razor thin Majority in the House, ensures that passage of any funding bill will be narrow, contentious, and may require bi-partisan backing.

Congress is scheduled to recess for the entirety of October to allow Members to campaign prior to Election Day on November, 5, 2024. Recess is expected to begin on September 27, 2024 and Congress will not return until November 12, 2024, the day after the Veterans Day holiday. The period following the election will be exceptionally busy in Congress, often called the “lame duck session.” Preparations for a new Administration and Congress will also be in full swing, with both aiming to hit the ground running in early-2025. Furthermore, the current suspension of the federal debt limit expires at midnight on January 1, 2025, two days before the start of the new 119th Congress. The current 118th Congress will need to address this in the coming months, likely during the lame duck period, in order to avoid a U.S. default on its debts. Any suspension—or increase—of the federal debt ceiling is often a contentious process, and is likely to add an additional complication to this important transition period.



Senator Robert Menendez (D-NJ) to Depart U.S. Senate

Senator Robert Menendez (D-NJ), the embattled Chairman of the Senate Foreign Relations Committee, resigned from the U.S. Senate on August 20, 2024 following his conviction in Federal court for accepting bribes and acting as an agent of a foreign government. The resignation marks the apparent end to Mr. Menendez’s 31-year career in the U.S. Congress, and five decades in New Jersey politics.

Mr. Menendez maintains his innocence but stated he resigned to avoid becoming a “distraction” during his appeal process. Mr. Menendez is scheduled to be sentenced in late-October. This is not Senator Menendez’s first time facing federal corruption charges, having been indicted and tried for bribery in 2015. However, Senator Menendez was not found guilty, and charges were dropped in 2018, after a jury could not reach a verdict and a Federal Judge declared a mistrial.

Ahead of Mr. Menendez’s departure, New Jersey Governor Phil Murphy (D-NJ) announced the selection of Mr. George Helmy, Governor Murphey’s former Chief of Staff, to fill the remaining four months of Senator Menendez’s term in the U.S. Senate. Rep. Andy Kim (D-NJ-03) is poised to win a full term in the U.S. Senate taking over Senator Menendez’s former seat should he be successful in November.

Senate Approves 2024 Water Resources Development Act (WRDA)

In a surprise move on August 1, 2024, the U.S. Senate approved their chamber’s version of WRDA (S. 4367) by unanimous consent as Senators were leaving Washington, D.C. for the August recess. The move comes after the Senate Environment and Public Works Committee passed the legislation by a 19-0 vote on May 22, 2024. The Senate bill proposes 81 feasibility studies and would authorize funding for eight projects with an estimated \$3 billion in federal and nonfederal costs, excluding the costly Louisiana project and several others.

Now that the Senate has passed its WRDA bill, both chambers will enter conference negotiations to finalize the legislation, upon their return to Washington, D.C. this fall with the goal of having both chambers voting on an agreed-upon bill before the end of this Congress.

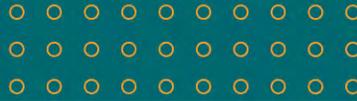
Federal Budget/Appropriations

Senate Appropriators Quietly Back EPA's PFAS Policies

Senate appropriators are quietly supporting the Environmental Protection Agency's (EPA) PFAS agenda, as seen in the recently approved FY25 Interior Appropriations bill report. On July 25, 2024, the Senate Appropriations Committee adopted the report after voting 28-1 to approve the FY25 Interior Appropriations bill. The Senate report conveys that the Committee supports EPA's continued actions on PFAS, "including issuing its first-ever drinking water standard, designating two substances as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA], and updating interim guidance on the destruction and disposal of PFAS-containing materials." The Senate report allocates approximately \$24 million toward addressing PFAS contamination, which includes \$8 million for managing PFAS impacts in agricultural settings and communities.

Despite Senate Appropriation Committee support, there is ongoing opposition to EPA's rulemakings. Several industry groups are challenging EPA's rulemakings in court, including the PFAS drinking water standard and CERCLA rule. Some Senate republicans have also raised concerns with the rulemakings. Senator Shelley Moore Capito (R-WV), Ranking member on the Senate Committee on Environment and Public Works, stated that the CERCLA rule "will have disproportionate impacts on providers of essential public services such as water and waste utilities, airports, farmers and ranchers, and fire departments."

Meanwhile, the House Appropriations Committee report on its FY25 Interior Appropriations bill raises concerns with EPA's cost estimates of its PFAS drinking water standard. The House report states that it "remains interested in receiving updated information regarding the number of water systems that will be impacted by the rule, the impact on ratepayers, and the cost of compliance with the final rule." The House report also directs EPA to submit a report on the impacts of its PFAS enforcement discretionary policy tied to the CERCLA rule. The House bill also proposes to provide \$9 million for managing PFAS impacts in agricultural settings and communities.



Senate Appropriations Committee Unveils FY25 Energy and Water Bill

On August 1, 2024, the Senate Appropriations Committee advanced its FY25 Energy and Water bill by a vote of 28-0 for consideration on the Senate floor. The bill allocates a total discretionary budget of \$61.46 billion, reflecting an increase of \$3.27 billion from FY24 enacted levels and \$2.3 billion more than their House counterparts'. A key difference is in the funding for the Office of Energy Efficiency and Renewable Energy, with the Senate proposing \$3.44 billion, while the House proposes \$2.7 billion, including an \$800 million cut from prior year funds, resulting in a net of \$1.96 billion.

Other highlights of the bill include:

- \$2.04 billion allocated for the Bureau of Reclamation and the Department of the Interior
- \$1.86 billion for the Bureau of Reclamation's Water and Related Resources account
- \$200 million for Cybersecurity, Energy Security, and Emergency Response to bolster grid resilience against cyber and physical threats
- \$10.34 billion for the U.S. Army Corps of Engineers (USACE)
- \$1.13 billion allocated for 169 Congressionally Directed Spending requests from 67 Senators, supporting Army Corps of Engineers and Bureau of Reclamation projects

House Freedom Caucus Urges Delay on FY25 Funding Until 2025

The House Freedom Caucus, comprised of the House's most conservative members, have urged House Republican leadership to delay passing any final FY25 appropriations legislation until early 2025. The group hopes to punt major spending negotiations into the beginning of a potential second Trump administration. The group is instead urging the passage of a Continuing Resolution (CR) to fund the government at current levels into 2025. The group also argues the CR should include the SAVE Act, which is legislative language backed by former President Trump to require proof of citizenship in order to vote in a federal election. It is already illegal for non-citizens to cast a ballot in federal elections.

Given the tight margins in Congress, this demand gives Speaker Mike Johnson little room to maneuver and raises fears of a potential government shutdown just one month before the November election. Some Republican leaders fear a shutdown would benefit Democrats politically. Moreover, it is unclear if Republican and Democratic leadership could work together to achieve compromise funding measures before the September deadline. Speaker Johnson also faces an ever present threat from his right flank, which could seek to vacate the Speaker's chair at any point if displeased with his efforts.

This is not the first time the House Freedom Caucus’ actions have threatened to shut down the federal government during a spending fight. However, the Freedom Caucus has historically rallied against the use of CRs to fund the government. The group argues CRs rubber stamp past levels of government spending which they believe to be unnecessary, bloated, and wasteful. Instead, Freedom Caucus members have advocated for the passage of all 12 annual appropriations bills through “regular order” – which contain the spending cuts Freedom Caucus members desire. While it remains to be seen if using the CR as a delay tactic is ultimately successful, the strategy marks a notable departure for House Conservatives.

Administration/Regulatory

U.S. Forest Service Terminates San Bernardino National Forest Water Bottling Permit

On July, 26, 2024, the U.S. Forest Service declined to renew a longstanding Special Use Permit allowing BlueTriton Brands, the parent company of the Arrowhead and Poland Spring bottled water brands, to divert millions of gallons of percolating groundwater annually from the Strawberry Canyon in the San Bernardino National Forest to its bottling facilities. The denial comes after years of public complaints about the company bottling and exporting water during years of drought, reducing local water supplies, and depleting the Strawberry Canyon Creek bed and watershed. In its letter, the Forest Service also cited millions of gallons of un-accounted for water which the company diverted, but did not bottle.

BlueTriton, meanwhile, argues the order “has no legal merit” and has filed a complaint against the Forest Service in Federal Court. Nevertheless, the Forest Service’s order made clear that Blue Triton must stop the use of any water conveyance infrastructure in Strawberry Canyon within seven days. BlueTriton must also submit a plan to permanently remove said infrastructure within 12 weeks, which the Forest Service must approve prior to work commencing.



EPA Finalizes New Risk Assessment for Hexavalent Chromium (Cr6)

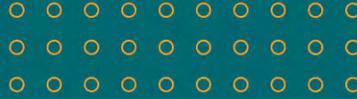
On August 1, 2024, EPA released the final Integrated Risk Information System (IRIS) toxicological review of Hexavalent Chromium (Cr6). This assessment comes after more than a decade of development to re-evaluate risks posed by Cr6 following a 2008 study that found ingesting Cr6 could cause stomach cancer. The final assessment includes a more lenient cancer risk than previous drafts. Specifically, EPA reduced its lifetime cancer oral slope factor (OSF), which measures a chemical's carcinogen potency, by almost half from previous EPA drafts published in 2010 and 2022.

EPA was prompted to re-evaluate its calculations after a review by its Science Advisory Board, which recommended that IRIS reconsider how it calculates cancer risks from low doses of Cr6. EPA is expected to initiate work on a new Safe Drinking Water Act regulation for Cr6 to replace the current Maximum Contaminant Level (MCL) of 0.1 milligrams per liter, which applies to total chromium rather than to Cr6 specifically.

Imperial Irrigation District Strikes Colorado River Water Conservation Plan

On August 13, 2024, California's largest Colorado River water rights holder, the Imperial Irrigation District (IID), struck a landmark conservation deal with the Biden Administration. The deal will leave 700,000 acre-feet (228 billion gallons) of water—as much as the entire state of Nevada consumes annually—in Lake Mead through 2026. The program will compensate both IID and farmers who volunteer to not receive their allotted water or produce crops during the summer months with nearly \$700 million in federal funding. Almost immediately, IID personnel mobilized to install more than 1600 locks on gates and canals which supply the imported water to local fields. The agreement will cut off water deliveries for up to 60 days in 2024, and will be repeated in the summers of 2025 and 2026. Such significant water savings are a major part of the U.S. Bureau of Reclamation's (USBR) emergency efforts to mitigate historically low water levels in Lakes Powell and Meade, which supply water for 40 million people in the Western United States.

The deal was met with some controversy among environmental advocates who fear the plan will further shrink water levels in the Salton Sea. The Salton Sea is fed in large part by IID agricultural runoff, and is already experiencing water loss due to drought and increasingly arid conditions in the region. Further water loss in the Sea could expose the toxic-laden lakebed underneath. The toxins from the exposed lakebed can then be picked up by wind and expose local residents—oftentimes of marginalized communities—to poor air quality, health risks, and more frequent unpleasant odors. USBR released an



environmental impact study regarding these concerns hours before IID finalized the agreement. The study found the deal would add no new environmental impacts, citing already forecasted levels of expected reduction in Salton Sea size over the coming decades. This anticipated reduction is due to an agreement between IID and the San Diego County Water Authority, which sends excess Colorado River irrigation water from IID to San Diego County to provide drinking water.

Long Term Colorado River Deal Remains Elusive as States Prepare for 2025 USBR Cuts

The seven Colorado River Basin states are in the midst of complex negotiations to reach a deal on a post-2026 agreement on Colorado River operations. On August 15, 2024, USBR announced that a Tier 1 water shortage would remain in effect for 2025, resulting in the least severe cuts possible for 2025 allocations, and maintaining the same levels as 2024. The annual allocations seek to account for shrinking water flows in the river following years of rising temperatures, drought, and increased dependence on the river in the growing west.

While the Colorado River is still at historically low levels, a wet 2023 and 2024, plus conservation efforts by Basin states following a historic drought in 2022, have temporarily improved the outlook for the rivers most important reservoirs—Lake Powell and Lake Meade. Lake Powell and Lake Meade currently sit at 39% and 30% of their capacities, respectively. According to an agreement with USBR, if Lake Mead's water level falls below certain elevations, the Lower Basin States of Arizona, California, Nevada, and Mexico will face reductions in their water supply. However, California has so far avoided these cuts due to its senior water rights, and will receive its full 4.4 million acre-feet allocation in 2025.

USBR is expected to issue draft regulations in December which will propose a way forward for the long-term operations of the Colorado river. In the meantime, states, tribes, and other negotiators will continue trying to strike an accord.



Judicial/Courts



[Air Force Presses EPA to Withdraw PFAS Order, Citing Supreme Court Ruling](#)

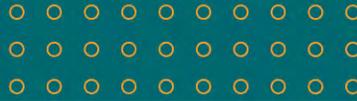
The Air Force is pushing back on a recent EPA order requiring the military to quickly develop a PFAS water treatment plan for a site in Arizona. In challenging EPA's order, the Air Force cited the recent U.S. Supreme Court ruling in *Loper Bright* overturning the *Chevron* doctrine, which directed courts to defer to an agency's reasonable interpretation of a statute that is ambiguous or silent on an issue.

The dispute stems from EPA's Unilateral Administrative Order (UAO) issued on May, 29 2024. The UAO requires the Air Force and Arizona Air National Guard to take steps to reduce the actual or potential imminent and substantial threat to human health presented by PFAS in the groundwater underlying the Tucson Area Remediation Project (TARP) water well field – an important source of drinking water for the City of Tucson.

The UAO states that within 60 days of the order's effective date, the military must submit a PFAS treatment plan that ensures that this site meets the recently promulgated PFAS drinking water limits to EPA for approval. The Air Force immediately raised several concerns with the order and requested EPA pause the order. The agencies met on June 26, 2024 but EPA declined to pause the order.

According to the Air Force, the UAO is invalid since there is no imminent and substantial danger to human health, state and local authorities have properly acted to protect human health from PFAS, and the order is impossible to meet. EPA reiterated its belief that the UAO was properly issued. The Air Force points to the Supreme Court's recent ruling in *Loper Bright Enterprises v. Raimondo* and asserts that this precedent "makes clear that EPA's interpretation of these statutory terms is not entitled to deference."

The Air Force also asserts that EPA is seeking to have the military pay for an already fully-funded PFAS pretreatment plant. The Air Force points to the \$25 million federal grant awarded to the City of Tucson to design and build a PFAS pretreatment plant as well as another \$42 million in federal funding for Arizona and the City of Tucson.



Water Utilities Update Cost Assessment of PFAS Drinking Water Rule

The American Water Works Association (AWWA) recently updated its cost assessment of EPA’s PFAS drinking water rule, as a part of a legal challenge to the final rule. EPA issued the final national primary drinking water regulations for six PFAS on April 10, 2024. The regulations impose Maximum Contaminant Levels and monitoring requirements for the nation’s water systems for six PFAS chemicals under the Safe Drinking Water Act.

Part of the motivation for challenging the regulation is EPA’s cost assessment. Specifically, AWWA questions whether the agency properly analyzed the rule’s compliance costs. AWWA’s updated its cost estimate to include recent water monitoring data from EPA’s fifth unregulated contaminant monitoring rule (UCMR5). The UCMR5 data was made available shortly after EPA finalized the drinking water standard.

According to AWWA’s update, “[c]ombined with costs of operations and maintenance the annualized cost is estimated to be \$2.7 to \$3.5 billion, roughly twice the EPA’s estimate as part of the final rulemaking.” AWWA’s previous 2023 analysis, conducted by Black & Veach, estimated a similar, although slightly lower, cost range of \$2.5 billion to \$3.2 billion annually. Conversely, EPA estimates the cost of compliance with the ruling to be \$1.5 billion annually.

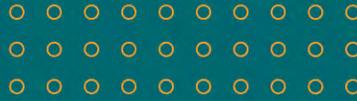
Federal Funding Opportunities



FY25 WaterSMART Drought Response Program: Drought Resiliency Projects

The Bureau of Reclamation (BoR) recently announced the FY25 WaterSMART Drought Response Program’s Drought Resiliency Projects (DRP) funding opportunity. Through this program, BoR provides financial assistance for projects will increase water supply reliability and improve water management. The DRP funding opportunity offers four task areas (Tasks A-D) aimed at improving water supply reliability including:

- Task A for infrastructure improvements
- Task B for groundwater projects
- Task C for decision support tools



- Task D for domestic water supply projects benefiting Tribes or disadvantaged communities lacking reliable water supplies.

Reclamation can fund up to 50% of project costs across Tasks A-C, split into two funding groups: Funding Group I offers up to \$750,000 for projects completing in two years, and Funding Group II offers up to \$3 million for projects completing in three years. Task D projects can receive up to \$10 million in federal funds with a 5% non-federal cost-share requirement, though applicants may request a cost-share waiver. Applications are due by **October 7, 2024**. More information can be found [HERE](#).

FY23-26 National Culvert Removal, Replacement, and Restoration Grant Program

The Department of Transportation (DOT) has launched the FY23-26 National Culvert Removal, Replacement, and Restoration Grant Program, also known as the Culvert Aquatic Organism Passage (Culvert AOP) Program. This initiative aims to improve fish passage for anadromous species by supporting projects that replace, remove, or repair culverts or weirs that obstruct their migration. The program targets infrastructure with a transportation nexus that poses barriers to fish and may include modifications to facilitate fish passage around or over weirs. Eligible applicants include states, local governments, and Indian Tribes, with total funding available at \$196 million. Grants range from \$200,000 to \$50 million, with an 80 percent federal share for state and local government projects (20 percent match required) and a 100 percent federal share for Indian Tribe projects (no match required). Applications for FY23 funding are due by **September 23, 2024**. More information can be found [here](#).

FY24 Sewer Overflow and Stormwater Reuse Municipal Grants Program

The Environmental Protection Agency (EPA) has now opened their Sewer Overflow and Stormwater Reuse Municipal Grants Program for FY24. This is a government initiative aimed at addressing the challenges associated with sewer overflows and stormwater management in municipalities. This program focuses on providing financial assistance and resources to local governments and communities to implement effective solutions for controlling and mitigating sewer overflows, as well as promoting the sustainable reuse of stormwater. California received an allocation of \$4.31 million from the total pool of funding. Regions must obligate funds under interagency agreements or direct grants to state entities by **September 30, 2025**, or the funds may be subject to Congressional rescission. More information can be found [here](#).



BBK

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW



FEDERAL REPORT



DIRECTOR OF GOVERNMENT
AFFAIRS AND OF COUNSEL

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**Not admitted to the practice of law*



LEGISLATIVE COORDINATOR*

Alex Dunn

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📍 Washington, D.C.

**Not admitted to the practice of law*



August 2024 Bill Tracking Matrix

Legislation	Summary	Status	Cosponsors	# of Cosponsors
H.R. 186 Water Supply Permitting Coordination Act	This bill would authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes.	01/09/2023 Introduced by Rep. Tom McClintock (R-CA-4) 2/21/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Rep. Doug LaMalfa (R-CA-1); Rep. David Valadao (R-CA-21); Rep. Cliff Bentz (R-OR-2); Rep. Burgess Owens (R-UT-4); Rep. Pete Stauber (R-MN-8);	5
H.R. 215 WATER for California Act	This bill would provide long-term water supply and regulatory reliability to drought-stricken California, and for other purposes.	1/09/2023 Introduced by Rep. David Valadao (R-CA-21) 10/26/2023 Passed House within H.R. 4394, Energy and Water Appropriations Act. Awaiting consideration in the Senate.	Rep. Ken Calvert (R-CA-42); Rep. John Duarte (R-CA-13); Rep. Mike Garcia (R-CA-25); Rep. Darrell Issa (R-CA-50); Rep. Kevin Kiley (R-CA-3); Rep. Young Kim (R-CA-39); Rep. Doug LaMalfa (R-CA-1); Rep. Kevin McCarthy (R-CA-23);	11
H.R. 250 Clean Water SRF Parity Act	This bill expands the state revolving fund established under the Clean Water Act, including by allowing low-interest loans to be given to privately owned treatment works to address wastewater. Currently, loans are given to wastewater systems that are publicly owned.	01/10/2023 Introduced by Rep. John Garamendi (D-CA-8) 02/01/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Mike Bost (R-IL-12); Rep. Donald Norcross (D-NJ-1); Rep. Donald Payne (D-NJ-10); Rep. Mary Peltola (D-AK-1); Rep. Hillary Scholten (D-MI-3); Rep. Abigail Spanberger (D-VA-7)	6
H.R. 369 NIST Wildland Fire Communications and Information Dissemination Act	This bill would require the National Institute of Standards and Technology to conduct research on public safety communication coordination standards among wildland firefighters and fire management response officials.	01/17/2023 Introduced by Rep. Young Kim (R-CA-40) 09/01/2023 09/01/2023 Reported by the Committee on Science, Space, and Technology	Rep. Mike Garcia (R-CA-25); Rep. Teresa Leger Fernandez (D-NM-3); Rep. Joe Neguse (D-CO-2); Rep. Melanie Ann Stansbury (D-NM-1); Rep. Jeff Jackson (D-NC-14)	5
S.21 Community Wildfire Protection Act	This bill would amend the Healthy Forests Restoration Act of 2003 to modify the definition of the term "at-risk community".	01/23/2023 Introduced by Sen. Dianne Feinstein (D-CA) 01/23/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.	Sen. Daines, Steve (R-MT)	1
H.R. 480 Wildfire Recovery Act	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.	01/24/2023 Introduced by Rep. Joe Neguse (D-CO-2) 02/01/2023 Referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management.	Rep. Salud Carbajal (D-CA-24); Rep. Jim Costa (D-CA-16); Rep. Mark DeSaulnier (D-CA-11); Rep. Anna Eshoo (D-CA-18); John Garamendi (D-CA-3); Rep. Josh Harder (D-CA-10); Rep. Jared Huffman (D-CA-2); Rep. Doug LaMalfa (R-CA-1);	32
H.R. 482 Western Wildfire Support Act	The bill requires the Department of Agriculture (USDA) and the Department of the Interior to establish spatial fire management plans before the end of FY2026. <i>This bill is the House companion to S.1764.</i>	01/24/2023 Introduced by Rep. Joe Neguse (D-CO-2) 02/21/2023 Referred to the Subcommittee on Federal Lands.	Rep. Doris Matsui (D-CA-6); Rep. Jimmy Panetta (D-CA-20); Rep. Adam Schiff (D-CA-28); Rep. Steven Horsford (D-NV-4)	4
S. 64 Water Rights Protection Act of 2023	A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes.	01/25/2023 Introduced by Senator John Barrasso (R-WY) 01/25/2023 Referred to the Committee on Energy and Natural Resources.	Sen. Mike Crapo (R-ID); Sen. James Risch (R-ID)	2
S.115 Clean Water Allotment Modernization Act	This bill revises the formula the Environmental Protection Agency (EPA) uses to determine how to distribute funds from the Clean Water State Revolving Fund (SRF) program. Under the program, the EPA allocates funding to states for water quality infrastructure projects, such as wastewater systems and stormwater management projects. <i>This bill is the Senate companion to H.R. 3167.</i>	01/26/2023 Introduced by Sen. Marco Rubio (R-FL) 01/26/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. Mark Kelly (D-AZ); Sen. Rick Scott (R-FL)	2



S. 188 Wildfire Emergency Act of 2023	A bill to direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.	01/31/2023 Introduced by Senator Dianne Feinstein (D-CA) 01/31/2023 Referred to the Committee on Energy and Natural Resources.	Sen. Alex Padilla (D-CA) ; Sen. Steve Daines (R-MT); Sen. Ron Wyden (D-OR)	3
H.R.676 Coastal Communities Ocean Acidification Act	This bill requires the National Oceanic and Atmospheric Administration (NOAA) and the Ocean Acidification Advisory Board to collaborate with various entities affected by ocean acidification and coastal acidification (i.e., the decrease in pH and changes in water chemistry of certain bodies of water and waterways).	01/31/2023 Introduced by Rep. Chellie Pingree (D-ME-1) 05/10/2023 Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation	Rep. Mike Thompson (D-CA-5) ; Rep. Adam Schiff (D-CA-28) ; Rep. Ted Lieu (D-CA-33) ; Rep. Jared Huffman (D-CA-2) ; Rep. Jimmy Panetta (D-CA-20) ; Rep. Suzanne Bonamici (D-OR-1); Rep. Andre Carson (D-IN-7); Rep. Kathy Castor (D-FL-14);	21
H.J.Res 27 Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to 'Revised Definition of 'Waters of the United States'.	This joint resolution nullifies the rule titled Revised Definition of "Waters of the United States," which was submitted by the U.S. Army Corps of Engineers and the Environmental Protection Agency on January 18, 2023. The rule specifies which bodies of water fall under the scope of the Clean Water Act and are thereby under federal jurisdiction and protected. For example, the definition in the 2023 rule includes certain wetlands and ephemeral waters (e.g., waters that flow intermittently). The 2023 rule replaced the 2020 Navigable Waters Protection Rule that included a narrower definition of waters of the United States.	02/02/2023 Introduced by Rep. Sam Graves (R-MO-06). 04/18/2023 The Chair directed the Clerk to notify the Senate of the action of the House.	Rep. Ken Calvert (R-CA-42) ; Rep. John Duarte (R-CA-13) ; Rep. Mike Garcia (R-CA-25) ; Rep. Darrell Issa (R-CA-50) ; Rep. Kevin Kiley (R-CA-3) ; Rep. Doug LaMalfa (R-CA-1) ; Rep. Tom McClintock (R-CA-4) ; Rep. David Valadao (R-CA-21) ; Rep. Robert Aderholt (R-AL-4); Rep. Mark Alford (R-MO-4); Rep. Rick Allen (R-GA-12); Rep. Mark Amodei (R-NV-2); Rep. Kelly Armstrong (R-ND-1); Rep. Jodev	170
S.J. Res. 7 A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to 'Revised Definition of 'Waters of the United States'.	This joint resolution nullifies the rule titled Revised Definition of "Waters of the United States," which was submitted by the U.S. Army Corps of Engineers and the Environmental Protection Agency on January 18, 2023. The rule specifies which bodies of water fall under the scope of the Clean Water Act and are thereby under federal jurisdiction. The 2023 rule replaced a 2020 rule that included a narrower definition of waters of the United States.	02/02/2023 Introduced By Senator Shelley Moore Capito (R-WV). 02/13/2023 Star Print ordered on the joint resolution.	Sen. John Barrasso (R-WY); Sen. Marsha Blackburn (R-TN); Sen. John Boozman (R-AR); Sen. Mike Braun (R-IN); Sen. Katie Britt (R-AL); Sen. Ted Budd (R-NC); Sen. Bill Cassidy (R-LA); Sen. Susan Collins (R-ME); Sen. John Cornyn (R-TX); Sen. Thomas Cotton (R-AR); Sen. Kevin Cramer (R-ND); Sen. Mike Crapo (R-ID); Sen. Ted Cruz (R-TX); Sen. Steve Daines (R-MT); Sen. Joni Ernst (R-IA);	49
H.R. 872 FISH Act	This bill gives the Fish and Wildlife Service (FWS) the sole authority to protect endangered or threatened species that are anadromous species (species of fish that spawn in fresh or estuarine waters and that migrate to ocean waters) or catadromous species (species of fish that spawn in ocean waters and migrate to fresh or estuarine waters). Currently, the FWS shares this authority with the National Marine Fisheries Service.	02/08/23 Introduced by Rep. Ken Calvert (R-CA-41) 02/21/23 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Rep. Jim Costa (D-CA-16) ; Rep. Darrell Issa (R-CA-50) ; Rep. Doug LaMalfa (R-CA-1) ; Rep. Tom McClintock (R-CA-4) ; Rep. Jay Obernolte (R-CA-8) ; Rep. Michelle Steel (R-CA-48) ; Rep. Mike Simpson (R-ID-2);	7
H.R. 873 Water Quality and Environmental Innovation Act	This bill establishes and transfers funds to the Water Quality and Environmental Innovation Fund. Until September 30, 2028, the Environmental Protection Agency (EPA) may use the fund to award grants and contracts to carry out projects (1) that use emerging technologies (e.g., artificial intelligence or quantum information science) to address threats to water quality; or (2) for the research, development, or design of such technologies.	2/8/2023 Introduced by Rep. Byron Donalds (R-FL-19) 02/17/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials	Rep. Josh Gottheimer (D-NJ-5); Rep. Anna Paulina-Luna (R-FL-13); Rep. Troy Nehls (R-TX-22); Rep. Paul Gosar (R-AZ-9); Rep. Michael Lawler (R-NY-17); Rep. Carlos Gimenez (R-FL-28)	6
H.R.934 To require the Secretary of Agriculture to carry out activities to suppress wildfires, and for other purposes	This bill sets out requirements for wildfire suppression and management activities carried out by the Forest Service. These requirements apply to Forest Service land that (1) has a severe, extreme, or exceptional drought intensity rating; and (2) has a National Wildland Fire Preparedness level of 5 (i.e., the highest level of wildland fire activity) or is located in a fireshed ranked in the top 10% of wildfire exposure.	02/09/2023 Introduced by Rep. Tom McClintock (R-CA-5) 09/20/2023 Ordered to be Reported (Amended) by Voice Vote.	Rep. Ken Calvert (R-CA-42) ; Rep. John Duarte (R-CA-13) ; Rep. Darrell Issa (R-CA-50) ; Rep. Doug LaMalfa (R-CA-1) ; Rep. Jay Obernolte (R-CA-8) ; Rep. Daniel Newhouse (R-WA-4)	7
H.R. 1049 Protecting Airport Communities from Particle Emissions Act	This bill directs the Federal Aviation Administration and the Environmental Protection Agency to jointly contract with an institution of higher education to study the characteristics, distributions, sources, and potential human health effects of airborne ultrafine particles.	02/14/2023 Introduced by Rep. Adam Smith (D-WA-9) 02/24/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials	Rep. Pramila Jayapal (D-WA-7); Rep. Grace Meng (D-NY-6); Rep. Eleanor Norton (D-DC-1); Rep. Suzan DelBene (D-WA-1)	4



