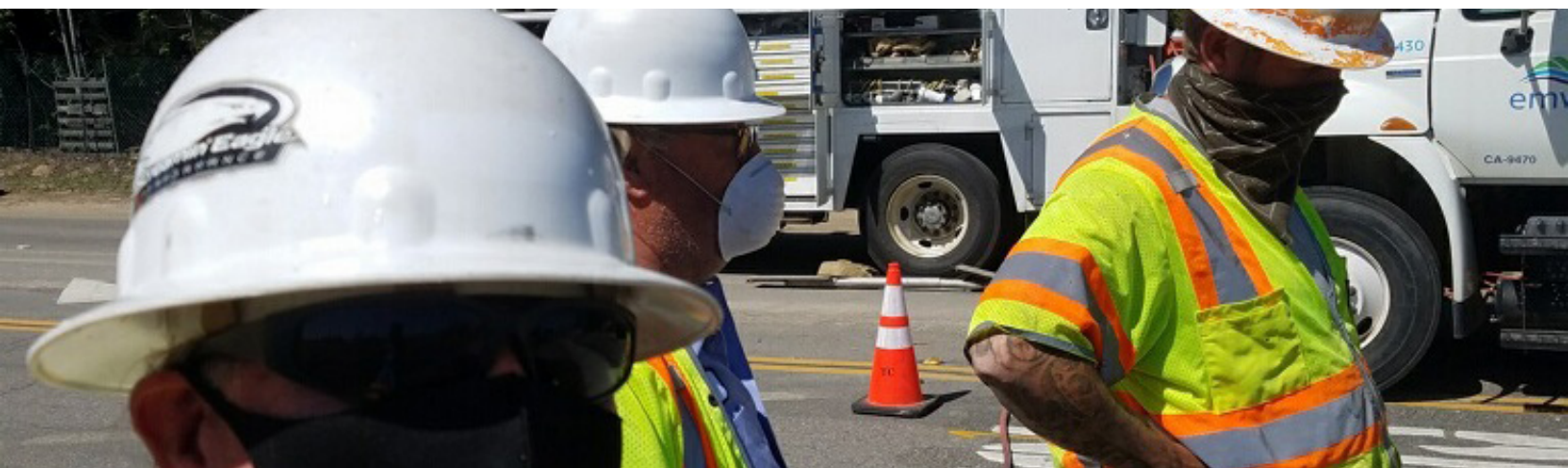




Delivering value to our diverse customers and the communities we serve by providing safe, reliable, economical and environmentally sustainable water, wastewater and recycled water services.



***THE* 2020 ANNUAL LEGISLATIVE REPORT**

A SUMMARY OF EMWD'S FEDERAL AND STATE LEGISLATIVE PROGRAMS



Mission, Vision, and Guiding Principles

MISSION

To deliver value to our diverse customers and the communities we serve by providing safe, reliable, economical and environmentally sustainable water, wastewater and recycled water services.

VISION

To provide an exceptional level of customer and community service, exceeding the performance of any other public or private entity.

GUIDING PRINCIPLES

EMWD embraces excellence in all facets of our business:

- **Community:** We will be actively engaged in promoting prosperity, environmental values and public health in the communities we serve.
- **Innovation:** We will creatively seek to improve the services we provide.
- **Integrity:** We will be honest and ethical in all of our interactions.
- **Leadership:** We will take a proactive role in leading industry policies, practices and initiatives on behalf of our customers, employees and community.
- **Respect:** We will be considerate, aware and caring.
- **Responsibility:** We will be accountable for our conduct in serving our customers, employees and community.
- **Safety:** We will ensure the safety of our employees and the public, without compromise.
- **Transparency:** We will ensure the decisions and investments we make are clearly communicated and easily understood.

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“EMWD implemented an aggressive, prompt and effective response to the COVID-19 pandemic.”



COVID-19 Response

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COVID-19 LEGISLATION OVERVIEW

EMWD Leaves Washington, D.C. on the Heels of the COVID-19 Shutdown

The unforeseen events associated with the onset of the COVID-19 pandemic made 2020 an unprecedented year in our country. In early March, EMWD representatives flew to Washington to advocate on behalf of the District's top federal priority issues. The timing of that visit to the nation's capital concluded approximately 24 hours before definitive measures were undertaken to shut down many elements of American life. As fate would have it, EMWD officials were among the last to walk the Halls of Congress and enter Federal agency buildings to conduct in-person lobbying activities. With the end of the calendar year nearing, the pandemic continues to alter not only how business in Washington is conducted, but how most Americans live their everyday lives.



COVID's Impact on EMWD

Immediately following the mandatory shelter-in-place orders, EMWD implemented an aggressive, prompt and effective response to the COVID-19 pandemic on both the employee and the customer side. All staff who could work from home were sent home to work remotely. Staff whose jobs require in person attention were divided into micro-teams, worked on staggered shifts, and drove in separate vehicles as part of the effort to maintain distance. Safety protocols were put into place throughout the District. EMWD even began utilizing new safety devices, such as manhole covers that are used during sewer cleaning to



mitigate aerosol mist from exiting the sewer system. EMWD also implemented potential exposure pre-screening, and contract tracing and testing protocols, and hired a contact tracer. Once staff began returning to the office, all staff meetings continued to be held virtually via Microsoft Teams instead of in-person to continue maintaining social distance.

On the customer side, the lobbies were shut down immediately upon the announcement of the shelter-in-place order, but were opened in May, with newly installed markers designating where customers can stand to maintain social distance while in line.

California's Governor Newsom on April 2, 2020, implemented a water shut-off moratorium that restricted water agencies from turning off water supply to customers who do not pay their water bills. This triggered many customers to start ignoring their water bill. Account aging (bills 61+ days overdue) at EMWD averages around three percent, however that rate has increased steadily to nearly 13 percent as of the production of this report. This equates to about \$1 million of lost revenue each month. The shutoff moratorium does not eliminate the customer obligation to pay for the water service, however no date has been set for payment.

In the fall of 2020, EMWD implemented the Help2Others (H2O) customer assistance program in partnership with United Way. This aid program offers qualifying customers a \$100 credit towards their water bill, and waives all fees, once in a 12-month period. This has proven to be an effective tool to both aid, and re-engage customers.



Congress' Early Legislative Responses to the Pandemic

Issues that were on the forefront of Congress' agenda in early March were quickly set aside as Capitol Hill pivoted to respond to the impact of the pandemic. The first response package that Congress passed, the "Coronavirus Preparedness and Response Supplemental Appropriations Act of 2020" (H.R. 6074), cost a "modest" \$8 billion and focused on vaccine development and other needs of federal public health agencies to bolster efforts to combat the virus.

Shortly thereafter, Congress enacted the "Families First Coronavirus Response Act," H.R. 6201 which, at a cost of \$242 billion, provided U.S. workers additional paid and sick leave; more funding for direct medical response activities; and, an increase in Medicaid funding to states.

The most noted COVID-19 relief measure that Congress advanced was its third package: H.R. 748, the "Coronavirus Aid, Relief, and Economic Security Act" (CARES Act). The almost \$2 trillion CARES Act, which became law on March 27, 2020, included significant supplemental funding assistance to individuals and families, state and local governments, businesses, health care providers, and other entities.



CARES Act Funding for Local Governments Has Limited Impact on EMWD

While EMWD has been able to receive some limited reimbursement of COVID-19-incurred costs from Federal Emergency Management Act (FEMA) public assistance funding, CARES Act funding for local governments – called the Coronavirus Relief Fund – was limited to very large cities (population of 500,000 and greater) and counties. Moreover, even for governmental agencies that received CARES Act funding, the money cannot be used to replace revenue loss.

In August, the Department of the Treasury updated its guidance document for counties and large cities on eligible uses of Coronavirus Relief Fund (CRF) dollars. This update made clear that counties or cities that received CRF funding could use that money to support municipal water agencies for ratepayer assistance programs to help individuals behind on their payments. After Treasury’s CRF guidance update in August, Riverside County reached out to EMWD to establish a limited ratepayer assistance program. CARES Act funding from Riverside County was also made available to water customers in Riverside County. The County of Riverside received \$431 million of CARES Act funding, and utilized \$1.3 million to aid qualifying customers with utility bills.

