



This meeting is not subject to Brown Act noticing requirements. The agenda is subject to change.

Legislative Advocacy Committee Members:
Mary L. Adams, Chair
Ian Oglesby
Alvin Edwards

Alternate:
Karen Paull

Staff Contact
David J. Stoldt,
General Manager

Roger Gwinn, The
Ferguson Group
(Federal Consultant)

John Arriaga, JEA &
Associates
(State Consultant)

Sara Reyes,
Committee Clerk

Mission Statement
Sustainably manage and augment the water resources of the Monterey Peninsula to meet the needs of its residents and businesses while protecting, restoring, and enhancing its natural and human environments.

Vision Statement
Model ethical, responsible, and responsive governance in pursuit of our mission.

Board's Goals and Objectives
Are available online at: <https://www.mpwmd.net/who-we-are/mission-vision-goals/bod-goals/>

AGENDA
Legislative Advocacy Committee
of the Monterey Peninsula Water Management District

Monday, September 30, 2024 at 3:00 p.m. [PST] | *Virtual Meeting*

Join the meeting at this link:

<https://mpwmd-net.zoom.us/j/89485186549?pwd=Pzdd29s4dJlauMFJlMI9OLPCcKxc50.1>

Or paste the link into your browser, or join at zoom.us

Webinar ID: 894 8518 6549

Meeting password: 093024

Participate by phone: (669) 900-9128

For detailed instructions on connecting to the Zoom meeting see page 2 of this agenda.

Call to Order / Roll Call

Comments from Public - *The public may comment on any item within the District's jurisdiction. Please limit your comments to three minutes in length.*

Action Items – *Public comment will be received on all Action Items. Please limit your comments to three minutes in length.*

1. Consider Adoption of the April 24, 2024 Committee Meeting Minutes

Discussion Items – *Public comment will be received on all Discussion Items. Please limit your comments to three minutes in length.*

2. Report from The Ferguson Group on Federal Legislative and Regulatory Activities
3. Report from JEA & Associates on Legislative Status and Bill Tracking

Other Items

4. Suggest Items to Place on a Future Committee Agenda

Adjournment

Accessibility

In accordance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Submit requests at least 48 hours prior to the scheduled meeting date/time: Sara Reyes, Board Clerk by e-mail at sara@mpwmd.net or at (831) 658-5610.

Provide Public Comment at the Meeting

Attend via Zoom: See below “Instructions for Connecting to the **Zoom Meeting**”

Submission of Public Comment via E-mail

Send comments to comments@mpwmd.net with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or “PUBLIC COMMENT – ORAL COMMUNICATIONS.” Staff will forward correspondence received to the Committee. Correspondence is not read during public comment portion of the meeting. However, all written public comment received becomes part of the official record of the meeting and placed on the District’s website as part of the agenda packet for the meeting.

Submission of Written Public Comment

All documents submitted by the public must have no less than one (1) copy to be received and distributed by the **Clerk** prior to the Meeting.

Document Distribution

In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a meeting of the Board of Directors that are provided to a majority of the members less than 72 hours before the meeting will be made available at the **District Office, 5 Harris Court, Building G, Monterey, CA**, during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the Board or a member of its legislative/advisory body, or the next business day after the meeting if prepared by some other person.

Instructions for Connecting to the **Zoom Meeting**

The public may remotely view and participate in the meeting to make public comment by computer, by phone or smart device.

Please log on or call in as early as possible to address any technical issues that may occur and ensure you do not miss the time to speak on the desired item. Follow these instructions to log into Zoom from your computer, smart device or telephone. (Your device must have audio capability to participate).

Join the meeting at this link:

<https://mpwmd-net.zoom.us/j/89485186549?pwd=Pzdd29s4dJlJauMFJ1MI9OLPCcKxc50.1>

Or paste the link into your browser, or join at zoom.us

Webinar ID: 894 8518 6549

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Participate by phone: (669) 900-9128

1. Use the “raise hand” function to join the queue to speak on the current agenda item when the Chair calls the item for Public Comment.

COMPUTER / SMART DEVICE USERS: You can find the raise hand option under your participant name.

TELEPHONE USERS: The following commands can be entered using your phone’s dial pad:

- *6 – Toggle Mute / Unmute
- *9 – Raise Hand

2. Staff will call your name or the last four digits of your phones number when it is your time to speak.
3. You may state your name at the beginning of your remarks for the meeting minutes.
4. Speakers will have up to three (3) minutes to make their remarks. *The Chair may announce and limit time on public comment.*
5. You may log off or hang up after making your comments.

Refer to the Meeting Rules to review the complete Rules of Procedure for MPWMD Board and Committee Meetings:
<https://www.mpwmd.net/who-we-are/board-of-directors/meeting-rules-of-the-mpwmd/>

LEGISLATIVE ADVOCACY COMMITTEE

ITEM: ACTION ITEM

1. CONSIDER ADOPTION OF THE APRIL 24, 2024 COMMITTEE MEETING MINUTES

Meeting Date: September 30, 2024

From: David J. Stoldt,
General Manager

Prepared By: Sara Reyes

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Attached as **Exhibit 1-A** are the draft minutes from the April 24, 2024 committee meeting minutes for your review and approval.

RECOMMENDATION: The Committee should adopt the minutes through a motion.

EXHIBIT

1-A Draft Minutes of the April 24, 2024 Committee Meeting



EXHIBIT 1-A

Draft Minutes Legislative Advocacy Committee of the Monterey Peninsula Water Management District Wednesday, April 24, 2024

The meeting was conducted via Teleconference - by Zoom.

Call to Order

Chair Adams called the meeting to order at 1:06 p.m.

Committee members present: Mary Adams, Chair
Ian Oglesby
Alvin Edwards

Committee members absent: None

Staff members present: David J. Stoldt, General Manager
Sara Reyes, Sr. Office Specialist

District Counsel present: David Laredo with De Lay and Laredo
Michael Laredo with De Lay and Laredo

Legislative Consultant: John Arriaga, JEA & Associates
Laurie Johnson, JEA & Associates
Roger Gwinn, The Ferguson Group
Chris Kearney, The Ferguson Group
Chris Cummins, The Ferguson Group

Comments from the Public: No comments were directed to the committee.

Action Items

1. Consider Adoption of the January 24, 2024 Committee Meeting Minutes

Chair Adams introduced the matter and opened public comment; no comments were directed to the committee.