S.466 Federal PFAS Research Evaluation Act	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.	02/16/2023 Introduced by Sen. Gary Peters (D-MI) 02/16/2023 Read twice and referred to the Committee on Commerce, Science, and Transportation	Sen. Richard Durbin (D-IL); Sen. Jerry Moran (R-KS); Sen. Jeanne Shaheen (D-NH)	3
H.R. 1142 To amend the Endangered Species Act of 1973 to require consideration of economic impact in making a listing decision with respect to the list of threatened and endangered species, and for other purposes.	This bill limits when the Department of the Interior or the National Oceanic and Atmospheric Administration (NOAA) may add a species to the endangered or threatened species list and revises the process to list species under the Endangered Species Act of 1973.	02/21/2023 Introduced by Rep. August Pfluger (R-TX-11) 03/22/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Rep. Tom McClintock (R-CA-4) ; Rep. Ronny Jackson (R-TX-13); Rep. Tracey Mann (R-KS-1); Rep. Greg Steube (R-FL-17)	4
H.R.1152 Water Quality Certification and Energy Project Improvement Act	This bill revises the water quality certification process under Section 401 of the Clean Water Act (CWA) for any activity that requires a federal license or permit and may result in a discharge of pollutants into waters of the United States. Activities that require such federal licenses or permits include hydropower, natural gas pipeline, or mining projects.	02/24/2023 Introduced by Rep. David Rouzer (R-NC-7) 03/17/2023 Placed on the Union Calendar, Calendar No. 5	Rep. Garret Graves (R-LA-6); Rep. Scott Perry (R-PA-10)	2
H.R.1181 To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes	This bill extends the maximum term for certain permits issued under the National Pollutant Discharge Elimination System (NPDES) program. Specifically, the bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years. Under the program, the Environmental Protection Agency issues permits to discharge pollutants from point sources, such as pipes, into waters of the United States.	02/24/2023 Introduced by Rep. John Garamendi (D-CA-8) 02/27/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. Eric Swalwell (D-CA-15) ; Rep. Ken Calvert (R-CA-42) ; Rep. Andre Carson (D-IN-7); Rep. Garret Graves (R-LA-6); Rep. David Rouzer (R-NC-7)	5
H.R.1367 Water System Threat Preparedness and Resilience Act	This bill requires the Environmental Protection Agency (EPA) to create a program to support increased membership and involvement of certain smaller water utilities and water treatment works (e.g., wastewater systems) in the Water Information Sharing and Analysis Center (WaterISAC). <i>This bill is the House companion to S. 660.</i>	03/03/2023 Introduced by Rep. Janice Schakowsky (D-IL-8) 03/10/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials		0
S.660 Water System Threat Preparedness and Resilience Act	This bill requires the Environmental Protection Agency (EPA) to create a program to support increased membership and involvement of certain smaller water utilities and water treatment works (e.g., wastewater systems) in the Water Information Sharing and Analysis Center (WaterISAC). As background, WaterISAC is a group of water and wastewater systems and associations that coordinate with the EPA and other federal agencies to collect and analyze data on water security and threats. WaterISAC also provides analysis and resources to support response, mitigation, and resilience initiatives. <i>This bill is the Senate companion to H.R. 1367.</i>	03/06/2023 Introduced by Sen. Edward Markey (D-MA) 03/06/2023 Read twice and referred to the Committee on Environment and Public Works		0
H.R.1430 Determination of NEPA Adequacy Streamlining Act	This bill requires the Department of the Interior and the National Forest Service to use previously completed environmental assessments and environmental impact statements to satisfy requirements under the National Environmental Policy Act of 1969 if the agency determines that a new proposed action and its effects are substantially the same as a previously analyzed proposed action and its effects.	03/07/2023 Introduced by Rep. David Valadao (R-CA-22) 04/25/2023 Referred to the Subcommittee on Forestry		0
S.702 Urban Waters Federal Partnership Act	This bill provides statutory authority for the Urban Waters Federal Partnership Program. Under the program, the Environmental Protection Agency and other specified agencies must reconnect urban communities, particularly urban communities that are overburdened or economically distressed, with their waterways by improving coordination among federal agencies.	03/08/2023 Introduced by Sen. Kysten Sinema (I-AZ) 03/08/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. John Cornyn (R-TX); Sen. Mark Kelly (D-AZ)	2



H.R.1517 Relief for Farmers Hit with PFAS Act	This bill directs the Department of Agriculture (USDA) to establish a grant program to help states and other entities address contamination by perfluoroalkyl and polyfluoroalkyl substances, commonly referred to as PFAS, on agricultural land and commercial farms. <i>This bill is the House companion to S. 747.</i>	03/09/2023 Introduced by Rep. Chellie Pingree (D-ME-1) 03/09/2023 Referred to the House Committee on Agriculture	Rep. Becca Balint (D-VT-1); Rep. Joe Courtney (D-CT-2); Rep. Teresa Leger Fernandez (D-NM-3); Rep. Brian Fitzpatrick (R-PA-1); Rep. Jared Golden (D-ME-2); Rep. Val Hoyle (D-OR-4); Rep. Ann Kuster (D-NH-2); Rep. Marie Perez (D-WA-3); Rep.	9
S.747 Relief for Farmers Hit with PFAS Act	This bill directs the Department of Agriculture (USDA) to establish a grant program to help states and other entities address contamination by perfluoroalkyl and polyfluoroalkyl substances, commonly referred to as PFAS, on agricultural land and commercial farms. <i>This bill is the Senate companion to H.R. 1517.</i>	03/09/2023 Introduced by Sen Susan Collins (R-ME) 03/09/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Tammy Baldwin (D-WI); Sen. Kirsten Gillibrand (D-NY); Sen. Maggie Hassan (D-NH); Sen. Martin Heinrich (D-NM); Sen. Angus King (I-ME); Sen. Ben Lujan (D-NM); Sen. Bernie Sanders (I-VT); Sen. Jeanne Shaheen (D-NH); Sen. Peter	11
H.R. 1586 Forest Protection and Wildland Firefighter Safety Act of 2023	This bill authorizes the Department of the Interior and the Department of Agriculture to discharge a fire retardant, a chemical, or water for fire suppression, control, or prevention activities.	3/14/2023 Introduced by Rep. Doug LaMalfa (R-CA-1) 11/15/2023 Ordered to be Reported in the Nature of a Substitute by Voice Vote	Rep. Jay Obernolte (R-CA-8); Rep. David Valadao (R-CA-21); Rep. Ken Calvert (R-CA-42); Rep. Jim Costa (D-CA-16); Rep. Rick Crawford (R-AR-1); Rep. John Duarte (R-CA-13); ; Rep. John Garamendi (D-CA-	37
H.R. 1 Lower Energy Costs Act	To lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes.	03/14/2023 Introduced by Rep. Steve Scalise (R-LA-1) 03/30/2023 The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1.	Rep. Tom McClintock (R-CA-4); Rep. Robert Aderholt (R-AL-4); Rep. Rick Allen (R-GA-12); Rep. Kelly Armstrong (R-ND-1); Rep. Troy Balderson (R-OH-12); Rep. Lauren Boebert (R-CO-3); Rep. Michael Burgess (R-TX-26); Rep. Kat Cammack (R-FL-3); Rep. Mike Carey (R-OH-15); Rep. Buddy Carter (R-GA-1); Rep. Dan Crenshaw (R-TX-2);	49
S.806 Healthy H2O Act	This bill directs the Department of Agriculture (USDA) to establish a program under which USDA awards grants for improving the quality of drinking water in certain rural areas. Grants may be given to individuals or entities, such as home owners, renters, and licensed child-care facilities, that have demonstrated the presence of one or more health contaminants in their drinking water. Grants may also be given to nonprofit organizations to help individuals and entities test their water, analyze the results of the tests, and reduce the contamination. <i>This bill is the Senate companion to H.R. 1721.</i>	03/15/2023 Introduced by Sen. Tammy Baldwin (D-WI) 03/15/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Alex Padilla (D-CA); Sen. Susan Collins (R-ME); Sen. Angus King (I-ME); Sen. Jeanne Shaheen (D-NH); Sen. Tina Smith (D-MN); Sen. Ron Wyden (D-OR); Sen. Kirsten Gillibrand (D-NY); Sen. Ben Ray Lujan (D-NM);	11
S. 820 Protecting Consumers from PFAS Act	This bill adds the Consumer Product Safety Commission to the interagency working group to coordinate federal activities related to research about perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS.	03/15/2023 Introduced by Sen. Gary Peters (D-MI) 11/27/2023 Placed on Senate Legislative Calendar under General Orders. Calendar No. 250	Sen. Susan Collins (R-ME); Sen. Cynthia Lummis (R-WY); Sen. Peter Welch (D-VT)	3
H.R.1721 Healthy H2O Act	This bill directs the Department of Agriculture (USDA) to establish a program under which USDA awards grants for improving the quality of drinking water in certain rural areas. <i>This bill is the House companion to S. 806.</i>	03/22/2023 Introduced by Rep. Chellie Pingree (D-ME-1) 04/25/2023 Referred to the Subcommittee on Commodity Markets, Digital Assets, and Rural Development	Rep. Mike Levin (D-CA-49); Rep. Josh Harder (D-CA-10); Rep. David Valadao (R-CA-21); Adam Schiff (D-CA-28); Rep. Doris Matsui (D-CA-7) Rep. Shontel Brown (D-OH-11); Rep. Brian Fitzpatrick (R-PA-1); Rep. Mike Gallagher (R-WI-8); Rep.	31
H.R.1729 Water Affordability, Transparency, Equity, and Reliability Act	This bill increases funding for water infrastructure, including funding for several programs related to controlling water pollution or protecting drinking water.	03/22/2023 Introduced by Rep. Bonnie Watson Coleman (D-NJ-12) 04/25/2023 Referred to the Subcommittee on Commodity Markets, Digital Assets, and Rural Development.	Rep. Raul Ruiz (D-CA-25); Rep. Kevin Mullin (D-CA-15); Rep. Jimmy Panetta (D-CA-20); Rep. Ro Khanna (D-CA-17); Rep. Barbara Lee (D-CA-13); Rep. Ted Lieu (D-CA-33); Rep. Doris Matsui (D-CA-6); Rep. Sara Jacobs (D-CA-53); Rep.	91



H.R. 1740 To amend the Water Infrastructure Finance and Innovation Act of 2014 to establish payment and performance security requirements for projects, and for other purposes.	This bill establishes bonding requirements for the recipient of a water infrastructure construction loan under the Water Infrastructure Finance and Innovation Act (WIFIA). A borrower must secure the financed project with payment and performance bonds in minimum amounts set out in the bill.	3/23/2023 Introduced by Rep. Mike Bost (R-IL-12). 03/31/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.	Rep. Julia Brownley (D-CA-26); Rep. Colin Allred (D-TX-32); Rep. Jake Auchincloss (D-MA-4); Rep. Troy Balderson (R-OH-12); Rep. Josh Gottheimer (D-NJ-5); Rep. Tom Kean (R-NJ-7); Rep. Stephen Lynch (D-MA-8); Rep. Chris Pappas (D-NH-1); Rep. Scott Peters (D-CA-5)	12
S. 1022 Define WOTUS Act	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.	03/29/2023 Introduced by Sen. Mike Braun (R-IN) 03/29/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. Joni Ernst (R-IA); Sen. Chuck Grassley (R-IA)	2
S. 1023 Farmer-Informed WOTUS Act	This bill requires the Department of Agriculture (USDA) to establish an advisory committee that is representative of the U.S. farming and ranching sectors to make recommendations on the impact of waters of the United States (WOTUS) regulations on U.S. agriculture and environmental protection. <i>This bill is the Senate companion to H.R. 4956.</i>	03/29/2023 Introduced by Sen. Mike Braun (R-IN) 03/29/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.	Sen. John Kennedy (R-LA); Sen. Pete Ricketts (R-NE); Sen. Mike Rounds (R-SD); Sen. Rick Scott (R-FL); Sen. Tommy Tuberville (R-AL)	5
H.R. 2419 Canal Conveyance Capacity Restoration Act	This bill authorizes the Bureau of Reclamation to provide financial assistance for various projects in California to mitigate the sinking or settling of the ground (i.e., subsidence mitigation), specifically for projects related to the Friant-Kern Canal, the Delta-Mendota Canal, and certain parts of the San Luis Canal/California Aqueduct. <i>This bill is the House companion to S.2161.</i>	03/30/2023 Introduced by Rep. Jim Costa (D-CA-16) 05/08/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Rep. John Garamendi (D-CA-3); Rep. Josh Harder (D-CA-10)	2
S.1164 Seedlings for Sustainable Habitat Restoration Act	This bill provides support for the collection and maintenance of native seeds and production of tree seedlings. <i>This bill is the Senate companion to H.R. 5015.</i>	03/30/2023 Introduced by Sen. Ben Ray Lujan (D-NM) 03/30/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.	Sen. John Cornyn (R-TX); Sen. Martin Heinrich (D-NM); Sen. Peter Welch (D-VT)	3
H.R.2521 Clean Drinking Water Equity Act	This bill revises the drinking water state revolving fund (SRF) program to increase the cap on the total amount of loan subsidies that states may give to assist disadvantaged communities. The drinking water SRF program is a financial assistance program to help water systems and states achieve the health protection objectives of the Safe Drinking Water Act.	04/06/2023 Introduced by Rep. Raul Ruiz (D-CA-25) 04/14/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.		0
H.R.2670 National Defense Authorization Act for Fiscal Year 2024	This bill authorizes FY2024 appropriations and sets forth policies for Department of Defense (DOD) programs and activities, military construction, and the national security programs of the Department of Energy (DOE). The bill authorizes appropriations, but does not provide budget authority, which is provided by appropriations legislation. <i>This is the House counterpart to S.2226.</i>	04/18/2023 Introduced by Rep. Mike Rogers (R-AL-3) 12/22/2023 Became Public Law No: 118-31	Rep. Adam Smith (D-WA-9)	1
H.R. 2735 Coastal State Climate Preparedness Act of 2023	This bill directs the Department of Commerce to establish a coastal climate change adaptation preparedness and response program. Under the program, Commerce must (1) assist coastal states with voluntarily developing coastal climate change adaptation plans, and (2) provide financial and technical assistance as well as training for coastal states to implement the adaptation plans.	04/20/2023 Introduced by Rep. Salud Carbajal (D-CA-24) 05/22/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries	Rep. Ted Lieu (D-CA-33); Rep. Adam Schiff (D-CA-30); Rep. Brian Fitzpatrick (R-PA-1); Rep. Michael Lawler (R-NY-17); Rep. Marc Molinaro (R-NY-19)	5
H.R. 2811 Limit, Save, Grow Act of 2023	This bill increases the federal debt limit and decreases spending. It also repeals several energy tax credits, modifies the permitting process and other requirements for energy projects, expands work requirements for the Supplemental Nutrition Assistance Program (SNAP) and other programs, and nullifies regulations for the cancellation of federal student loan debt.	04/25/2023 Introduced by Rep. Jodey Arrington (R-TX-19) 05/04/2023 Committee on the Budget. Hearings held.	Rep. Rep. Tom McClintock (R-CA-4); Rep. Stephanie Bice (R-OK-5); Rep. Michael Burgess (R-TX-26); Rep. Buddy Carter (R-GA-1); Rep. James Comer (R-KY-1); Rep. Chuck Edwards (R-NC-11); Rep. Virginia Foxx (R-NC-5);	19



S.1350 WIPPE Act	This bill would require the Federal Trade Commission to issue regulations requiring certain products to have "Do Not Flush" labeling, and for other purposes. <i>This bill is the Senate companion to H.R. 2964.</i>	04/27/2023 Introduced by Sen. Jeff Merkley (D-OR) 04/27/2023 Read twice and referred to the Committee on Commerce, Science, and Transportation	Sen. Alex Padilla (D-CA); Sen. Dianne Feinstein (D-CA); Sen. Richard Blumenthal (D-CT); Sen. Susan Collins (R-ME); Sen. Angus King (I-ME); Sen. Edward Markey (D-MA); Sen. Jeanne Shaheen (D-NH); Sen. Elizabeth Warren (D-MA); Sen. Ben Ray Lujan (D-NM)	9
S.1360 PFAS Exposure Assessment and Documentation Act	This bill would require DOD to ensure that any periodic health assessment, physical assessment for recently separated members, pre-deployment medical examination, post-deployment medical examination, and post-deployment health reassessment provided to a member of the Armed Forces includes an evaluation of whether the member has been exposed to PFAS or was based or stationed at a military installation with a known or suspected release of PFAS during the period the member was there.	04/27/2023 Introduced by Sen. Jeanne Shaheen (D-NH) 04/27/2023 Read twice and referred to the Committee on Armed Services		0
H.R.2964 WIPPE Act	This bill require the Federal Trade Commission to issue regulations requiring certain products to have "Do Not Flush" labeling, and for other purposes. <i>This bill is the House companion to S.1350.</i>	04/27/2023 Introduced by Rep. Lisa McClain (R-MI-9) 06/11/2024 Passed in the House, received in the Senate	Rep. Julia Brownley (D-CA-26); Rep. Mary Peltola (D-AK-1); Rep. Marie Perez (D-WA-3)	3
H.R.3027 Reclamation Climate Change and Water Program Reauthorization Act	This bill reauthorizes through FY2033 the Bureau of Reclamation's climate change and water program. Under the program, Reclamation assesses the effects of global climate change on the quantity of water resources in certain western states and develops strategies to address potential water shortages, conflicts, and other impacts to such water resources.	04/28/2023 Introduced by Rep. Katie Porter (D-CA-47) 06/14/2023 Subcommittee Hearings Held	Rep. Sydney Kamlager (D-CA-37); Rep. Mike Levin (D-CA-49); Rep. Zoe Lofgren (D-CA-19); Rep. Grace Napolitano (D-CA-32); Rep. Matsui, Doris O. (D-CA-7); Rep. Melanie Ann Stansbury (D-NM-1); Rep. Earl Blumenauer (D-OR-2); Rep. Gabe Gironi (D-OR-5)	9
S.1427 Agriculture PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7
S. 1429 Resource Management PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7
S. 1430 Water Systems PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes. <i>This bill is the Senate companion to H.R. 7944.</i>	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS); Sen. James Risch (R-ID)	8
S.1432 Fire Suppression PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 for the release of certain perfluoroalkyl or polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7
S.1433 Airports PFAS Liability Protection Act	This bill would exempt certain aviation entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 for the release of certain perfluoroalkyl or polyfluoroalkyl substances, and for other purposes.	05/03/2023 Introduced by Sen. Cynthia Lummis (R-WY) 05/03/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. Markwayne Mullin (R-OK); Sen. Pete Ricketts (R-NE); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	7



S. 1449 RESTART Act	This bill limits, accelerates timelines under, or otherwise modifies several environmental laws. Specifically, it accelerates, coordinates, and limits the environmental review of federal actions under the National Environmental Policy Act of 1969.	05/04/2023 Introduced by Sen. Shelley Capito (R-WV) 05/04/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Barrasso (R-WY); Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. James Lankford (R-OK); Sen. Cynthia Lumms (R-WY); Sen. Pete Ricketts (R-NE); Sen. James Risch (R-ID); Sen. Dan Claitor (R-KS)	12
S.1456 SPUR Act	This bill (1) accelerates the environmental review of certain federal actions related to energy; (2) modifies various laws pertaining to energy and mineral development; (3) establishes requirements related to the supply and delivery of electricity and natural gas; and (4) makes requirements concerning other natural resources.	05/04/2023 Introduced by Sen. John Barrasso (R-WY) 05/04/2023 Read twice and referred to the Committee on Energy and Natural Resources.	Sen. Shelley Capito (R-WV); Sen. Bill Cassidy (R-LA); Sen. Steve Daines (R-MT); Sen. Josh Hawley (R-MO); Sen. John Hoeven (R-ND); Sen. Cindy Hyde-Smith (R-MS); Sen. James	12
H.R.3167 Clean Water Allotment Modernization Act	This bill revises the formula the Environmental Protection Agency (EPA) uses to determine how to distribute funds from the Clean Water State Revolving Fund (SRF) program. Under the program, the EPA allocates funding to states for water quality infrastructure projects, such as wastewater systems and stormwater management projects. <i>This bill is the House companion to S.115.</i>	05/09/2023 Introduced by Rep. Michael Waltz (R-FL-6) 05/10/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Vern Buchanan (R-FL-16); Rep. Mario Diaz-Balart (R-FL-25); Rep. Anna Luna (R-FL-13); Rep. Brian Mast (R-FL-18); Rep. John Rutherford (R-FL-4); Rep. Maria Elvira Salazar (R-FL-27); Rep. Daniel Webster (R-FL-10)	7
H.R.3192 PFAS Registry Act	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, commonly known as PFAS, due to the environmental release of aqueous film-forming foam at a military installation or other Department of Defense (DOD) location.	05/10/2023 Introduced by Rep. Chris Pappas (D-NH-1) 05/26/2023 Referred to the Subcommittee on Health	Rep. Brian Fitzpatrick (R-PA-1); Rep. Ann Kuster (D-NH-2); Rep. Mike Lawler (R-NY-17); Rep. Elissa Slotkin (D-MI-7); Rep. Angie Craig (D-MN-2)	5
H.R.3316 To amend titles 46 and 49, United States Code, to streamline the environmental review process for major projects, and for other purposes.	This bill applies the expedited environmental review processes for major infrastructure projects under FAST-41 to federal actions involving certain port, aviation, and pipeline projects. Specifically, this bill requires, to the greatest extent feasible, the Department of Transportation (DOT) to conduct efficient environmental reviews for port infrastructure projects, pipeline projects, and airport or aviation projects that require DOT's approval under the National Environmental Policy Act of 1969 (NEPA).	05/15/2023 Introduced by Rep. Rick Crawford (R-AR-1) 05/23/2023 Ordered to be Reported by Voice Vote.	Rep. John Garamendi (D-CA-3) ; Rep. David Rouzer (R-NC-7); Rep. Chuck Edwards (R-NC-11);	3
H.R.3389 Emergency Wildfire Fighting Technology Act	This bill requires the Forest Service and the Department of the Interior to jointly evaluate the container aerial firefighting system to assess its use to mitigate and suppress wildfires and report to Congress.	05/16/2022 Introduced by Rep. David Valadao (R-CA-22) 09/13/2023 Received in Senate after passing House on suspension of rules.	Rep. Jim Costa (D-CA-16) ; Rep. Mike Garcia (R-CA-25) ; Rep. Josh Harder (D-CA-10) ; Rep. Darrell Issa (R-CA-50) ; Rep. Kevin Kiley (R-CA-3) ; Rep. Doug Lamborn (R-CO-5); Rep. Daniel Newhouse (R-WA-4)	9
H.R.3396 Fire Department Repayment Act	This bill requires standard operating procedures for reciprocal fire suppression cost share agreements.	05/17/2023 Introduced by Rep. Josh Harder (D-CA-10) 12/06/2023 Ordered to be Reported (Amended) by Unanimous Consent	Rep. Young Kim (R-CA-40) ; Rep. Julia Brownley (D-CA-26) ; Rep. Jim Costa (D-CA-16) ; Rep. Jared Huffman (D-CA-2) ; Rep. Sydney Kamlager (D-CA-37) ; Rep. Kevin Kiley (R-CA-3) ;	29
H.R.3439 Emergency Wildfire Act of 2023	This bill provides for programs and activities in support of forest restoration, wildfire mitigation, and energy resilience.	05/17/2023 Introduced by Rep. Jimmy Panetta (D-CA-20) 06/23/2023 Referred to the Subcommittee on Forestry	Rep. Adam Schiff (D-CA-28) ; Rep. Mike Thompson (D-CA-5) ; Rep. Salud Carbajal (D-CA-24) ; Rep. Jim Costa (D-CA-16) ; Rep. Mark DeSaulnier (D-CA-11) ; Rep. John Garamendi (D-	8
H.R.3457 SUPERSAFE Act	This bill requires the Environmental Protection Agency to form the Supercomputing for Safer Chemicals (SUPERSAFE) Consortium to, among other purposes, establish rapid approaches for the development of safer alternatives to toxic substances.	05/18/2023 Introduced by Rep. Zoe Lofgren (D-CA-18) 05/19/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials		0
H.R.3490 Water Infrastructure Modernization Act	This bill establishes grants for owners and operators of publicly owned wastewater treatments systems and community water systems to support planning and other aspects of implementing smart water network technologies.	05/18/2023 Introduced by Rep. Ruben Gallego (D-AZ-3) 05/19/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. John Duarte (R-CA-13)	1



H.R.3499 Direct Hire to Fight Fires Act	This bill would amend title 5, United States Code, to provide direct hire authority to appoint individuals to Federal wildland firefighting and firefighting support positions in the Forest Service or the Department of the Interior, and for other purposes.	05/18/2023 Introduced by Rep. Darrell Issa (R-CA-50) 07/26/2023 Ordered to be Reported in the Nature of a Substitute (Amended) by the Yeas and Nays: 32 - 0.	Rep. Doug LaMalfa (R-CA-1); Rep. Kiley, Kevin (R-CA-3)	2
S.1715 Wildfire Emergency Act of 2023	This bill would direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.	05/18/2023 Introduced by Sen. Dianne Feinstein (D-CA) 05/18/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Alex Padilla (D-CA); Sen. Laphonza Butler (D-CA); Sen. Steve Daines (R-MT); Sen. Ron Wyden (D-OR)	4
S.1718 Primacy Certainty Act of 2023	This bill modifies provisions of the underground injection control program established under the Safe Drinking Water Act related to the review of state applications to obtain responsibility for regulating Class VI wells, which are used to store captured carbon. The bill sets forth a process to give states primary enforcement responsibility for such wells if the Environmental Protection Agency (EPA) fails to meet specified deadlines. <i>This bill is the Senate companion to H.R. 3568.</i>	05/18/2023 Introduced by Sen. Dan Sullivan (R-AK) 05/18/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. Cynthia Lummis (R-WY); Sen. Pete Ricketts (R-NE)	2
H.R.3568 Primacy Certainty Act	This bill modifies provisions of the underground injection control program established under the Safe Drinking Water Act related to the review of state applications to obtain responsibility for regulating Class VI wells, which are used to store captured carbon. <i>This bill is the House companion to S. 1718.</i>	05/22/2023 Introduced by Rep. Dan Crenshaw (R-TX-2) 05/26/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials	Rep. John Curtis (R-UT-3); Rep. Debbie Lesko (R-AZ-8); Rep. August Pfluger (R-TX-11); Rep. Randy Weber (R-TX-14); Rep. Juan Ciscomani (R-AZ-6); Rep. Nathaniel Moran (R-TX-1); Rep. Buddy Carter (R-GA-1)	7
H.R.3675 Western Water Accelerated Revenue Repayment Act	This bill permanently authorizes a provision under the Water Infrastructure Improvements for the Nation Act that (1) allows certain water users (e.g., agriculture and municipal water users) in western states to prepay what they owe under contracts with the Bureau of Reclamation for the storage and supply of water resources; and (2) requires a specified portion of the receipts generated from such prepayments be directed to the Reclamation Water Storage Account for the construction of water storage.	05/25/2023 Introduced by Rep. Lauren Boebert (R-CO-3) 07/26/2023 Ordered to be Reported in the Nature of a Substitute (Amended) by the Yeas and Nays: 22 - 14	Rep. Tom McClintock (R-CA-4); Rep. Paul Gosar (R-AZ-4); Rep. Harriet Hageman (R-WY-1); Rep. Doug Lamborn (R-CO-5); Rep. Mike Lawler (R-NY-17); Rep. Troy Nehls (R-TX-22); Rep. Daniel Newhouse (R-WA-4); Rep. Matt Rosendale (R-MT-1); Rep. Ryan Zinke (R-MT-1)	9
H.R. 3746 Fiscal Responsibility Act of 2023	This bill would provide for a responsible increase to the debt ceiling.	05/29/2023 Introduced by Rep. Patrick McHenry (R-NC-10) 06/03/2023 Became Public Law No: 118-5.		0
S.1764 Western Wildfire Support Act	The bill requires the Department of Agriculture (USDA) and the Department of the Interior to establish spatial fire management plans before the end of FY2026. <i>This bill is the Senate companion to H.R. 482.</i>	05/31/2023 Introduced by Sen. Catherine Cortez Masto (D-NV) 10/25/2023 Committee on Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining. Hearings held.		0
H.R.3809 Cybersecurity for Rural Water Systems Act	This bill amends the Department of Agriculture (USDA) Circuit Rider Program to include cybersecurity technical assistance for rural water systems serving fewer than 10,000 people. Under the program, USDA provides technical assistance to rural water systems that are experiencing day-to-day operational, financial, or managerial issues.	06/05/2023 Introduced by Rep. Donald David (D-NC-1) 07/10/2023 Referred to the Subcommittee on Commodity Markets, Digital Assets, and Rural Development.	Rep. Jim Costa (D-CA-16); Rep. Angie Craig (D-MN-2); Rep. Zach Nunn (R-IA-3); Rep. Abigail Spanberger (D-VA-7); Rep. Mike Gallagher (R-WI-8); Rep. David Rouzer (R-NC-7); Rep. Brian Fitzpatrick (R-PA-1)	8
H.R.3871 Research for Healthy Soils Act	This bill includes research on the agricultural impacts of microplastics in land-applied biosolids on farmland as a department of Agriculture (USDA) high-priority research and extension area. Microplastic is a plastic or plastic-coated particle that is less than 5 millimeters in size. <i>This bill is the House companion to S.3623.</i>	06/06/2023 Introduced by Rep. Marie Perez (D-WA-3) 07/28/2023 Referred to the Subcommittee on Conservation, Research, and Biotechnology.	Rep. Young Kim (R-CA-40); Rep. Mike Lawler (R-NY-17); Rep. Mikie Sherrill (D-NJ-11); Rep. Brian Fitzpatrick (R-PA-1)	4