Special Districts and CARES Act Coronavirus Relief Funding

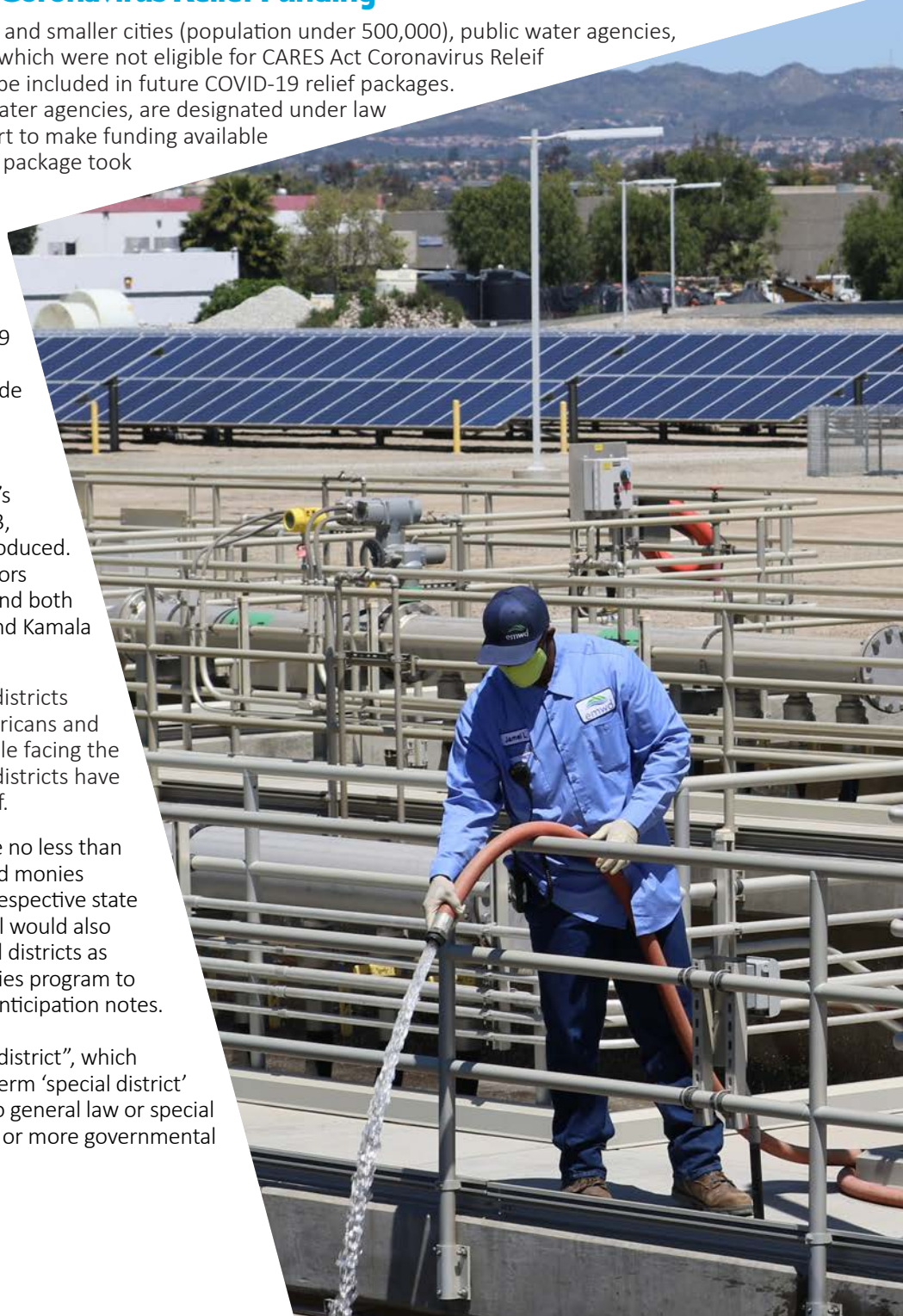
After the enactment of the CARES Act, mid-size and smaller cities (population under 500,000), public water agencies, and other related local governmental agencies which were not eligible for CARES Act Coronavirus Relief Fund (CRF) dollars began lobbying Congress to be included in future COVID-19 relief packages. Many of these local government entities, like water agencies, are designated under law as “special districts.” As such, an advocacy effort to make funding available for special districts in follow-up COVID stimulus package took shape.

EMWD actively supported a bill that would provide special districts across the United States access to federal relief funds to assist state and local government with unforeseen budgetary hardship resulting from the COVID-19 pandemic. Congressman John Garamendi, D-CA, introduced H.R. 7073, the “Special Districts Provide Essential Services Act,” which would give special districts access to key resources available to local governments under the CARES Act, including the Coronavirus Relief Fund and the Federal Reserve’s Municipal Liquidity Facilities program. On July 23, 2020, a Senate companion to H.R. 7073 was introduced. This legislation, S. 4308, was sponsored by Senators Krysten Sinema (D-AZ) and John Cornyn (R-TX), and both of California’s U.S. Senators – Dianne Feinstein and Kamala Harris – have signed on as co-sponsors.

EMWD is one of approximately 30,000 special districts across the country that continues to serve Americans and respond to needs within their communities while facing the constraints of the pandemic. However, special districts have been excluded from much-needed federal relief.

The legislation would require a state to distribute no less than five percent of any future Coronavirus Relief Fund monies received by the state to special districts in each respective state within 60 days of receiving the resources. The bill would also authorize the Federal Reserve to consider special districts as “eligible issuers” for its Municipal Liquidity Facilities program to purchase suitable municipal bond and revenue anticipation notes.

Lastly, the bill establishes a definition of “special district”, which currently does not exist in federal statute: “The term ‘special district’ means a political subdivision, formed pursuant to general law or special act of a state, for the purpose of performing one or more governmental or proprietary functions.”



House Passes \$3.4 Trillion COVID-19 Relief Package: HEROES Act

Links New Water Utility Ratepayer Assistance Program with Mandatory Shutoff Moratorium

Shortly after the late March enactment of the CARES Act, the Democratic-controlled House moved aggressively to advance a second, “large-scale” COVID-19 response package. This decision was panned by Congressional Republicans who asserted that time was needed to first evaluate the impact of the CARES Act, along with other smaller stimulus packages that had been enacted, which collectively totaled \$3 trillion. Undeterred by the GOP position, the House passed the \$3.5 trillion “Health and Economic Recovery Omnibus Emergency Solutions Act” (HEROES Act, H.R. 6800) on May 15, 2020. The centerpiece of the HEROES Act was the inclusion of \$1 trillion in assistance to state and local governments which could be used to offset lost revenue. However, special districts were not included as directly eligible recipients of this funding.

Important to water agencies, the HEROES Act included a provision to establish a \$1.5 billion ratepayer assistance program to support low-income households’ in paying their municipal water service bills. As drafted, the Department of Health and Human Services would provide grants to States, which in turn would distribute to public drinking water and wastewater utilities.

Under this program, a utility receiving assistance is barred from disconnecting service due to nonpayment, charging late fees or fees accrued during the emergency period, and reconnections of service must be conducted so that health risks to the household receiving service are minimized.

Federal funding allotments to States would be based on:

- The percentage of households in a State with income equal to or less than 150 percent of the federal poverty level (and including households with income equal to or less than 60 percent of State median income);
- The percentage of such households in the State that spend more than 30 percent of monthly income housing; and,
- The extent to which the State has been affected by pandemic (rate of transmission of COVID-19, number of cases compared to the national average, and economic disruption [job loss] resulting from the pandemic).

States would enter into agreements with operators of waters systems to assist in identifying low-income households. Utilities would be responsible for conducting outreach activities to ensure households are aware of the program. Utilities would also be responsible for charging such households in the normal billing process not more than the difference between the actual cost of the service provided and the amount of payment made by the State and notifying households in writing the amount of assistance received within 45 days of the households receiving the assistance.

The Republican-led Senate rejected the HEROES Act with Majority Leader Mitch McConnell calling it “a laundry list of pet priorities.”



Congressional and White House Negotiations Fail to Deliver Further COVID-19 Relief