A motion was offered by Director Edwards with a second from Director Oglesby to approve the January 24, 2024 Committee meeting minutes. The motion passed on a roll-call vote of 3-Ayes (Edwards, Adams and Oglesby), and 0-Noes.

Discussion Items

2. Report from The Ferguson Group on Federal Legislative and Regulatory Activities

Chair Adams introduced the item. Chris Kearney with The Ferguson Group (TFG) provided a

report and made the following points to include, but are not limited to:

- March 23, 2024: Congress passed Further Consolidated Appropriations Act of 2024
- April 17, 2024: The Fiscal Year (FY) 2025 process formally began
- Federal regulation establishing first-time enforceable limits for six different types of polyfluoroalkyl substances (PFAS) in drinking water

Roger Gwinn with TFG made the following points to include, but are not limited to:

- TFG worked with MPWMD to submit Community Project Funding/Congressionally Directed Spending requests
 - Monterey Peninsula Stormwater Diversion and Recycling Project
 - Construction, Environmental Infrastructure for the Olivier Street Stormwater Diversion
 - Feasibility and Design of Other Diversion and Recycling Projects
- 3.2 million request by MPWMD under the Environmental Protection Agency State Journal Assistance grants program for Seaside Municipal Well

Chris Cummins with TFG referred to the Legislative Tracker and made the following points to include, but are not limited to:

- STREAM Act Light bill – would provide 30 million dollars for the installation and construction of permanent drought facilities and would increase the water supply by modernizing infrastructure throughout California
- WATER for California Act – would provide long-term water supply supplemental of easing restrictions
- Bills that did not make this cycle:
 - Drought Resilient Infrastructure Act – would allow for the Army Corps of Engineers to provide resources and authorities to support communities experiencing long-term droughts
 - Future of Water Act – would specifically prohibit any increases of water prices that would come from water market manipulation or any types of over speculation and it would prohibit the trading of water or water rights and commodity futures.

3. Report from JEA & Associates on Legislative Status and Bill Tracking

John Arriaga provided introductory remarks and stated the budget continues to be the priority topic and is causing legislation to get hung up in appropriations.

Laurie Johnson made the following points to include, but are not limited to:

- Budget Update
- Legislative Updates
 - AB 2257 – ACWA Sponsored / JEA recommends Support
 - AB 2302 – Sponsored by City of Pismo Beach, supported by ACWA and CMUA (California Municipal Utilities Association) / JEA recommends Support
 - AB 2561 – Labor vs. Counties and CMUA / JEA recommends Oppose
 - SB 1188 – Opposed by CMUA / JEA has no position
 - SB1210 – Opposed by ACWA / JEA has no position
 - SB1440 – JEA has no position

John Arriaga made the following points to include, but are not limited to:

- Update on bonds and initiatives
 - Climate/water bond -- bills have been sidelined but JEA will continue to closely monitor all developments and provide updates to the Legislative Advocacy Committee

- Initiative #1935 – sponsored by the California Business Roundtable and known as the Taxpayer Protection and Government Accountability Act – would significantly restrict the ability of cities to raise taxes and fees, including retroactively.

4. Status of Request Applications for FY 2024-25 Earmarks

General Manager Stoldt reported that Roger Gwinn addressed this issue in his report. Mr. Stoldt referred to the requests, filed applications, and letters of support shown under Exhibit 4-A.

Other Items

5. Suggest Items to Place on a Future Committee Agenda

None

Adjournment:

There being no further business, Chair Adams adjourned the meeting at 2:22 p.m.

/ s/ Sara C. Reyes

Sara C. Reyes, Committee Clerk to the
MPWMD Legislative Advocacy Committee

Approved by the MPWMD Legislative Committee on _____, 2024

Approved by the MPWMD Board of Director's on _____, 2024

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TO: Monterey Peninsula Water Management District

FROM: The Ferguson Group

RE: Federal Legislative Report

DATE: September 27, 2024

Quarterly Legislative Report

The Monterey Peninsula Water Management District's (MPWMD) legislative report covers federal legislative and agency activities related to appropriations, budget, water and natural resources, environmental protection, as well as other water agency-related issues.

Advocacy Update

Fiscal Year 2025 Appropriations

On September 25th, Congress passed a short-term continuing resolution (CR), which expires December 20th, preventing a looming government shutdown. The House passed the Continuing Appropriations and Extensions Act, 2025 ([H.R. 9747](#)) by a vote of [341-82](#), and the Senate followed suit, passing the legislation that evening [78-18](#). The Biden administration released a [Statement of Administration Policy](#) (SAP) stating the President's support for the bill. President Biden signed the legislation into law this past Friday, September 27th, well ahead of the shutdown deadline.

House Speaker Mike Johnson (R-LA) originally introduced a six-month CR, which included the [SAVE Act](#), which would require individuals to provide documentary proof of U.S. citizenship to register to vote in federal elections. However, the approach failed after 14 republican members voted against the measure, prompting the Speaker to put forth a "narrow, bare-bones CR."

In addition to extending funding for agencies at current funding levels, here are a few provisions from the CR:

- \$10 billion in additional funding for the Federal Emergency Management Agency's disaster relief fund.
- \$231 million to the Secret Service to enhance protective operations for presidential candidates in the wake of two assassination attempts on former President Trump.
- Extension of the National Flood Insurance Program.

Following the vote, lawmakers began a several-week recess, returning sometime after the general election, with plans to vote on a long-term solution to government funding.

MPWMD's Appropriations Requests

MPWMD made two requests for earmark funds in the Fiscal Year 2025 appropriations process:

- \$750,000 for the Monterey Peninsula Stormwater Diversion and Recycling Project, under the Corps of Engineers, Construction, Environmental Infrastructure account, for construction assistance on the Oliver Street Stormwater Diversion and design work on up to six other diversion and recycling projects; and,
- \$3,200,000 for the Seaside Municipal Well Water Security Project under the Environmental Protection Agency's State and Tribal Assistance Grants account.

Both projects are important to addressing the region's urgent water management and sustainability needs, ensuring a reliable water supply, and bolstering our community's resilience to environmental challenges.

Rep. Jimmy Panetta, who was limited to just 15 community project funding (earmark) requests in the Fiscal Year 2025 appropriations process, requested the full \$3,200,000 for the Seaside project and was successful in securing \$1,105,800 for this much-needed project.