S.1853 Headwaters Protection Act	This bill would amend the Healthy Forests Restoration Act of 2003 to reauthorize and improve the Water Source Protection Program, and for other purposes. <i>This bill is the Senate companion to H.R. 4018.</i>	06/07/2023 Introduced by Sen. Michael Bennet (D-CO) 06/07/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.	Sen. Feinstein, Dianne (D-CA); Sen. Crapo, Mike (R-ID); Sen. Risch, James E. (R-ID); Sen. Lujan, Ben Ray (D-NM); Sen. Kelly, Mark (D-AZ); Sen. Hickenlooper, John W. (D-	9
H.R.3954 Water and Agriculture Tax Reform Act	This bill would amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency.	06/09/2023 Introduced by Rep. Ken Buck (R-CO-4) 06/09/2023 Referred to the House Committee on Ways and Means	Rep. John Curtis (R-UT-3); Rep. Joe Neguse (D-CO-2); Rep. Daniel Newhouse (R-WA-4)	3
H.R.4018 Headwaters Protection Act	This bill would amend the Healthy Forests Restoration Act of 2003 to reauthorize and improve the Water Source Protection Program, and for other purposes. <i>This bill is the House companion to S.1852.</i>	06/12/2023 Introduced by Rep. Jim Costa (D-CA-21) 07/28/2023 Referred to the Subcommittee on Forestry.	Rep. David Valadao (R-CA-21); Rep. Earl Blumenauer (D-OR-3); Rep. Brittany Pettersen (D-CO-7); Rep. Kim Schrier (D-WA-8); Rep. Melanie Ann Stansbury (D-NM-1)	7
H.R.4052 National Infrastructure Bank Act	This bill creates the National Infrastructure Bank to facilitate the long-term financing of infrastructure projects.	06/13/2023 Introduced by Rep. Danny Davis (D-IL-7) 06/16/2023 Referred to the Subcommittee on Innovation, Data, and Commerce.	Rep. Barbara Lee (D-CA-13); Rep. Eric Swalwell (D-CA-15); Rep. John Garamendi (D-CA-3); Rep. Jimmy Panetta (D-CA-20); Rep. Zoe Lofgren (D-CA-18); Rep. Chellie Pingree (D-ME-	31
H.R.4235 Wildfire Technology Demonstration, Evaluation, Modernization, and Optimization Act	This bill would direct the Secretary of Agriculture and the Secretary of the Interior to establish a wildfire technology testbed pilot program, and for other purposes.	06/21/2023 Introduced by Rep. Young Kim (R-CA-40) 11/14/2023 Hearing held in Subcommittee on Federal Lands.	Rep. Ken Calvert (R-CA-42); Rep. Jim Costa (D-CA-16); Rep. John Duarte (R-CA-13); Rep. Josh Harder (D-CA-10); Rep. Darrell Issa (R-CA-50); Rep. David Valadao (R-CA-21); Rep. Doug Lamborn (R-CO-5); Rep. Mike Lee (D-UT-4)	11
H.R.4247 Flood Prevention and Snowpack Management Act	This bill would direct the Secretary of the Army to establish a task force on the California snowpack and flood mitigation.	06/21/2023 Introduced by Rep. Josh Harder (D-CA-9) 06/22/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Barbara Lee (D-CA-13); Rep. Zoe Lofgren (D-CA-19); Rep. Eshoo, Anna G. (D-CA-16)	3
S.2102 Water for Conservation and Farming Act	This bill would provide for drought preparedness and improved water supply reliability.	06/21/2023 Introduced by Sen. Ron Wyden (D-OR) 07/19/2023 Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held	Sen. Jeff Merkley (D-OR)	1
S.2127 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2024	This bill provides FY2024 appropriations for military construction, the Department of Veterans Affairs (VA), and related agencies. <i>This is the Senate counterpart to H.R. 4366.</i>	06/22/2023 Introduced by Sen. Patty Murray (D-WA) 03/09/2024 Became Public Law No: 118-42		0
S.2130 PFAS Community Engagement and Transparency Act	This bill would require community engagement and reporting relating to activities of the Department of Defense with respect to perfluoroalkyl substances and polyfluoroalkyl substances, and for other purposes.	06/22/2023 Introduced by Sen. Jeanne Shaheen (D-NH) 06/22/2023 Read twice and referred to the Committee on Armed Services		0
S.2131 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2024	This bill provides FY2024 appropriations for the Department of Agriculture (USDA), the Food and Drug Administration, and related agencies. <i>This is the Senate counterpart to H.R.4368.</i>	06/22/2023 Introduced by Sen. Martin Heinrich 03/09/2024 Became Public Law No: 118-42		0
S.2161 Canal Conveyance Capacity Restoration Act	This bill would provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes. <i>This bill is the Senate companion to H.R. 2419.</i>	06/22/2023 Introduced by Sen. Dianne Feinstein (D-CA) 07/19/2023 Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held		0



S.2162 STREAM Act.	This bill would support water infrastructure in Reclamation States, and for other purposes.	06/22/2023 Introduced by Sen. Dianne Feinstein (D-CA) 07/19/2023 Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held	Sen. Mark Kelly (D-AZ); Sen. Kyrsten Sinema (I-AZ)	2
S.2169 Watershed Results Act	This bill would authorize the Secretary of the Interior to carry out watershed pilots, and for other purposes.	06/22/2023 Introduced by Sen. Ron Wyden (D-OR) 07/19/2023 Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held.		0
S.2203 ARROW Act	This bill requires the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command and the National Oceanic and Atmospheric Administration to provide aircraft, personnel, and equipment to meet the mission requirements for winter season atmospheric river reconnaissance on the U.S. west coast annually from November 1 through March 31. Among other activities, the squadron must improve the accuracy and timeliness of atmospheric river forecasts and warning services on the west coast.	06/22/2023 Introduced by Sen. Alex Padilla (D-CA) 06/22/2023 Read twice and referred to the Committee on Armed Services		0
H.R.4368 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2024	This bill provides FY2024 appropriations for the Department of Agriculture (USDA), the Food and Drug Administration, and related agencies. <i>This is the House counterpart to S.2131.</i>	06/22/2023 Introduced by Rep. Andy Harris (R-MD-1) 03/09/2024 Became Public Law No: 118-42		0
H.R.4365 Department of Defense Appropriations Act, 2024	This bill provides FY2024 appropriations to the Department of Defense (DOD) for military activities. <i>This is the House counterpart to S.2587.</i>	06/27/2023 Introduced by Rep. Ken Calvert (R-CA-42) 03/23/2024 Became Public Law No: 118-47		0
H.R.4366 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2024	This bill provides FY2024 appropriations for military construction, the Department of Veterans Affairs (VA), and related agencies. <i>This is the House counterpart to S.2127.</i>	06/27/2023 Introduced by Rep. John Carter (R-TX-31) 03/09/2024 Became Public Law No: 118-42		0
H.R.4385 Drought Preparedness Act	This bill reauthorizes through FY2028 the Reclamation States Emergency Drought Relief Act of 1991, which allows the Bureau of Reclamation to provide drought assistance to Hawaii or certain western states. <i>This is the House counterpart to S.4242.</i>	06/27/2023 Introduced by Rep. Joe Neguse (D-CO-2) 02/06/2024 Passed the House and Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources	Rep. Juan Ciscomani (R-AZ-6); Rep. Susie Lee (D-NV-3)	2
H.R.4394 Energy and Water Development and Related Agencies Appropriations Act, 2024	This bill provides FY2024 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 several independent agencies. <i>This is the House counterpart to S.2443.</i>	06/30/2023 Introduced by Rep. Chuck Fleischmann (R-TN-3) 03/09/2024 Became Public Law No: 118-42		0
S.2226 National Defense Authorization Act for Fiscal Year 2024	This bill authorizes FY2024 appropriations and sets forth policies for Department of Defense (DOD) programs and activities, military construction, and the national security programs of the Department of Energy (DOE). The bill authorizes appropriations, but does not provide budget authority, which is provided by appropriations legislation. <i>This is the Senate counterpart to H.R. 2670.</i>	07/11/2023 Introduced by Sen. Jack Reed (D-RI) 07/20/2023 S.Amdt.685 Amendment SA 685 agreed to in Senate by Voice Vote		0



H.R.4540 Water Infrastructure Enhancement Act of 2023	This bill would amend the Safe Drinking Water Act to establish a program to provide grants to suppliers of water for the purpose of making infrastructure improvements to public water systems, and for other purposes.	07/11/2023 Introduced by Rep. Henry Cuellar (D-TX-28) 07/14/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.	Rep. Chris Smith (R-NJ-4); Rep. Melanie Ann Stansbury (D-NM-1); Rep. Monica De La Cruz (R-TX-15); Rep. Michael Lawler (R-NY-17); Rep. Andre Carson (D-IN-7); Rep. Gabe Vasquez (D-NM-2)	6
H.R.4584 National Wildland Fire Risk Reduction Program Act	This bill would improve the Federal effort to reduce wildland fire risks, and for other purposes.	07/12/2023 Introduced by Rep. Zoe Lofgren (D-CA-18) 07/13/2023 Referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management	Rep. Suzanne Bonamici (D-OR-1); Rep. Andrea Salinas (D-OR-6)	2
S.2272 - Wildland Firefighter Paycheck Protection Act	This bill provides for a specialized pay schedule for wildland firefighters in the Forest Service and the Department of the Interior. The specialized pay schedule is based on the General Schedule, increased by a specified percentage depending on the position grade (the higher the grade, the lower the percentage adjustment). <i>This is the Senate counterpart to H.R. 5169.</i>	07/12/2023 Introduced by Sen. Kyrsten Sinema (I-AZ) 09/11/2023 Placed on Senate Legislative Calendar under General Orders. Calendar No. 205.	Sen. Alex Padilla (D-CA) ; Sen. John Barrasso (R-WY); Sen. Steve Daines (R-MT); Sen. Joe Manchin (D-WV); Sen. Jon Tester (D-MT); Sen. Cynthia Lummis M. (R-WY); Sen. Heinrich, Martin (D-NM)	7
H.R.4717 Locally Led Restoration Act	This bill would amend the Healthy Forests Restoration Act of 2003 with respect to third-party contracts for wildfire hazard fuel removal, to amend the National Forest Management Act with respect to the threshold for advertised timber sales, and for other purposes.	07/18/2023 Introduced by Rep. Doug Lamborn (R-CO-5) 11/14/2023 Subcommittee Hearings Held	Rep. Jim Costa (D-CA-16) ; Rep. Doug LaMalfa (R-CA-1) ; Rep. Lauren Boebert (R-CO-3); Rep. Lori Chavez-DeRemer (R-OR-5)	5
S.2337 Plastic Pellet Free Waters Act	This bill requires the Environmental Protection Agency to issue a final rule that prohibits certain discharges of plastic pellets and other preproduction plastic into waters of the United States. <i>This is the Senate counterpart to H.R. 7634.</i>	07/18/2023 Introduced by Sen. Richard Durbin (D-IL) 07/18/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. Alex Padilla (D-CA) ; Sen. Richard Blumenthal (D-CT); Sen. Ben Cardin (D-MD); Sen. Edward Markey (D-MA); Sen. Jeff Merkley (D-OR); Sen. Chris Van Hollen (D-MD); Sen. Tammy Duckworth (D-IL)	8
S.2353 Responsible Wildland Fire Recovery Act	This bill would provide for cost-share waivers for projects carried out in response to wildland fires caused by certain Government actions, and for other purposes. <i>This bill is the Senate companion to H.R. 4920.</i>	07/18/2023 Introduced by Sen. Ben Ray Lujan (D-NM) 07/18/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.	Rep. Melanie Ann Stansbury (D-NM-1)	1
S.2388 Cybersecurity for Rural Water Systems Act	This bill would amend the Consolidated Farm and Rural Development Act to establish a cybersecurity circuit rider program to provide cybersecurity-related technical assistance to certain entities that operate rural water or wastewater systems.	07/19/2023 Introduced by Sen. Catherine Cortez-Masto (D-NV) 07/19/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Mike Rounds (R-SD); Sen. Angus King (I-ME)	2
H.R.4769 PFAS Alternatives Act	This bill seeks to drive innovation in developing next-generation protection for firefighters by accelerating the development of PFAS-free turnout gear, and for other purposes.	07/20/2023 Introduced by Rep. Debbie Dingell (D-MI-6) 07/21/2023 Referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management.	Rep. Raul Ruiz (D-CA-25) ; Rep. Adam Schiff (D-CA-30) ; Rep. Salud Carbajal (D-CA-24) ; Rep. Jared Huffman (D-CA-2) ; Rep. Ro Khanna (D-CA-17) ; Rep. Mike Levin (D-CA-49) ; Rep. Don Bacon (R-NE-2); Rep. Jim	75
S.2443 Energy and Water Development and Related Agencies Appropriations Act, 2024	This bill provides FY2024 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 several independent agencies. <i>This is the Senate counterpart to H.R.4394</i>	07/20/2023 Introduced by Sen. Dianne Feinstein 03/09/2024 Became Public Law No: 118-42		0



H.R.4821 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024	This bill provides FY2024 appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), and several related agencies. <i>This is the House counterpart to S.2605.</i>	07/24/2023 Introduced by Rep. Mike Simpson (R-ID-2) 03/09/2024 Became Public Law No: 118-42		0
H.R.4831 Fair Pay for Federal Firefighters Act	This bill would provide a special rate of basic pay for Federal wildland firefighters during fiscal years 2024 and 2025, and for other purposes.	07/24/2023 Introduced by Rep. Doug LaMalfa (R-CA-1) 09/19/2023 Referred to the Subcommittee on Forestry.	Rep. Ken Calvert (R-CA-42); Rep. John Curtis (R-UT-3); Rep. Kevin Kiley (R-CA-3); David Valadao (R-CA-21) Rep. John Duarte (R-CA-13); Rep. Chuck Edwards (R-NC-11); Rep. Scott Franklin (R-FL-15); Rep. Mike Garcia (D-CA-25); Rep.	16
H.R.4866 Fire Weather Development Act	This bill establishes several programs and requirements to address wildfire forecasting, detection, and management, particularly with respect to interagency collaboration.	07/25/2023 Introduced by Rep. Mike Garcia (R-CA-27) 09/22/2023 Placed on the Union Calendar, Calendar No. 174.	Rep. Young Kim (R-CA-39); Rep. Yadira Caraveo (D-CO-8)	2
H.R.4890 Urban Waters Federal Partnership Act	This bill provides statutory authority for the Urban Waters Federal Partnership Program. Under the program, the Environmental Protection Agency and other specified agencies must reconnect urban communities, particularly urban communities that are overburdened or economically distressed, with their waterways by improving coordination among federal agencies.	07/25/2023 Introduced by Rep. Greg Stanton (D-AZ-4) 07/26/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. Brian Fitzpatrick (R-PA-1); Rep. Michael Lawler (R-NY-17)	2
H.R.4913 To establish in the National Oceanic and Atmospheric Administration a program to improve precipitation forecasts, and for other purposes	This bill would establish in the National Oceanic and Atmospheric Administration a program to improve precipitation forecasts, and for other purposes.	07/26/2023 Introduced by Rep. Jeff Jackson (D-NC-14) 07/26/2023 Referred to the House Committee on Science, Space, and Technology		0
H.R.4920 Responsible Wildland Fire Recovery Act	This bill would provide for cost-share waivers for projects carried out in response to wildland fires caused by certain Government actions, and for other purposes. <i>This bill is the House companion to S.2353.</i>	07/26/2023 Introduced by Rep. Teresa Leger Fernandez (D-NM-3) 09/25/2023 Referred to the Subcommittee on Forestry.	Rep. Melanie Ann Stansbury (D-NM-1)	1
H.R.4956 Farmer-Informed WOTUS Act of 2023	This bill requires the Department of Agriculture (USDA) to establish an advisory committee that is representative of the U.S. farming and ranching sectors to make recommendations on the impact of waters of the United States (WOTUS) regulations on U.S. agriculture and environmental protection. <i>This bill is the House companion to S. 1023.</i>	07/27/2023 Introduced by Rep. Rudy Yakym (R-IN-2) 07/28/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. Tracey Mann (R-KS-1); Rep. Erin Houchin (R-IN-9)	2
S.2587 Department of Defense Appropriations Act, 2024	This bill provides FY2024 appropriations to the Department of Defense (DOD) for military activities. <i>This is the Senate counterpart to H.R.4365.</i>	07/27/2023 Introduced by Sen. John Tester (D-MT) 03/23/2024 Became Public Law No: 118-47		0
S.2605 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024	Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2024, and for other purposes. <i>This is the Senate counterpart to H.R.4821.</i>	07/27/2023 Introduced by Sen. Jeff Merkley (D-OR) 03/09/2024 Became Public Law No: 118-42		0



S.2636 Healthy Watersheds, Healthy Communities Act	This bill would amend the Watershed Protection and Flood Prevention Act to improve that Act, and for other purposes. <i>This bill is the Senate companion to H.R. 6497.</i>	07/27/2023 Introduced by Sen. Michael Bennett (D-CO) 07/27/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Deb Fischer (R-NE); Sen. Jeff Merkley (D-OR); Sen. Jon Tester (D-MT)	3
S.2697 Clean Drinking Water for Rural Communities Act	This bill would amend the Consolidated Farm and Rural Development Act to modify the definitions of the terms "rural" and "rural area" for purposes of grants and loans to remedy a lack of compliance with certain drinking water standards, and for other purposes.	07/27/2023 Introduced by Sen. Dianne Feinstein (D-CA) 07/27/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Alex Padilla (D-CA)	1
H.R.5015 Seedlings for Sustainable Habitat Restoration Act	This bill would amend the Infrastructure Investment and Jobs Act to authorize the Secretary of Agriculture, acting through the Chief of the Forest Service, to enter into contracts, grants, and agreements to carry out support for the collection and maintenance of native seeds and production of tree seedlings. <i>This bill is the House companion to S. 1164 .</i>	07/27/2023 Introduced by Rep. Teresa Leger Fernandez (D-NM-3) 09/25/2023 Referred to the Subcommittee on Forestry.		0
H.R.5016 Water Efficiency, Conservation, and Sustainability Act	This bill would increase efficiency and conservation in public water systems, and for other purposes.	07/27/2023 Introduced by Rep. Mike Levin (D-CA-49) 07/28/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials		0
H.R.5153 To direct the Secretary of Veterans Affairs to carry out a pilot program to employ veterans in certain wildland firefighting activities	This bill would direct the Secretary of Veterans Affairs to carry out a pilot program to employ veterans in certain wildland firefighting activities.	08/04/2023 Introduced by Rep. Joe Neguse (D-CO-2) 09/19/2023 Referred to the Subcommittee on Forestry	Rep. John Rutherford (R-FL-4); Rep. Marcus Molinaro (R-NY-19)	2
H.R.5169 Wildland Firefighter Paycheck Protection Act	This bill would amend title 5, United States Code, to provide for special base rates of pay for wildland firefighters, and for other purposes. <i>This bill is the House companion to S.2272.</i>	08/08/2023 Introduced by Rep. Joe Neguse (D-CO-2) 09/25/2023 Referred to the Subcommittee on Forestry	Rep. Adam Schiff (D-CA-28); Rep. Mike Thompson (D-CA-5); Rep. David Valadao (R-CA-21); Rep. Katie Porter (D-CA-45); Rep. Josh Harder (D-CA-10); Rep. Mike Garcia (R-CA-25); Rep. Grace Napolitano (D-CA-	24
H.R.5259 PFAS Exposure Assessment and Documentation Act	This bill requires the Department of Defense (DOD) to include in various health evaluations an assessment of whether a member of the Armed Forces has been exposed to perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/22/2023 Referred to the House Committee on Armed Services	Rep. Bill Posey (R-FL-8); Rep. Michael Turner (R-OH-10); Rep. Lawler, Michael (R-NY-17); Rep. David Rouzer (R-N-7)	4
H.R.5260 PFAS Free Military Purchasing Act	This bill would amend the National Defense Authorization Act for Fiscal Year 2021, to modify the prohibition on the acquisition by the Department of Defense of certain items containing a perfluoroalkyl substance or polyfluoroalkyl substance.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/22/2023 Referred to the House Committee on Armed Services	Rep. Bill Posey (R-FL-8); Rep. Michael Lawler (R-NY-17)	2
H.R.5261 PFAS Training For DoD Providers and Servicemembers Act	This bill requires the Department of Defense to provide its health care providers with mandatory training regarding the potential health effects of PFAS.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/22/2023 Referred to the House Committee on Armed Services	Rep. Jack Bergman (R-MI-1); Rep. Bill Posey (R-FL-8); Rep. Michael Turner (R-OH-10); Michael Lawler (R-NY-17)	4
H.R.5262 DoD PFAS Cleanup Transparency Act	This bill would require the Secretary of Defense to publish information regarding the status of certain cleanup efforts of the Department of Defense, and for other purposes.	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/22/2023 Referred to the House Committee on Armed Services	Rep. Jack Bergman (R-MI-1); Rep. Chrissy Houlahan (D-PA-6); Rep. Bill Posey (R-FL-8); Michael Lawler (R-NY-17)	4



H.R.5263 PFAS Strictest Standard Act	DOD must conduct response actions to achieve a level of PFAS in the environmental media that meets or exceeds the most stringent of the following standards for each applicable PFAS:	08/22/2023 Introduced by Rep. Elissa Slotkin (D-MI-7) 08/25/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials	Rep. Ro Khanna (D-CA-17); Rep. Bill Posey (R-FL-8); Michael Lawler (R-NY-17)	3
H.R.5329 Wildfire Smoke Emergency Declaration Act	This bill would authorize the President to declare a smoke emergency, and for other purposes.	09/01/2023 Introduced by Rep. Josh Harder (D-CA-9) 09/05/2023 Referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management	Rep. Mark DeSaulnier (D-CA-11); Rep. Robert Garcia (D-CA-42); Rep. Ted Lieu (D-CA-33); Rep. Zoe Lofgren (D-CA-19); Rep. Kevin Mullin (D-CA-15); Rep. Eric Swalwell (D-CA-15); Rep. Mark Takano (D-CA-41); Rep. Mike Thompson (D-CA-5);	11
H.R.5325 Domestic Water Protection Act	This bill would amend the Internal Revenue Code of 1986 to impose an excise tax on water use during droughts, and for other purposes.	09/01/2023 Introduced by Rep. Ruben Gallego (D-AZ-3) 09/01/2023 Referred to the Committee on Ways and Means, and in addition to the Committee on Natural Resources	Rep. Raul Grijalva (D-AZ-3)	1
S.2749 Wildfire Resilient Communities Act	This bill would provide mandatory funding for hazardous fuels reduction projects on certain Federal land, and for other purposes. <i>This bill is the Senate companion to H.R 6525.</i>	09/07/2023 Introduced by Sen. Jeff Merkley (D-OR) 09/07/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Dianne Feinstein (D-CA); Sen. Alex Padilla (D-CA); Sen. Ron Wyden (D-OR)	3
H.R.5355 Save Our Airports Reporting Act	This bill would require the Administrator of the Federal Aviation Administration to submit to Congress progress reports on the development and implementation of a national plan to transition to the use of a fluorine-free firefighting foam, and for other purposes.	09/08/2023 Introduced by Rep. Salud Carbajal (D-CA-24) 09/11/2023 Referred to the Subcommittee on Aviation	Rep. Mike Lawler (R-NY-17); Rep. Derrick Van Orden (R-WI-3); Rep. Marc Molinaro (R-NY-19)	3
H.R.5356 PFAS Act	This bill would require the Secretary of Transportation to establish a PFAS replacement program at certain airports, and for other purposes.	09/08/2023 Introduced by Rep. Salud Carbajal (D-CA-24) 09/11/2023 Referred to the Subcommittee on Aviation	Rep. David Valadao (R-CA-22); Rep. Julia Brownley (D-CA-26); Rep. Mike Lawler (R-NY-17); Rep. Derrick Van Orden (R-WI-3)	4
H.R.5483 Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act	This bill would promote water supply reliability and improved water management for rural communities, the State of California, and the Nation, and for other purposes.	09/14/2023 Introduced by Rep. Josh Harder (D-CA-9) 09/14/2023 Referred to the House Committee on Natural Resources	Rep. Jim Costa (D-CA-16); Rep. John Garamendi (D-CA-3); Rep. Jimmy Panetta (D-CA-20); Rep. Eric Swalwell (D-CA-15)	4
H.R.5509 Electronic Permitting Modernization Act	This bill seeks to modernize permitting systems at the Department of the Interior, and for other purposes.	09/14/2023 Introduced by Rep. Katie Porter (D-CA-47) 11/15/2023 Ordered to be Reported in the Nature of a Substitute (Amended) by Unanimous Consent.	Rep. Doug LaMalfa (R-CA-1); Rep. Mary Peltola (D-AK-1); Rep. Byron Donalds (R-FL-19); Rep. Marc Molinaro (R-NY-19)	4
H.R.5664 Water Infrastructure Finance and Innovation Act Amendments	This bill would reauthorize the Water Infrastructure Finance and Innovation Act of 2014, and for other purposes.	09/21/2023 Introduced by Rep. Kim Schrier (D-WA-8) 09/22/2023 Referred to the Subcommittee on Water Resources and Environment	Rep. Jim Costa (D-CA-16); Rep. John Garamendi (D-CA-3); Rep. Josh Harder (D-CA-10); Rep. Doug LaMalfa (R-CA-1); Rep. Daniel Newhouse (R-WA-4); Rep. Lori Chavez-DeRemer (R-OR-5); Rep. Sharice	7
H.R.5691 Drought Assistance Improvement Act	This bill would improve drought related disaster assistance programs of the Department of Agriculture, and for other purposes.	09/26/2023 Introduced by Rep. Julia Letlow (R-LA-5) 09/26/2023 Referred to the House Committee on Agriculture	Rep. Michael Guest (R-MS-3); Rep. Garret Graves (R-LA-6); Rep. Troy Carter (D-LA-2)	3



S.2917 Rural Water System Disaster Preparedness and Assistance Act	This bill would amend the Consolidated Farm and Rural Development Act to establish an emergency preparedness and response technical assistance program to assist entities that operate rural water or wastewater systems in preparing for and responding to natural or man-made disasters.	09/26/2023 Introduced by Sen. Catherine Cortez Masto (D-NV) 09/26/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Cindy Hyde-Smith (R-MS); Sen. Tammy Baldwin (D-WI)	2
S.2928 Water Infrastructure Subcontractor and Taxpayer Protection Act	This bill would amend the Water Infrastructure Finance and Innovation Act of 2014 to establish payment and performance security requirements for projects, and for other purposes.	09/26/2023 Introduced by Sen. Mark Kelly (D-AZ) 09/26/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. Kevin Cramer (R-ND); Sen. Chris Van Hollen (D-MD)	2
H.R.5764 Support Water-Efficient Strategies and Technologies Act	This bill would amend the Food Security Act of 1985 to increase payments for drought-resilient or water-saving practices and to provide additional payments for perennial production systems, and for other purposes.	09/27/2023 Introduced by Rep. Teresa Leger Fernandez (D-NM-3) 01/17/2024 Referred to the Subcommittee on Conservation, Research, and Biotechnology	Rep. David Valadao (R-CA-21); Rep. Chellie Pingree (D-ME-1)	2
H.R.5770 Water Data Improvement Act	This bill would reauthorize certain United States Geological Survey water data enhancement programs. <i>This bill is the House companion to S. 4245.</i>	09/27/2023 Introduced by Rep. Joe Neguse (D-CO-2) 07/08/2024 Passed the House Floor via suspension. Received in the Senate	Rep. Juan Ciscomani (R-AZ-6); Rep. Dina Titus (D-NV-1)	2
H.R.5793 Water Access Act	This bill provides \$500 million in FY2024 appropriations to the Department of Health and Human Services for the Low-Income Household Water Assistance Program. The program provides grants to assist low-income households with water and wastewater bills.	09/28/2023 Introduced by Rep. Debbie Dingell (D-MI-6) 09/28/2023 Referred to the House Committee on Appropriations	Rep. Lisa Rochester (D-DE-1); Rep. Rashida Tlaib (D-MI-13); Rep. Shri Thanedar (D-MI-13); Rep. Morgan McGarvey (D-KY-3); Rep. Kim Schrier (D-WA-8); Rep. Patrick Ryan (D-NY-18); Rep. Lauren Underwood (D-IL-	7
S.2994 Maintaining and Enhancing Hydroelectricity and River Restoration Act	This bill would amend the Internal Revenue Code of 1986 to support upgrades at existing hydroelectric dams in order to increase clean energy production, improve the resiliency and reliability of the United States electric grid, enhance the health of the Nation's rivers and associated wildlife habitats, and for other purposes.	09/28/2023 Introduced by Sen. Maria Cantwell (D-WA) 09/28/2023 Read twice and referred to the Committee on Finance	Sen. Susan Collins (R-ME); Sen. Kirsten Gillibrand (D-NY); Sen. Angus King (I-ME); Sen. Lisa Murkowski (R-AK); Sen. Gary Peters (D-MI); Sen. Jeanne Shaheen (D-NH); Sen. Debbie Stabenow (D-MI); Sen. Dan	9
H.R.5983 Clean Water Act of 2023	This bill would amend the Federal Water Pollution Control Act to restore a national minimum standard of protection for the water resources of the United States while providing certainty to regulated entities.	10/18/2023 Introduced by Rep. Rick Larsen (D-WA-2) 10/27/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Peter Aguilar (D-CA-31); Rep. Nanette Barragan (D-CA-44); ; Rep. Julia Brownley (D-CA-26); Rep. Salud Carbajal (D-CA-24); Rep. Tony Cardenas (D-CA-29); Rep. Mark DeSaulnier (D-CA-11); Rep. Debbie Dingell	130
S.3082 Water Quality Certification Improvement Act	This bill would amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.	10/19/2023 Introduced by Sen. John Barrasso (R-WY) 10/19/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. Steve Daines (R-MT); Sen. Cynthia Lummis (R-WY); Sen. Kevin Cramer (R-ND); Sen. Pete Ricketts (R-NE)	4
H.R.6024 PFAS Health Study Act	This bill extends through FY2024 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.	10/24/2023 Introduced by Rep. Madeline Dean (D-PA-4) 10/25/2023 Referred to the House Committee on Armed Services	Rep. Brian Fitzpatrick (R-PA-1)	1