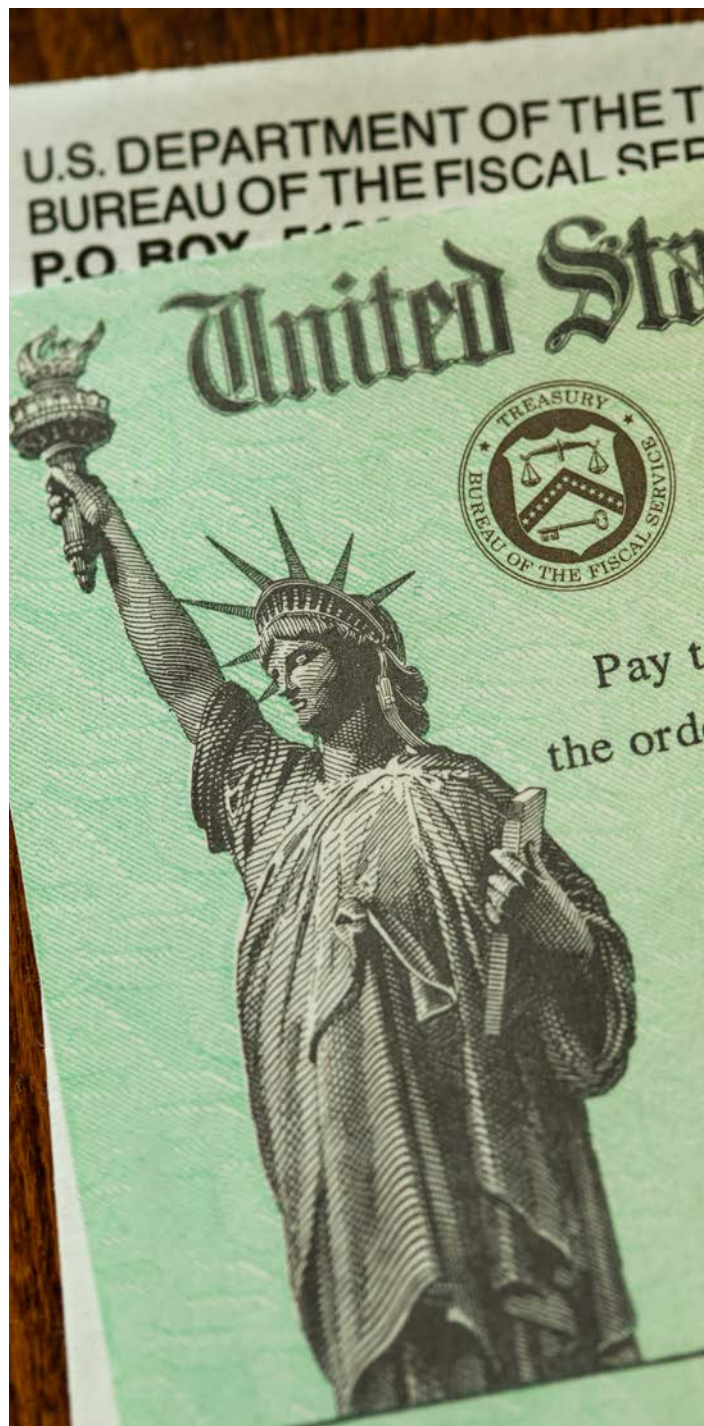
House takes another vote on a HEROES Act “light” measure

Since late July, the White House, Senate, and House have engaged in negotiations with the aim of coming to an agreement on an additional major COVID-19 response package. However, at the time of the submission of this report, a compromise has remained elusive. The primary funding areas considered in the upcoming COVID-19 relief measure include:

- Extended and enhanced unemployment benefits
- Direct payments to low and middle-income Americans
- Testing
- State and local government aid
- Mortgage and rental payment assistance
- Airline, restaurant, and entertainment industry relief
- Student aid relief
- Paid-leave expansion
- Schools
- Hospitals
- Child-care
- Postal service assistance
- Food assistance for low-income families

On October 1, 2020, even though the larger COVID-19 negotiations were at an impasse, the House Democratic leadership decided to vote on another pandemic-related stimulus package (H.R. 925) which has been dubbed the “HEROES Act 2.0.” At \$2.2 trillion, the HEROES Act 2.0 is a pared back version of the original (H.R. 6800). The 2.0 version, like the original measure that was taken up in May, contained \$1.5 billion to establish a national ratepayer assistance program to help low-income residents pay their water and wastewater bills. However, also like the original HEROES Act, the 2.0 version did not include special districts in the \$180 billion it set aside for local governments to use for a variety of needs, including revenue loss.

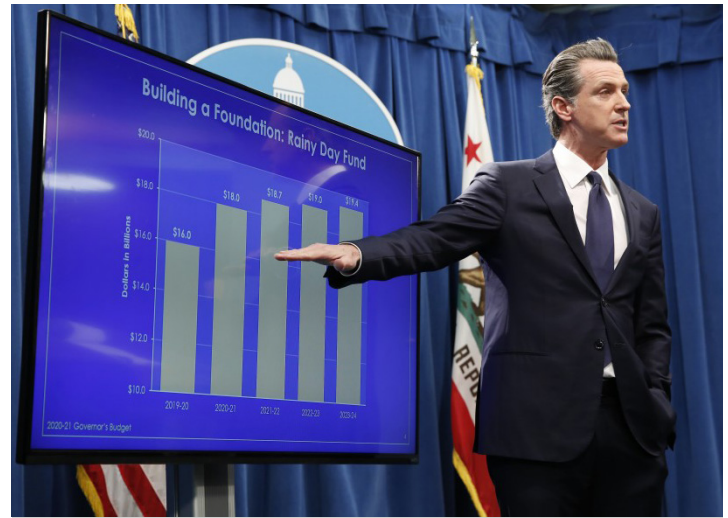
For the White House’s part, it had been reported in late September that Treasury Secretary Steven Mnuchin put forth a \$1.6 trillion counteroffer that was rejected by Speaker Pelosi and the House Democratic leadership.



COVID-19 Impacts on the 2020 California Legislature and Administration

2020 State Legislative Session Comes to a Screaming Halt

The California Legislature and Newsom Administration started the year with lofty goals to address the housing crisis, homelessness, wildfire risk, and climate change. The State Treasury had a hefty reserve of \$21 billion and a budget surplus of nearly \$6 billion; which was projected to grow even larger by the end of summer, matched by an equally ambitious budget plan. On Wednesday, March 4, 2020, the attention of the Administration shifted away from the social and housing related priorities that had been defined early in the session and instead Governor Newsom issued a State of Emergency declaration in response to the growing concerns and outbreaks of COVID-19 throughout the state. The State of Emergency declaration helped make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and directed the execution of contracts in order to prepare for a broader spread of COVID-19. This State of Emergency declaration came as the number of positive California cases began to increase and followed the first official death from COVID-19.



As with the rest of the State, the Legislature’s plans were upended in the early days of the pandemic as they were forced to comply with statewide regulations and adhere to the first-in-the-nation “Stay at Home Order” that was issued by the Governor via executive order on Thursday, March 19, 2020. Anticipating the release of the executive order, the Legislature outlined a plan to break for the forthcoming spring recess early and return an extra week later, on Monday, April 13, 2020. This action was outlined through the passage of ACR 189 (Rendon) Joint Recess, which defined the extended recess and further allowed for either house of the Legislature to recall itself early or extend the recess as necessary, an action that would ultimately be utilized as the pandemic worsened and numbers of infections grew.

In addition to ACR 189, the Legislature passed and the Governor signed additional COVID-19 related bills including SB 89 and SB 117; both by the Budget Committee on Revenue and Finance, which allocated \$1 billion to address Coronavirus impacts to the economy and the second bill kept schools funded while operating remotely through the end of the school year. Prior to the break, the Legislature did contemplate methods for continuing their business remotely given the concerns over the spread of COVID-19, and the Senate passed Senate Resolution 86 (Atkins) Remote Participation in Meetings During Emergencies, which allowed for remote legislative voting. The Assembly disagreed with the concept of remote voting and questioned the legal standing of such an action.



Governor Newsom Exercises his Executive Powers During COVID-19 State of Emergency

Since first declaring a State of Emergency on March 4, 2020, the Governor utilized the executive authority granted to a sitting Governor during a declared State of Emergency to issue a myriad of executive orders. The Governor usually rolled-out his executive order messages during a daily noon-time press conference, which ultimately went to twice-a-week as the summer months got underway. Between the March 4, 2020 declared State-of-Emergency and the return of both houses of the Legislature, the Governor issued more than three-dozen executive orders related to COVID-19.

One of the most pressing executive orders to the water industry was the declaration on Thursday, April 2, 2020, that the State was issuing a moratorium on water shutoffs for nonpayment. While sympathetic and concerned about ratepayer ability to continue to pay for water service while operating under a global pandemic, water providers cautioned the Governor that this action was largely unnecessary due to the passage of SB 998 (Dodd, 2019) Discontinuation of Residential Water Shutoffs, which had only been effective since February 2020, and given the lack of an end date to the executive order, this mandate could have the unintended consequences of causing financial harm to water providers that would be unable to pay for needed infrastructure upgrades and other projects, further exacerbating problems faced by small struggling water systems.

Additional executive orders touched on the following topics:

- Authority for local legislative bodies to hold public meetings virtually so long as they were accessible for remote participation by members of the public;
- Establishment of the California Health Corps, expanding the state’s healthcare workforce;
- Providing tax, regulatory, and licensing extensions for businesses, offering a 90-day extension for tax returns and payments for smaller businesses;
- Expanding workers’ compensation coverage for essential workers;
- Allowing for all Californians to receive a vote-by-mail ballot; and
- Halting evictions for renters impacted by the COVID-19 pandemic through September 30, 2020.

80% of Californians Impacted by Action

Colusa	Merced	San Joaquin
Contra Costa	Monterey	Santa Barbara
Fresno	Napa	Solano
Glenn	Orange	Sonoma
Imperial	Placer	Stanislaus
Kern	Riverside	Sutter
Kings	Sacramento	Tulare
Los Angeles	San Benito	Yolo
Madera	San Bernardino	Yuba
Marin	San Diego	Ventura

*Newly added

Wear a mask. Slow the spread.