Senator Padilla also requested \$750,000 for the Monterey Peninsula Stormwater Diversion and Recycling Project; however, the project was not included in the final Senate version of the Energy and Water Development Appropriations bill. However, the Senate approved \$60 million in discretionary funds for the Corps to allocate to Environmental Infrastructure (EI) projects nationwide (the House approved only \$3.5 million in discretionary EI funds). TFG is working with MPWMD to build [support](#) for the higher Senate level of funding, which will create an opportunity for the District to secure funds for the Monterey Peninsula Stormwater Diversion and Recycling Project directly from the Corps.

TFG is also working with MPWMD to build support within the Corps' San Francisco District Office for the Monterey Peninsula Stormwater Diversion and Recycling Project.

Lawmakers Urge Increasing Water Recycling Caps

Western lawmakers, led by Sen. Padilla and Rep. Grace Napolitano (D-Calif.), are urging the Bureau of Reclamation to increase the federal funding cap for water recycling projects from \$30 million to \$40 million, citing rising construction costs. In a [letter](#) to Reclamation Commissioner Camille Touton, nearly 30 House and Senate members, including Rep. Panetta, emphasized the need for increased investment in local water supplies to combat long-term and future droughts in the West.

The lawmakers highlighted that the current cap, last raised in 2022, does not account for inflation and is insufficient given the significant cost increases in water infrastructure projects. They stressed that adjusting the cap would enhance drought resilience by maximizing available resources for water recycling initiatives. The Water Infrastructure Improvements for the Nation Act (WIIN Act) allows Reclamation to fund up to 25 percent of nonfederal water reuse project costs.

The effort to push for administrative action on the cap builds on current legislative efforts to raise the maximum federal funding contribution for individual Title XVI projects to as much as \$50 million from the current ceiling of \$30 million.

Western Water Authorizations

The momentum to assemble a package of water, public lands, and permitting reform bills during the post-election lame-duck session is also growing. Congressional committees in both the House and Senate have passed dozens of lands and waters bills to address issues facing water users, including several west-wide bills that seek to extend and improve emergency drought assistance programs.

Both chambers have also advanced various measures aimed at streamlining permitting and project implementation. Permitting reform proponents in the Senate have taken a targeted approach to the issue largely focused on energy projects, while the House efforts aim at broader regulatory reform including changes to ESA and NEPA. While achieving this type of regulatory streamlining is often an uphill battle, bipartisan support has grown recently as agencies struggle to translate major recent investments to on-the-ground progress as the need to accelerate infrastructure projects becomes more apparent.

Specifically, the House Natural Resources Committee has advanced several bills, including a Republican-led effort to overhaul the Endangered Species Act (ESA) through the “ESA Amendments Act of 2024” ([H.R. 9533](#)), which passed along party lines. The bill seeks to reform the ESA by requiring economic impact assessments and allowing states to implement recovery strategies, though it faced strong Democratic opposition. The committee also passed bills related to public lands, right whale protections, and conservation efforts, including measures to roll back Bureau of Land Management (BLM) decisions and block a NOAA boating speed rule designed to protect endangered right whales. Other legislation focused on wildfire prevention, conservation laws, and public land use, as well as [H.R. 6107](#), the *Urban Canals Modernization Act* from Rep. Mike Simpson (R-ID).

The Senate was scheduled to mark up 79 bills on Thursday, September 26th, but the markup was postponed because the House and Senate went into recess immediately after passing the continuing resolution to fund the government through the end of the year. The list of bills that were to be considered can be [found here](#).

Water Resources Development Act of 2024

Before adjourning for the August recess, the Senate passed the Thomas R. Carper Water Resources Development Act (WRDA), [S. 4367](#), by unanimous consent, authorizing Army Corps of Engineers (Corps) water resources policies, studies, and projects nationwide. The House had previously passed its version ([H.R. 8812](#)) in late July. Both chambers will now enter a formal conference committee to reconcile their versions. While conferees haven’t been named yet, informal negotiations have begun, and congressional leaders aim to finalize the bill when the House and Senate resume their work following the elections.

As reported earlier, [MPWMD](#) requested Rep. Panetta and Senators Padilla and Butler to seek [amendments](#) in the Water Resources Development Act (WRDA) of 2024 to section 219 (Environmental Infrastructure authority) to allow federal assistance under the program to be provided in the form of reimbursements. The change would save MPWMD and the Corps time and money for work carried out under the “*Monterey Peninsula Stormwater Diversion and Recycling Program*,” authority (\$20 million in authorized assistance) secured by Rep. Panetta and discussed above. However, it was not included in either the House or the Senate’s WRDA bills. The issue will be addressed with House and Senate committee leaders in the next Congress, starting in the first quarter of next year.

Other Washington News

New 'Forever Chemical' Found Everywhere Linked to PFAS

Trifluoroacetic acid (TFA), a lesser-known “forever chemical,” is gaining attention as it appears in environmental samples worldwide. Like other PFAS chemicals, TFA does not break down naturally and may pose health risks, though its exact effects on human health are still unclear. While some PFAS have been linked to cancer and other diseases, TFA is not yet regulated, and its removal from water supplies would be costly and difficult. It originates from sources like refrigerants and pesticides and is a byproduct of the breakdown of other PFAS. Concerns are rising about the widespread presence of TFA, prompting calls for further research and regulation, while industries downplay the risks.

Biden Administration Announces Climate Plans Through 2027

More than 20 federal agencies, from the Defense Department to Interior and the EPA, have released updated climate adaptation plans to prepare for climate change hazards. These plans are part of the Biden Administration's initiative to address risks such as extreme heat, flooding, and wildfires. The updated plans, covering 2024 to 2027, aim to make federal buildings and operations more resilient, protect federal workers from climate hazards, and promote climate resilience in federal lands and waters.

For example, the Interior Department and NOAA are focusing on coastal and watershed restoration projects to manage wildfire risks and support endangered species protection. The EPA's plan aims to harden its operations against climate impacts, ensure resilient investments by nonfederal grantees, and incorporate climate considerations into procurement practices and grant programs. These efforts are funded by the bipartisan infrastructure law and the Inflation Reduction Act, which total \$91.5 billion.

House Forestry Bill Passes Committee

On September 24, 2024, the Full House of Representatives passed the “Fix Our Forests Act,” [H.R. 8790](#), aimed at promoting forest thinning and other wildfire prevention measures. The bill, introduced by Chair Bruce Westerman (R-Ark.), focuses on creating federal “firesheds” in areas at high risk of wildfire, easing environmental reviews, and limiting litigation on forest projects. It also proposes a community wildfire risk reduction program and suggests a study on establishing a Western Forest Service headquarters.