H.R.6053 Break Free From Plastic Pollution Act	This bill would amend the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways, and for other purposes. <i>This bill is the House companion to S.3127.</i>	10/25/2023 Introduced by Rep. Jared Huffman (D-CA-2) 01/18/2024 Referred to the Subcommittee on Conservation, Research, and Biotechnology	Rep. Nanette Barragan (D-CA-44); Rep. Salud Carbajal (D-CA-24); Rep. Judy Chu (D-CA-27); Rep. Mark DeSaulnier (D-CA-11); Rep. Robert Garcia (D-CA-42); Rep. Jimmy Gomez (D-CA-34); Rep. Ro Khanna (D-CA-17); Rep. Barbara Lee (D-CA-13); Rep. Mike Levin (D-CA-49); Rep. Ted Lieu (D-CA-33); Rep. Stephen Lynch (D-MA-9);	73
S.3123 Modernizing Access to Our Public Waters Act	This bill would provide for the standardization, consolidation, and publication of data relating to public outdoor recreational use of Federal waterways among Federal land and water management agencies, and for other purposes.	10/25/2023 Introduced by Sen. John Barrasso (R-WY) 10/25/2023 Read twice and referred to the Committee on Energy and Natural Resources.	Sen. Angus King (I-ME)	1
S.3127 Break Free From Plastic Pollution Act	This bill would amend the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways, and for other purposes. <i>This bill is the Senate companion to H.R. 6053.</i>	10/25/2023 Introduced by Sen. Jeff Merkley (D-OR) 10/25/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. Richard Blumenthal (D-CT); Sen. Cory Booker (D-NJ); Sen. Richard Durbin (D-IL); Sen. Kirsten Gillibrand (D-NY); Sen. Edward Markey (D-MA); Sen. Patty Murray (D-WA); Sen. Bernie Sanders (I-VT); Sen. Chris Van Hollen (D-MD); Sen. Elizabeth Warren (D-MA); Sen. Peter Welch (D-VT); Sen. Ron Wyden (D-OR)	11
H.R.6093 Weather Act Reauthorization Act	This bill seeks to improve the National Oceanic and Atmospheric Administration's weather research, support improvements in weather forecasting and prediction, expand commercial opportunities for the provision of weather data, and for other purposes.	10/26/2023 Introduced by Rep. Frank Lucas (R-OK-3) 04/30/2024 Passed in the House and received in the Senate	Rep. Jay Obernolte (R-CA-8); Rep. Zoe Lofgren (D-CA-19) Rep. Mike Garcia (R-CA-25); Rep. Darrell Issa (R-CA-48); Rep. Brian Babin (R-TX-36); Rep. Jim Baird (R-IN-4); Rep. Stephanie Bice (R-OK-5); Rep. Suzanne Bonamici (D-OR-1); Rep. Mike Collins (D-CA-10)	29
H.R.6095 Department of Defense PFAS Discharge Prevention Act	This bill would require the Secretary of Defense to request modifications relating to certain permits issued under the Federal Water Pollution Control Act, and for other purposes.	10/26/2023 Introduced by Rep. Jennifer McClellan (D-VA-4) 10/27/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Brian Fitzpatrick (R-PA-1); Rep. Jen Kiggans (R-VA-2); Rep. Mike Lawler (R-NY-17); Rep. Nancy Mace (R-SC-1); Rep. Chris Pappas (D-NH-1); Rep. Deborah Ross (D-NC-2); Rep. Bobby Scott (D-VA-3); Rep. Derrick Van Orden (R-WI-3)	12
S.3147 Flood Protection and Infrastructure Resilience Act	This bill would modify Department of Agriculture programs to improve flood protection and infrastructure resiliency, and for other purposes.	10/26/2023 Introduced by Sen. Pete Ricketts (R-NE) 10/26/2023 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Kirsten Gillibrand (D-NY)	1
H.R.6129 Studying NEPA's Impact on Projects Act	This bill would require the Council on Environmental Quality to publish an annual report on environmental reviews and causes of action based on compliance with the National Environmental Policy Act of 1969, and for other purposes.	11/01/2023 Introduced by Rep. Rudy Yakym (R-IN-2) 11/02/2023 Sponsor introductory remarks on measure.	Rep. Jimmy Panetta (D-CA-20); Rep. John Duarte (R-CA-13); Rep. Doug LaMalfa (R-CA-1); Rep. Sam Graves (R-MO-6); Rep. Matt Rosendale (R-MT-2); Rep. Chuck Edwards (R-NC-11); Rep. Tracey Mann (R-KS-1); Rep. Ryan Zinke (R-MT-1)	11
H.R.6195 Wildland Firefighter Fair Pay Act	This bill would amend title 5, United States Code, to establish a special limitation on pay for wildland fire responders, and for other purposes.	11/02/2023 Introduced by Rep. Zoe Lofgren (D-CA-18) 03/01/2024 Referred to the Subcommittee on Forestry	Rep. Nanette Barragan (D-CA-44); Rep. Julia Brownley (D-CA-26); Rep. Mark DeSaulnier (D-CA-11); Rep. Jared Huffman (D-CA-2); Rep. Ted Lieu (D-CA-33); Rep. Jimmy Panetta (D-CA-20); Rep. Scott Peters (D-CA-52); Rep. Katie Porter (D-CA-45); Rep. Adam Schiff (D-CA-8);	11



H.R.6411 Innovative Materials for America's Growth and Infrastructure Newly Expanded Act	This bill would encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes. <i>This bill is the House companion to S.3292.</i>	11/14/2023 Introduced by Rep. Seth Magaziner (D-RI-2) 11/20/2023 Referred to the Subcommittee on Water Resources and Environment.		0
S.3292 IMAGINE Act	This bill would encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes. <i>This bill is the Senate companion to H.R.6411.</i>	11/14/2023 Introduced by Sen. Sheldon Whitehouse (D-RI) 11/14/2023 Read twice and referred to the Committee on Environment and Public Works	Sen. Susan Collins (R-ME);	1
H.R.6497 Healthy Watersheds, Healthy Communities Act	This bill would amend the Watershed Protection and Flood Prevention Act to improve that Act, and for other purposes. <i>This bill is the House companion to S.2636.</i>	11/29/2023 Introduced by Rep. Juan Ciscomani (R-AZ-6) 01/24/2024 Referred to the Subcommittee on Conservation, Research, and Biotechnology	Rep. Yadira Caraveo (D-CO-8); Rep. Mike Flood (R-NE-1); Rep. Harriet Hageman (R-WY-1); Rep. Joe Neguse (D-CO-2); Rep. Brittany Pettersen (D-CO-7); Rep. Michael Lawler (R-NY-17)	6
H.R.6519 No PFAS in Cosmetics Act	This bill would amend the Federal Food, Drug, and Cosmetic Act to ban the use of intentionally added perfluoroalkyl or polyfluoroalkyl substances in cosmetics, and for other purposes.	11/30/2023 Introduced by Rep. Debbie Dingell (D-MI-6) 11/30/2023 Referred to the House Committee on Energy and Commerce.	Rep. Brian Fitzpatrick (R-PA-1); Rep. Ann Kuster (D-NH-2); Rep. Chris Pappas (D-NH-1); Rep. Lori Trahan (D-MA-3); Rep. Steve Cohen (D-TN-9); Rep. Hillary Scholten (D-MI-3); Rep. Patricia Schroeder (D-MO-1)	7
H.R.6525 Wildfire Resilient Communities Act	This bill would provide mandatory funding for hazardous fuels reduction projects on certain Federal land, and for other purposes. <i>This bill is the House companion to S.2749.</i>	11/30/2023 Introduced by Rep. Val Hoyle (D-OR-4) 01/24/2024 Referred to the Subcommittee on Forestry	Rep. Josh Harder (D-CA-9); Rep. Jared Huffman (D-CA-2); Rep. Adam Schiff (D-CA-30); Rep. Mike Thompson (D-CA-4); Rep. Joe Neguse (D-CO-2); Rep. Andrea Salinas (D-OR-6); Rep. Melanie Stansbury (D-NM-1)	7
H.R.6805 PFAS Action Act	This bill would require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.	12/14/2023 Introduced by Rep. Debbie Dingell (D-MI-6) 01/02/2024 Referred to the Subcommittee on Water Resources and Environment	Rep. Grace Napolitano (D-CA-32); Rep. Brendan Boyle (D-PA-2); Rep. Brian Fitzpatrick (R-PA-1); Rep. Lizzie Fletcher (D-TX-7); Rep. Ro Khanna (D-CA-17); Rep. Daniel Kildee (D-MI-5); Rep. Ann Kuster (D-NH-2); Rep. Rick Larsen (D-WA-2); ; Rep. Frank Pallone (D-NJ-6); Rep. Chris Roche (D-NH-1); Rep. Paul Ryan (R-WI-1)	25
H.R.6808 PFAS Risk-Communication Strategy Act	This bill would require the Administrator of the Environmental Protection Agency to develop a risk-communication strategy to inform the public about the hazards or potential hazards of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes.	12/14/2023 Introduced by Rep. Lizzie Fletcher (D-TX-7) 01/02/2024 Referred to the Subcommittee on Water Resources and Environment	Rep. Michael Lawler (R-NY-17); Rep. Betty McCollum (D-MN-4)	2
H.R.6861 SAFE HOME Act	This bill would amend the Internal Revenue Code of 1986 to provide a refundable credit against tax for wildfire mitigation expenditures.	12/19/2023 Introduced by Rep. Kevin Kiley (R-CA-3) 12/19/2023 Referred to the House Committee on Ways and Means		0
H.R.6946 To direct the Secretary of Defense to establish a compensation fund for military firefighters exposed to PFAS	This bill would direct the Secretary of Defense to establish a compensation fund for military firefighters exposed to PFAS.	01/10/2024 Introduced by Rep. Marilyn Strickland (D-WA-10) 01/10/2024 Referred to the House Committee on Armed Services	Rep. Salud Carbajal (D-CA-24); Rep. Ro Khanna (D-CA-17); Rep. Bill Posey (R-FL-8); Rep. Jeff Van Drew (R-NJ-2); Rep. Suzan DelBene (D-WA-1)	5



H.R.7008 Judicial Review Timeline Clarity Act	This bill would amend section 404 of the Federal Water Pollution Control Act relating to judicial review of a permit issued under such section, and for other purposes.	01/17/2023 Introduced by Rep. Eric Burlison (R-MO-7) 01/19/2024 Referred to the Subcommittee on Water Resources and Environment	Rep. David Rouzer (R-NC-7)	1
H.R.7013 Confidence in Clean Water Permits Act	This bill would amend the Federal Water Pollution Control Act with respect to the scope of national pollutant discharge elimination system permit discharge authorizations and the expression of effluent limitations, and for other purposes.	01/17/2024 Introduced by Rep. John Duarte (R-CA-13) 01/19/2024 Referred to the Subcommittee on Water Resources and Environment	Rep. David Rouzer (R-NC-7)	1
H.R.7021 Water Quality Criteria Development and Transparency Act	This bill would amend the Federal Water Pollution Control Act with respect to the procedure for the development of water quality criteria, and for other purposes.	01/17/2024 Introduced by Rep. Burgess Owen (R-UT-4) 01/19/2024 Referred to the Subcommittee on Water Resources and Environment	Rep. David Rouzer (R-NC-7)	1
H.R.7023 Creating Confidence in Clean Water Permitting Act	This bill modifies requirements under the Clean Water Act, including requirements concerning water quality criteria, the National Pollutant Discharge Elimination System (NPDES) program, the permit program for discharging dredged or fill material into waters of the United States, and the meaning of waters of the United States. It also limits the issuance of permits under the act.	01/17/2024 Introduced by Rep. David Rouzer (R-NC-7) 03/22/2024 Passed the House and Received in the Senate. Referred to the Committee on Environment and Public Works.	Rep. David Rouzer (R-NC-7)	0
H.R.7026 Reducing Permitting Uncertainty Act	This bill would amend the Federal Water Pollution Control Act to clarify when the Administrator of the Environmental Protection Agency has the authority to prohibit the specification of a defined area, or deny or restrict the use of a defined area for specification, as a disposal site under section 404 of such Act, and for other purposes.	01/17/2024 Introduced by Rep. Pete Stauber (R-MN-8) 01/19/2024 Referred to the Subcommittee on Water Resources and Environment	Rep. David Rouzer (R-NC-7)	1
S.3623 Research for Healthy Soils Act	This bill would amend the Food, Agriculture, Conservation, and Trade Act of 1990 to include as a high-priority research and extension area research on microplastics in land-applied biosolids on farmland. <i>This bill is the Senate companion to H.R. 3871.</i>	01/18/2024 Introduced by Sen. Jeff Merkley (D-OR) 01/18/2024 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Ron Wyden (D-OR); Sen. Cory Booker (D-NJ); Sen. Chris Van Hollen (D-MD); Sen. Sheldon Whitehouse (D-RI)	4
H.R.7065 Priority for Water Supply and Conservation Act	This bill seeks to include water supply and water conservation as a primary mission of the Corps of Engineers in planning, designing, constructing, modifying, operating, and maintaining water resources development projects, and for other purposes.	01/22/2024 Introduced by Rep. Grace Napolitano (D-CA-31) 01/22/2024 Referred to the House Committee on Transportation and Infrastructure	Rep. Doug LaMalfa (R-CA-1); Del. James Moylan (R-GU)	2
H.R.7070 Wildfire Response Improvement Act	This bill would direct the Administrator of the Federal Emergency Management Agency to conduct a review of the criteria for evaluating the cost-effectiveness of certain mitigation projects, and for other purposes.	01/22/2024 Introduced by Rep. Greg Stanton (D-AZ-4) 01/31/2024 Ordered to be Reported (Amended)	Rep. Doug LaMalfa (R-CA-1); Rep. Dina Titus (D-NV-1)	2
H.R.7178 Water Conservation Economic Adjustment Act	This bill would amend the Public Works and Economic Development Act (PWEDA) to clarify the eligible uses of Economic Adjustment Assistance (EAA) to include assistance for limiting industrial consumptive water use in areas impacted by decreased water supplies as a result of drought and extreme heat.	01/31/2024 Introduced by Rep. Dina Titus (D-NV-1) 01/31/2024 Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services	Rep. David Valadao (R-CA-21);	1



H.R.7194 PFAS Accountability Act	This bill would establish a cause of action under the Toxic Substances Control Act for those who have been significantly exposed to PFAS against manufacturers, make it easier for courts to award medical monitoring for victims of significant PFAS exposure, and Incentivize industry to fund PFAS safety research. <i>This bill is the House companion to S.3725.</i>	02/01/2024 Introduced by Rep. Madeline Dean (D-PA-4) 02/01/2024 Referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary	Rep. Daniel Kildee (D-MI-5); Rep. Jerry Nadler (D-NY-10); Rep. Elissa Slotkin (D-MI-7)	3
S.3725 PFAS Accountability Act	This bill would establish a cause of action under the Toxic Substances Control Act for those who have been significantly exposed to PFAS against manufacturers, make it easier for courts to award medical monitoring for victims of significant PFAS exposure, and Incentivize industry to fund PFAS safety research. <i>This bill is the Senate companion to H.R. 7194.</i>	02/01/2024 Introduced by Sen. Kirsten Gillibrand (D-NY) 02/01/2024 Read twice and referred to the Committee on Environment and Public Works		0
H.R.7241 Rural Water System Disaster Preparedness and Assistance Act	This bill seeks to amend the Consolidated Farm and Rural Development Act to establish an emergency preparedness and response technical assistance program to assist entities that operate rural water or wastewater systems in preparing for and responding to natural or man-made disasters.	02/05/2024 Introduced by Rep. Pete Stauber (R-MN-8) 02/05/2024 Referred to the House Committee on Agriculture	Rep. Brad Finstad (R-MN-1); Rep. Michelle Fischbach (R-MN-7)	2
S.3753 Improving State and Local Government Access to Performance Contracting Act	The bill would amend the Energy Policy and Conservation Act with the goal of offering financial aid to States for enhancing energy savings performance contracting programs, including through water conservation measures. These measures involve efficient water use, conservation, recycling, wastewater or stormwater treatment, operational or maintenance improvements, retrofit activities, excluding those related to Federal hydroelectric facilities. The bill suggests annual appropriations of \$35 million for fiscal years 2024 through 2028, with allocated amounts for technical assistance and the project facilitator certification program.	02/07/2024 Introduced by Sen. Peter Welch (D-VT) 02/07/2024 Read twice and referred to the Committee on Energy and Natural Resources	Sen. Chris Coons (D-DE); Sen. Jeanne Shaheen (D-NH); Sen. Chris Van Hollen (D-MD); Sen. Tina Smith (D-MN)	4
S.3778 A bill to amend the Safe Drinking Water Act to modify eligibility for the State response to contaminants program, and for other purposes.	This bill aims to amend the Safe Drinking Water Act, specifically focusing on modifications to the eligibility criteria for the State response to contaminants program. The bill expands the Administrator's authority to issue grants to States requesting assistance for disadvantaged communities, those potentially becoming disadvantaged due to specific activities, communities with a population of fewer than 10,000 lacking the capacity to incur debt for specified activities, and for the benefit of owners of drinking water wells not connected to a public water system.	02/08/2024 Introduced by Sen. Jeanne Shaheen 02/08/2024 Read twice and referred to the Committee on Environment and Public Works	Sen. Susan Collins (R-ME); Sen. Angus King (I-ME); Sen. Mark Kelly (D-AZ)	3
H.R.7362 Satellites Preventing Agricultural Crises and Emergencies (SPACE) Act	This bill would create cooperative agreements to share satellite-based data, research, and reports between USDA and land-grant colleges and universities with wildfire research programs.	02/15/2024 Introduced by Rep. Suzanne Bonamici (D-OR-1) 02/15/2024 Referred to the House Committee on Agriculture	Rep. John Duarte (R-CA-13); Rep. David Valadao (R-CA-22); Rep. Dan Newhouse (R-WA-4); Rep. Jill Tokuda (D-HI-2); Rep. John Curtis (R-UT-3)	5
H.R.7462 To require the Government Accountability Office to conduct a study regarding insurance coverage for damages from wildfires, and for other purposes.	This bill would require the Government Accountability Office (GAO) to conduct a study regarding insurance coverage for damages from wildfires, and for other purposes.	02/26/2024 Introduced by Rep. Maxine Waters (D-CA-43) 02/26/2024 Referred to the House Committee on Financial Services		0



S.3830 Low-Income Household Water Assistance Program Establishment Act	This bill would make permanent the LIHWAP program that provides grants to States, Territories, and Tribes to help low-income households pay for overdue charges and other fees related to drinking water or wastewater services. It also includes provisions for offering technical support to rural, Tribal, and underserved public water systems or treatment works. Additionally, the act suggests aligning income eligibility criteria with various existing assistance programs such as LIHEAP, TANF, SNAP, Supplemental Security Income, and means-tested veterans' programs. Finally, the authority of the program would eventually be transferred from HHS to the EPA after the completion of the Rural and Low-Income Water Assistance Pilot Program, as authorized in the Bipartisan Infrastructure Law. <i>This bill is the Senate companion to H.R. 8032.</i>	02/28/2024 Introduced by Sen. Alex Padilla (D-CA) 02/28/2024 Read twice and referred to the Committee on Health, Education, Labor, and Pensions		0
H.R.7525 Special District Grant Accessibility Act	This bill would establish a formal definition of "special district" in federal law, as well as require the Office of Management and Budget (OMB) to issue guidance to federal agencies requiring special districts to be recognized as local governments for the purpose of federal financial assistance determinations.	03/06/2024 Introduced by Rep. Pat Fallon (R-TX-4) 07/31/2024 Ordered to be Reported - Senate Committee on Homeland Security and Governmental Affairs	Rep. Katie Porter (D-CA-27); Rep. David Valadao (R-CA-22); Rep. Mike Garcia (R-CA-27); Rep. Darrell Issa (R-CA-48); Rep. Josh Harder (D-CA-9); Rep. Jimmy Panetta (D-CA-19); Rep. Julia Brownley (D-CA-26); Rep. Brittany Pettersen (D-	22
H.R. 7544 Water Rights Protection Act	This bill addresses issues of water rights with respect to lands under the jurisdiction of the Department of the Interior and the Department of Agriculture, including water rights of federally recognized Indian tribes. Further, such departments shall not take actions that adversely affect state authority in permitting water usage or in adjudicating water rights.	03/05/2024 Introduced by Rep. Celeste Maloy (R-UT-2) 07/09/2024 Subcommittee Hearings Held	Rep. Doug Lamborn (R-CO-5); Rep. Ron Estes (R-KS-4); Rep. Blake Moore (R-UT-1); Rep. Andy Biggs (R-AZ-5); Rep. Russ Fulcher (R-ID-1)	5
H.R.7634 Plastic Pellet Free Waters Act	This bill would require the Environmental Protection Agency (EPA) to issue a rule that prohibits the discharge of plastic pellets and other types of plastic into our nation's waters. Currently, EPA does not have an established federal rule to address plastic pellets specifically, and most states do not have meaningful regulations to combat plastic pollution. <i>This is the House counterpart to S. 2337.</i>	03/12/2024 Introduced by Rep. Mike Levin (D-CA-49) 03/12/2024 Referred to the House Committee on Transportation and Infrastructure	Rep. Nanette Barragan (D-CA-44); Rep. Salud Carbajal (D-CA-24); Rep. Jared Huffman (D-CA-2); Rep. Sara Jacobs (D-CA-53); Rep. Sydney Kamlager (D-CA-37); Rep. Barbara Lee (D-CA-13); Rep. Doris Matsui (D-CA-6); Rep. Mike Thompson (D-CA-4); Rep. Jerry Nadler (D-NY-1); Rep. Bill Posey (R-FL-8)	51
H.R.7675 PFAS Research and Development Reauthorization Act	This bill would extend the authorization of appropriations for PFAS research and development by the Environmental Protection Agency.	03/13/2024 Introduced by Rep. Chris Pappas (D-NH-1) 03/13/2024 Referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Transportation and Infrastructure		1
H.R.7775 PFAS-Free Procurement Act	This bill would prohibit federal agencies from the procurement of items containing perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA) and prioritize the procurement of products not containing PFAS.	03/21/2024 Introduced by Rep. Mike Lawler (R-NY-17) 03/21/2024 Referred to the House Committee on Oversight and Accountability	Rep. Katie Porter (D-CA-47); Rep. Bill Posey (R-FL-8); Rep. Chris Pappas (D-NH-1); Rep. Haley Stevens (D-MI-11); Rep. Marie Gluesenkamp Perez (D-WA-3); Rep. Brian Fitzpatrick (R-PA-1)	6
H.R.7916 Removing Nitrate & Arsenic in Drinking Water Act	The bill amends the Safe Drinking Water Act to allocate grants specifically for reducing nitrate and arsenic levels, with a provision of \$15 million annually starting from fiscal year 2024. It mandates the Environmental Protection Agency (EPA) Administrator to review the effectiveness of state-administered programs under the Act in managing these substances.	04/09/2024 Introduced by Rep. Norma Torres (D-CA-35) 04/09/2024 Referred to the House Committee on Energy and Commerce	Rep. David Valadao (R-CA-22)	1



H.R. 7922 Water Risk and Resilience Organization (WRRO) Establishment Act	This legislation establishes a new governing body, the WRRO, with cyber and water-system expertise to develop and enforce cybersecurity requirements for drinking and wastewater systems. The WRRO will work in partnership with the U.S. Environmental Protection Agency (EPA) to ensure cybersecurity measures are both practical and beneficial.	04/10/2024 Introduced by Rep. Rick Crawford (R-AR-1)	Rep. John Duarte (R-CA-13)	1
H.R.7944 Water Systems PFAS Liability Protection Act	This bill would exempt certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances. <i>This bill is the House companion to S. 1430.</i>	04/11/2024 Introduced by Rep. John Curtis (R-UT-3) 04/11/2024 Referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure	Rep. Marie Gluesenkamp Perez (D-WA-3)	1
H.R. 7990 Large-Scale Water Recycling Reauthorization and Investment Act	This bill would reauthorize the Large-Scale Water Recycling grant program within the Department of the Interior for six years for large-scale water recycling projects that have a total estimated cost of at least \$1 Billion. The legislation increases the authorization from \$450 Million to \$1 Billion for the program; projects must be within one of the Bureau of Reclamation's seventeen western states.	04/15/2024 Introduced by Rep. Grace Napolitano 04/15/2024 Referred to the House Committee on Natural Resources	Rep. Jared Huffman (D-CA-2); Rep. Raul Grijalva (D-AZ-7); Rep. Susie Lee (D-NV-3)	3
H.R.8030 DROUGHT Act	This bill would amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the total amount of Federal assistance for projects in States experiencing severe drought and projects in historically disadvantaged communities, and for other purposes. <i>This bill is the House companion to S. 4134.</i>	04/16/2024 Introduced by Rep. Scott Peters (D-CA-50) 04/16/2024 Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce	Rep. Nannette Diaz Barragan (D-CA-44); Rep. Raul Ruiz (D-CA-25); Rep. Juan Vargas (D-CA-52)	3
S.4134 DROUGHT Act	This bill would amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the total amount of Federal assistance for projects in States experiencing severe drought and projects in historically disadvantaged communities, and for other purposes. This bill is the Senate companion to H.R. 8030.	04/16/2024 Introduced by Sen. Alex Padilla (D-CA) 04/16/2024 Read twice and referred to the Committee on Environment and Public Works		0
H.R. 8032 Low-Income Household Water Assistance Program Establishment Act	This bill would make permanent the LIHWAP program that provides grants to States, Territories, and Tribes to help low-income households pay for overdue charges and other fees related to drinking water or wastewater services. It also includes provisions for offering technical support to rural, Tribal, and underserved public water systems or treatment works. Additionally, the act suggests aligning income eligibility criteria with various existing assistance programs such as LIHEAP, TANF, SNAP, Supplemental Security Income, and means-tested veterans' programs. Finally, the authority of the program would eventually be transferred from HHS to the EPA after the completion of the Rural and Low-Income Water Assistance Pilot Program, as authorized in the Bipartisan Infrastructure Law. <i>This bill is the House companion to S. 3830.</i>	04/16/2024 Introduced by Rep. Eric Sorensen (D-IL-17) 04/16/2024 Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce	Rep. Lori Chavez-DeRemer (R-OR-5); Rep. Kim Schrier (D-WA-8); Rep. Jennifer Gonzalez-Colon (R-PR)	3