Your County Color Determines Operations

COUNTY RISK LEVEL	NEW CASES	POSITIVE TESTS
HIGH RISK Most non-essential indoor business operations are closed	More than 7 Daily new cases (per 100k)	More than 8% Positive tests
SUBSTANTIAL Some non-essential indoor business operations are closed	4-7 Daily new cases (per 100k)	5-8% Positive tests
MODERATE Some business operations are open with modifications	1-3.9 Daily new cases (per 100k)	2-4.9% Positive tests
LOW RISK Most business operations are open with modifications	Less than 1 Daily new cases (per 100k)	Less than 2% Positive tests

The Legislature Returns to Address Massive Budget Shortfall

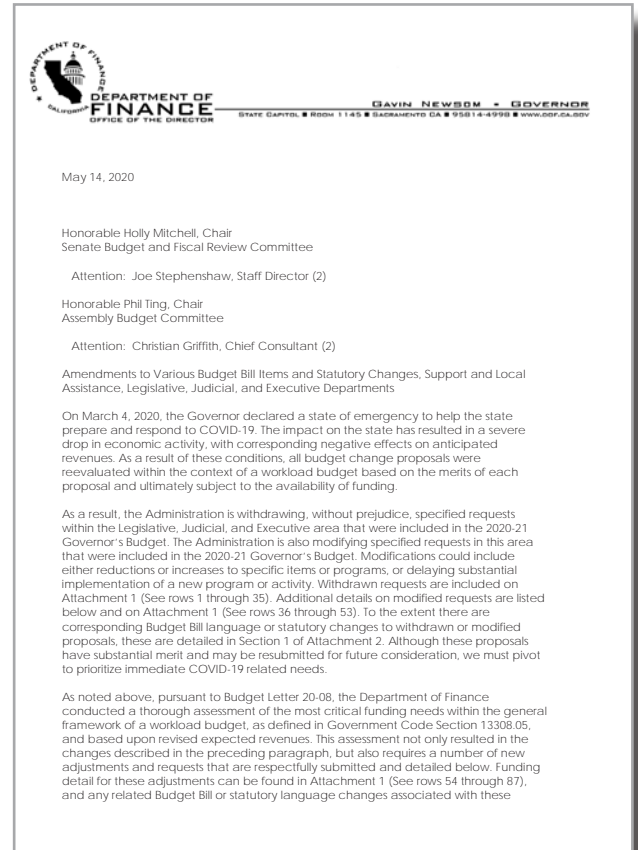
Following the longer-than-expected recess, the Legislature returned to find that the once healthy budget surplus had quickly flipped into a projected \$54 billion shortfall. The Assembly elected to return in-person from the extended recess on Tuesday, May 4, 2020, in order to immediately begin hearings on the State’s fiscal position, following the unexpected nearly two-month recess, while the Senate delayed another week and returned Monday, May 11, 2020. Interest in how the Assembly was going to pursue budget hearing proceedings virtually was so significant that, due to major traffic on the Zoom videoconferencing platform, the proceedings were delayed until the provider was able to open additional viewing portals.

The devastating budget news of the \$54 billion budget deficit resulted in the Department of Finance releasing a letter to the Legislature stating that all budget changes were to be analyzed on the basis of a workload budget, which is a budget that only authorizes current services at levels adjusted for inflation and changes in enrollment. Similarly, legislative leadership in both houses signaled to their respective membership a need to focus resources and committee attention on issues related to COVID-19 response, wildfires, and housing. Therefore, members of the Legislature were strongly urged to scale-back their bill packages, and several committee members took it upon themselves to enforce the recommendation by legislative leadership by only assigning hearings to bills that met this policy criteria. These actions resulted in significant friction between members of the Legislature.

Virtual Budget Negotiations Prove Challenging, Results in Multiple Proposals to Close Massive Budget Shortfall

With new protocols in place and the Capitol largely closed to the public, when the Legislature did return in May, they quickly got to work focusing on the budget. The condensed calendar did not allow for the usual budget process and ‘conference committee’ between the houses and Administration to negotiate a final budget proposal. The Senate and Assembly moved forward with two similar versions of the 2020-2021 State Budget and presented a unified proposal to the Administration. With very few hearings and opportunities for stakeholder input or engagement, the process was much less transparent than years prior, and did not necessarily reflect the input of both bodies as a whole. In order to pass a budget by the June 15 statutory deadline to do so, the Legislature and the Administration opted to pass a “straw-man” budget in order to continue negotiations on how to close the \$54 million budget shortfall, and to further allow state employee unions the opportunity to consider implementation of potential furloughs for some of their membership.

After passing the “straw-man” budget in mid-June, the Administration and both houses of the Legislature came to agreement on addressing the \$54 million budget hole. This proposal did include significant trigger-cuts that would go into effect in early October 2020 if the federal government failed to come through with an additional stimulus package. Following this agreement, Governor Newsom signed this latest budget proposal on June 30, 2020, in time to meet the deadline to do so, and both houses broke for summer recess. The Legislature was scheduled to return on Monday, July 13, 2020 to carry-out the remainder of the legislative session, however three members of the Assembly tested positive for COVID-19, which ultimately delayed the return until Monday, July 27, 2020. This delay left just over a month to pass all remaining bills.



Tension Between the Houses

Similar to the divergence of opinion on remote voting, the Senate and Assembly both had different interpretations of how they should tailor their legislative bill packages to account for the truncated schedule and COVID-19 related issues they would need to attend to. Consistent with the decentralized leadership approach Speaker Rendon generally advances, he left the decision of bill volume up to committee chairs. The thinking being that the Legislature still had important items to address in addition to COVID-19. Assembly policy committee chairs subsequently sent out guidelines to authors of legislation pending in their committees urging them to reevaluate priorities and reduce the number of bills they planned to present, though there was no clear direction on how to limit the bill load.

Senate pro Tempore Atkins sent out guidance to Senators asking chairs “to put on pause the evaluation of existing bills that otherwise would be scheduled for hearings when we return in order to focus on the Senate response to issues we must immediately address.” In addition, she asked committee chairs to work with staff and vice-chairs on putting together a list of bills or issues that required an immediate legislative or regulatory response.

Both houses agreed to only allow for singular bill referrals and they limited policy committees to a maximum of one-to-two hearings. The Senate committee members were also limited to two committee rooms that were large enough for social distancing of the members, making for long evening and weekend hearings. Stakeholder testimony was often a challenging aspect of the policy discussions. While limited in-person testimony was allowed, it was often discouraged due to space for social distancing and other safety protocols. Most lobbyists and members of the public chose to participate via a conference call number provided before each hearing. This led to many technical glitches and elongated the hearings, as stakeholders were able to call in from all over the country. This also often resulted in hearings that had hours of phone public testimony and moderators often struggled to cut people off due to time limits or profanity laced testimony.



COVID-19 Infections Continue to Spread in the Legislature During the Final Days of Session

As the final weeks of the legislative session came to a close, the Senate was forced to allow some members to remotely participate and vote in committee hearings if granted permission by the Senate pro Tempore. Ultimately, Pro Tem Atkins allowed the entire Senate Republican Caucus (minus one member) to participate and vote in floor sessions remotely the last week of session given they were having to quarantine due to being exposed to Senator Brian Jones who tested positive for the virus. This led to many technology delays and very slow roll call votes. The tension of the session and the struggles by the Legislature came to a head when Democrats blamed the Republicans of purposely ‘stalling’ and slowing down the process, resulting in many bills dying on the last night of session simply because they ran out of time.

Speaker Rendon did not allow for any members of the Assembly to vote remotely, and consequently received criticism when Assembly Member Buffy Wicks was asked to vote in person, despite having a one-month old newborn baby. Assembly Member Wicks showed up to vote in the Chamber with her newborn in tow, receiving national attention and outrage towards the Speaker over this insensitivity. Speaker Rendon later issued an apology and committed to establishing better protocols next year for working parents and those with health and safety concerns.




COVID-19 Remains on the Horizon – So What’s Next?

The Legislature is still recovering from the drama that ensued at the end of session due to the pressures COVID-19 had on the Legislative process. Following the end of session, members are still conducting business digitally, holding Fundraisers by Zoom and altering campaign trail events to accommodate the new virtual reality. Many legislators have pressured the Governor to call a “special session” to address revenue issues and other problems related to the pandemic. However, the likelihood of a special session during the election season, especially with the continued tension between the houses, seems unlikely.

With the promise of COVID-19 remaining into the next year, both houses will have to rethink how they want to approach the protocol of committee hearings, including handling of remote voting. The Legislature will convene for an organizational session on Monday, December 7, 2020 to kick-off the 2021-22 legislative session.

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“EMWD officials were among the last to walk the Halls of Congress and enter Federal agency buildings to conduct in-person lobbying activities.”