While the bill has bipartisan support, including the support of Rep. Panetta, who, along with four other democrats from California has cosponsored the bill, it faces challenges in the Democratic-led Senate due to its exclusion of climate change considerations and opposition from environmental groups. Democrats attempted to amend the bill to address climate change and remove litigation limits, but these amendments were rejected by the Republican majority. The bill's prospects in the Senate remain uncertain, with Rep. Val Hoyle (D-Ore.) expressing skepticism about its chances. Despite partisan divisions, there were signs of bipartisan cooperation, with Westerman collaborating with Democrats on certain aspects of the bill.

Supreme Court – Chevron Doctrine

The recent Supreme Court decision overturning the longstanding Chevron Doctrine, which led courts to defer to federal agencies to interpret vague statutes, has garnered significant attention in Washington. Some have raised concerns, and others have praised an end to agency overreach. The linked CRS Report and TFG Special Report provide a good explanation of the issues raised by this decision. Regardless, there will likely be increasing attention to this issue in Congress, and it will impact federal agency regulations.

Huffman Targets House Natural Resources Gavel

Congressman Jared Huffman (D-Calif.) is beginning to openly discuss his ambition to lead the House Natural Resources Committee in the not-too-distant future, a goal he's had since joining Congress. Rep. Huffman, known for his aggressive stance on environmental issues and frequent opposition to irrigated agriculture, has served on the committee for 12 years. His path to leadership faces an obstacle in the current ranking member, Rep. Raúl Grijalva (D-Ariz.), who recently completed cancer treatment. While Huffman maintains a good relationship with Grijalva, he hasn't ruled out challenging him if Democrats regain the House majority.

Grant Funding Update

Funding Opportunities

Numerous opportunities for federal competitive grant funding are available to support a variety of District and District-partner priorities. Additional information regarding key available funding opportunities can be found [here](#).

EXHIBIT 2-B



MPWMD 118th Legislative Tracker

Last Updated: September 27, 2024

Overview: The following legislative tracker provides the status of legislation introduced in the 118th Congress pertaining to water issues.

Each of the bill numbers is hyperlinked to the bill text, and other related details.

Bill Number: HR 2950	Last Action: Sep 25, 2024 - Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 529.	Status: Engrossed
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Bill Title: Coastal Habitat Conservation Act of 2023	Bill Summary: To authorize the Secretary of the Interior, through the Coastal Program of the United States Fish and Wildlife Service, to work with willing partners and provide support to efforts to assess, protect, restore, and enhance important coastal landscapes that provide fish and wildlife habitat on which certain Federal trust species depend, and for other purposes.
Sponsor: Jared Huffman	Introduction Date: Apr 27, 2023

Bill Number: S 4134	Last Action: Apr 16, 2024 - Read twice and referred to the Committee on Environment and Public Works.	Status: Introduced
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Bill Title: DROUGHT Act of 2024 Drought Relief Obtained Using Government Help Today Act of 2024	Bill Summary: A bill to 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.
Sponsor: Alex Padilla	Introduction Date: Apr 16, 2024

Bill Number: HR 2671	Last Action: Apr 19, 2023 - Referred to the Subcommittee on Water Resources and Environment.	Status: Introduced
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Bill Title: Restoring WIFIA Eligibility Act	Bill Summary: To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to budgetary treatment of certain amounts of financial assistance, and for other purposes.
Sponsor: Jim Costa	Introduction Date: Apr 18, 2023

Bill Number: HR 8030	Last Action: Apr 19, 2024 - Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.	Status: Introduced
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Bill Title: DROUGHT Act of 2024 Drought Relief Obtained Using Government Help Today Act of 2024	Bill Summary: To 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.
Sponsor: Scott Peters	Introduction Date: Apr 16, 2024

Bill Number: HR 215	Last Action: Apr 28, 2023 - Ordered to be Reported (Amended) by the Yeas and Nays: 22 - 17.	Status: Introduced
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Bill Title: WATER for California Act Working to Advance Tangible and Effective Reforms for California Act	Bill Summary: To provide long-term water supply and regulatory reliability to drought-stricken California, and for other purposes.
Sponsor: David Valadao	Introduction Date: Jan 09, 2023

Bill Number: HR 872	Last Action: Feb 21, 2023 - Referred to the Subcommittee on Water, Wildlife, and Fisheries.	Status: Introduced
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Bill Title: FISH Act Federally Integrated Species Health Act	Bill Summary: To amend the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters and species of fish that spawn in ocean waters and migrate to fresh or estuarine waters, and for other purposes.
Sponsor: Ken Calvert	Introduction Date: Feb 08, 2023

Bill Number: S 2202	Last Action: Jul 19, 2023 - Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held.	Status: Introduced
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Bill Title: Restore Aging Infrastructure Now Act RAIN Act	Bill Summary: A bill to amend the Omnibus Public Land Management Act of 2009 to authorize the modification of transferred works to increase public benefits and other project benefits as part of extraordinary operation and maintenance work, and for other purposes.
Sponsor: Dianne Feinstein	Introduction Date: Jun 22, 2023

Bill Number: S 2162	Last Action: Jul 19, 2023 - Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held.	Status: Introduced
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Bill Title: STREAM Act Support To Rehydrate the Environment, Agriculture, and Municipalities Act	Bill Summary: A bill to support water infrastructure in Reclamation States, and for other purposes.
Sponsor: Dianne Feinstein	Introduction Date: Jun 22, 2023

Bill Number: HR 4385	Last Action: Sep 11, 2024 - Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held.	Status: Engrossed
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Bill Title: Drought Preparedness Act	Bill Summary: To extend authorization of the Reclamation States Emergency Drought Relief Act of 1991.
Sponsor: Joe Neguse	Introduction Date: Jun 27, 2023

Bill Number: HR	Last Action:	Status:
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5664	Sep 22, 2023 - Referred to the Subcommittee on Water Resources and Environment.	Introduced
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Bill Title: Water Infrastructure Finance and Innovation Act Amendments of 2023	Bill Summary: To reauthorize the Water Infrastructure Finance and Innovation Act of 2014, and for other purposes.
Sponsor: Kim Schrier	Introduction Date: Sep 21, 2023

Bill Number: HR 490	Last Action: Feb 01, 2023 - Referred to the Subcommittee on Water Resources and Environment.	Status: Introduced
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Bill Title: Federal Infrastructure Bank Act of 2023	Bill Summary: To establish the Federal Infrastructure Bank to facilitate investment in, and the long-term financing of, economically viable United States infrastructure projects that provide a public benefit, and for other purposes.
Sponsor: Daniel Webster	Introduction Date: Jan 24, 2023