H.R. 8070 Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025	This bill authorizes FY2025 appropriations and sets forth policies for Department of Defense (DOD) programs and activities, military construction, and the national security programs of the Department of Energy (DOE). The bill authorizes appropriations, but does not provide budget authority, which is provided by appropriations legislation. <i>This bill is the House companion to S. 4638.</i>	04/18/2024 Introduced by Rep. Mike Rogers (R-AL-3) 07/08/2024 Passed the House. Received in the Senate		0
H.R. 8074 Forever Chemical Regulation and Accountability Act	This legislation would initiate a study to review the persistence, bioaccumulation, human health risks, and current uses of PFAS and to provide guidance on designating current essential uses. The resulting guidance would be used to mitigate potential points of exposure and contamination while ensuring access to essential PFAS such as those used in batteries and medical devices. The legislation prohibits excessive, non-essential PFAS uses and releases of any PFAS into air, water, or land. <i>This bill is the House companion to S. 4187.</i>	04/18/2024 Introduced by Rep. Betty McCollum (D-MN-4) 04/18/2024 Referred to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Accountability, Science, Space, and Technology, Transportation and Infrastructure, and Armed Services	Rep. Chellie Pingree (D-ME-1)	1
S.4187 Forever Chemical Regulation and Accountability Act	This legislation would initiate a study to review the persistence, bioaccumulation, human health risks, and current uses of PFAS and to provide guidance on designating current essential uses. The resulting guidance would be used to mitigate potential points of exposure and contamination while ensuring access to essential PFAS such as those used in batteries and medical devices. The legislation prohibits excessive, non-essential PFAS uses and releases of any PFAS into air, water, or land. <i>This bill is the Senate companion to H.R. 8074.</i>	04/18/2024 Introduced by Sen. Dick Durbin (D-IL) 04/18/2024 Read twice and referred to the Committee on Environment and Public Works		0
S.4172 Drought Resilient Infrastructure Act	This bill would enable the Army Corps to prioritize water conservation or storage efforts at Corps facilities, directs the Army Corps to prioritize these conservation efforts above other Corps missions (like flood control or combating invasive species) during times of drought, and provides new Army Corps infrastructure programs to help states, counties, cities, tribes, and other water users construct projects that respond to or prevent worsening drought conditions. <i>This bill is the Senate companion to H.R. 8079.</i>	04/18/2024 Introduced by Sen. Mark Kelly (D-AZ) 04/18/2024 Read twice and referred to the Committee on Environment and Public Works	Sen. Alex Padilla (D-CA); Sen. Laphonza Butler (D-CA); Sen. Martin Heinrich (D-NM); Sen. Kyrsten Sinema (I-AZ); Sen. Jacky Rosen (D-NV)	5
S.4173 Clean Water Standards for PFAS Act	This bill would require EPA to develop water criteria for PFAS under the Clean Water Act and provides EPA with an ambitious yet achievable roadmap to establish effluent limitations guidelines (ELGs) and standards for eight priority industry categories for all measurable PFAS or classes of PFAS within three years. The bill also includes significant federal support to assist communities in upgrading their municipal water infrastructure in order to safeguard public health and protect ratepayers. <i>This bill is the Senate companion to H.R. 8076.</i>	04/18/2024 Introduced by Rep. Chris Pappas (D-NH-1) 04/18/2024 Referred to the House Committee on Transportation and Infrastructure	Rep. Brian Fitzpatrick (R-PA-1); Rep. Daniel Kildee (D-MI-8); Rep. Bill Posey (R-FL-8); Rep. Michael Lawler (R-NY-17)	4
H.R. 8076 Clean Water Standards for PFAS Act	This bill would require EPA to develop water criteria for PFAS under the Clean Water Act and provides EPA with an ambitious yet achievable roadmap to establish effluent limitations guidelines (ELGs) and standards for eight priority industry categories for all measurable PFAS or classes of PFAS within three years. The bill also includes significant federal support to assist communities in upgrading their municipal water infrastructure in order to safeguard public health and protect ratepayers. <i>This bill is the House companion to S.4173.</i>	04/18/2024 Introduced by Rep. Chris Pappas (D-NH-1) 04/18/2024 Referred to the House Committee on Transportation and Infrastructure	Rep. Brian Fitzpatrick (R-PA-1); Rep. Daniel Kildee (D-MI-8); Rep. Bill Posey (R-FL-8); Rep. Michael Lawler (R-NY-17)	4



H.R. 8079 Drought Resilient Infrastructure Act	This bill would enable the Army Corps to prioritize water conservation or storage efforts at Corps facilities, directs the Army Corps to prioritize these conservation efforts above other Corps missions (like flood control or combating invasive species) during times of drought, and provides new Army Corps infrastructure programs to help states, counties, cities, tribes, and other water users construct projects that respond to or prevent worsening drought conditions. <i>This bill is the House companion to S.4172.</i>	04/18/2024 Introduced by Rep. Greg Stanton (D-AZ-4) 04/18/2024 Referred to the House Committee on Transportation and Infrastructure	Rep. Juan Ciscomani (R-AZ-6); Rep. Dina Titus (D-NV-1); Rep. Susie Lee (D-NV-3); Rep. Ruben Gallego (D-AZ-3)	4
H.R. 8096 Future of Water Act	This bill would add "water and water rights" to the current list of prohibitions in the Commodity Exchange Act. This would prohibit the trading of water and water rights in commodity futures contracts. <i>This bill is the House companion to S.4188.</i>	04/19/2024 Introduced by Rep. Ro Khanna (D-CA-17) 04/19/2024 Referred to the House Committee on Agriculture	Rep. Barbara Lee (D-CA-13) ; Rep. Alma Adams (D-NC-12); Rep. Jamaal Bowman (D-NY-16); Rep. Cori Bush (D-MO-1); Rep. Andre Carson (D-IN-7); Rep. Chuy Garcia (D-IL-4); Rep. Jahana Hayes (D-CT-5); Rep.	15
S.4188 Future of Water Act	This bill would add "water and water rights" to the current list of prohibitions in the Commodity Exchange Act. This would prohibit the trading of water and water rights in commodity futures contracts. <i>This bill is the Senate companion to H.R. 8096.</i>	04/19/2024 Introduced by Sen. Elizabeth Warren (D-MA) 04/18/2024 Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry	Sen. Edward Markey (D-MA); Sen. Jeff Merkley (D-OR); Sen. Bernie Sanders (I-VT)	15
S. 4220 WASH Access Data Collection Act	This bill would establish a federal initiative to gather and analyze data on water access needs across the United States. It creates an interagency Water and Sanitation Needs Working Group to survey households lacking adequate water and sanitation services and mandates regular reporting on these needs every five years. It authorizes \$10 million annually from 2025 to 2029, with continued funding for subsequent years.	05/01/2024 Introduced by Sen. Ron Wyden 05/01/2024 Read twice and referred to the Committee on Environment and Public Works.	Sen. Jeff Merkley (D-OR); Sen. Martin Heinrich (D-NM); Sen. Ben Ray Lujan (D-NM)	3
S.4242 Drought Preparedness Act	This bill reauthorizes through FY2028 the Reclamation States Emergency Drought Relief Act of 1991, which allows the Bureau of Reclamation to provide drought assistance to Hawaii or certain western states. <i>This is the Senate counterpart to H.R. 4385.</i>	05/02/2024 Introduced by Sen. John Hickenlooper (D-CO) 05/02/2024 Read twice and referred to the Committee on Energy and Natural Resources.	Sen. Ron Wyden (D-OR); Sen. Cynthia Lummis (R-WY)	2
S.4245 Water Data Improvement Act	This bill would reauthorize certain United States Geological Survey water data enhancement programs. <i>This bill is the Senate companion to H.R. 5770.</i>	05/02/2024 Introduced by Sen. Cynthia Lummis (R-WY) 05/02/2024 Read twice and referred to the Committee on Energy and Natural Resources	Sen. Ron Wyden (D-OR); Sen. John Hickenlooper (D-CO)	2
S. 4343 Fire Ready Nation Act	The bill would establish a program within the National Oceanic and Atmospheric Administration to improve forecasting, detection, modeling, and monitoring of wildfires, fire-inducing weather, and associated risks.	05/15/2024 Introduced by Sen. Maria Cantwell (D-WA) 05/15/2024 Read twice and referred to the Committee on Commerce, Science, and Transportation	Sen. Alex Padilla (D-CA) ; Sen. Ted Cruz (R-TX); Sen. Ben Ray Lujan (D-NM); Sen. Dan Sullivan (R-AK); Sen. Jacky Rosen (D-NV); Sen. Lisa Murkowski (R-AK); Sen. Brian Schatz (D-HI)	7
S.4367 Water Resources Development Act of 2024	This bill would provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources. <i>This is the Senate counterpart to H.R.8812.</i>	05/20/2024 Introduced by Sen. Tom Carper (D-DE) 08/01/2024 Passed the Senate floor under Unanimous Consent	Sen. Shelley Moore Capito (R-WV); Sen. Mark Kelly (D-AZ); Sen. Kevin Cramer (R-ND)	3
H.R.8467 Farm, Food, and National Security Act of 2024 (FARM Bill)	This bill would provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2029	05/21/2024 Introduced by Rep. GT Thompson (R-PA-15) 05/21/2024 Referred to the House Committee on Agriculture		0



H.R. 8518 Responsibility in Federal Contracting Act	This bill would require the calculation of wages for public works projects be based on actual statistics calculated by the Bureau of Labor Statistics (BLS), where currently statistics used to calculate are produced by the Department of Labor's Wage and Hour Division (WHD).	05/23/2024 Introduced By Rep. Paul Gosar (R-AZ-9) 05/23/2024 Referred to the House Committee on Education and the Workforce	Rep. Pete Sessions (R-TX-17); Rep. Keith Self (R-TX-3); Rep. Gary Palmer (R-AL-6); Rep. Scott DesJarlais (R-TN-4); Rep. Debbie Lesko (R-AZ-8); Rep. Ralph Norman (R-SC-5)	6
H.R.8580 Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2025	This bill provides FY2025 appropriations for military construction, the Department of Veterans Affairs (VA), and related agencies.	05/28/2024 Introduced by Rep. John Carter (R-TX-31) 06/11/2024 Passed the House and received in the Senate		0
S. 4458 Rural Water Supply Program Reauthorization Act	This bill would authorize the Bureau of Reclamation to both conduct feasibility studies and then undertake the design and construction of rural water supply projects, delivering potable water supplies to rural communities in those states	06/04/2024 Introduced by Sen. Mike Rounds 06/04/2024 Read twice and referred to the Committee on Energy and Natural Resources	Sen. Amy Klobuchar (D-MN)	1
H.R. 8656 Modernizing Wildfire Safety and Prevention Act	The bill addresses firefighter shortages by establishing a Middle Fire Leaders Academy and enhancing training grants. It aims to retain skilled firefighters with better benefits and working conditions, while also improving fire response through advanced technologies like risk mapping and the Joint Office of Fire Environment Center. Additionally, it seeks to protect public health by implementing a nationwide real-time air quality monitoring system to mitigate wildfire smoke impacts.	06/07/2024 Introduced by Rep. Josh Harder (D-CA-9) 06/07/2024 Referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Education and the Workforce, Oversight and Accountability, Armed Services, Energy and Commerce, Science, Space, and Technology, Transportation and Infrastructure, and Small Business	Rep. Pete Sessions (R-TX-17); Rep. Keith Self (R-TX-3); Rep. Gary Palmer (R-AL-6); Rep. Scott DesJarlais (R-TN-4); Rep. Debbie Lesko (R-AZ-8); Rep. Ralph Norman (R-SC-5)	6
H.R.8682 Water Conservation Rebate Tax Parity Act	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. <i>This is the House counterpart to S. 4897.</i>	06/11/2024 Introduced by Rep. Jared Huffman (D-CA-2) 06/11/2024 Referred to the House Committee on Ways and Means	Rep. Doug LaMalfa (R-CA-1); Rep. Judy Chu (D-CA-28); Rep. John Curtis (R-UT-3)	3
H.R.8774 Department of Defense Appropriations Act, 2025	This bill provides FY2025 appropriations to the Department of Defense (DOD) for military activities.	06/17/2024 Introduced by Rep. Ken Calvert (R-CA-42) 07/08/2024 Passed the House. Received in the Senate		0
H.R.8775 Contingency Plan for Critical Infrastructure Act	This bill would require The Director of the Cybersecurity and Infrastructure Security Agency (CISA), in collaboration with the Administrator of the Federal Emergency Management Agency (FEMA) and other sector risk management agencies, to deliver a joint sector-by-sector assessment to Congress.	06/18/2024 Introduced by Rep. Dan Crenshaw (R-TX-02) 06/18/2024 Referred to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure	Rep. Seth Magaziner (D-RI-2)	1
H.R.8784 Full Responsibility and Expedited Enforcement (FREE) Act	This bill would direct federal agencies to evaluate their permits and report to Congress within 240 days with an assessment of whether permit-by-rule can replace their current systems or make a thorough justification why not. Agencies must then adopt PBR within 12 months for the eligible permits. Under permit-by-rule, agencies must grant all permit applications that meet objective permit standards within 30 days. Agencies can still deny applicants that do not meet requirements and may verify compliance.	06/18/2024 Introduced by Rep. Celeste Maloy (R-UT-2) 06/18/2024 Referred to the House Committee on Oversight and Accountability	Rep. Vince Fong (R-CA-20); Rep. Jodey Arrington (R-TX-19); Rep. Lori Chavez-DeRemer (R-OR-5); Rep. John Curtis (R-UT-3); Rep. Michelle Fischbach (R-MN-7); Rep. Paul Gosar (R-AZ-4); Rep. Jake LaTurner (R-KS-2); Rep. Blake David Moore (R-UT-1); Rep. Daniel Newhouse (R-WA-4); Rep. Mary Belding (D-AK-1)	13



H.R.8790 Fix Our Forests Act	This bill aims to simplify and expedite environmental reviews for forest management projects in high-risk wildfire areas. It would also promote innovative technologies, modernize standards, and create a framework for research and development in wildfire and land management, while also providing financial assistance to communities and tribes. Additionally, the bill strengthens the Good Neighbor policy to include tribes, facilitating cooperative forest management among various agencies.	06/18/2024 Introduced by Rep. Bruce Westerman (R-AR-4) 06/26/2024 Ordered to be Reported in the Nature of a Substitute (Amended) by Voice Vote	Rep. Ami Bera (D-CA-7); Rep. Tony Cardenas (D-CA-29); Rep. Jim Costa (D-CA-16); Rep. John Duarte (R-CA-13); Rep. Tom McClintock (R-CA-4); Rep. Jimmy Panetta (D-CA-20); Rep. Scott Peters (D-CA-52); Rep. Pete Stauber (R-MN-8); Rep. Tom Tiffany (R-WI-7); Rep. Jerry Carl (R-AL-1); Rep.	16
H.R. 8812 Water Resources Development Act of 2024	This bill would provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources. <i>This is the House counterpart to S. 4367.</i>	06/25/2024 Introduced by Rep. Sam Graves (R-MO-6) 07/22/2024 Passed the House, Received in the Senate.	Rep. Grace Napolitano (D-CA-32); Rep. Rick Larsen (D-WA-2); Rep. David Rouzer (R-NC-7)	3
H.R. 8831 To amend the Safe Drinking Water Act to require drinking water distribution systems to be flushed under certain circumstances, and for other purposes.	This bill would amend the Safe Drinking Water Act to require drinking water distribution systems to be flushed under certain circumstances, and for other purposes.	06/25/2024 Introduced by Rep. Raul Ruiz (D-CA-25) 06/25/2024 Referred to the House Committee on Energy and Commerce		0
H.R. 8916 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.	This bill would 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.	07/02/2024 Introduced by Rep. Mike Bost (R-IL-12) 07/02/2024 Referred to the House Committee on Transportation and Infrastructure	Rep. John Garamendi (D-CA-8)	1
S.4630 Streamlining Federal Cybersecurity Regulations Act	This bill would address the challenges associated with multiple regulatory regimes by establishing an interagency Harmonization Committee at the Office of the National Cyber Director (ONCD). The bill requires the committee, headed by ONCD, develop a framework for the alignment of cybersecurity and information security regulations, rules, examinations, and other compliance requirements. Additionally, the bill establishes a pilot program to test the developed framework on substantially similar regulations. It also requires that all agencies, including independent regulatory agencies, consult with the committee before issuing or updating regulations.	07/08/2024 Introduced by Sen. Gary Peters (D-MI) 07/08/2024 Read twice and referred to the Committee on Homeland Security and Governmental Affairs	Sen. James Lankford (R-OK)	1
S.4638 National Defense Authorization Act for Fiscal Year 2025	This bill authorizes FY2025 appropriations and sets forth policies for Department of Defense (DOD) programs and activities, military construction, and the national security programs of the Department of Energy (DOE). The bill authorizes appropriations, but does not provide budget authority, which is provided by appropriations legislation. <i>This is the Senate counterpart to H.R. 8070.</i>	07/08/2024 Introduced by Sen. Jack Reed (D-RI) 07/08/2024 Placed on Senate Legislative Calendar under General Orders. Calendar No. 433		0
H.R.8997 Energy and Water Development and Related Agencies Appropriations Act, 2025	This bill provides FY2025 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 several independent agencies. <i>This is the House counterpart to S. 4927.</i>	07/11/2024 Introduced by Rep. Chuck Fleischmann (R-TN-3) 07/11/2024 Placed on the Union Calendar, Calendar No. 480		0
H.R.8998 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2025	This bill provides FY2025 appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), and several related agencies. <i>This is the House counterpart to S. 4802.</i>	07/11/2024 Introduced by Rep. Mike Simpson (R-ID-2) 07/24/2024 Passed the House, Received in the Senate		0
H.R. 9008 Surveilling Effluent Water for Epidemic Response (SEWER) Act	The bill authorizes the CDC's National Wastewater Surveillance System at \$150 million for each of the next five fiscal years.	07/11/2024 Introduced by Rep. Robert Garcia (D-CA-42) 07/11/2024 Referred to the House Committee on Energy and Commerce	Rep. Don Bacon (R-NE-2); Rep. Jill Tokuda	2



S. 4690 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2025	This bill provides FY2025 appropriations for the Department of Agriculture (USDA), the Food and Drug Administration, and related agencies. <i>This is the Senate counterpart to H.R. 9027</i>	07/11/2024 Introduced by Sen. Martin Heinrich (D-NM) 07/11/2024 Placed on Senate Legislative Calendar under General Orders. Calendar No. 437		0
H.R.9024 Extreme Weather and Heat Response Modernization Act	This bill mandates FEMA to improve disaster incident period determinations by forming an advisory panel, enhance hazard mitigation by including extreme heat equipment and community cooling centers in grant eligibility, and publish updated guidance on managing extreme temperature events. It also requires FEMA to conduct a study on the impacts of extreme heat on infrastructure, economy, and public health, and provide recommendations for better response and mitigation, with findings reported to Congress.	07/11/2024 Introduced by Rep. Dina Titus (D-NV-1) 07/11/2024 Referred to the House Committee on Transportation and Infrastructure	Rep. Greg Stanton (D-AZ-4)	1
H.R.9027 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2025	This bill provides FY2025 appropriations for the Department of Agriculture (USDA), the Food and Drug Administration, and related agencies. <i>This is the House counterpart to S.4690.</i>	07/12/2024 Introduced by Rep. Andy Harris (R-MD-1) 07/12/2024 Placed on the Union Calendar, Calendar No. 483		0
H.R.9092 Heat Management Grant Assistance Act	This bill would amend the Stafford Act to provide federal assistance for extreme heat events, and create a special federal grant program for local communities to access needed resources for heat response and recovery.	07/23/2024 Introduced by Rep. Greg Stanton (D-AZ-4) 07/24/2024 Referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management	Rep. Ruben Gallego (D-AZ-3); Rep. Lori Chavez-DeRemer (R-OR-5)	2
S.4802 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2025	This bill provides FY2025 appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), and several related agencies. <i>This is the Senate counterpart to H.R. 8998.</i>	07/25/2024 Introduced by Sen. Ed Merkley (D-OR) 07/25/2024 Placed on Senate Legislative Calendar under General Orders. Calendar No. 447		0
S.4897 Water Conservation Rebate Tax Parity Act	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. <i>This is the Senate counterpart to H.R. 8682.</i>	07/31/2024 Introduced by Sen. Laphonza Butler (D-CA) 07/31/2024 Read twice and referred to the Committee on Finance	Sen. Alex Padilla (D-CA) ; Sen. John Hickenlooper (D-CO)	2
S.4900 Community Resilience Act	This bill would amend the Stafford Act by adding additional resilience measures that FEMA may provide incentives to state or Tribal governments for adopting before a disaster. FEMA may recognize such resilience investments through an increased federal cost-share from the standard 75% federal cost-share up to 85% for post-disaster public assistance restoration and repair projects and associated expenses.	07/31/2024 Introduced by Sen. Laphonza Butler (D-CA) 07/31/2024 Read twice and referred to the Committee on Homeland Security and Governmental Affairs		0
S.4907 Forecasting Optimization for Robust Earth Climate Analysis and Subseasonal-to-Seasonal Tracking (FORECASTS) Tracking Act	This bill would would authorize more than \$340 million in federal funding to support research, demonstration, and application of cutting-edge data management and weather modeling technologies to improve the reliability of subseasonal-to-seasonal forecasts. The bill would also create a new workforce development program within NOAA to develop the next generation of professionals in the weather enterprise.	07/31/2024 Introduced by Sen. Ed Markey (D-MA) 07/31/2024 Read twice and referred to the Committee on Commerce, Science, and Transportation	Sen. Alex Padilla (D-CA) ; Sen. Jacky Rosen (D-NV)	2
S.4921 Department of Defense Appropriations Act, 2025	This bill provides FY2025 appropriations to the Department of Defense (DOD) for military activities. <i>This is the Senate counterpart to H.R.8774.</i>	08/01/2024 Introduced by Sen. Jon Tester (D-MT) 08/01/2024 Placed on Senate Legislative Calendar under General Orders. Calendar No. 450		0



<p>S. 4927 Energy and Water Development and Related Agencies Appropriations Act, 2025</p>	<p>This bill provides FY2025 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 several independent agencies.</p> <p><i>This is the Senate counterpart to H.R. 8997.</i></p>	<p>08/01/2024 Introduced by Sen. Patty Murray (D-WA)</p> <p>08/01/2024 Placed on Senate Legislative Calendar under General Orders. Calendar No. 469</p>		<p>0</p>
<p>S.4975 Smarter Weather Forecasting for Water Management, Farming, and Ranching Act</p>	<p>This bill would create subseasonal to seasonal forecasting pilot projects under the National Oceanic and Atmospheric Administration (NOAA) to improve weather prediction ranging from two weeks to three months and 3 months to 2 years into the future.</p>	<p>08/01/2024 Introduced by Sen. Jacky Rosen (D-NV)</p> <p>08/01/2024 Read twice and referred to the Committee on Commerce, Science, and Transportation</p>	<p>Sen. Alex Padilla (D-CA); Sen. Martin Heinrich (D-NM)</p>	<p>2</p>
<p>H.R.9286 Accelerating DoD PFAS Cleanups Act:</p>	<p>This bill mandates the Department of Defense (DoD) to quickly implement interim measures to prevent PFAS-contaminated groundwater from spreading from military sites to nearby water sources. It requires the DoD to publish the results of their evaluations, including any identified actions and their schedules. Additionally, the DoD must identify water wells with PFAS levels exceeding the new National Primary Drinking Water Standard and provide alternative drinking water to affected households and communities.</p>	<p>08/02/2024 Introduced by Rep. Elissa Slotkin (D-MI-7)</p> <p>08/02/2024 Referred to the House Committee on Armed Services</p>	<p>Rep. Jen Kiggan (R-VA-2)</p>	<p>1</p>



To:	Las Virgenes - Triunfo JPA
From:	Syrus Devers
Date:	September 3rd, 2024
Re:	State Legislative Report

Legislature

This report was prepared a few days before the final day of the legislative session, so it is a mini version of the end of session report coming in October. The 2023/24 session ends on Saturday, August 31st, and the expectation at this time is that there will be a Saturday session. Absent any unpleasant surprises, it looks like we will have a banner year.

But first, a few definitions to make the report easier to read (and write):

“Back on concurrence” means a bill has successfully made it back to the house of origin, but it was amended in the other house and requires a final confirmatory vote to approve the amendments. A concurrence vote is an up-or-down vote with no further amendments possible. If a bill was not amended after leaving the house of origin, and passes the floor of the other house, there is no further legislative action (i.e., no concurrence) and the bill goes directly to the Governor’s desk.

“Third reading” at this point in the cycle can only mean a bill is ready to be taken up on the floor of the opposing house. If the bill is passed, it either goes back to the house of origin for concurrence or to the Governor.

“Dead” now means no second chances. For a bill to be truly dead it must fail to meet a constitutional deadline, not just a legislative deadline. In the first year of the two-year session, a bill can die for failing to meet a legislative deadline, but it will be given another chance the following year. (Hence, “dead” but not “dead-dead”.) But there is no reprieve from the end-of-session deadline in even-numbered years. All bill numbers are erased and start over at “1”.

“Held on Suspense” means a bill is dead but there was no vote. The Appropriations Committee decided behind the scenes to kill the bill without leaving any fingerprints.

“To enrollment” means a bill is on the Governor’s desk awaiting final action.

“Chaptered” means a bill will become law at the appropriate time, which is January 1st unless it was an urgency measure, but it does not always mean a bill was signed by the Governor. Typically the Governor either signs or vetoes a bill, but California does not have a “pocket veto”. If the Governor does nothing, a bill will be chaptered on September 30th. If the Governor does sign the bill, it is chaptered at that time.

Syrus Devers Advocacy

With that, here are the current results for legislation active in the final 30 days:

SB 1255 (Durazo) - “Voluntary” low income rate assistance programs. This bill was covered in detail last month. Position: OPPOSE. Result: Held on Suspense. This was the last bill actively opposed by water districts.

AB 1827 (Papan) - The purpose of this bill is to validate the use of tiered rates under Prop 218. Although the bill had a fairly easy vote in committee, there was late concern about the vote on Third Reading and SDA was asked to help lobby. Position: SUPPORT. Result: To enrollment.

AB 2257 (Wilson) - Creates a requirement to exhaust administrative remedies before bringing a Prop 218 action against a special district. (ACWA sponsored.) Position: SUPPORT. Result: Back on Concurrence.

SB 366 (Caballero): This is the industry sponsored bill that began with the financial support of dozens of water agencies last year. The final bill is a far cry from the original purpose, which was to lay out a financial pathway to fund California’s future water supply requirements. The bill requires interim water supply goals for 2050, and requires regulatory agencies to consult with stakeholders, among other provisions. SDA took on a number of lobbying assignments throughout the process. Position: SUPPORT. Result: Back on Concurrence.

SB 1072 (Padilla) - This bill is one of the three dealing with Prop 218 reform. This bill allows for Prop 218 fines to be paid through future rate reductions instead of lump sums, the goal being to give public agencies greater financial predictability. Position: SUPPORT. Result: Third Reading.

SB 1390 (Caballero) - This bill was never brought to the Board for consideration, but staff took a support position based on the policy principles. This bill affirms and codifies the actions taken by the state to move emergency flood flows into storage without having to jump through all the hoops imposed by overlapping water rights. It includes a compromise among State Water Contractors that respects junior rights while allowing flood flows that cannot be utilized to be expeditiously diverted to storage. Late opposition arose from Central Valley water districts that prefer the *status quo*. SDA was asked to engage and rally client support. Given this agency’s reliance on the State Water Project being utilized to the maximum extent possible, adopting a support position was an easy call. Position: SUPPORT. Result: Third Reading.

There are several other bills of interest, but these are the ones recently acted upon. The end-of-session report will give a final accounting of every bill where a position was taken.

Las Virgenes - Triunfo JPA

Bill Matrix – September, 2024

Priority: A. High

[AB 460](#) ([Bauer-Kahan, D](#)) **State Water Resources Control Board: water rights and usage: civil penalties.**

Status: 08/19/2024 - Read second time. Ordered to third reading.

Location: 08/19/2024 - Senate THIRD READING

Summary: Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would require the State Water Resources Control Board to adjust for inflation, by January 1 of each year, beginning in 2026, the amounts of civil and administrative liabilities or penalties imposed by the board or in water right actions brought at the request of the board, as specified. (Based on 08/15/2024 text)

Position	Priority
B. Watch	A. High

[AB 1827](#) ([Papan, D](#)) **Local government: fees and charges: water: higher consumptive water parcels.**

Status: 08/20/2024 - Read third time. Passed. Ordered to the Assembly. (Ayes 29. Noes 9.). In Assembly. Ordered to Engrossing and Enrolling.

Location: 08/20/2024 - Assembly ENROLLMENT

Summary: The California Constitution specifies various requirements with respect to the levying of assessments and property-related fees and charges by a local agency, including requiring that the local agency provide public notice and a majority protest procedure in the case of assessments and submit property-related fees and charges for approval by property owners subject to the fee or charge or the electorate residing in the affected area following a public hearing. Current law, known as the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with these requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation under certain circumstances. Current law defines, among other terms, the term "water" for these purposes to mean any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source. This bill would provide that the fees or charges for property-related water service imposed or increased, as specified, may include the incrementally higher costs of water service due to specified factors, including the higher water usage demand of parcels. (Based on 08/22/2024 text)

Position	Priority
support	A. High

[AB 2257](#) ([Wilson, D](#)) **Local government: property-related water and sewer fees and assessments: remedies.**

Status: 08/20/2024 - Read third time. Passed. Ordered to the Assembly. (Ayes 28. Noes 10.). In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 22 pursuant to Assembly Rule 77.

Location: 08/20/2024 - Assembly CONCURRENCE

Summary: The California Constitution specifies various requirements with respect to the levying of assessments and property-related fees and charges by a local agency, including notice, hearing, and protest procedures, depending on the character of the assessment, fee, or charge. Current law, known as the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with these requirements. This bill would prohibit, if a local agency complies with specified procedures, a person or entity from bringing a judicial action or proceeding alleging noncompliance with the constitutional provisions for any new, increased, or extended fee or assessment, as defined, unless that person or entity has timely submitted to the local agency a written objection to that fee or assessment that specifies the grounds for alleging noncompliance, as specified. This bill would provide that local agency responses to the timely submitted written objections shall go to the weight of the evidence supporting the agency's compliance with the substantive limitations on fees and assessments imposed by the constitutional provisions. The bill would also prohibit an independent cause of action as to the adequacy of the local agency's responses. (Based on 08/05/2024 text)

Position	Priority
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SB 366 (Caballero, D) The California Water Plan: long-term supply targets.

Status: 08/26/2024 - Read third time. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending.

Location: 08/26/2024 - Senate CONCURRENCE

Summary: Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as "The California Water Plan." Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to expand the membership of the advisory committee to include tribes, labor, and environmental justice interests. The bill would require the department, as part of the 2033 update to the plan, to update the interim planning target for 2050, as provided. The bill would require the target to consider the identified and future water needs for all beneficial uses and ensure safe drinking water for all Californians, among other things. (Based on 08/22/2024 text)

Position	Priority
support	A. High

SB 867 (Allen, D) Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.

Status: 07/03/2024 - Chaptered by Secretary of State - Chapter 83, Statutes of 2024

Location: 07/03/2024 - Senate CHAPTERED

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$10,000,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs. (Based on 07/03/2024 text)

Position	Priority
support	A. High

SB 1072 (Padilla, D) Local government: Proposition 218: remedies.