Federal Program

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FEDERAL OVERVIEW

HIGHLIGHTS FROM THE SECOND SESSION OF THE 116TH CONGRESS

EMWD Pursues Additional Corps Work Plan Funding for the Perris II Desalter

Over the past several years, through both Congressional and U.S Army Corps of Engineer (Corps) support, EMWD has received \$20.3 million in federal funding to advance EMWD's Perris II desalter project. These federal funds – along with a state grant award and EMWD's contributions – has resulted in the completion of most of the project's components. When fully completed, the desalter will produce 6,000 acre-feet per year of potable water from otherwise unusable brackish groundwater from the Perris South Groundwater Sub-basin.

Both the FY 2018 and FY 2019 work plans were released in calendar year 2019 and EMWD successfully secured \$2.78 million and \$3.4 million, respectively, in those two work plans, however no funding was received in the FY 2020 workplan. As the project is now entering its final phases, EMWD is requesting an additional \$4.7 million in the Corps FY 2021 work plan for the installation of final pipeline construction. The \$4.7 million request also represents the final federal installment under the original \$25 million Water Resources Development Act (WRDA) authorization for the South Perris desalter.

In its advocacy efforts this year, EMWD has held virtual meetings with key personnel at the Corps District (LA), Division (San Francisco), and Headquarters (DC) to justify and promote its FY 2021 work plan request. EMWD also held virtual meetings with Representatives Calvert, Takano, and Ruiz – as well as Senators Feinstein and Harris' offices – to seek their support for the FY 2021 work plan request. On behalf of EMWD, Van Scoyoc Associates (VSA) is working with EMWD's Congressional delegation to secure a letter of support for its FY 2021 Corps work plan desalter request to be sent to both the Assistant Secretary of the Army for Civil Works and the Chief of Engineers in November 2020.

However, the ultimate timing of the issuance of the Corps FY 2021 work plan is unknown at this time. The work plan is contingent upon enactment of the annual Energy and Water Appropriations legislation, which provides funding for the Corps. In June 2020, the House passed its version of the FY 2021 Energy and Water Appropriations bill, but the Senate has taken no action on any of its appropriations bills. Due to Senate inaction, Congress enacted a Continuing Resolution (CR) averting a federal government shutdown on September 30, 2020. The CR provides funds for federal programs, including the Corps, through December 11, 2020.



House and Senate WRDA Bills Include EMWD's Perris Desalter Authorization Request

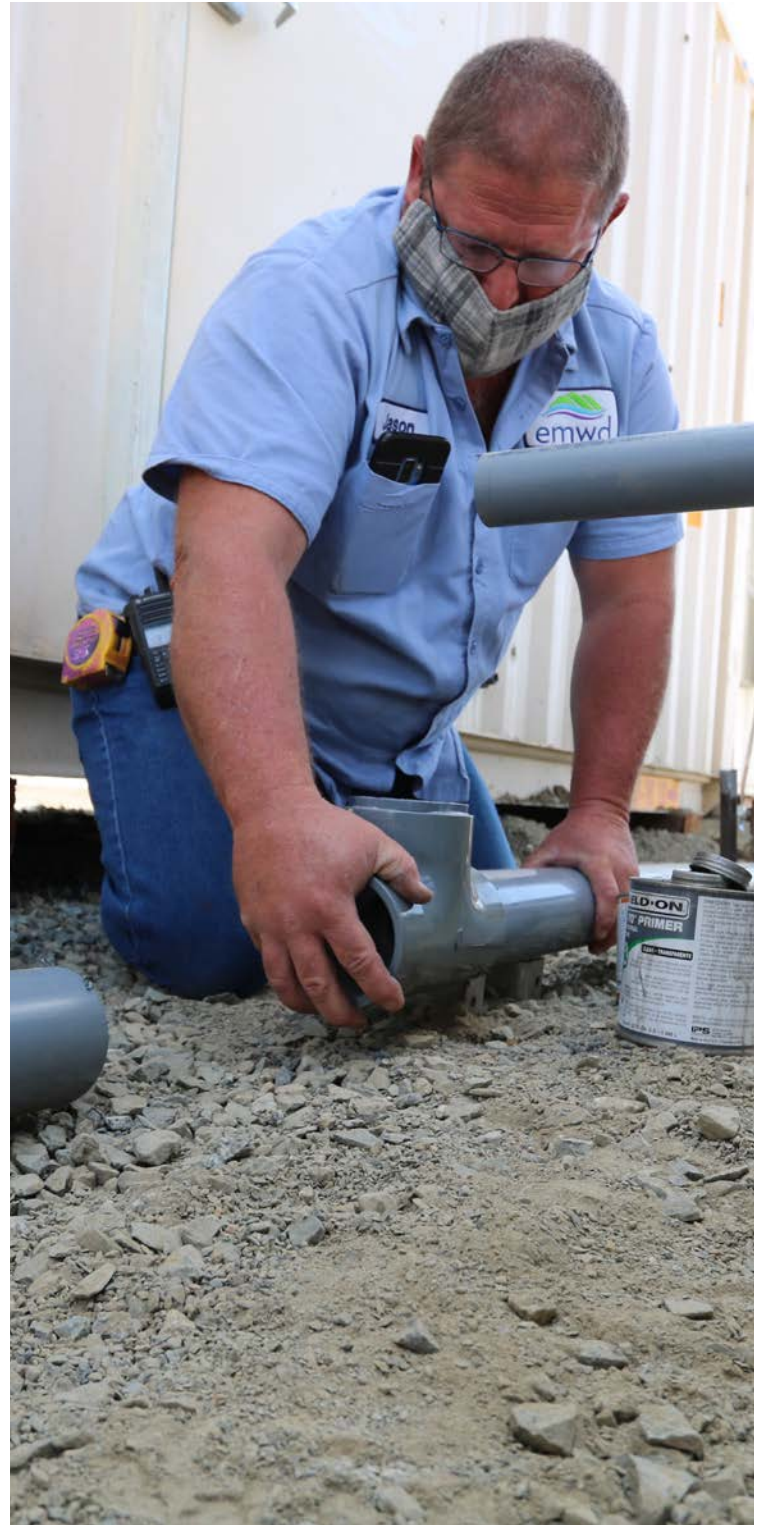
EMWD's South Perris Desalter project was first authorized by Congress as part of the reauthorization of the Water Resources Development Act of 2000, public law 106-554. With a pending funding award in the FY 2020 USACE work plan, the Desalter project will either reach, or come closer to reaching, its \$25 million authorization cap. However, further federal funding will be needed to support additional pipeline and capacity expansion work on the desalter.

Under the process established under section 7001 of WRRDA 2014, project sponsors can request modifications to existing projects, construction of new projects, or project studies, but only navigation, flood control, or ecosystem restoration projects qualified. The WIIN Act of 2016 allowed projects like the South Perris Desalter to be eligible for modifications or increases once their original authorization level has been reached. EMWD submitted a proposal to the Corps requesting its original authorization for the desalter be increased from \$25 million to \$50 million, and this was included in the report provided to Congress in 2019.

Inclusion of the project modification in the section 7001 report to Congress ensures the desalter is eligible for consideration by both the House and Senate through the WRDA process.

During EMWD's late March 2020 DC advocacy trip, EMWD representatives discussed the South Perris desalter project authorization modification request with each Congressional delegation office. EMWD received positive feedback from the Congressional delegation offices and provided them with key information points for them to advance the desalter project authorization request to the respective committees of jurisdiction. Due to this work, and prioritization by the House and Senate delegations, the project modification was included in both House (H.R. 7575 Water Resources Development Act of 2020) and Senate (S. 3591, America's Water Infrastructure Act of 2020) WRDA bills. The House passed its version of WRDA in July, and while the Senate Committee on Environment and Public Works held a markup on their version, the Senate has not passed its version.

House and Senate staff continue negotiations on WRDA, but a conclusion may not occur until after the November 3, 2020 elections.



FY 2021 Bureau of Reclamation, USACE, and EPA Program Funding

Over the years, EMWD has successfully accessed federal funding through several Bureau of Reclamation programs, the U.S. Army Corps of Engineers (USACE) through its Environmental Infrastructure account (Desalter project), and the Environmental Protection Agency (EPA). As such, EMWD advocates for adequate funding levels for these key water-related grant or loan programs through the annual Congressional appropriations process.

This year’s FY 2021 Congressional Appropriations process schedule, which usually kicks off in the early spring, was delayed due to a focus on COVID-19 legislation and other pandemic related matters. However, through accelerated Committee action and floor votes in June and July, the House was able to pass all twelve of its FY 2021 spending bills before the August recess. Conversely, the Senate’s appropriations process stalled indefinitely when the Chairman of the Senate Appropriations Committee cancelled all markups due to the threat of the Democrats offering extraneous policy amendments to the spending bills. As a result, at the delivery of this report, the Senate has yet to advance any of its FY 2021 appropriations measures.