Bill Number: S 660	Last Action: Mar 06, 2023 - Read twice and referred to the Committee on	Status: Introduced
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	Environment and Public Works.	
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Bill Title:	Bill Summary:
Water System Threat Preparedness and Resilience Act of 2023	A bill to establish a program to increase drinking water and wastewater system threat preparedness and resilience, and for other purposes.
Sponsor:	Introduction Date:
Ed Markey	Mar 06, 2023

LEGISLATIVE ADVOCACY COMMITTEE

ITEM: DISCUSSION ITEM

3. REPORT FROM JEA & ASSOCIATES ON LEGISLATIVE STATUS AND BILL TRACKING

Meeting Date: September 30, 2024 **Budgeted:** N/A

From: David J. Stoldt, **Program/** N/A
General Manager **Line Item No.:**

Prepared By: David J. Stoldt **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: N/A

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: JEA & Associates will provide an update on activities related to California legislation and regulatory activities, as described in **Exhibit 3-A** and **Exhibit 3-B** bill tracker.

EXHIBITS

3-A JEA Associates Memo

3-B Sacramento Bill Tracker

EXHIBIT 3-A



Date: September 30, 2024

To: Dave Stoldt, General Manager, Monterey Peninsula Water Management District

From: John E. Arriaga and Laurie Johnson, JEA & Associates

RE: Legislative Committee – September 30, 2024

Budget Update

This year's budget is a \$297 billion spending plan aims at addressing the \$56 billion revenue gap over the next two years.

This plan relies on reserves, and a lot of spending deferrals and “claw backs”, including Medi-Cal provider rates and healthcare workers wage hikes. The plan makes \$16 billion in cuts, including a blanket 7.95% reduction in funding for nearly all state departments and the elimination of thousands of vacant positions, which are collectively expected to save nearly \$3.7 billion.

Significant cuts to Department of Corrections (\$358 million), various housing programs (\$1.1 billion), student housing (\$500 million), etc....

Preserved \$1 billion for homelessness for local governments (Homeless Housing Assistance Program – HHAP), while drawing \$12 billion from the Rainy Day Fund over the next two years. There was very little for water and climate change initiatives, with the Administration relying on the \$10 billion initiative to back-fill funding.

Legislative Update

The 2023-24 Legislative Session ended with some bangs but a lot of whimpers. There were the usual last week “gut and amends” that had many advocates running around the Capitol, but there were some high-profile packages, like the Pro-Tem's clean energy bills and two major reparations bills that were stalled. Of note, that in the last hours of Session, the Governor called for a Special

Session to address gas prices. While the Assembly adopted procedural rules and convened the Second Extraordinary Session and has had several hearings, Senate Leader McGuire said he would not convene a special session but is “working with Newsom and Speaker Rivas on the issue.” Time and power plays will tell what becomes of this effort, where 100 out 120 seats are up for election with 24 termed-out in the Assembly alone - legislators are eager to return to their districts to continue campaigning before the November election. The Governor has until Monday, September 30th to act on the hundreds of bills passed by the Legislature.

- **AB 2257 (Wilson)** -This bill seeks to build upon dicta in the above cases and establish a statutory requirement to exhaust administrative remedies before bringing a challenge under Proposition 218, and establish an administrative remedy that provides for submission, evaluation, and resolution of complaints. As the court has not definitively ruled out exhaustion of remedies under Proposition 218, enacting such a statutory requirement does not appear wholly impermissible. The bill provides that if a local agency elects to use the administrative remedy provided for in this bill, then a person or entity would be required to submit a written complaint before bringing a cause of action under Proposition 218 in the courts to challenge a fee or assessment. If they do not, they would be barred from bringing a legal challenge.

This bill seeks to be responsive to the courts by providing a mechanism for the submission, evaluation, and resolution of complaints. The provisions of this bill would not address a situation where an existing fee or assessment is challenged as described in Plantier.

****ACWA Sponsored**

Position: Support

- **AB 2302 (Addis)** - This bill revises and recasts the number of meetings that a member of a legislative body may attend remotely under the provisions of AB 2449. Rather than specifying a percentage of meetings per year, this bill limits the number of meetings as follows:
 - a) Two meetings per year, if the legislative body regularly meets once per month or less.
 - b) Five meetings per year, if the legislative body regularly meets twice per month.
 - c) Seven meetings per year, if the legislative body regularly meets three or more times per month.

This bill also defines a “meeting” under the provisions of AB 2449 as any number of meetings that begin on the same calendar day.

Position: Support

Status: Signed by the Governor

- **AB 2561 (McKinnor)** - This bill requires a public agency to present the status of vacancies and recruitment and retention efforts during a public hearing before the governing board at least once per fiscal year and entitles the union for a bargaining unit to make a presentation at the public hearing, as specified.

Senate Floor Amendments of 8/23/24 remove meet and confer requirements regarding public agency vacancy rates; require a public agency to make a presentation on the status of vacancies and recruitment and retention efforts during a public hearing, as specified; entitle employee unions to make a presentation at the hearing; and require the public agency to provide specified information regarding the vacancy rates, as specified.

Position: Oppose

Status: Signed by the Governor

- **SB 937 (Wiener)** - SB 937 would no longer allow local agencies to collect impact fees at final inspection, or upon receiving a request for service in the case of utility service fees. Instead, they could only collect them upon issuing a certificate of occupancy. Local agencies would only be able to collect funds on a pro rata basis when a certain percent of units receive their certificate of occupancy, not at final inspection. They would no longer have the ability to receive impact fee payments on a lump-sum basis when the first unit in the development receives its final inspection or certificate of occupancy. Instead, they would only be able to receive lump-sum payments when all the units receive their certificate of occupancy. Under SB 937, local agencies could not charge interest or other fees on deferred payments.

SB 937 removes a local agency's ability to collect fees earlier than either final inspection or certificate of occupancy if it has adopted a construction schedule or to reimburse the local agency for expenditures previously made. Instead, the measure would only allow local agencies to collect fees earlier if they have a proposed construction schedule for the infrastructure improvements and will commence construction before the final inspection or certificate of occupancy.