Status: 06/27/2024 - Read second time. Ordered to third reading.

Location: 06/27/2024 - Assembly THIRD READING

Summary: The California Constitution sets forth various requirements for the imposition of local taxes. The California Constitution excludes from classification as a tax assessments and property-related fees imposed in accordance with provisions of the California Constitution that establish requirements for those assessments and property-related fees. Under these requirements, an assessment is prohibited from being imposed on any parcel if it exceeds the reasonable cost of the proportional special benefit conferred on that parcel, and a fee or charge imposed on any parcel or person as an incident of property ownership is prohibited from exceeding the proportional cost of the service attributable to the parcel. The Proposition 218 Omnibus Implementation Act prescribes specific procedures and parameters for local compliance with the requirements of the California Constitution for assessments and property-related fees. This bill would require a local agency, if a court determines that a fee or charge for a property-related service, as specified, violates the above-described provisions of the California Constitution relating to fees and charges, to credit the amount of the fee or charge attributable to the violation against the amount of the revenues required to provide the property-related service, unless a refund is explicitly provided for by statute. (Based on 06/17/2024 text)

Position	Priority
support	A. High

SB 1164 (Newman, D) Property taxation: new construction exclusion: accessory dwelling units.

Status: 06/24/2024 - June 24 set for first hearing canceled at the request of author.

Location: 06/03/2024 - Assembly Revenue and Taxation

Summary: The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, "full cash value" is defined as the assessor's valuation of real property as shown on

the 1975–76 tax bill under “full cash value” or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. This bill would exclude from classification as “newly constructed” and “new construction” the construction of an accessory dwelling unit, as defined, if construction on the unit is completed on or after January 1, 2025, and before January 1, 2030, until one of specified events occurs. The bill would require the property owner to, among other things, notify the assessor that the property owner intends to claim the exclusion for an accessory dwelling unit and submit an affidavit stating that the owner shall make a good faith effort to ensure the unit will be used as residential housing for the duration the owner receives the exclusion. (Based on 05/16/2024 text)

Position	Priority
watch	A. High

[SB 1169](#) (Stern, D) Los Angeles County Flood Control District: finances.

Status: 07/02/2024 - Chaptered by Secretary of State - Chapter 77, Statutes of 2024

Location: 07/02/2024 - Senate CHAPTERED

Summary: Existing law, the Los Angeles County Flood Control Act, establishes the Los Angeles County Flood Control District and authorizes the district to control and conserve the flood, storm, and other wastewaters of the district. Existing law authorizes the district to borrow money from certain entities for any flood control work authorized under the act and to repay the same, in annual installments, over a period not to exceed 20 years with an interest at a rate not to exceed 4.25% per annum. Existing law requires the district to annually levy a tax upon the taxable real property of the district clearly sufficient to pay the interest and installments of principal for those loans. Existing law limits the total amount the district may borrow not to exceed in the aggregate the sum of \$4,500,000. Existing law also limits the total amount of bonds or other evidence of indebtedness in the aggregate that the district may issue and sell to not exceed \$4,500,000. This bill would instead authorize the district to borrow money or obtain loan guarantees from those entities and to repay the same over a period not to exceed 35 years with interest at a rate not to exceed 5.5% annually. The bill would instead authorize the district to levy a tax, in compliance with the applicable provisions of Article XIIC of the California Constitution, clearly sufficient to pay the interest and installments of principal for those loans. The bill would also delete the limits on the amount the district may borrow and the total amount of bonds or other evidence of indebtedness that the district may issue and sell. This bill contains other related provisions. (Based on 07/02/2024 text)

Position	Priority
support	A. High

[SB 1210](#) (Skinner, D) New housing construction: electrical, gas, sewer, and water service: service connection information.

Status: 08/26/2024 - Assembly amendments concurred in. (Ayes 33. Noes 6.) Ordered to engrossing and enrolling.

Location: 08/26/2024 - Senate ENROLLMENT

Summary: Current law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations, gas corporations, sewer system corporations, and water corporations, while local publicly owned utilities, including municipal utility districts, public utility districts, and irrigation districts, are under the direction of their governing boards. This bill would, for new housing construction, require the above-described utilities, on or before January 1, 2026, to publicly post on their internet websites (1) the schedule of estimated fees for typical service connections for each housing development type, including, but not limited to, accessory dwelling unit, mixed-use, multifamily, and single-family developments, except as specified, and (2) the estimated timeframes for completing typical service connections needed for each housing development type, as specified. The bill would exempt from its provisions a utility with fewer than 4,000 service connections that does not establish or maintain an internet website due to a hardship and would authorize the utility to establish that a hardship exists by annually adopting a resolution that includes detailed findings, as provided. (Based on 06/24/2024 text)

Position	Priority
watch	A. High

[SB 1255](#) (Durazo, D) Public water systems: needs analysis: water rate assistance program.

Status: 08/15/2024 - Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)

Location: 08/15/2024 - Assembly DEAD

Summary: Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law requires the state board to annually adopt a fund expenditure plan, as provided, and requires expenditures from the fund to be consistent with the fund expenditure plan. Current law requires the state board to base the fund expenditure plan on data and analysis drawn from a specified drinking water needs assessment. This bill would require the state board to update a needs analysis of the state’s public water systems to include an assessment, as specified, of the funds necessary to provide a 20% bill credit for low-income households served by community water systems with fewer than 3,300 service

connections and for community water systems with fewer than 3,300 service connections to meet a specified affordability threshold on or before July 1, 2026, and on or before July 1 of every 3 years thereafter. (Based on 06/19/2024 text)

Position	Priority
Oppose Unless Amended	A. High

[SB 1330](#) (Archuleta, D) Urban retail water supplier: water use.

Status: 08/15/2024 - Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)

Location: 08/15/2024 - Assembly DEAD

Summary: Current law requires an urban retail water supplier to calculate its urban water use objective no later than January 1, 2024, and by January 1 every year thereafter, and to be composed of the sum of specified data, including aggregate residential water use. Current law requires each urban retail water supplier's water use objective to be composed of the sum of specified aggregate estimates, including efficient outdoor irrigation of landscape areas with dedicated irrigation meters or equivalent technology in connection with water used by commercial water users, industrial water users, institutional water users, and large landscape water users (CII). Current law requires an urban retail water supplier to submit reports to the Department of Water Resources, as provided, by the same dates. This bill would require the department to, no later than January 1, 2035, conduct necessary studies and investigations regarding the efficiency performance of newly constructed residential landscapes and landscape areas with dedicated irrigation meters in connection with CII water use, as specified. (Based on 06/26/2024 text)

Position	Priority
watch	A. High

Priority: B. Watch

[AB 805](#) (Arambula, D) Sewer service: disadvantaged communities.

Status: 08/26/2024 - Read third time. Urgency clause adopted. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 28 pursuant to Assembly Rule 77.

Location: 08/26/2024 - Assembly CONCURRENCE

Summary: The State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality in accordance with the Porter-Cologne Water Quality Control Act and the federal Clean Water Act. Current law authorizes a regional board to order the provision of sewer service by a receiving sewer system, as defined, to a disadvantaged community served by an inadequate onsite sewage treatment system, as defined. This bill would authorize the state board, until January 1, 2029, and after it makes a specified finding or findings by resolution, to require a designated sewer system to contract with an administrator designated or approved by the state board for administrative, technical, operational, legal, or managerial services to assist a designated sewer system with the delivery of adequate sewer service, as defined. (Based on 06/06/2024 text)

Position	Priority
watch	B. Watch

[AB 3121](#) (Hart, D) Urban retail water suppliers: informational order: written notice: conservation order: water use efficiency standards and water use reporting: dates.

Status: 06/27/2024 - From Consent Calendar. Ordered to third reading.

Location: 06/27/2024 - Senate THIRD READING

Summary: Current law authorizes the State Water Resources Control Board, on and after January 1, 2024, to issue informational orders pertaining to water production, water use, and water conservation to an urban retail water supplier that does not meet its urban water use objective. Current law authorizes the board, on and after January 1, 2025, to issue a written notice to an urban retail water supplier that does not meet its urban water use objective. Current law authorizes the board, on and after January 1, 2026, to issue a conservation order to an urban retail water supplier that does not meet its urban water use objective. This bill would instead provide that the date the board is authorized to issue informational orders is on or after January 1, 2026, the date to issue a written notice is on or after January 1, 2027, and the date to issue a conservation order is on or after January 1, 2028, respectively. (Based on 06/12/2024 text)

Position	Priority
watch	B. Watch

SB 1110 (Ashby, D) Water reports: urban retail water suppliers: informational order: conservation order.

Status: 08/15/2024 - Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)

Location: 08/15/2024 - Assembly DEAD

Summary: Current law authorizes the State Water Resources Control Board, on and after January 1, 2024, to issue informational orders pertaining to water production, water use, and water conservation to an urban retail water supplier that does not meet its urban water use objective, as provided. Current law authorizes the board, on and after January 1, 2025, to issue a written notice to an urban retail water supplier that does not meet its urban water use objective. Current law authorizes the board, on and after January 1, 2026, to issue a conservation order to an urban retail water supplier that does not meet its urban water use objective. This bill would instead authorize the board to issue the informational orders on and after January 1, 2026, the written notice on and after January 1, 2027, and the conservation order on and after January 1, 2028. (Based on 06/26/2024 text)

Position	Priority
watch	B. Watch

SB 1390 (Caballero, D) Groundwater recharge: floodflows: diversion.

Status: 08/22/2024 - Read third time and amended. Ordered to third reading.

Location: 08/20/2024 - Assembly THIRD READING

Summary: Current law declares that all water within the state is the property of the people of the state, but the right to the use of the water may be acquired by appropriation in the manner provided by law. Current law requires the appropriation to be for some useful or beneficial purpose. Current law provides, however, that the diversion of floodflows for groundwater recharge does not require an appropriative water right if certain conditions are met, including that a local or regional agency that has adopted a local plan of flood control or has considered flood risks as part of its most recently adopted general plan has given notice, as provided, of imminent risk of flooding and inundation of lands, roads, or structures. Current law defines "floodflow" for these purposes, to include circumstances in which flows would inundate ordinarily dry areas in the bed of a terminal lake to a depth that floods dairies and other ongoing agricultural activities, or areas with substantial residential, commercial, or industrial development. Current law defines "imminent" for these purposes to mean a high degree of confidence that a condition will begin in the immediate future. Current law also requires the person or entity making the diversion for groundwater recharge purposes to file with the State Water Resources Control Board and any applicable groundwater sustainability agency for the basin, a notice containing specified information no later than 48 hours after initially commencing diversion of floodflows for groundwater recharge, a preliminary report no later than 14 days after initially commencing that diversion, and a final report no later than 15 days after the diversions cease. These requirements apply to diversions commenced before January 1, 2029. This bill would, among other things, expand the conditions that are required to be met for the diversion of floodwaters for groundwater recharge that do not require an appropriative water right. The bill would expand the definition of "floodflow" to include flows that are projected by the local or regional agency to inundate ordinarily dry areas in the bed of a terminal lake, as described above. The bill would revise the definition of "imminent" to mean a high degree of confidence that a condition will begin or is projected to begin within the next 72 hours. (Based on 08/22/2024 text)

Position	Priority
support	B. Watch

Total Measures: 15

Total Tracking Forms: 15

DATE: September 3, 2024
TO: JPA Board of Directors
FROM: 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 (PWP). 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 (PWP) 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 were completion of the preliminary design and environmental documentation, procurement of a progressive design-build (PDB) firm, and regulatory support.

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 PWP.

On March 4, 2024, the JPA authorized Amendment No. 2 for Jacobs to provide Owner's Advisor/Program Manager services, which defined the next phase of their support for the program during the 60 percent design of the Advanced Water Purification Facility. The JPA further accepted a proposal from the Walsh Team as the PDB firm for the AWPf and ROC Pipeline. This important next step brings the PWP program into the full design phase with commissioning of the full-scale facility slated for 2027.

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.

GOALS:

Lead in Sanitation and Recycled Water Services Focusing on Maximum Reuse

Prepared by: Oliver Slosser, Engineering Program Manager

ATTACHMENTS:

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

[Public Tour Route 1 of 2](#)

[Public Tour Route 2 of 2](#)

To: Las Virgenes-Triunfo JPA Board of Directors
From: Oliver Slosser, Las Virgenes Municipal Water District
Date: August 26, 2024
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 reservoir water augmentation requirements.

By 2030, the 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 of Southern California (Metropolitan) supply.

Monthly Major Milestones

The PWP achieved the following in August:

- On August 8, the Walsh team held an update Architectural Workshop for the AWPF with the JPA Board.
- On August 13, the Walsh team held a technical workshop with staff to review the reverse osmosis concentrate pipeline design evolution.
- Reviewed the draft Agreement from the Calleguas Municipal Water District (MWD) for a discharge service connection to the Salinity Management Pipeline for concentrate disposal.
- Completed field surveys to support the Biological Assessment for CEQA and funding consultations for the Clean Water State Revolving Fund (SRF) application. Survey reports are being developed. On August 14, the PWP met with SRF to review the status of the biological and cultural assessments to support funding needs.
- The PWP began coordination on permitting and environmental mitigation to support upcoming design and construction activities within the next year.
- The PWP prepared for the National Water Research Institute (NWRI) Independent Advisory Panel (IAP) meeting for the Las Virgenes Reservoir Tracer Study. Held a technical orientation meeting on August 13.
- The Walsh team developed potential tour routes and the current programming for the administration building for the Advanced Water Purification Facility which are attached.

Look Ahead

The PWP is focused on the following activities for September:

- Meeting with Agoura Hills to discuss the architectural concept and other key items
- The PWP and the Walsh team will continue to coordinate with other agencies on the project, including City of Agoura Hills, City of Thousand Oaks, City of Westlake Village, Calleguas MWD, and Mountains Recreation & Conservation Authority (MRCA).
- Meet with the U.S. Army Corps of Engineers and SRF to discuss the roles for federal consultations and preliminary jurisdictional determination (PJD) and permitting approach for the wetlands impacted by the project.
- Complete the Biological Assessment report for submission to SRF.
- On September 10, meet with the Regional Water Quality Control Board (RWQCB) to review the sampling conducted to demonstrate degradation of disinfection byproducts in the Las Virgenes Reservoir.
- Submit an application for the Bureau of Reclamation Title XVI grant, which has a submittal deadline of September 30, 2024. The program has an award ceiling of \$30 million, of which \$10.2 million was awarded to the PWP in 2022 for the design phase. This application is focused on construction funding.
- The SWRCB is developing the Water Rights Order for the Wastewater Change Petition that LVMWD filed to allow for surplus Tapia WRF effluent to be diverted to the AWP for beneficial use, thereby reducing the treated wastewater discharge flow to Malibu Creek in the winter season.

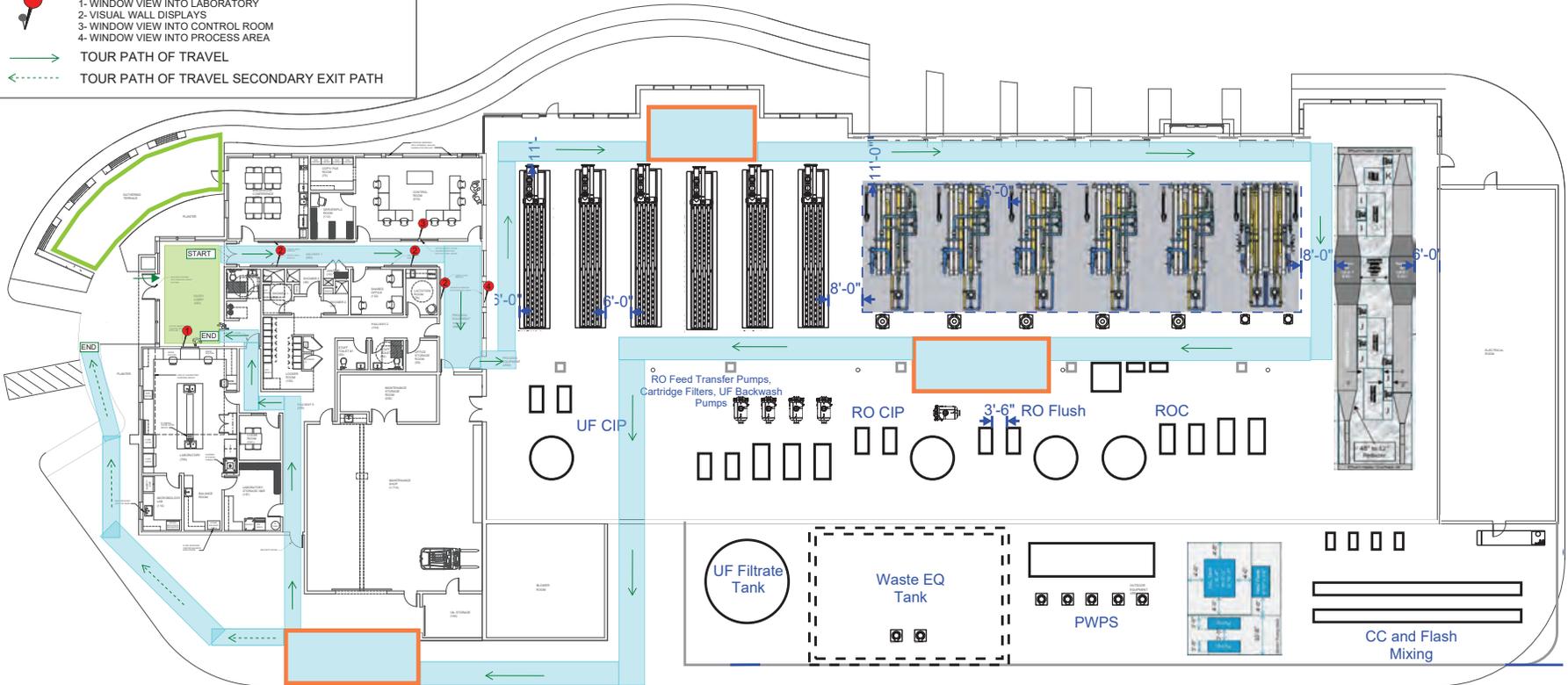
LV-T AWPf (O&M and Processing Facility) PUBLIC TOUR ROUTE

LEGEND

- OUTDOOR GATHERING AREA
- INDOOR GATHERING AREA (START AND END OF TOUR)
- DESIGNATED TOUR PATH THROUGH FACILITY
- TOUR GATHERING/STORYTELLING AREA
- POINTS OF INTEREST
 - 1- WINDOW VIEW INTO LABORATORY
 - 2- VISUAL WALL DISPLAYS
 - 3- WINDOW VIEW INTO CONTROL ROOM
 - 4- WINDOW VIEW INTO PROCESS AREA
- TOUR PATH OF TRAVEL
- TOUR PATH OF TRAVEL SECONDARY EXIT PATH

This drawing is diagrammatic only, RRM is not promoting or confirming the viability of this plan without further study and consideration of the issues mentioned below.

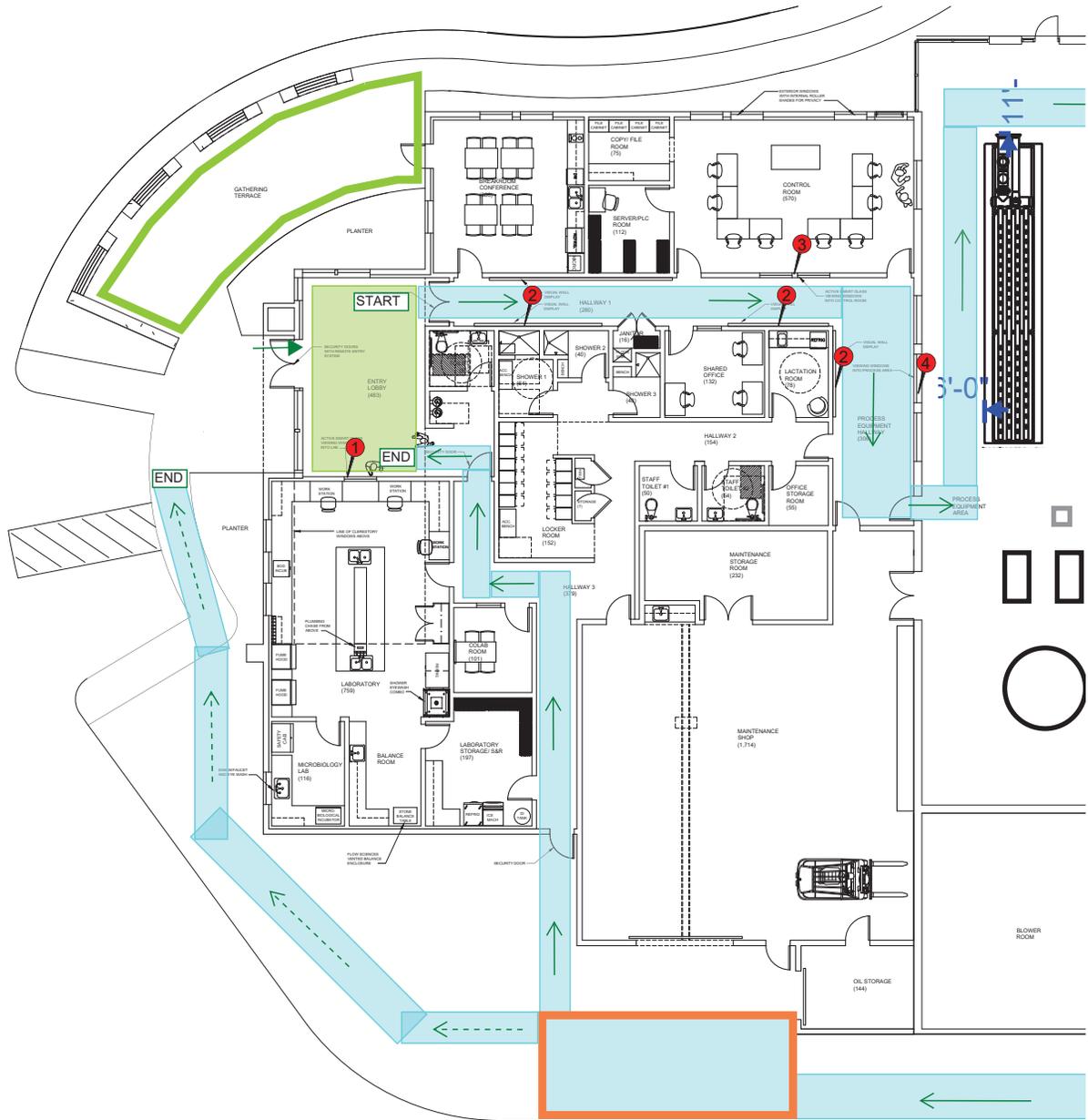
This drawings depicts a path of travel where considerations will need to be made for accessibility (path of travel), and fire life safety issues around working equipment (overhead & at-grade obstructions, exiting, and potentially dangerous electrical components) and at the back of the facility where chemical vehicles could be present. Civil engineering will need to assess the POT particularly at the back of the building where sidewalks and curbs or truncated domes will be required if the public will have access to this area.



8/16/24

LV-T AWPf (O&M and Processing Facility) PUBLIC TOUR ROUTE

This drawing is diagrammatic only, RRM is not promoting or confirming the viability of this plan without further study and consideration of the issues mentioned below.
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LEGEND

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-  TOUR PATH OF TRAVEL SECONDARY EXIT PATH



8/16/24



PURE WATER PROJECT
LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

AGENDA ITEM NO. 5C

Las Virgenes-Triunfo JPA Board

September 3, 2024

Pure Water Project Cost Update

Agenda

- 2024 Estimate
- Funding Sources
- User Fee & Rate Impacts
- Next Steps

Purpose

- Provide an update on the Pure Water Project Cost, based on the Concept Design
- Review funding sources and user fee & rate Impacts

JPA Funding Objectives

- Objective 1: Appropriately allocate cost to partner agencies and their enterprises
- Objective 2: Minimize impact to average customer
- Objective 3: Maximize use of Pay Go funding
- Objective 4: Maximize use of grant funding
- Objective 5: Maximize use of low-cost financing (e.g. WIFIA, SRF)
- Objective 6: Strategically issue municipal debt



PURE WATER PROJECT
LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

Concept Design – 2024 Estimate

Cost Breakdown and Comparison

Pure Water Project Elements



Design Elements with Cost Impacts – Tapia WRF, RWPS West, Conveyance, Las Virgenes Reservoir

Other potential system requirements

- Las Virgenes Reservoir - hypolimnetic oxygenation for algal bloom control and improvement of water quality at depth
- Special City requirements (street repaving along pipeline)
- Granular Activated Carbon to meet discharge regulations
- Fiber optic communication

Design progression

- Recycled Water Pump Station West - upgrade capacity from 7.7 mgd to 10 mgd
- Additional pumping upgrades to Tapia Effluent Pump Station
- More cleaning stations along ROC pipeline
- Upsize ROC pipeline from 10 to 12-inch diameter due to scaling concerns

Market conditions

- Materials and equipment
- Inflation and supply chain risks (additional unanticipated inflation since previous 2022 estimate)
- Longer lead time items
- Potential longer schedule (completion late 2028 vs. early 2028)

Progression of Estimate since 2022

- Walsh team onboarded as Progressive Design Build firm in early 2024
- An early task was to develop cost model based on the Conceptual Design Report
- Walsh developed cost estimates for their “in-scope” items which currently include the Advanced Water Purification Facility and Reverse Osmosis Concentrate Pipeline
- Walsh team is developing a change order for the other three pipelines and did not develop an updated cost for those at this time
- Costs developed by the Walsh team reflect a Basis of Design (early) level of design and carry more risks and assumptions at this stage – to be refined in next 15 months
- Staff reviewed the new costs presented by the Walsh team, reviewed the other elements of the program, adjusted some assumptions, and produced the newly updated cost presented on the next slide

Summary

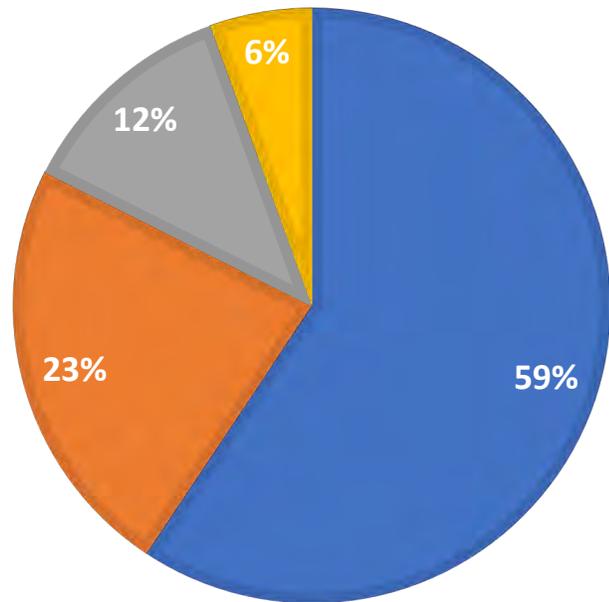
* Escalation to midpoint of construction in 2027

Costs	Concept Design (2022 Estimate)	2024 Estimate
Construction	\$216 M	\$286.4 M
AWPF	\$133 M	\$175.2 M
Conveyance	\$72 M	\$96.6 M
Reservoir	\$3.9 M	\$5.1 M
Tapia WRF	\$0.7 M	\$0.9 M
RWPS West	\$6.5 M	\$8.6 M
Soft Costs	\$84 M	\$98.7 M
Escalation*	\$44 M	\$56.3 M
Program Contingency	\$20 M	\$25 M
Total Estimated Cost (2027\$)	\$364 M	\$466.3 M

Cost Summary Breakdown

PROGRAM ESTIMATE 2022 (MILLIONS)

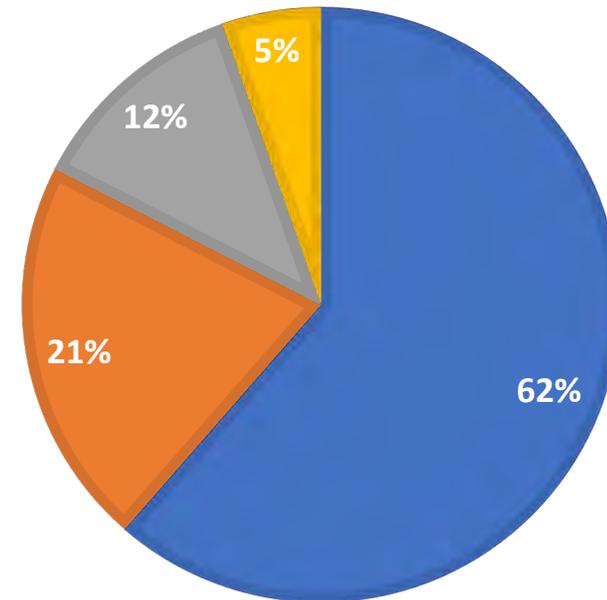
- Construction
- Soft Costs
- Escalation
- Program Contingency



\$364M

PROGRAM ESTIMATE 2024 (MILLIONS)

- Construction
- Soft Costs
- Escalation
- Program Contingency



\$466 M

Considerations

- Staff continues to work with Walsh to identify cost savings and value engineering.
- Estimate is not a true cost, and the market will dictate the true costs once items are bid out.
- True project cost will likely be known in 2025/2026 when the guaranteed maximum price (GMP) is developed and other project elements go to bid.
- Progressive Design contract is “open book” which allows staff to review bids, make a best value selection and see how the GMP is built.
- Work through the Progressive Design Build contract and other project construction will be procured in a competitive environment.
- Walsh is developing an early work package for a portion of the Reverse Osmosis Pipeline (roughly 10% of the length), which will provide more certainty on the pipeline construction costs.
- Project is progressing on an aggressive schedule to minimize impacts of price escalation and inflation.