In the absence of FY 2021 Senate Appropriations funding amounts, outlined below is a comparison of the FY 2021 House funding levels to the FY 2020 enacted levels for the Bureau of Reclamation, USACE, and EPA as well as EMWD’s priority federal water grant and loan programs within those agencies:

Bureau of Reclamation (Total Budget)

FY20 Enacted: \$1.68 billion

FY21 House: \$1.66 billion

Title XVI (BoR)

FY20 Enacted: \$63.6 million (\$20 million for WIIN)

FY21 House: \$63.6 million (\$11.8 million for WIIN)

WIIN Desalination Grant Program (BoR)

FY20 Enacted: \$12 million

FY21 House: \$7 million

WaterSMART Grant Program (BoR)

FY20 Enacted: \$55 million

FY21 House: \$60 million

WIIN Water Storage Grant Program (BoR)

FY20 Enacted: \$134 million

FY21 House: \$79 million

USACE (Total Budget)

FY20 Enacted: \$7.65 billion

FY21 House: \$7.63 billion

Environmental Infrastructure (USACE)

FY20 Enacted: \$100 million

FY21 House: \$100 million

EPA (Total Budget)

FY20 Enacted: \$9.06 billion

FY21 House: \$9.38 billion

Clean Water SRF (EPA)

FY20 Enacted: \$1.639 billion

FY21 House: \$1.639 billion

Drinking Water SRF (EPA)

FY20 Enacted: \$1.64 billion

FY21 House: \$1.126 billion

Sewer Overflow and Storm Reuse (EPA)

FY20 Enacted: \$28 million

FY21 House: \$56.7 million

EMWD Advocates for Quail Valley Project Eligibility in New EPA Grant Program

EMWD has been working to secure external funding for Quail Valley septic-to-sewer projects since 2006. In prior years, EMWD applied for EPA state revolving loan funds (SRF) and was successful in securing \$9.49 million in these dollars for principal forgiveness funding for the Quail Valley septic to sewer conversion construction project. As a result of this funding and other investments, the most critical Quail Valley area (Subregion 9) has been fully converted from septic-to-sewer systems. EMWD is now pursuing external funding for the remaining areas of Quail Valley.

Through the America's Water Infrastructure Act of 2018, Congress authorized funding for a new "Sewer Overflow and Stormwater Reuse Grant" to be administered by EPA to support municipal grants for the planning, construction, design and management of treatment works for critical stormwater infrastructure projects. In the FY 2020 Interior-EPA Appropriations measure, Congress provided \$28 million to begin the implementation of this state formula grant program. While most septic-to-sewer conversion projects are not be eligible for funding under this program, EMWD has been making the case to Congress and EPA that the Quail Valley project would qualify for funding due to stormwater runoff contamination issues it would address.

Earlier this year, EMWD met with EPA officials from the agency's Office of Water to request that the grant program's implementation regulations make clear that projects like Quail Valley, which would prevent untreated wastewater from flowing into drainage facilities and contaminating downstream drinking water supplies, are eligible for funding. EMWD officials also highlighted in their meeting with EPA that the project would make additional collected wastewater available to EMWD for expansion of our water recycling program.

EPA officials acknowledged that Quail Valley was a unique project and they requested supplemental material from EMWD. While funding for the program, along with its implementation guidance, have yet to be released by EPA, EMWD feels that its engagement efforts with the agency on this topic have positioned Quail Valley as eligible for funding. Moreover, EMWD has been working closely with Representative Calvert's office on this effort to ensure Quail Valley would qualify for future Sewer Overflow and Stormwater Reuse grant program dollars.

In addition to EMWD's advocacy efforts associated with the program's implementation rules, EMWD has also urged Congress to adequately fund this grant program through the annual appropriations process. The House's FY 2021 Interior-EPA Appropriations measure, which passed out of the House in late July, contained \$56.7 million for the Sewer Overflow and Stormwater Reuse grant program. This funding amount represents an approximately \$30 million increase over the FY 2020 enacted level.



U.S. EPA Clean Drinking Water Programs

In the 116th Congress, major legislation authorizing several important EPA clean and drinking water infrastructure programs has advanced in both the House and Senate and is now awaiting final action. EMWD has communicated to its federal delegation its support for these efforts as many of the water programs contained in the measures have been, or would be, accessed by EMWD. EMWD is advocating that both chambers negotiate in good faith to enact compromise water infrastructure legislation before Congress adjourns at the end of the year.

The following is an overview of the key EPA clean and drinking water programs and the corresponding House and Senate bills which seek to authorize them.

- Clean Water State Revolving Fund (CWSRF): S. 3591, America's Water Infrastructure Act of 2020, H.R. 1947, Water Quality Protection and Job Creation Act, and H.R. 2, Moving Forward Act all include provisions to reauthorize the Clean Water State Revolving Fund. The CWSRF provides low interest rate loans for water quality infrastructure projects. Every year, states receive more SRF loan requests than they have funds to disperse. EMWD supports the provisions in these measures to both increase funding for the Clean Water SRF and expand the availability of negative interest or principal forgiveness loans for disadvantaged communities.
- Drinking Water State Revolving Fund (DWSRF): S. 3590, Drinking Water Infrastructure Act of 2020 and H.R. 2, the Moving Forward Act reauthorize the DWSRF, that provides low interest loans for drinking water infrastructure projects. These measures also expand the availability of negative interest or principal forgiveness loans for disadvantaged communities.
- Alternative Water Source Pilot Program: S. 3591, America's Water Infrastructure Act of 2020, H.R. 1947, Water Quality Protection and Job Creation Act, and H.R. 2, Moving Forward Act would authorize a first of its kind, nationwide water recycling grant program under the EPA. Water recycling is a critical water supply resiliency strategy in California and funding for expansion of recycled water programs is critically important to the State.
- Sewer Overflow and Stormwater Reuse grant program: S. 3591, America's Water Infrastructure Act of 2020, H.R. 1947, Water Quality Protection and Job Creation Act, and H.R. 2, Moving Forward Act would reauthorize the Sewer Overflow and Stormwater Reuse grant program which was first authorized by Congress in 2018. EMWD is optimistic that this program, once fully implemented, will provide funding assistance opportunities for a sewer infrastructure project that would eliminate septage overflows into drainage facilities and help prevent the contamination of downstream drinking water supplies in our region. The project would also make additional collected wastewater available to EMWD for expansion of its water recycling program.



Bureau of Reclamation Western Water Program Authorizations

WIIN Act Water Grant Programs Set to Expire in 2021

In the 116th Congress, efforts have been moving forward in both the House and Senate to reauthorize several key Bureau of Reclamation Western water programs. The most high-profile of these programs are three that were originally authorized as part the Water Infrastructure and Investment for the Nation Act of 2016 (WIIN Act). Those include the:

1. Title XVI competitive grant program which funds water reuse & recycling projects;
2. Desalination grant program for brackish groundwater and ocean desalination projects; and
3. Water storage grant program for surface and groundwater storage initiatives.

A central focus of EMWD's advocacy message associated with the Congressional effort to reauthorize the WIIN Western Water programs has been a call to significantly increase the funding level for Title XVI. In recent years, WIIN Title XVI has been receiving an annual appropriation of \$20 million a year,

however, this level does not closely match federal funding demand for the program. Currently, there are approximately 60 eligible WIIN Title XVI recycling projects with a total federal cost share demand that exceeds \$650 million. Without an increase in annual funding, interest in the program from potential project sponsors is likely to substantially decline.

In the House, the most generous WIIN Title XVI reauthorization language introduced in this Congress was made part of H.R. 2, the Moving Forward Act. H.R. 2 rolled in Representative Grace Napolitano's legislation (H.R. 1162) to fund WIIN Title XVI at \$100 million a year and also includes other key program related reforms.

On the Senate side, while a number of hearings on Reclamation water program legislation have occurred, the Committee mark-up process has been stalled due to fundamental concerns from the Ranking Member of the Senate Energy and Natural Resources Committee, Senator Joe Manchin (D-WV). Senator Manchin believes the Senate legislation to reauthorize the WIIN water storage grant

program (namely, Senator Feinstein's S. 1932) rests too much authority away from Congress in authorizing large-scale water storage projects.

EMWD has examined the various legislative proposals in the House and Senate associated with these programs and has expressed to Congress via written communications, as well as during in person meetings, the strengths and perceived shortcomings of each. Most concerning to EMWD is that without Congressional action, the WIIN programs are set to expire at the end of 2021. As such, it is imperative that both chambers of Congress work together in a bipartisan manner to forge an agreement that will improve and extend these vital water infrastructure funding sources.

Unfortunately, it is unclear if Congress will act in a post-election lame duck session to reauthorize the WIIN Reclamation grant programs. In short, the outcome of the election will color whether the effort will gain steam before the 116th Congress adjourns in late December 2020, or if legislative action will be pushed into the next Congress (2021-22).





Federal Efforts Addressing Subsidence to California Conveyance Systems & WaterSMART

Two other key Reclamation authorization measures that have been moving in the 116th Congress include legislation to:

1. Address subsidence to critical California conveyance systems, and
2. Increase the WaterSMART grant program’s authorization cap.