While SB 937 allows a local agency to withhold the certificate of occupancy from a development project if the developer does not fully pay the fees prior to issuing a building permit for the project, the local agency would no longer be able to require the developer to enter into a contract to guarantee the developer pays the fees. Additionally, SB 937 no longer allows local agencies to require the developer to provide notification of the opening of any escrow for the sale of the property, and disclose in the escrow instructions that the fees must be paid before disbursing proceeds to the seller.

Extends housing entitlements. SB 937 extends entitlements for housing development projects with at least 2/3 of the square footage for residential use by 24 months if the entitlement (1) was issued before, and in effect on, January 1, 2024; and (2) will expire before December 31, 2025.

No Position

Status: Signed by the Governor

Attached is MPWMD’s legislative track, which includes all relevant 2024 bills introduced thus far.

Climate Bond

After much anticipation and deliberation, the California legislature approved a \$10 billion climate bond measure just before the summer recess began on July 3, 2024. California voters will now have the opportunity to approve or reject the bond measure on the November ballot.

The bond measure will now be referred to as Proposition 4 on the upcoming ballot, but it began as SB 867, the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024. Senate and Assemblymembers approved SB 867, sending it to the Secretary of State to be added to the ballot. Below is the funding categories for the bond:

Parks, Environment, Energy, and Water Bond Measure (2024)	
Category	Amount
Drought, flood, and water supply	\$3.8 billion
Increase quantity and quality of water supply	\$1.9 billion
Flood reduction measures	\$1.1 billion
River and lake restoration	\$800 million
Forest health and wildfire prevention	\$1.5 billion
Sea-level rise and coastal areas	\$1.2 billion
Restore coastal areas	\$890 million
Improve ocean habitats and marine wildlife	\$310 million
Land conservation and habitat restoration	\$1.2 billion
Energy infrastructure	\$850 million
Wind turbine development	\$475 million
Transmission lines	\$325 million

Battery development	\$50 million
Parks	\$700 million
Expand recreational activities	\$300 million
Park construction and renovation	\$200 million
State park repairs	\$200 million
Extreme heat	\$450 million
Extreme heat protection	\$200 million
Heatwave and disaster shelters	\$100 million
Local environmental projects	\$150 million
Farms and agriculture	\$300 million
Soil health, reduce air pollution, and water conservation	\$105 million
Community gardens and farmer's markets	\$60 million
Farmland and farmworker support	\$135 million
Total	\$10 billion

Other Legislative Meetings

The General Manager will provide details.

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EXHIBIT 3-B

MPWMD Legislative Track

As of September 24, 2024

Measure	Author	Topic	Status	Summary	Notes
<u>AB 1827</u>	<u>Papan D</u>	Local government: fees and charges: water: higher consumptive water parcels.	9/22/2024-Approved by the Governor. Chaptered by Secretary of State - Chapter 359, Statutes of 2024.	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. Existing 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. Existing 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. The bill would provide that the incrementally higher costs of water service associated with higher water usage demands, the maximum potential water use, or projected peak water usage may be allocated using any method that reasonably assesses the water service provider’s cost of serving those parcels that are increasing potential water usage demand, maximum potential water use, or projected peak water usage. The bill would declare that these provisions are declaratory of existing law. This bill contains other existing laws.	*Coast Keepers sponsored Jarvis Opposed

<u>AB 2079</u>	<u>Bennett D</u>	Groundwater extraction: large-diameter, high-capacity water wells: permits.	7/2/2024-Failed Deadline pursuant to Rule 61(b)(13). (Last location was N.R. & W. on 5/29/2024)	Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Existing law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. Existing law requires the State Water Resources Control Board to adopt a model water well, cathodic protection well, and monitoring well drilling and abandonment ordinance implementing certain standards for water well construction, maintenance, and abandonment and requires each county, city, or water agency, where appropriate, to adopt a water well, cathodic protection well, and monitoring well drilling and abandonment ordinance that meets or exceeds certain standards. Under existing law, if a county, city, or water agency, where appropriate, fails to adopt an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance. This bill would require a local enforcement agency, as defined, to perform specified activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well, as defined. By imposing additional requirements on a local enforcement agency, the bill would impose a state-mandated local program. The bill would require, upon adoption or amendment of a groundwater sustainability plan, the groundwater sustainability agency to provide specified information to the local enforcement agency, including, but not limited to, the name of the applicable groundwater sustainability agency, the agency manager and contact information, and the applicable sustainable management criteria related to groundwater levels, including the groundwater level measurable objectives and minimum thresholds. The bill would require a local enforcement	
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				agency, before approving a permit for a large-diameter, high capacity well, to provide specified information to the applicant. The bill would prescribe certain standards a local enforcement agency would be required to follow in the approval or denial of the permit, including the location of the proposed large-diameter, high capacity well and specified geological and water supply considerations. The bill would provide exemptions for its provisions for specified water wells. The bill would provide that its provisions apply only to applications for permits for the construction, maintenance, abandonment, or destruction of water wells in basins identified in the Department of Water Resources Bulletin 118. This bill contains other related provisions and other existing laws.	
<u>AB 2192</u>	<u>Carrillo, Juan D</u>	Public agencies: cost accounting standards.	9/10/2024-Enrolled and presented to the Governor at 4:30 p.m.	Existing law, the Uniform Public Construction Cost Accounting Act, authorizes a public agency, whose governing board has by resolution elected, to become subject to uniform construction cost accounting procedures. Existing law provides for the development of cost accounting standards and an alternative method for the bidding of public works projects by public entities. The act defines “public project” to include, among other things, construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility. This bill would define “public project” to additionally include installations involving any publicly owned, leased, or operated facility. This bill contains other related provisions and other existing laws.	Construction Industry Force Account Council sponsored No Opp
<u>AB 2257</u>	<u>Wilson D</u>	Local government: property-related water and sewer fees and assessments: remedies.	9/5/2024-Enrolled and presented to the Governor at 4 p.m.	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. Existing 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	MPWMD SUPPORT **ACWA Sponsored Water districts & Local Governments vs. taxpayer

				<p>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. This bill would, if the local agency complies with the specified procedures, provide that in any judicial action or proceeding to review, invalidate, challenge, set aside, rescind, void, or annul the fee or assessment for failure to comply with the procedural and substantive requirements of specified constitutional provisions in the fee or assessment setting process, the court's review is limited to a record of proceedings containing specified documents, except as otherwise provided. The bill would provide that this limitation does not preclude any civil action related to a local agency's failure to implement a fee or assessment in compliance with the manner adopted by the local agency. The bill would make related findings and declarations.</p>	associations
<u>AB 2302</u>	<u>Addis D</u>	Open meetings: local agencies: teleconferences.	9/22/2024-Approved by the Governor. Chaptered by Secretary of State - Chapter 389, Statutes of 2024.	Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.	MPWMD SUPPORT

				Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. The bill, for the purpose of counting meetings attended by teleconference, would define a “meeting” as any number of meetings of the legislative body of a local agency that begin on the same calendar day. This bill contains other related provisions and other existing laws.	
<u>AB 2501</u>	<u>Alvarez D</u>	Water quality control plans: donations and grants.	9/9/2024-Enrolled and presented to the Governor at 3:30 p.m.	Under current law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality. Existing law requires each regional board to formulate and adopt water quality control plans for all areas within the region, as provided. Existing law establishes in the continuously appropriated State Water Quality Control Fund the continuously appropriated State Water Pollution Cleanup and Abatement Account, which is administered by the state board. This bill would authorize the state board, on behalf of itself or a regional board, to accept moneys from donations, grants, or contributions, or through contractual agreements, from public agencies for the purpose of planning, permitting, or providing	City of San Diego sponsored No Opp

				<p>technical support for projects of public benefit, as defined, within the state board's or regional board's jurisdiction. The bill would require all funds received to be deposited, and separately accounted for, in the State Water Pollution Cleanup and Abatement Account, for expenditure in accordance with the terms of the donation, grant, contribution, or contractual agreement. The bill would require the state board to provide notice, as specified, before accepting those moneys. Because the funds deposited would be a new source of funds in the continuously appropriated State Water Pollution Cleanup and Abatement Account within the continuously appropriated State Water Quality Control Fund, the bill would make an appropriation.</p>	
<u>AB 2561</u>	<u>McKinnor</u> D	Local public employees: vacant positions.	9/22/2024-Approved by the Governor. Chaptered by Secretary of State - Chapter 409, Statutes of 2024.	<p>Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations and to consider fully presentations that are made by the employee organization on behalf of its members before arriving at a determination of policy or course of action. This bill would, as specified, require a public agency to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year, and would entitle the recognized employee organization to present at the hearing. If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the bill would require the public agency, upon request of the recognized employee organization, to include specified information during the public hearing. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include related legislative findings. This bill contains other related provisions and other existing laws.</p>	MPWMD OPPOSE

<u>AB 2592</u>	<u>Grayson D</u>	Local planning: housing elements: water and sewer services.	4/25/2024-Failed Deadline pursuant to Rule 61(b)(5). (Last location was H. & C.D. on 3/18/2024)	The Planning and Zoning Law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. Existing law requires a housing element to include an assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs. That law also requires that the housing element adopted by the legislative body of the city, county, or city and county and any amendments made to that element be delivered to all public agencies or private entities that provide water or sewer services, as described, within the territory of the legislative body. Existing law requires each public agency or private entity providing water or sewer services to grant a priority for the provision of these services to proposed developments that include housing units affordable to lower income households. Existing law also requires a public agency or private entity providing water or sewer services to adopt written policies and procedures not later than July 1, 2006, and at least once every 5 years thereafter, with specific objective standards for provision of services, as described. This bill would instead require each public agency or private entity providing water or sewer services to grant a priority for the provision of these services to proposed housing developments, which the bill would define for these purposes to include both housing developments that include units sold or rented to lower income households, as provided in existing law as described above, and housing developments constructed pursuant to specified laws providing for ministerial approval of certain housing developments or subdivision maps. The bill would also update the compliance date to adopt written policies and procedures to July 1, 2025, and continue to require the adoption of those written policies and procedures at least once every 5 years thereafter.	
<u>AB 2947</u>	<u>Lackey R</u>	Water: turfgrass conversion.	5/16/2024-Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/1/2024)	The Water Conservation in Landscaping Act provides for a model water efficient landscape ordinance that is adopted and updated at least every 3 years by the department, unless the department makes a specified finding. This bill would prohibit the department, when it allocates funding for turf replacement programs, from excluding urban water suppliers' turfgrass	

				conversion rebate programs if the rebate program requires the recipient of a rebate to achieve a net water savings and to use the most efficient turfgrass irrigation equipment, as provided. The bill would require an urban water supplier that offers a turfgrass conversion rebate program using funds awarded by the department after January 1, 2025, to report annually to the department on the number of turfgrass conversions that are funded through the program and the estimated water savings from the program until the funds are exhausted.	
<u>SB 1072</u>	<u>Padilla D</u>	Local government: Proposition 218: remedies.	9/20/2024-Approved by the Governor. Chaptered by Secretary of State. Chapter 323, Statutes of 2024.	The California Constitution sets forth various requirements for the imposition of local taxes. The California Constitution excludes from classification 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. Existing law, known as 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. This bill would declare that its provisions further the purposes and intent of Proposition 218, approved by the voters at the November 5, 1996, statewide general election, and the Proposition 218 Omnibus Implementation Act.	City of San Diego & Otay Water District sponsored Jarvis & CA Bus. Roundtable Opp

<u>SB 1110</u>	<u>Ashby D</u>	Water reports: urban retail water suppliers: informational order: conservation order.	8/15/2024-Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)	Existing 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. Existing 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. Existing 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. This bill contains other existing laws.	
<u>SB 1121</u>	<u>Grove R</u>	Recycled water: onsite treated nonpotable water systems: local jurisdiction permitting.	5/2/2024-Failed Deadline pursuant to Rule 61(b)(6). (Last location was E.Q. on 2/21/2024)	Existing law requires the State Water Resources Control Board to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health. Existing law requires the board, in consultation with the California Building Standards Commission and the Department of Housing and Community Development, to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water, and requires a local jurisdiction that elects to establish a program for onsite treated nonpotable water systems to establish design criteria, permitting, cross-connection control, and enforcement procedures, as provided. This bill would require those local jurisdictions to ensure their permitting procedures require the approval of a permit for an onsite treated nonpotable water system within 60 days from the date the permit application is submitted if the application demonstrates that the project meets or exceeds the state board's water quality standards for the onsite treatment and reuse of nonpotable water for nonpotable uses in multifamily residential, commercial, and mixed-use buildings.	
<u>SB 1185</u>	<u>Niello R</u>	Water conservation: water use objectives.	4/25/2024-Failed Deadline pursuant to	Existing law requires all water suppliers to increase the efficient use of water. Existing law establishes various water use objectives	