PURE WATER PROJECT
LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

Funding Sources

Funding Update

- Recent Funding/Financing Activity for Construction:

- *WIFIA - \$228.5 million*
- *SRF - \$50.0 Million*
- *Water Recycling Loan - \$19.2 million*
- *Water Recycling Grant - \$3.0 million*
- *Bureau of Reclamation - \$10.2 million*

- **TOTAL - \$310.9**

- Funding/Financing Activity During Operations

- *Local Resource Program - \$42.5 million*

- **TOTAL FUNDING - \$353.4 million**

Estimates Overview

Parameter	2022 Estimate	2024 Estimate
Project Cost	\$364 M	\$466 M
WIFIA Loan	49%	49%
SRF Loan	20%	15%
Grants	17%	7%
Anticipated Pay-Go*	14%	11%
IBank/Public Offering**	0%	18%
LRP Agreement	\$340/AF for 25 Years	\$340/AF for 25 Years

*Using the maximum amount available to each agency

**Used to fill in any remaining funding gap

Projected Funding Sources ~ (Millions)

Grant Source	\$Mils	LV	TWSD
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CA SWRCB	\$ 3.00	70.60%	29.40%
US BOR	\$ 30.6		

Includes \$10.2M US BOR Award
Grant Share % = Project Share

Cash Source	\$Mils	LV	TWSD
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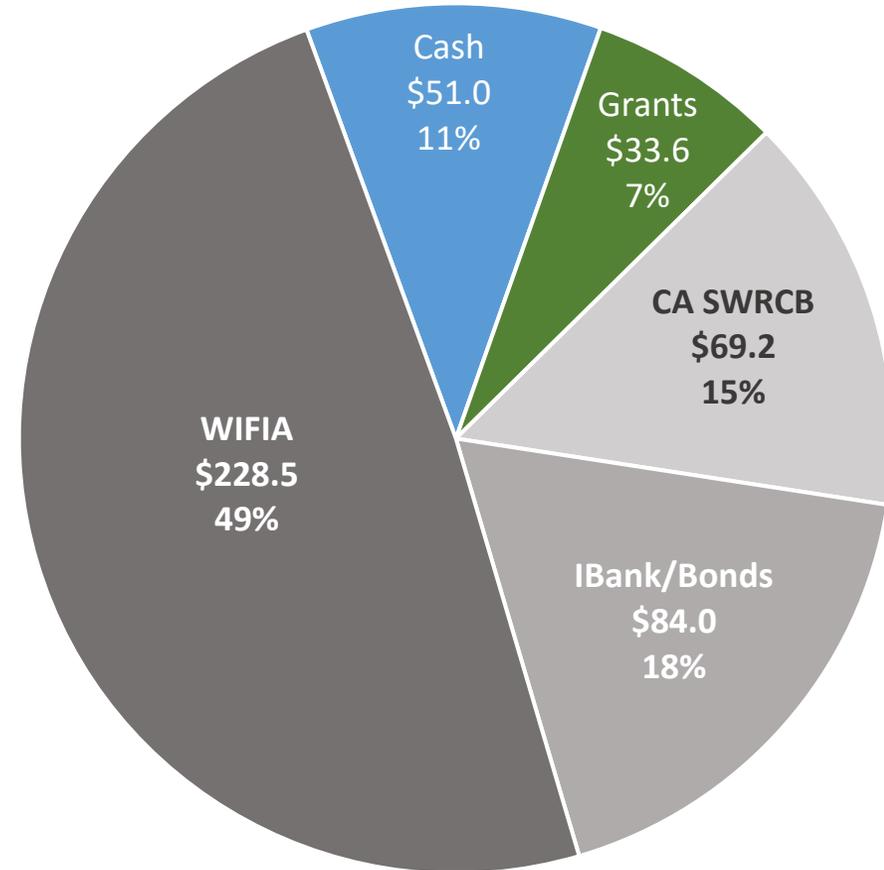
LV	\$ 35.0	68.63%	31.37%
TWSD	\$ 16.0		

Up-Front & Pay-Go Contributions
Cash Share % = LV & TWSD Choices

Debt Source	\$Mils	LV	TWSD
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CA SWRCB	\$ 69.2		
WIFIA	\$ 228.5	70.86%	29.14%
IBank/Bonds	\$ 84.0		

Debt Share % = Project Share after Cash



Projected Funding Sources – Control Points

- 1 Pure Water Project**
~ Priority for Federal & State Funding Sources
- 2 Terms & Conditions**
~ Repayment Schedule, Reserves, “Coverage”
- 3 Timing / Schedule to Originate**
~ Market Stability Impacts Borrowing Rates
- 4 Interim / Construction Finance**
~ Generally, Short-Term Rates Below Long-Term Rates

Financing Plan

Options to Optimize Mix of Lenders, Repayment Structures, and Conditions

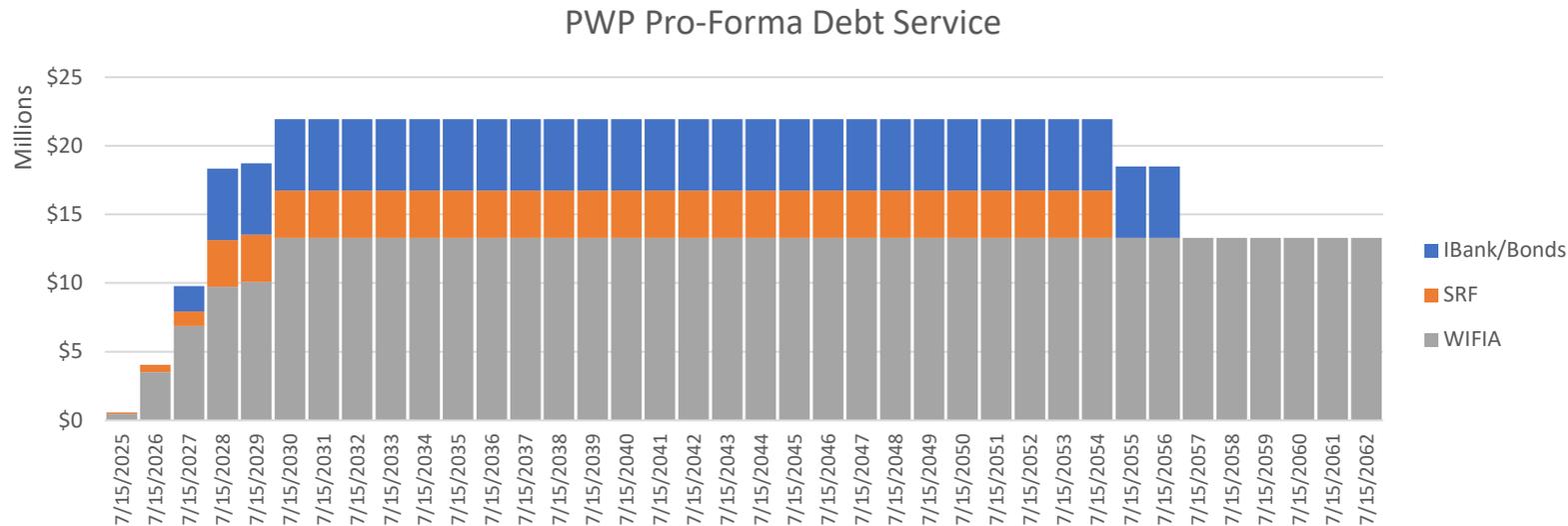
Consideration	CA SWRCB	WIFIA	IBank**	Public Offering**
% of Project	Est. 15%	49%	Est. 18%	Up to 100%
Current Interest Rate*	2.23%	4.40%	4.41%	4.36%
Funds Received	Reimbursement	Reimbursement	At Closing	At Closing
Interest Accrues	Draws	Draws	At Closing	At Closing
Repayment Flexibility	Limited	Much	Some	Much
Coverage Requirement	More Restrictive	Less Restrictive	Less Restrictive	Less Restrictive
Status	On IUP	In Process	Contemplated	Contemplated

*Includes interest rate cushion of 25bps

** Assumes a credit rating in the 'AA' Category

Preliminary Contemplated Financing Schedule

	SWRCB	WIFIA	IBank/Public
Closing	3/31/2025	1/15/2025	1/15/2027
First Interest Payment	7/15/2025	7/15/2025	7/15/2027
Years from First Interest to First Principal	3	5	1
First Principal	7/15/2028	7/15/2030	7/15/2028
Years from First Interest to Final Principal	29	37	29
Final Principal	7/15/2054	7/15/2062	7/15/2056



WIFIA

- Federal program from EPA that gives loans for eligible water/wastewater capital programs
- Conditions
 - Fund up to 49% of project cost for projects > \$20M
 - Funds disbursed on a reimbursement basis
 - Interest rate determined on day of loan close, approximately equal to the US Treasury rate of a similar maturity + one basis point
 - Ability to refinance after loan close and prior to drawing on loan in certain circumstances
 - Repayment deferral: up to 5 years after project completion
 - Federal requirements: American Iron and Steel, Davis Bacon, Disadvantaged Business Enterprise, etc.
 - Received Build America, Buy America Act (BABAA) waiver for projects that initiated design planning prior to May 14, 2022



Application Process	
Letter of Interest	November 2022
Application	December 2023
Loan Closing	Tentatively January 2025

SRF

- The California Clean Water State Revolving Fund (“CWSRF”) is a State loan program designed to provide cost-effective interest rates for clean and drinking water projects
- Conditions
 - *Interest rate is set at 50% of the most recent State of CA General Obligation Bond issuance*
 - *Interest during construction only accrues based on amount of loan drawn upon*
 - *Can defer principal repayment*
 - *Limited size of new loans requires borrowers to potentially look for additional funding to meet capital project needs*
 - *Loan terms and covenants are materially more restrictive than those available through other forms of borrowing*



**State Water
Resources
Control Board**

Application Process	
Funded List	August 2024
Loan Closure	Tentatively March 2025



PURE WATER PROJECT
LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

User Fee & Rate Impacts

Change in LVMWD Cost and Funding Assumptions

Updated and more conservative assumptions, including:

- MWD rate increase assumption of 7% annually.
- LVMWD annual operating expense increase 3% annually.
- Fiscal Year 2024/25 and 2025/26 budget projections and 2023/24 actuals.
- State Revolving Fund Loan cap at \$50 million.
- More conservative bond coverage assumptions.

Results Summary – LVMWD Future Combined Bills 2025

\$0 PWP	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	AVG**
Annual Increase	9.6%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.7%
Average Monthly Bill*	\$215	\$219	\$224	\$228	\$233	\$237	\$242	\$247	\$252	\$257	\$262	\$4.28

\$364 million PWP	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	AVG**
Annual Increase	9.6%	7.0%	3.0%	3.5%	3.5%	3.5%	2.0%	2.0%	2.0%	2.0%	2.0%	3.7%
Average Monthly Bill*	\$215	\$230	\$237	\$245	\$254	\$263	\$268	\$273	\$279	\$285	\$290	\$6.84

\$466 million PWP	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	AVG**
Annual Increase	9.6%	9.0%	4.0%	4.5%	4.5%	4.5%	2.0%	2.0%	2.0%	2.0%	2.0%	4.2%
Average Monthly Bill*	\$215	\$234	\$244	\$255	\$266	\$278	\$284	\$289	\$295	\$301	\$307	\$8.37

* Includes potable water and sanitation services with 20 hcf/month of water usage

** Average annual increase

TWSD Cost and Funding Assumptions

Updated assumptions, including:

- TWSD annual operating expense increase 3% annually.
- Fiscal Year 2024/25 budget projections and 2023/24 actuals.
- State Revolving Fund Loan cap at \$50 million.
- More conservative bond coverage assumptions.

Results Summary – TWSD Future Combined Bills 2025

\$0 PWP	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	AVG**
Annual Increase	5.2%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0.5%
Average Monthly Bill*	\$282	\$282	\$282	\$282	\$282	\$282	\$282	\$282	\$282	\$282	\$282	\$0.00

\$364 million PWP	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	AVG**
Annual Increase	5.2%	0.0%	0.0%	0.0%	0.0%	0.0%	1.2%	1.2%	1.2%	1.2%	1.1%	1.0%
Average Monthly Bill*	\$282	\$282	\$282	\$282	\$282	\$282	\$286	\$289	\$293	\$296	\$300	\$1.61

\$466 million PWP	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	AVG**
Annual Increase	5.2%	5.0%	5.0%	0.0%	0.0%	0.0%	3.0%	3.0%	0.0%	0.0%	0.0%	1.9%
Average Monthly Bill*	\$282	\$296	\$311	\$311	\$311	\$311	\$320	\$330	\$330	\$330	\$330	\$4.35

* Includes potable water and sanitation services with 15 hcf/month of water usage

** Average annual increase



PURE WATER PROJECT
LAS VIRGENES-TRIUNFO

Bringing Our Water Full Circle

Next Steps

DATE: September 3, 2024
TO: JPA Board of Directors
FROM: Engineering and Facilities

SUBJECT: Salinity Management Pipeline Discharge Service Connection with Calleguas Municipal Water District: Agreement

SUMMARY:

The Pure Water Project Las Virgenes-Triunfo (PWP) represents a unique opportunity to proactively address the challenges facing the Las Virgenes-Triunfo Joint Powers Authority (JPA) through an indirect potable reuse program utilizing surface water source (reservoir) augmentation. As part of the Advanced Water Purification Facility (AWPF), recycled water will be treated through reverse osmosis membranes, creating a salty concentrate that must be disposed. The PWP relies upon a reverse osmosis concentrate pipeline connecting to Calleguas Municipal Water District's (CMWD) Salinity Management Pipeline (SMP) to dispose of this concentrate. Staff has submitted an application to discharge to CMWD's SMP and worked with their staff to develop a discharge agreement, which outlines the terms and conditions of the disposal. This agreement is needed for CMWD to continue design and construction of the SMP to the planned discharge point of the JPA's concentrate pipeline. Staff recommends the JPA Board to authorize the Administering Agent/General Manager to execute an agreement with CMWD for discharge to the SMP for the Pure Water Project Las Virgenes-Triunfo.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute an Agreement for Construction and Use of Salinity Management Pipeline Discharge Service Connection with Calleguas Municipal Water District for the Pure Water Project Las Virgenes-Triunfo.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

By entering into this agreement, the JPA agrees to pay for the SMP connection structure. This is for the connection point only and not the pipeline extension. The total cost for this structure is unknown until CMWD initiates design and construction. There will also be a cost for

discharging to the SMP once the AWPf is operating. Rates for 2025 are \$749.10 per acre-foot for brine discharge, and \$60 per acre-foot for non-brine (recycled water). For comparison purposes, the cost for discharging brine at the out-of-service area rate is \$1,123.70. There is sufficient funding in the adopted Fiscal Year 2024-25 JPA Budget for the cost of constructing the SMP discharge structure. CMWD has agreed to charge the JPA its in-service area rate since Triunfo Water & Sanitation District is a member agency of CMWD.

DISCUSSION:

The Pure Water Project Las Virgenes-Triunfo (PWP) represents a unique opportunity to proactively address the challenges facing the JPA through an indirect potable reuse program utilizing surface water source (reservoir) augmentation. The PWP includes construction of the Advanced Water Purification Facility (AWPF) that will treat Title 22 recycled water through three processes to produce advanced purified water. The three processes include membrane filtration, reverse osmosis, and advanced oxidation. The reverse osmosis process includes sending water through reverse osmosis membranes in multiple stages, the byproduct of which is concentrated brine with high salinity that must be disposed. The PWP plan is to construct a roughly 14-mile pipeline to convey the reverse osmosis concentrate to Calleguas Municipal Water District's (CMWD) Salinity Management Pipeline (SMP), where the reverse osmosis concentrate will then be conveyed to an ocean outfall.

CMWD's SMP makes it possible for water agencies in the region to make better use of local water supplies. Advanced treatment of recycled water generates a concentrate or brine that is too salty to be discharged to inland waterways, but can be safely dispersed into the ocean where natural salt levels are higher. The SMP is a conduit through which that brine is moved from the AWPf to the ocean. The SMP began operation in 2014 and already includes a few dischargers in Ventura County, treating recycled water to advanced standards, or desalting groundwater.

The SMP has been developed in stages based on the needs in the region. Currently, the SMP does not extend far enough for it to be a viable disposal option for the PWP. However, extension of the SMP along Santa Rosa Road in Camarillo has always been part of the long-term plan for the SMP once there was a discharger ready to connect. For CMWD to invest the significant resources needed to design and construct this next reach of the SMP, which would be approximately 5.1 miles of 18 to 24-inch diameter pipeline, they need to have an agreement in place with a discharger so they are assured this new reach of the SMP will be utilized and paid for over time through a dollar-per-acre-foot discharge rate.

Staff submitted an application for connecting to the SMP, providing CMWD with details of the connection point and anticipated volume and quality of water that would be discharged from the AWPf. Based on this information, CMWD developed a discharge agreement, which was reviewed by JPA staff and legal counsel. The draft agreement is included with this Board memorandum and will form the basis of the discharge agreement between the JPA and CMWD. Because the JPA includes Triunfo Water & Sanitation District (TWSD), who is a retail customer of CMWD, CMWD has agreed to charge the "in-service area" rates to the JPA for the PWP brine disposal, which constitutes a significant operations savings for the JPA. The current "in-service area" rate for 2025 is \$749.10 per acre-foot for brine discharge, and \$60 per acre-foot for non-brine (recycled water). The cost for discharging brine at the out-of-service area rate is \$1,123.70 per acre-foot. This equates to an annual savings of approximately \$280,000 per year (current rates) once the AWPf is at maximum production by the year 2040.

Additionally, the SMP will be able to accept recycled water at a decreased cost relative to the brine discharge in instances where Title 22 recycled water may need to be discharged through the JPA reverse osmosis concentrate pipeline, either for maintenance, emergency shutdown, or for disposal of the recycled water.

Staff recommends the JPA Board authorize the Administering Agent/General Manager to enter into the discharge agreement for the SMP with CMWD as presented herein. Timely execution of this agreement will help the JPA maintain the schedule for design of the reverse osmosis concentrate pipeline. It will also trigger CMWD to begin the design and construction phase of the new reach of the SMP to be completed by the time the JPA begins operation of the AWP as early as 2028.

The attached agreement is in "draft" form. The final agreement, to be executed by the Administering Agent/General Manager, may incorporate revisions and details deemed non-substantial or immaterial by legal counsel.

GOALS:

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

Prepared by: Oliver Slosser, Engineering Program Manager

ATTACHMENTS:

[Draft Agreement for Construction and Use of Salinity Management Pipeline Discharge Service Connection](#)
[Ordinance No. 19 - Regulations for Use of Salinity Management Pipeline](#)

CALLEGUAS MUNICIPAL WATER DISTRICT

AGREEMENT FOR CONSTRUCTION AND USE OF SALINITY MANAGEMENT PIPELINE
DISCHARGE SERVICE CONNECTION

THIS AGREEMENT is made and entered into this _____ day of _____, 2024 (the "Effective Date"), by and between CALLEGUAS MUNICIPAL WATER DISTRICT, organized under the Municipal Water District Act of 1911, as amended (hereinafter referred to as the "DISTRICT") and the LAS VIRGENES – TRIUNFO JOINT POWERS AUTHORITY (hereinafter referred to as "DISCHARGER").

In consideration of the covenants and agreements set forth herein, IT IS AGREED:

I. GENERAL

- a. DISCHARGER requests that the DISTRICT design and construct a discharge service connection (the "Connection") which will be installed on the DISTRICT's Salinity Management Pipeline ("SMP") near the intersection of Hill Canyon Road and Santa Rosa Road with an estimated discharge capacity of 1,041 gallons per minute (gpm) to accept discharge of reverse osmosis concentrate and recycled water from the Advanced Water Purification Facility.
- b. DISCHARGER shall timely provide all of the necessary easements to the DISTRICT, as may be requested by the DISTRICT, for construction, operation, and maintenance of the Connection.
- c. DISCHARGER, at its sole cost and expense, shall be responsible for construction and operation of the system from which flow will be discharged by DISCHARGER to the Connection and DISCHARGER agrees that such system shall be designed/constructed/modified to accommodate the design criteria listed in Paragraph III of this Agreement at any and all times that DISCHARGER discharges to and through the Connection.

II. ORDINANCE 19 AND OUTFALL DISCHARGE PERMIT

- a. DISCHARGER acknowledges and agrees that installation of the Connection, and subsequent operation and use of the Connection and SMP, shall be in accordance with and subject to the terms and conditions of the DISTRICT's Ordinance No. 19, as may be amended, modified, and replaced by the DISTRICT from time to time as provided therein (hereinafter "Ordinance 19"). The DISTRICT agrees to provide the Connection and its subsequent operation and maintenance pursuant to the terms and conditions of this Agreement and Ordinance 19 and Discharger shall at all times comply with the terms and conditions of this Agreement and Ordinance 19. A copy of Ordinance 19, in effect as of the date of this Agreement, is attached hereto as Exhibit A.
- b. DISCHARGER shall be subject to the billing rates and charges under Ordinance 19 as if DISCHARGER were located entirely within the DISTRICT service area.
- c. DISCHARGER shall at all times comply with all requirements of the Waste Discharge Requirements for Calleguas Municipal Water District, Regional Salinity Management Pipeline, Oxnard (National Pollutant Discharge Elimination System No. CA0064521, CI-9404) and its successor permits (hereinafter, "Outfall Discharge Permit"). A copy of the Outfall Discharge Permit, as in effect on the date of this Agreement, is attached hereto as Exhibit B.

III. DESIGN CRITERIA

a. The following criteria will be utilized as the basis of design for this Connection:

Minimum operating hydraulic grade line in SMP	212 ft above mean sea level
Maximum operating hydraulic grade line in SMP	212 ft above mean sea level
Maximum hydraulic grade line for surge in SMP	212 ft above mean sea level
Minimum discharge at the point of connection*	74 gpm
Maximum discharge at the point of connection	1,041 gpm

* Low flow is one (1) foot per second of velocity through the flow meter.

IV. WATER QUALITY

- a. DISCHARGER shall pay the reasonable costs for the DISTRICT and/or its designated consultant to (i) conduct pre-connection sampling and water quality analysis to verify that DISCHARGER's discharge will comply with the Outfall Discharge Permit, and (ii) if appropriate as determined by the DISTRICT, prepare a letter to the Regional Water Quality Control Board documenting compliance of DISCHARGER'S proposed discharges with the limitations of the Outfall Discharge Permit.
- b. Prior to commencing these efforts, the DISTRICT shall prepare and deliver to DISCHARGER a cost estimate for such efforts and DISCHARGER shall provide to the DISTRICT a cash deposit in the full amount of the estimate. Upon completion of the pre-connection analysis and letter (if applicable), the DISTRICT will compile all costs associated with these efforts. If the reasonable costs exceed the sum of the deposits made by DISCHARGER, DISCHARGER shall pay the DISTRICT the difference within 60 days of receipt of an invoice. If the costs are less than the sum of the deposits made by DISCHARGER, the DISTRICT will, at its election, either pay DISCHARGER the difference within 60 days or apply the balance to the surge analysis cost deposit described in Paragraph V, below.
- c. DISCHARGER shall not be permitted to begin discharging to the Connection or otherwise use the SMP until the DISTRICT determines that the water quality of DISCHARGER'S discharge complies with the Outfall Discharge Permit. DISCHARGER is solely responsible for adopting and implementing all necessary contingency plans to avoid, minimize, or mitigate any adverse consequences to DISCHARGER resulting from any delay in the use of the SMP arising from or relating to the DISTRICT'S Outfall Discharge Permit compliance determination.

V. SURGE

- a. DISCHARGER shall pay the reasonable costs for the DISTRICT and/or its designated consultant to perform a surge analysis for the discharge in order to assure that the SMP is not subjected to hydraulic transients which may cause structural damage.
- b. Prior to commencing the surge analysis, the DISTRICT shall prepare and deliver to DISCHARGER a cost estimate and DISCHARGER shall provide to the DISTRICT a cash deposit in the full amount of the estimate. Upon completion of the surge analysis, the DISTRICT will compile all costs associated with the analysis. If the reasonable costs exceed the sum of the deposits made by DISCHARGER, DISCHARGER shall pay the DISTRICT the difference within 60 days of receipt of an invoice. If the costs are less than the sum of the deposits made by DISCHARGER, the DISTRICT will, at its election, either pay DISCHARGER the difference within 60 days or apply the balance to the capital cost deposit described in Paragraph V, below.

- c. DISCHARGER shall install, operate, and properly maintain all surge protection facilities as recommended by, and in accordance with, this surge analysis. DISCHARGER shall operate and maintain the Surge Protection System in a way that does not cause any hydraulic transients or pressure changes at the Connection which could cause structural damage to the SMP. The DISTRICT reserves the right, in its sole discretion, to suspend, curtail, terminate, or otherwise interrupt DISCHARGER's discharges into the SMP should the Surge Protection System fail in whole or in part for any reason, including but not limited to DISCHARGER's failure to properly maintain and operate the Surge Protection System. In addition to all other remedies available to the DISTRICT under this Agreement and applicable law, DISCHARGER shall timely pay for all repairs to the DISTRICT's facilities which result from improper operation and maintenance of the Surge Protection System.
- d. DISCHARGER shall not be permitted to begin discharging to the Connection or otherwise use the SMP unless and until the DISTRICT is satisfied with the results of the surge analysis and notifies DISCHARGER in writing. DISCHARGER is solely responsible for adopting and implementing all necessary contingency plans to avoid, minimize, or mitigate any adverse consequences to DISCHARGER resulting from any delay in the use of the SMP arising from or related to DISTRICT's satisfaction with the surge analysis.

VI. CAPITAL COSTS AND REIMBURSEMENTS

- a. Preliminary Design: DISCHARGER shall deposit an amount equal to the DISTRICT engineer's not-to-exceed amount (with appropriate contingency determined by the DISTRICT) for preliminary design services prior to the DISTRICT authorizing a Notice-to-Proceed for preliminary design.
- b. Design: DISCHARGER shall deposit an amount equal to the DISTRICT engineer's not-to-exceed amount (with appropriate contingency determined by the DISTRICT) for design services prior to the DISTRICT authorizing a Notice-to-Proceed for design.
- c. Construction: DISCHARGER shall deposit an amount equal to the DISTRICT engineer's construction cost estimate plus estimated inspection and construction management costs prior to the DISTRICT's advertising the project for bidding.
- d. Upon completion of construction, the DISTRICT will compile all costs associated with the design and construction of the Connection, including but not limited to engineering, right-of-way acquisition, inspection, permitting, and administration. If the reasonable costs exceed the sum of the deposits made by DISCHARGER, DISCHARGER shall pay the DISTRICT the difference within 60 days of receipt of an invoice. If the costs are less than the sum of the deposits made by DISCHARGER, the DISTRICT will pay the DISCHARGER the difference within 60 days after the Notice of Completion is filed for the project.
- e. In the event the discharge service connection requested herein is not completed for any reason by action or inaction of DISCHARGER, then it is agreed that the DISTRICT shall deduct from the deposit all costs incurred by the DISTRICT and any remaining portion of the deposit shall be returned to DISCHARGER.

VII. AVAILABILITY OF SERVICE

DISCHARGER acknowledges and agrees that service and access may be suspended, curtailed, terminated, or otherwise interrupted, as provided for in this Agreement and/or in accordance with Ordinance 19. DISCHARGER further acknowledges and agrees that the DISTRICT shall not be liable to DISCHARGER or any other person or entity for any loss, liability, damage, claim, or other consequences resulting from the suspension, curtailment, termination, or

interruption of service in accordance with Ordinance 19. DISCHARGER is solely responsible for adopting, implementing, and maintaining all necessary contingency plans and preventive measures to avoid, minimize, or mitigate any adverse consequences to DISCHARGER in anticipation of such suspension, curtailment, termination, or interruption.

VIII. ASSIGNMENT AND TRANSFER

- a. DISCHARGER shall not assign or transfer this Agreement or any of its rights or obligations hereunder without the prior written consent of the DISTRICT which may be given or withheld in the DISTRICT's sole discretion.

IX. AMENDMENT

- a. This Agreement may only be changed by written amendment signed by both parties; provided, however, that DISCHARGER acknowledges and agrees that DISCHARGER is subject to and shall be bound by any and all amendments, modifications, and changes to Ordinance 19 and/or the Outfall Discharge Permit, without the need for any written amendment to this Agreement. Any oral representations or modifications concerning this Agreement shall be of no force or effect.

X. REPRESENTATIONS AND WARRANTIES

- a. As a material inducement to the DISTRICT to enter into this Agreement, DISCHARGER represents, warrants and covenants to the DISTRICT, which representations, warranties, and covenants shall survive termination of this Agreement, that:
- i. DISCHARGER is duly organized, validly existing and in good standing under the laws of the State of California and has all necessary power and authority to enter into this Agreement and to perform its obligations hereunder;
 - ii. DISCHARGER's execution and delivery of this Agreement, and its performance of all of its obligations, will not violate or constitute an event of default under any agreement or instrument to which DISCHARGER is a party or by which it is bound;
 - iii. All proceedings and approvals required to be taken by or on behalf of DISCHARGER to authorize and perform this Agreement have been duly and properly taken, and this Agreement is a valid and binding obligation of DISCHARGER enforceable in accordance with its terms;
 - iv. To the best of DISCHARGER's knowledge, there is no litigation, proceeding or investigation pending or threatened, to which it is or would be a party, which, if adversely determined, might materially and adversely affect the ability of DISCHARGER to perform its obligations under this Agreement, or which raises a question as to the validity of this Agreement, or any action to be taken hereunder;
 - v. DISCHARGER shall at all times comply with the terms of this Agreement and all laws, rules, regulations, ordinances, and all orders of government and regulatory authorities having jurisdiction, as the same are applicable to DISCHARGER's ownership, operation and maintenance of all property and facilities of or relating to the Connection and the SMP; and
 - vi. No approval, authorization or consent of any government agency or body, or any other person or entity, is required for the valid execution, delivery, and performance of this Agreement by DISCHARGER except for such as have been duly obtained as of the Effective Date. No registration or filing with any government agency or body, or any other person or entity is required for the valid execution, delivery and performance of this Agreement by DISCHARGER except as has been duly completed as of the Effective Date.