The California Aqueduct, a critical part of the State Water Project that carries water from the Sacramento-San Joaquin Delta to Southern California, has suffered a reduction in capacity as a result of land subsidence along the aqueduct. In addition to lost capacity, continued subsidence will increase pumping costs to operate the project. Other important water conveyance systems in the state, such as the Friant-Kern and Delta Mendota canals, are also experiencing the damaging effects of subsidence.

To address this issue, on May 21, 2020, Senator Feinstein introduced S. 3811, the “Restoration of Essential Conveyance Act.” This legislation provides a total of \$600 million in federal funding for critical California conveyance projects, including \$200 million for repairs needed to address the capacity reduction of the California Aqueduct. If enacted, funding for this program would be administered through the Bureau of Reclamation. EMWD expressed its support for the measure by writing a letter of endorsement to Senator Feinstein on June 4, 2020.

Legislation to reauthorize another popular program for water agencies in the 17 Reclamation states – the WaterSMART grant program – has also been advancing in the House and Senate this Congress. WaterSMART, which was established in 2009, funds smaller-scale water conservation and efficiency projects, such as advanced water metering and canal lining. Over the last ten years, EMWD has been the recipient of multiple WaterSMART grants, and strongly supports continued funding for this program.

H.R. 4891 and S. 2718, the Western Water Security Act, would provide an additional \$120 million to the WaterSMART program. Concerning to EMWD, however, is a provision in this legislation that would allow non-profits to be eligible WaterSMART grant recipients. In both written communications and in-person Congressional meetings, EMWD has advocated for a change to this provision which would allow non-profits to be co-applicants with water agencies.

In September, EMWD conveyed to its Congressional Delegation, as well as the Congressional Committees of jurisdiction, its support of funding for California canal subsidence repairs and the WaterSMART program and requested the inclusion of these efforts in a comprehensive water package that Congress may take up before the end of the year.

North Perris Groundwater Contamination and Remediation Project

EMWD has embarked on a project to remediate, treat, and utilize otherwise unusable, contaminated groundwater in the North Perris Groundwater basin, in the area adjacent to March Air Reserve Base (MARB). In fall of 2019 California's State Water Resources Control Board (State Board) announced that EMWD would be awarded \$36.3 million from a Proposition 1 grant for the North Perris Basin Groundwater Contamination Prevention and Remediation Program. In early 2020, the State Board expanded the scope of the program, and also increased the grant amount to \$44.9 million. Utilizing these funds, plus a 50 percent local match, EMWD

has initiated a project that focuses on aquifer clean-up,

contamination prevention and remediation, as well as potable water production. The project will also prevent degraded groundwater from migrating to and contaminating adjacent basins, enhancing groundwater management in the area.

In February 2020, EMWD met with staff from the U.S. Air Force Built Infrastructure team from the Pentagon and updated them on the status of the project, which was fully funded, and also 50 percent funded by the State Board. At this meeting EMWD also requested collaboration including: information and data sharing, on-based access, participation in the Stakeholder Advisory Group (SAG) and the Technical Advisory Committee (TAC), joint development and concurrence of a basin monitoring and operating plan, and a potential release of claims agreement.

As it relates to MARB, over time the project will have the ancillary benefit of mitigating the rising groundwater condition in the area. Recent runway construction, and other construction on and adjacent to the base has been impeded and intermittently stopped because of this historic rising groundwater condition. In addition, one theory is that the rising groundwater condition is mobilizing MARB's plume of per- and poly fluoroalkyl substances (PFAS) contamination, and the spread of the plume could be arrested by reducing the rising groundwater levels.

Through this process EMWD has continually engaged representatives of the U.S Air Force including officials from the Pentagon, the MARB base commander, staff at the USAF Civil Engineering Center, as well as local MARB engineers and technical staff. This is a partnership effort that requires significant collaboration between local MARB staff, technical staff from USAF Civil Engineering Center participating on the project's SAG, and TAC. Significant information exchange and coordination on design and groundwater modeling, and a common understanding of the project operation are key to the success of this project.

EMWD continues to benefit from extensive support for this project from Representatives Ken Calvert and Mark Takano, as well as from Senator Feinstein, whose office has requested frequent updates related to contamination mitigation, particularly on PFAS. EMWD and VSA will continue to coordinate next steps associated with follow up engagement with Department of Defense officials to address these key issues which will allow the successful completion of this project.



Water Reuse Action Plan

On February 27, 2020, EMWD General Manager Jones, EPA Administrator Andrew Wheeler, along with other federal, state and local water leaders participated in an event in Washington, D.C. to announce the release of the National Water Reuse Action Plan: Collaborative Implementation. Safe and reliable water supplies, agriculture, business, industry, recreation, and healthy ecosystems are critical to our nation’s communities, and economy. Water reuse is finally being properly recognized as a tool that can help improve the security, sustainability and resiliency of our nation’s water resources. The Nation Water Reuse Action Plan is a coordinated and collaborative effort across the water use community to advance consideration of water reuse and to ensure the security, sustainability, and resilience of our nation’s water resources. The Action Plan identifies leaders, partnerships, implementation milestones, and target completion goals for 37 actions across 11 strategic themes.

General Manager Jones, through his leadership roles in both the National and California WaterReuse Associations, afforded EMWD a strong role in the drafting and implementation of this document.

Since the roll-out in February, the WaterReuse Association has advanced legislative initiatives to promote the implementation of the Action Plan, including language in the Water Resources Development Act to develop and implement an Interagency Working Group on water recycling. Through the Action Plan effort, EPA broke down silos within the federal bureaucracy, and secured tangible commitments from sister agencies to help advance sound policy in support of water recycling where appropriate. This EPA-led collaboration is effectively leveraging and coordinating available tools and resources throughout the federal family. The language included in H.R. 2 and America’s Water Infrastructure Act establishes a more formal structure for engagement across federal agencies and with external stakeholders and will ensure that this important work is built upon in the years ahead.



National Water Reuse Action Plan

Improving the Security, Sustainability, and Resilience of Our Nation’s Water Resources

Collaborative Implementation (Version 1)





House Advances Comprehensive Infrastructure Package: H.R. 2, The Moving Forward Act

On July 1, 2020, the House passed H.R. 2, “The Moving Forward Act,” which is a \$1.5 trillion multi-jurisdictional infrastructure bill. H.R. 2 was rejected out of hand by the Republican-led Senate and President Trump, and therefore has no chance of being enacted in the 116th Congress. H.R. 2 was put forth by the Democratic-controlled House as a “messaging” bill to telegraph the infrastructure funding priorities Democrats will advance if their party wins control of the Senate and White House in the November election.

That stated, some targeted pieces of the legislation, such as the EPA clean and drinking water provisions, could gain traction as part of a potential effort to enact a Water Resources Development Act (WRDA) in a post-election lame duck session.

The following are the highlights of the key water-related provisions contained in H.R. 2 which are of significant interest to EMWD:

Bureau of Reclamation provisions

- ***WIIN Title XVI reauthorization language (HR. 1162):*** Increases WIIN Title XVI the program’s authorization to \$500 million over five years.
- ***WIIN Desalination reauthorization language (H.R. 3727):*** Increases the program’s authorization to \$260 million over five years.
- ***WaterSMART reauthorization (H.R. 4891):*** Increases the program’s authorization cap by an additional \$170 million and modifies the program to allow nongovernmental organizations (NGO) to be eligible to recipients.
- ***Assistance for Disadvantaged Communities without Adequate Drinking Water:*** Authorizes \$100 million for a new Bureau of Reclamation grant program to help disadvantaged communities facing significant declines in drinking water quantity or quality. Funding can be used for a variety of drinking water relief activities, including to help households connect to existing water distribution facilities and to pay for emergency drinking water supply projects.

EPA provisions

- **Drinking Water SRF:** Additional authorization of approximately \$25 billion over five years.
- **Clean Water SRF:** Additional authorization of \$40 billion over five years and requires states to use a minimum of 10 percent of SRF funds as grants or other subsidies to eligible entities.
- **Alternative Water Source Pilot Program:** Authorizes \$600 million over five years for an alternative water source grant program; projects that already received Title XVI funding can only receive up to \$20 million in funding or 25 percent of project cost (whichever comes first); instead of the 50-50 cost share for all other projects.
- **Sewer Overflow/Stormwater Reuse Grant Program:** Authorizes \$2 billion over five years (\$400 million a year) for this program.
- **PFAS & Clean Water:** Authorizes \$1 billion over five years in a grant program for public water agencies to implement permit limits for the discharge of PFAS related chemicals identified by EPA as potential contaminants of emerging concern.
- **PFAS & Drinking Water:** Authorizes \$2.5 billion over five years for a grant program to assist water utilities to pay for capital costs associated with PFAS.
- Requires a study on water affordability, including water rates, shutoffs, and the effectiveness of SRF funding for promoting affordable and equitable service. The study will also investigate any discriminatory practices of water and sewer service providers and any violations of civil rights and equal access to water and sewer services and will further assess the availability of data on water access and water shutoffs.
- Creates a clean water smart technology grant program to support the modernization of the Nation's publicly owned treatment works to maintain reliable and affordable water quality infrastructure that addresses demand impacts, including resiliency to improve public health and natural resources.
- Establishes a Water Reuse Interagency Working Group.