			<p>Rule 61(b)(5). (Last location was N.R. & W. on 4/3/2024)</p>	<p>and restrictions, including urban water use objectives. Existing law requires the State Water Resources Control Board, in coordination with the Department of Water Resources, to adopt long-term standards for the efficient use of water, including standards for, among other things, a volume for water loss, and requires the board, when adopting the standards, to consider policies relating to urban water use objectives and proposed efficiency standards' effects on local wastewater management, developed and natural parklands, and urban tree health. This bill would delete the requirement that the board adopt standards, for purposes of urban water use objectives, for water loss and would instead require the board to consider the policies relating to urban water use objectives and proposed efficiency standards' effects on water loss. The bill would also set forth standards, policies, and procedures relating to water use objectives, generally, including, among other things, a prohibition against any water use objective established by the board that causes a reduction of more than 20% when compared to a water supplier's actual water use in 2023 or that exceeds a water use standard recommended by the department. The bill would also authorize any amount of water to be used for a variance from a water use objective and would prohibit any required minimum amount of water for a variance. The bill would impose additional duties on the board, including requiring the board to develop a self-certification process for water suppliers for purposes of validating the amount of water in a variance, as provided.</p>	
<p><u>SB 1188</u></p>	<p><u>Laird D</u></p>	<p>Drinking water: technical, managerial, and financial standards.</p>	<p>9/24/24 Approved by the Governor. Chaptered by Secretary of State. Chapter 507, Statutes of 2024</p>	<p>Existing law, the California Safe Drinking Water Act, imposes on the State Water Resources Control Board various responsibilities and duties relating to providing a dependable, safe supply of drinking water. Existing law requires the state board to directly enforce the provisions of the act for all public water systems, except as specified. The act prohibits a person from operating a public water system unless the person first submits an application to the state board and receives a permit to operate the system, as specified. Existing law authorizes the state board to impose permit conditions, requirements for system improvements, technical, financial, or managerial requirements, and time</p>	

				<p>schedules as it deems necessary to ensure a reliable and adequate supply of water at all times that is pure, wholesome, potable, and does not endanger the health of consumers. Existing law makes it a crime to knowingly make any false statement or representation in any application, record, report, or other document submitted, maintained, or used for purposes of compliance with the act. This bill would require the state board to develop and adopt minimum standards related to the technical, managerial, and financial capacity of community water systems serving fewer than 10,000 people or 3,300 service connections and nontransient noncommunity water systems that serve K–12 schools. The bill would require community water systems serving fewer than 10,000 people or 3,300 service connections and nontransient noncommunity water systems that serve K–12 schools to demonstrate compliance with those standards, as provided. The bill would require new community water systems serving fewer than 10,000 persons or 3,300 service connections and nontransient noncommunity water systems that serve K–12 schools to demonstrate, as part of a permit application, compliance with the minimum technical, managerial, and financial standards. This bill contains other related provisions and other existing laws.</p>	
SB 1210	Skinner D	New housing construction: electrical, gas, sewer, and water service: service connection information.	9/3/2024-Enrolled and presented to the Governor at 3 p.m.	<p>Existing 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</p>	<p>Housing Action Coalition sponsored</p> <p>Handful of water districts, PG&E, So Cal Edison opposed</p>

				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. To the extent that this bill imposes new requirements on certain local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	
<u>SB 1218</u>	<u>Newman D</u>	Water: emergency water supplies.	8/15/2024-Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)	Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan. The act requires an urban water management plan to include a water shortage contingency plan, as provided. This bill would declare that it is the established policy of the state to encourage, but not mandate, the development of emergency water supplies, and to support their use during times of drought or unplanned service or supply disruption, as provided.	
<u>SB 1255</u>	<u>Durazo D</u>	Public water systems: needs analysis: water rate assistance program.	8/15/2024-Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)	The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties relating to the regulation of drinking water to protect public health. Existing 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. Existing 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. Existing 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. This bill contains other related provisions and other existing laws.	
<u>SB 1330</u>	<u>Archuleta D</u>	Urban retail water supplier: water use.	8/15/2024-Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)	Existing 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. Existing 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). Existing 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. The bill would require the department, if appropriate, to recommend to the State Water Resources Control Board for adoption a revised standard for existing residential landscapes and landscape areas with dedicated irrigation meters in connection with CII water use regarding an ongoing performance standard for those water uses. This bill contains other related provisions and other existing laws.	
<u>SB 1373</u>	<u>Cortese D</u>	Water data dashboard.	5/16/2024-Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/6/2024)	Existing law imposes on the Department of Water Resources various duties with respect to water in the state. Existing law, the Open and Transparent Water Data Act, requires the department, in consultation with the California Water Quality Monitoring Council, the State Water Resources Control Board, and the Department of Fish and Wildlife, to create, operate, and maintain a statewide integrated water data platform that, among other things, integrates existing water and ecological data information	

				from multiple databases and provides data on completed water transfers and exchanges. This bill would require the department, while seeking input from the California Water Data Consortium, as defined, to create a water data dashboard that is accessible through its internet website, as specified. The bill would include related findings and declarations.	
<u>SB 1390</u>	<u>Caballero</u> D	Groundwater recharge: floodflows: diversion.	9/1/2024-Failed Deadline pursuant to Rule 61(b)(17). (Last location was THIRD READING on 8/31/2024)	Existing 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. Existing law requires the appropriation to be for some useful or beneficial purpose. Existing 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. Existing 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. Existing law defines “imminent” for these purposes to mean a high degree of confidence that a condition will begin in the immediate future. Existing 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	

				<p>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. The bill would require that a local or regional agency with the responsibility for flood management take specified actions, including making a declaration that diversion of floodflows for groundwater recharge from a delineated stretch of waterway within its jurisdiction is in accordance with one of certain enumerated plans relating to flood control or flood risk, as specified, or a local hazard mitigation plan under specified federal law, and to give public notice, as specified, that a delineated area within the local or regional agency’s jurisdiction is at imminent risk of flooding and inundation of land, roads, or structures. The bill would require diversions to cease no later than 30 days after the public notice is given, unless they are renewed. The bill would require, not less than 48 hours from the projected end of flood conditions, a local or regional agency that has made a declaration authorizing flood diversions to issue a declaration when flood conditions are projected to end informing the public and diverters when diversions shall cease, as provided. The bill would further require, within 24 hours of the declaration, that agency to post the declaration and forward the declaration to all diverters that have informed the agency of diversion. This bill contains other related provisions and other existing laws.</p>	
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Total Measures: 20

Total Tracking Forms: 20