XI. COOPERATION

- a. In addition to its duties and obligations under this Agreement, DISCHARGER agrees to reasonably cooperate with the DISTRICT as the DISTRICT may request from time to time in order to design, construct and operate the Connection in accordance with this Agreement, Ordinance 19, and the Outfall Discharge Permit. Without limiting the foregoing, DISCHARGER agrees to timely provide to the DISTRICT information requested and access to DISCHARGER's personnel and facilities as reasonably necessary to carry out the purpose and intent of this Agreement.

XII. CONFLICT

- a. If any term of this Agreement conflicts with the terms of Ordinance 19, Ordinance 19 shall govern to the extent of such conflict.

XIII. ACKNOWLEDGMENT

- a. DISCHARGER acknowledges that it has voluntarily elected to participate in the SMP and by entering into this Agreement DISCHARGER acknowledges and agrees to all of the terms, conditions and requirements of this Agreement, Ordinance 19, and the Outfall Discharge Permit, including without limitation the obligations of DISCHARGER to defend and indemnify the DISTRICT as provided in Ordinance 19. The DISTRICT is entering into this Agreement with DISCHARGER in reliance upon this acknowledgement and agreement, which acknowledgement and agreement constitutes material consideration for this Agreement. .

XIV. MISCELLANEOUS

- a. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.
- b. This Agreement supersedes any prior agreements, negotiations and communications, oral or written, regarding its subject matter and contains the entire agreement between the parties relating thereto.
- c. Subject to the restrictions on assignment set forth above, this Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties.
- d. In the event that any dispute between the parties arising under this Agreement results in litigation or arbitration, the prevailing party in such dispute shall be entitled to recover from the other party all reasonable fees, costs and expenses (including attorney's fees) incurred in such action.
- e. The provisions of this Agreement shall be governed by and construed in accordance with the laws of the State of California and the venue for all legal or equitable actions relating to or arising from this Agreement shall be Ventura County, California.
- f. If any term, covenant, condition or provision of this Agreement, is found by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions herein shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated thereby.
- g. Any notice, demand or request to be given under or pursuant to this Agreement shall be given in writing at the physical addresses set forth below by personal service; telecopy; overnight courier; or registered or certified, first class mail, return receipt requested:

If to the DISTRICT: Calleguas Municipal Water District
2100 Olsen Road
Thousand Oaks, California 91360
Attn: General Manager

If to DISCHARGER: _____

h. All Recitals set forth above, and all Exhibits attached to this Agreement are intended to be and hereby are specifically made a part of this Agreement.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement in Ventura County, California, and have caused this Agreement to be executed in duplicate on the day and year first above written.

CALLEGUAS MUNICIPAL WATER DISTRICT

By _____
Kristine McCaffrey, P.E.
General Manager

DISCHARGER

By _____

ORDINANCE NO. 19

AN ORDINANCE OF CALLEGUAS MUNICIPAL WATER DISTRICT COVERING THE RULES AND REGULATIONS FOR USE OF THE SALINITY MANAGEMENT PIPELINE

WHEREAS, Calleguas Municipal Water District (the "District") is a public agency and special district created in 1953 by a vote of the electorate and organized pursuant to the Municipal Water District Act of 1911, as amended; and

WHEREAS, the District has constructed the Salinity Management Pipeline (the "SMP") for the purposes of facilitating the development of local water supplies to enhance water supply reliability, protecting the Las Posas Aquifer Storage and Recovery wellfield from salts intrusion, and assisting in bringing the Las Posas Basin to safe yield; and

WHEREAS, the District is committed to operating and maintaining the SMP for its long-term water quality and water supply benefits to the District's purveyors, the basin, and others; and

WHEREAS, the Board of Directors finds that these requirements are for the purpose of meeting operation and construction expenses and complying with permit conditions for protection of the environment, and are therefore exempt from requirements of the California Environmental Quality Act;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CALLEGUAS MUNICIPAL WATER DISTRICT AS FOLLOWS:

SECTION 1. AUTHORITY. That, subject to all applicable provisions of the Municipal Water District Act of 1911, as amended, the following rules, regulations, and rate structures governing the use of the SMP are hereby adopted and shall become effective on the date adopted by the Board of Directors.

SECTION 2. DEFINITIONS.

- A. "Board of Directors" or "Board" shall refer to the Board of Directors of the Calleguas Municipal Water District.
- B. "Brine" is concentrate produced by the membrane treatment process of Groundwater, Potable Water, or Recycled Water.
- C. "California Ocean Plan" shall be the version of the Water Quality Control Plan, Ocean Waters of California, currently adopted by the State Water Resources Control Board.
- D. "Discharger" is any person or entity that discharges to the SMP.

- E. "District" shall mean the Calleguas Municipal Water District, duly organized under and by virtue of the Municipal Water District Act of 1911, as amended.
- F. "General Manager" shall refer to the General Manager of the Calleguas Municipal Water District.
- G. "Groundwater" is water extracted from within geologic deposits beneath the earth's surface, typically via a well.
- H. "High Flow Charge" is a charge applied when a Discharger's discharge at a given Service Connection exceeds the established maximum rated flow capacity of that particular Service Connection.
- I. "Low Flow Charge" is a charge applied when a Discharger's discharge at a given Service Connection is less than one (1) foot per second of velocity and above zero through the meter of that particular Service Connection.
- J. "Non-Brine" is any flow that is an allowable discharge to the SMP, but is not Brine.
- K. "Outfall Discharge Permit" means and refers to the Waste Discharge Requirements for Calleguas Municipal Water District, Regional Salinity Management Pipeline, Oxnard (National Pollutant Discharge Elimination System No. CA0046521, CI-9404) and its renewals and successor permits, each as may be modified or amended from time to time.
- L. "Potable Water" is water that is suitable for human consumption delivered through a public water system, as defined by the State Water Resources Control Board Division of Drinking Water ("SWRCB DDW").
- M. "Recycled Water" is disinfected tertiary recycled water, as defined by the SWRCB DDW.
- N. "Service Connection" shall mean all pipes, valves, meters, instrumentation, and other necessary or usual appurtenances required for operation, measurement, and sampling of discharge to the SMP by a Discharger.

SECTION 3. GENERAL REQUIREMENTS.

A. Allowable Discharges.

- i. Only the following may be discharged to the SMP:
 - Recycled Water

- Groundwater
 - Potable Water
 - Brine from the membrane treatment of any of the above.
- ii. Dischargers shall not be allowed to discharge to or through the SMP any surface water, irrigation runoff, stormwater runoff, or any other substances which are not expressly permitted under the Outfall Discharge Permit.
- B. Termination or Suspension of Service. The District reserves the right, at any time and from time to time, to suspend or terminate operation of the SMP, or any portion thereof, and/or suspend or discontinue service to a Discharger, for violation of this Ordinance, any agreement related to the SMP or discharge connection, or any reason that prevents the District from operating the SMP legally or safely.
- C. Access. Discharger shall allow the District access to Discharger's sites and facilities as may be requested by the District from time to time in order for the District's employees, contractors and agents, to confirm compliance with this Ordinance, the Outfall Discharge Permit, California Ocean Plan, and any agreement entered into with the District concerning the SMP.
- D. Additional Studies. Discharger shall pay for and timely perform all additional studies and prepare all additional reports required of a Discharger pursuant to the Outfall Discharge Permit. Discharger shall also reasonably cooperate with the District if the District elects from time to time to conduct or participate in any other studies relating to the operation of the SMP.
- E. Surge. Discharger shall install, operate, and at all times properly maintain surge protection facilities necessary to prevent its discharge from causing hydraulic transients in the SMP in a manner and timeframe acceptable to the District.
- F. Documents and Reports. Discharger shall provide such documents, reports and information regarding Discharger's discharges and participation in the SMP as may be requested by the District in a manner and timeframe acceptable to the District.

SECTION 4. MODIFICATIONS AND AMENDMENTS.

- A. This Ordinance and the Outfall Discharge Permit shall be posted on the website the District maintains at <http://smp.calleguas.com> (the "Website"). The District reserves the right to amend, modify or change the terms of this Ordinance from time to time and the Outfall Discharge Permit is also subject to amendment, modification or change from time to time.

- B. The District shall provide written notice (“Notice of Ordinance Change”) to Discharger if the District adopts any amendment, modification or change to this Ordinance, and an updated version of this Ordinance shall be posted on the Website. Such amendment, modification or change to this Ordinance shall take effect 30 days from the date of the Notice of Ordinance Change. If Discharger objects to the amendment, modification or change, Discharger may terminate its participation in the SMP by delivering written notice to the District within the 30 day notice period.
- C. Within 7 days of receiving notice of any proposed change to the Outfall Discharge Permit, the District shall provide Discharger with written notice of the proposed change (the “Notice of Permit Change”) and, if possible, the proposed effective date of such change. If Discharger objects to the proposed change, Discharger may terminate its participation in the SMP by delivering written notice to the District within 30 days from the date of the Notice of Permit Change or prior to the proposed effective date of the change, whichever is earlier.
- D. Discharger’s failure to deliver timely notice of termination and/or Discharger’s continued use of the Service Connection after receipt of a Notice of Ordinance Change or Notice of Permit Change shall constitute Discharger’s consent to such amendments, modifications or changes to those instruments.

SECTION 5. RATES AND CHARGES.

- A. Each Discharger shall be obligated to pay for all discharges made by the Discharger to the SMP at the appropriate rate as established from time to time by the Board of Directors. Rates per acre-foot of discharge to the SMP shall be established for Brine and Non-Brine.
- B. The billing rate for discharge by a Discharger that is not within the established District service area shall be 150% of the rate for discharge of Brine or Non-Brine, as appropriate.
- C. When a Discharger’s discharge exceeds the established maximum flow capacity of that particular Service Connection, a High Flow Charge calculated at one hundred and fifty percent (150%) of rated maximum capacity of the Service Connection will be assessed for each tenth of an hour of operation over the established maximum flow capacity.
- D. When a Discharger’s discharge flow velocity at a given Service Connection is below one (1) foot per second through the meter of that particular Service Connection and above zero, a Low Flow Charge calculated at 10% of the rated maximum capacity of the Service Connection will be assessed for each tenth of an hour of operation below this important accuracy value.

- E. Each Discharger shall be obliged to pay for the operations, maintenance, replacement, and repair costs for each of its Service Connections, including, but not limited to, labor, parts, and water quality sampling and analysis. These costs will be calculated and incorporated into the rates and charges established from time to time by the Board of Directors. The District will bill the Discharger monthly for these costs.
- F. The Board of Directors shall have the absolute and sole authority to change the rates specified in this Ordinance, implement new rates, and/or pass through any charges imposed on the District as set forth in Section 9.E. The Board of Directors shall make every reasonable effort to provide sixty (60) days advance notice to all Dischargers of such rate changes.

SECTION 6. BILLING. The billing period shall run from the first calendar day of the month through the last calendar day of the month. As soon after the billing period as practicable, the District will mail or deliver to each Discharger a statement of its bill for the preceding month. All bills or charges shall be due and payable immediately upon receipt. The following conditions also apply:

- A. Delinquencies/Penalties. A bill shall be delinquent if not paid by the last business day of the month in which it was mailed to Discharger. Delinquent bills are subject to a penalty of one percent (1%) of the outstanding balance which shall be added thereto and charged to and collected from the Discharger on a monthly basis, including the previous month's penalty. If full payment is not received in the District Office within sixty (60) days after such bill has become delinquent, the District may pursue all remedies and take any action it deems appropriate, including, but not limited to, suspension or termination of service. Notice of suspension or termination of service for non-payment will be given to the delinquent Discharger by registered mail at least ten (10) days prior to the date such action will take effect.
- B. Cash Deposit. Whenever any Discharger fails to pay its bills, the Board of Directors may require as a condition for future service a cash deposit, in an amount determined by the Board, to guarantee the prompt payment of the account in the future. The Board of Directors shall have full power to determine whether or not such deposit shall be made and the amount thereof, and the time when the requirement for deposit by any Discharger shall be discontinued.
- C. Application of Deposit. If a Discharger who has made such deposit fails to pay its delinquent bill or bills, including all added penalties, within thirty (30) days after delinquency, the District may apply the deposit to the Discharger's account and discontinue service to the Discharger until such time as the balance due, less the applied deposit, has been fully paid and a new deposit in the amount determined by the District under Subsection B has been fully restored by the Discharger.

SECTION 7. AVAILABILITY OF SERVICE.

- A. Emergency Interruptions. The District shall have the right to suspend, interrupt, or terminate SMP service without prior notice to Discharger in the event of an emergency, as determined by the District in its sole discretion.
- B. Interruption of Service for Cause. In addition to all other rights and remedies of the District as provided in this Ordinance and any agreement entered into with a Discharger relating to the SMP, the District may indefinitely suspend or terminate a Discharger's access to and use of the SMP if the District determines that Discharger has violated any term of this Ordinance or any agreement with the District related to the SMP. The District shall use reasonable efforts to provide Discharger with prior notice of the violation and the decision to suspend or terminate service; provided, however that if the District determines that the nature of the violation is such that providing such prior notice would have an adverse impact on the District or on operation of the SMP, no prior notice shall be required.
- C. Other Interruptions of Service. The District may interrupt a Discharger's service and/or operation of the SMP at any time and from time to time as the District deems necessary to facilitate routine maintenance, internal inspection, rehabilitation, and improvement projects on the SMP or other District facilities. Except in cases of emergency, as determined by the District, notice of such interruption of service shall be given to each affected Discharger in advance of such interruption. The SMP has no redundancy and may be out of service for indeterminate periods of time for planned maintenance or for unplanned repairs.
- D. No Liability. The District shall not be liable to any Discharger or any other person or entity for any loss, liability, damage, claim, or other consequences, including without limitation lost profits or income, resulting from the suspension, interruption, or termination of service and/or Discharger's access to and use of the SMP. Each Discharger is solely responsible for adopting, implementing, and maintaining all necessary contingency plans and preventive measures to minimize or avoid any adverse consequences in anticipation of such events.
- E. Priority of Service. In the event of capacity constraints, Brine discharges will have priority over Non-Brine discharges.

SECTION 8. SERVICE CONNECTIONS.

- A. Application for Service Connection. Any person or entity wishing to discharge into the SMP at a particular location shall submit a written application for a Service Connection to the District on a form provided by the District. The decision whether to approve the application shall be solely within the discretion of the District. If the application is approved, the proposed Discharger shall enter into an Agreement for Construction and Use of Salinity Management Pipeline Discharge Service Connection in the form provided by the District. No person or entity shall discharge into the SMP or otherwise use the SMP unless and until the requirements of this provision have been met.
- B. Ownership of Facilities. The Service Connections installed hereunder shall be and become the property of the District downstream from the upstream flange of the isolation valve which is located upstream of the flow meter. The Discharger will own, operate and maintain any facilities upstream of the isolation valve. The District will operate, maintain, repair, and replace the Service Connection at the Discharger's expense when the District determines that such Service Connection has been rendered unserviceable through normal wear and tear.
- C. Operation of Valves. Shutoff valves at Service Connections or on pipelines belonging to the District shall not be operated by the Discharger without the District's prior written consent. Authorized consent may only be granted by the District's General Manager or Manager of Operations and Maintenance, or a duly appointed designee of either of them.
- D. Tampering. It shall be unlawful for any person to meddle, tamper with, or operate any District facilities, including, but not limited to, Service Connections, pipelines or valves without the District's prior written consent. Authorized consent may only be granted by the District's General Manager or Manager of Operations and Maintenance, or a duly appointed designee of either of them. It is unlawful for any person to tap, break or damage any District pipeline, Service Connection or appurtenances, or any other equipment of the District.
- E. Access and Use of District Facilities. Dischargers shall not enter District facilities, including buildings, cabinets, and vaults, nor use District facilities to support or house Discharger equipment without prior written approval from the District.
- F. Communication. Dischargers are to promptly report to the District's Operations Center at (805) 579-7137 any leaks, failures of equipment, security breaches, and other matters which come to their attention and require timely response of the District's staff. All requests for routine operational assistance may be directed to the District's Operations Center or to the appropriate District supervisor. Inquiries about policies and procedures, general information, and coordination for project planning should be directed to the

Manager of Operations and Maintenance. Requests to initiate new service or modify the rated capacity of existing Service Connections must be made in writing and submitted to the General Manager.

- G. District Equipment as Billing Meter. The District's equipment shall be used as the primary billing meter to calculate flow rates, accumulate discharge quantities, and determine the occurrence and duration of High and Low Flow Charge penalty periods. Discharger metering data shall only be considered by the District when the District determines that its own equipment is inoperable.
- H. Metering Equipment Standards. The District's established standard for metering equipment used for Discharger billing of discharges to the SMP shall be an ultrasonic meter. The meter shall be configured to provide an input to a device which calculates rate of flow and accumulated discharge.
- I. Meter Testing. The District shall calibrate and test all metering components a minimum of once annually to confirm accuracy of plus or minus two percent ($\pm 2.0\%$). A Discharger may request to have a Service Connection meter tested by the District whenever the Discharger suspects inaccuracy. The Discharger affected shall have the right to witness any such test. In the event that such test shall disclose an error exceeding plus or minus two percent ($\pm 2.0\%$), an adjustment shall be made in metered charges to the Discharger affected, covering the known or estimated extent and period of duration of such error up to a six-month period. If such test shall disclose an error exceeding plus or minus two percent ($\pm 2.0\%$), the expenses of such test shall be borne by the District; otherwise, such expenses shall be borne by the Discharger requesting such test.
- J. District Provided Controls. The District will install and maintain flow rate signals, valve open and close control inputs, and rate-of-flow controls at Service Connections for the Discharger. All District supplied signals and controls are provided as a courtesy to the Discharger. It is the responsibility of the Discharger to control their own system and maintain operations within the rated capacity of their Service Connection(s), and any reliance upon District equipment is done solely at the risk of the Discharger. The inaccuracy or failure of District provided flow signals and controls does not constitute cause to avoid payment of High or Low Flow Charges, nor to dispute the metered totals. The District reserves the right to remove controls if it so desires.
- K. Hydraulic Transients. Dischargers shall operate their systems in a way that does not cause hydraulic transients or pressure changes at Service Connections. The District reserves the right, in its sole discretion, to terminate a Discharger's service, access and use of the SMP should the Discharger fail to properly maintain and operate their surge protection equipment. A Discharger shall be financially responsible for all repairs to District facilities which result from the Discharger's operations.

L. Service Connection Initial Startup

- i. The Discharger shall provide written notice of initial startup to the District's Manager of Operations and Maintenance via e-mail at least 5 calendar days in advance of initial startup. Prior to commencing discharge, the Discharger shall be capable of demonstrating that its discharge complies with the effluent limitations in the Outfall Discharge Permit, including chlorine residual.
- ii. The Discharger shall submit and have the District's written approval of the following information prior to providing notification of initial startup:
 - a. A written plan describing how the Discharger will achieve and maintain compliance with the effluent limitations in the Outfall Discharge Permit, including chlorine residual.
 - b. A written plan describing the monitoring and recordkeeping protocols the Discharger has established to demonstrate compliance with the Outfall Discharge Permit.

It is the Discharger's responsibility to submit these plans to allow sufficient time for review and any required resubmittal prior to initial startup. The District will review and provide comments on each plan within 14 calendar days of receipt.

- iii. Costs incurred by the District supporting the Discharger's initial startup, including standby time, may be charged to the Discharger in accordance with Paragraph 5.E.

M. Subsequent Service Connection Startup

- i. If the Discharger's Service Connection ceases discharging for more than 14 calendar days, the Discharger shall provide written notice of subsequent startup to the District's Manager of Operations and Maintenance via e-mail at least 5 calendar days in advance of resumption of discharge. Prior to commencing discharge, the Discharger shall be capable of demonstrating that its discharge complies with the effluent limitations in the Outfall Discharge Permit, including chlorine residual.
- ii. If the Discharger has modified its treatment processes or source of discharge, the Discharger shall submit and have the District's written approval of revised versions of the plans in Paragraphs 8.L.ii.a. and 8.L.ii.b. prior to providing notification of subsequent startup.

- iii. Costs incurred by the District supporting the Discharger's subsequent startup, including standby time, may be charged to the Discharger in accordance with Paragraph 5.E.

SECTION 9. WATER QUALITY.

- A. Discharger shall ensure that all of its discharges shall at all times comply with all water quality and other requirements of the Outfall Discharge Permit and California Ocean Plan. Compliance shall be achieved for the Discharger's discharge only, without consideration for mixing with other SMP flows.
- B. The District may from time to time, without notice, perform sampling of discharges at Discharger's Service Connection and at the outfall for the SMP to determine whether discharges are in compliance with this Ordinance and the Outfall Discharge Permit. Discharger consents to such sampling and agrees that the District may rely upon such sampling for purposes of determining Discharger's compliance with this Ordinance and the requirements of the Outfall Discharge Permit and California Ocean Plan. Sampling and laboratory analysis costs for each Discharger's Service Connection shall be assessed to that Discharger.
- C. If a Service Connection discharges flows from more than one source, the District shall have access to a sampling location for each individual source. The sampling location does not need to be located at the Service Connection.
- D. Discharger may request permission, in writing, from the District to conduct some or all of its own sampling and analysis. The District may choose to grant or deny permission at its discretion. Any such permission shall be granted in writing and the Discharger shall abide by any terms and conditions included in the permission.
- E. The District reserves the right to immediately suspend or discontinue service for water quality violations.
- F. Discharger will reimburse the District for any fines, penalties, or charges levied against the District due to the failure of the Discharger to comply with the discharge requirements.
- G. If the Discharger is aware that it fails to comply with one or more water quality standards, as required by the Outfall Discharge Permit, the Discharger shall notify the Manager of Operations & Maintenance in writing within 24 hours of learning of the non-compliance. The written notification shall include the constituent(s) of non-compliance, the reason(s) for non-compliance, and the date and time the Discharger became aware of the non-compliance. The Discharger shall perform, at its own expense, any monitoring and studies required by the District as a result of the non-compliance.

SECTION 10. COMPLIANCE.

- A. In addition to all of Discharger's duties and obligations specified in this Ordinance, Discharger shall at all times comply with all laws, rules, regulations, ordinances, and all orders of government and regulatory authorities having jurisdiction, applicable to Discharger's participation in the SMP, including without limitation its ownership, operation and maintenance of all property and facilities of or relating to the Connection and the SMP.

SECTION 11. INDEMNITY.

- A. Discharger shall hold harmless, defend, and indemnify the District and its directors, officers, managers, agents, and employees (collectively referred to herein as the "District") from and against any and all liabilities, losses, damages, expenses, claims, lawsuits and other legal proceedings, judgments, settlements, fines, penalties, assessments, attorney's fees and costs (including without limitation costs and fees of litigation and administrative proceedings) of every kind and nature whatsoever, including, but not limited to, injury to or death of any person; damage to or destruction of property of any person or entity; violation of any law, water right, property right, statute, rule, regulation, ordinance or any order or judgment relating to the adjudication of water rights; violation of the requirements of the California Sustainable Groundwater Management Act; or violation of any order of a government or regulatory agency having jurisdiction (individually a "Claim" and collectively "Claims") that arise from or relate to any of the following:
 - i. Negligent acts, errors, or omissions of Discharger, its owners, officers, directors, managers, employees, agents and/or contractors in connection with the Service Connection and/or the SMP.
 - ii. Recklessness or willful misconduct of Discharger, its owners, officers, directors, managers, employees, agents and/or contractors in connection with the Service Connection and/or the SMP.
 - iii. The type and quality of all discharges by Discharger, including without limitation any Claim arising from or relating to the failure of Discharger, and/or the failure of Discharger's discharges, to comply with the requirements of this Ordinance, the Outfall Discharge Permit, and/or any agreement entered into between the District and Discharger with respect to the Service Connection and/or the SMP.
 - iv. Discharger's operation of any of its facilities or the acts or omissions of any of its owners, officers, directors, managers, employees, agents and/or contractors.

- v. Any activity under Discharger's exclusive control.
 - vi. Discharger's failure to comply with (a) any requirement of the Outfall Discharge Permit or California Ocean Plan, (b) any term of this Ordinance, and/or (c) any term of any agreement between Discharger and the District relating to the Service Connection and/or the SMP.
 - vii. Discharger's diversion, production and/or use of water that supplies any facility discharging through the Service Connection, including but not limited to groundwater supplying a desalter or wastewater supplying a treatment plant.
- B. The District shall hold harmless, defend, and indemnify the Discharger and its directors, officers, managers, agents and employees (collectively referred to herein as the "Discharger") from and against any and all liability, loss, damage, expense, claim, judgment, settlement, fine, penalty, assessment, attorney's fees and costs (including without limitation costs and fees of litigation) of every kind and nature whatsoever, including, but not limited to, injury to or death of any person, damage to or destruction of property of any person or entity, or violation of any law, statute, rule, regulation, ordinance or any order of a government or regulatory agency having jurisdiction (individually a "Claim" and collectively "Claims") to the extent such Claim is caused by any of the following:
- i. Negligent acts, errors, or omissions of the District, its owners, officers, directors, managers, employees, agents and/or contractors in the design, construction, or repair of the Service Connection or the SMP. The Discharger acknowledges and agrees that for purposes of the District's obligation to indemnify hereunder, the "Service Connection" and the "SMP" refer only to the portion of those facilities that were designed and/or constructed by the District or the District's contractors.
 - ii. Recklessness or willful misconduct of the District, its owners, officers, directors, managers, employees, agents and/or contractors with respect to the District's operation of the SMP.
 - iii. Any activity under the District's exclusive control.
 - iv. The District's failure to comply with (a) the District's sampling, reporting, and inspection obligations under the Outfall Discharge Permit or California Ocean Plan, (b) the District's obligations under this Ordinance, and/or (c) the District's obligations under its agreement with the Discharger relating to the Service Connection and the SMP.

- C. Any assertion of negligence, breach, or violation of law by the party to be indemnified hereunder (the “Indemnified Party”) shall not relieve the party required to indemnify (the “Indemnifying Party”) from its obligation to indemnify. However, the Indemnifying Party shall not be obligated to indemnify the Indemnified Party for that portion of any Claim determined by the trier of fact to have been caused by the negligence or willful misconduct of the Indemnified Party.
- D. Upon request of the Indemnified Party, the Indemnifying Party shall defend, at its sole cost and expense, any and all allegations, claims, demands, suits, and all other legal proceedings of every kind that may be brought or instituted against the Indemnified Party, arising from or relating to a Claim for which the Indemnified Party is entitled to indemnification pursuant to this paragraph 11. The Indemnified Party shall have the right, but not the obligation, to approve any counsel retained under this paragraph, provided however that such approval shall not be unreasonably withheld. Without limiting its obligations under this paragraph, the Indemnifying Party agrees that the Indemnified Party has the right to participate in the defense of any matters that relate to the Indemnified Party, or any of them, and that no action, claim, or suit shall be settled without the Indemnified Party's consent, such consent not to be unreasonably withheld. If, at any time, the Indemnified Party makes a good faith determination that a conflict exists with respect to its interests and the interests of the Indemnifying Party, then the Indemnified Party may retain independent counsel of its own choosing whose reasonable fees shall be paid by the Indemnifying Party.
- E. Nothing in this Agreement shall constitute a waiver or limitation of any rights that a party may have under applicable law, including any right to implied indemnity. The Indemnifying Party’s obligation to indemnify shall not be limited or restricted to insurance proceeds, if any, received by the Indemnified Party.

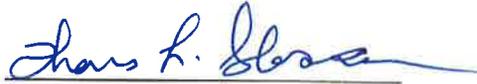
SECTION 12. LEGAL CHALLENGES. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 13. ADMINISTRATION. All SMP service shall be in accordance with these rules and regulations unless otherwise approved by the Board of Directors. These rules and regulations may be amended, modified, changed or repealed by the Board of Directors by resolution or ordinance.

SECTION 14. NOTICES. All notices and communications from agencies to the District relating to the SMP or the administration of these rules and regulations by the District shall be addressed to the General Manager of the District, 2100 Olsen Road, Thousand Oaks, California 91360.

SECTION 15. EFFECTIVE DATE AND SUNSET. This Ordinance shall supersede and replace the previously adopted Ordinance No. 19 and shall become effective at 12:01 a.m. on February 18, 2018. This Ordinance shall not have a sunset date.

ADOPTED, SIGNED, AND APPROVED this 17th day of January, 2018.



Thomas L. Slosson, President
Board of Directors

On motion by Director Quady, and seconded by Director Blois, the foregoing ordinance is adopted upon this 17th day of January, 2018, by the following vote:

AYES: Blois, Quady, Waters, Santamaria, Slosson

NAYS: None

ABSTAIN: None

ABSENT: None

I HEREBY CERTIFY that the foregoing Ordinance was adopted at a regular meeting of the Board of Directors of Calleguas Municipal Water District held on January 17, 2018.

ATTEST:



Andy Waters, Secretary
Board of Directors