Treasury: Tax/Bonding

- **Water Conservation Tax Credit:** Includes language to exempt from gross income water conservation, storm water management, and wastewater management subsidies provided by public utilities or local governments.
- Reinstates advance refunding bonds.

Army Corps of Engineers

- **Environmental Infrastructure:** Provides for an additional \$500 million appropriation for the Army Corps Environmental Infrastructure program. This is the account which directly funds EMWD's Desalter project.

Congressional Debate on PFAS Regulation Continues in 2020

FY 2020 NDAA PFAS Negotiations Breakdown

Congressional activity surrounding the regulation of PFAS carried over from 2019 into 2020. In 2019, the FY 2020 National Defense Authorization Act (FY 2020 NDAA) evolved as the central legislative vehicle in the effort to enact sweeping new federal regulations of PFAS substances. However, while both the House and Senate versions of this measure contained several notable PFAS related provisions, there were significant differences which needed to be reconciled in end of the year conference committee negotiations.

The Senate's GOP-led negotiators refused to budge on the House's expansive position that would have designated the entire class of PFAS chemicals as hazardous substances pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), more commonly referred to as Superfund. Instead of accepting certain Senate GOP backed PFAS provisions, such as mandating the establishment of a federal drinking water standard for two of the most-high profile PFAS substances (PFOA and PFOS), the House closed off negotiations on any of the broader PFAS provisions. In the final version of the FY 2020 NDAA measure (S. 1790), which became law on December 20, 2019, several PFAS provisions specific to the Department of Defense were included, but the only notable EPA provision was one that required the agency to enhance its Toxic Release Inventory (TRI) reporting requirements.

As a result of the TRI provision in S. 1790, on June 22, 2020, EPA issued a final rule adding 172 PFAS to TRI reporting requirements. Per the requirement in S. 1790, the reporting threshold for each of these PFAS is 100 pounds. Moreover, per EPA's regulations, the level to qualify for the *de minimis* exemption is 0.1 percent for PFOA and 1 percent for all other PFAS additions.



House Passes H.R. 535, PFAS Action Act

After the final FY 2020 NDAA measure left out broader provisions directing EPA to more aggressively regulate PFAS substances in toxic site cleanups and drinking water, the Democratic-controlled House sought to clearly and quickly express its aggressive regulatory position regarding PFAS chemicals. On January 10, 2020, the House passed H.R. 535, The PFAS Action Act, which would, among other things:



- Require EPA designate PFOA and PFOS as hazardous substances under the Superfund law;
- Require EPA to review and develop effluent standards, pretreatment standards, and water quality criteria for PFAS under the Federal Water Pollution Control Act and authorize \$100 million in federal grants for each of the fiscal years 2021 through 2025, to publicly owned treatment works to implement pretreatment standards;
- Require EPA, within two years of enactment, to promulgate a national primary drinking water regulation for PFAS with standards for PFOA and PFOS at a minimum;
- Establish a separate regulatory process for PFAS to accelerate EPA’s promulgation of drinking water standards;
- Require EPA to propose a regulation for PFAS within 18 months of making a determination to regulate it;
- Allow EPA, when developing regulations, to rely on health risk information for one PFAS to make reasoned extrapolations regarding the health risks of other PFAS;
- Direct EPA to issue a health advisory within a year of finalizing a toxicity value for a single PFAS or class of PFAS;
- Prohibit EPA (but not states) from imposing penalties for violations of PFAS drinking water regulations until five years after the date of promulgation (to allow systems time to make capital improvements as needed for compliance);
- Direct EPA to establish a competitive grant program to assist community water systems with installing treatment technologies to address PFAS contamination. EPA would be required to give funding priority to community water systems that (1) serve a “disadvantaged community or a disproportionately exposed community,” (2) provide at-least a 10% cost share, or (3) demonstrate the capacity to maintain the treatment technology;
- Require EPA to issue a final ruling listing PFOA and PFOS as hazardous air pollutants under the Clean Air Act within 180 days;
- Direct EPA to create a website tool for people to understand their test results for their water wells and connect them to local health officials;
- Authorize the PFAS Infrastructure Grant Program for an additional three years and increase funding for the program by 25 percent;
- Prevent GenX — a type of PFAS — from contaminating water sources;
- Ban dumping PFAS into a sewage treatment system without disclosing what’s in the chemicals.
- Require EPA to offer public comment on technologies that are considered effective at removing PFAS from drinking water; and
- Direct EPA to establish a household well water testing website to host various resources for private well owners to identify services test and treat their well water for PFAS.

Senate Includes More Modest PFAS Provisions in Drinking Water Legislation

After the House passed H.R. 535, the Senate leadership stated that it would not take up H.R. 535 in 2020. However, in a bipartisan manner, on May 6, 2020, the Senate Environment and Public Works Committee passed S. 3590, Drinking Water Infrastructure Improvement Act of 2020 which contained the following PFAS provisions:

- Directs the EPA to develop a national drinking water standard within 2 years for PFOA and PFOS; and
- Authorizes \$300 million FY 2021 in grants to assist drinking water utilities in the remediation of PFAS substances.

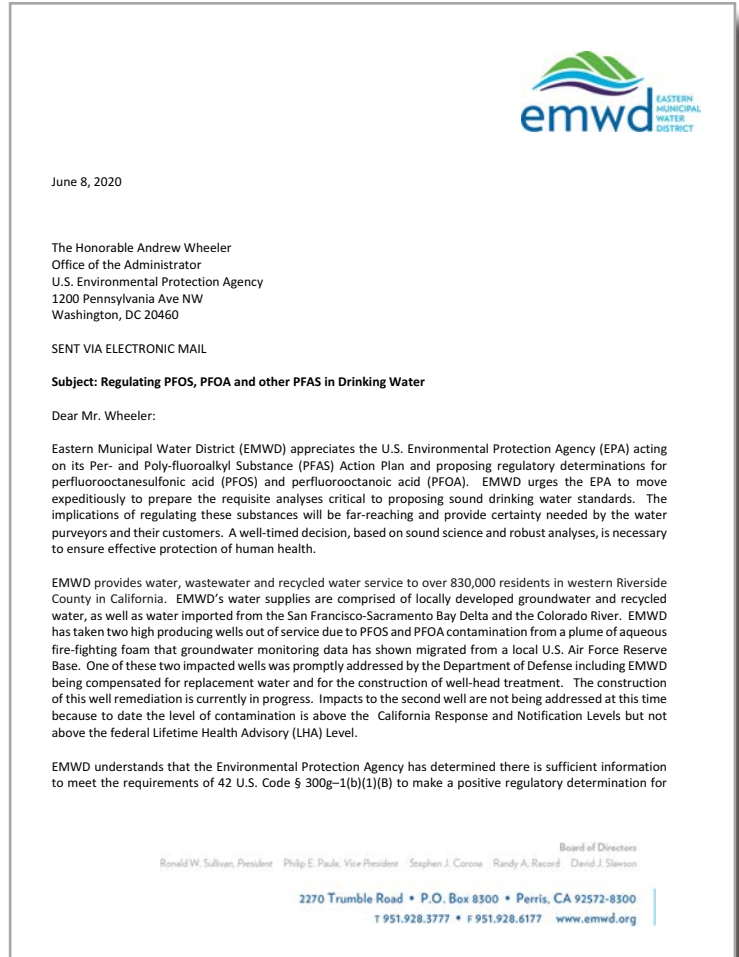
On the PFAS remediation side, the House also included new grant program authorization in H.R. 2, the Moving Forward Act, which passed in that chamber on July 1, 2020. H.R. 2's PFAS spending provisions included:

- \$1 billion over five years in a grant program for public water agencies to implement permit limits for the discharge of PFAS related chemicals identified by EPA as potential contaminants of emerging concern (clean water);
- \$2.5 billion over five years for a grant program to assist water utilities to pay for capital costs associated with PFAS (drinking water); and
- \$500 million per year in direct assistance to disadvantaged communities and communities dealing with PFAS clean-up issues.

EPA also has taken certain actions independent of any legislative mandate. Notably, EPA finalized several actions that already impact the manufacturers and users of certain PFAS and will require action in the near future. The following summarizes information of which chemical manufacturers and users need to be aware, including EPA's most recent actions related to PFAS and potential Congressional action:

PFAS Provisions in the FY 2021 National Defense Authorization Act: With the passage of H.R. 535 earlier in the year, the House leadership decided that it would prevent broader PFAS drinking water and clean-up provisions from being included in the House's version of the FY 2021 NDAA. However, of interest to EMWD, the House's FY 2021 NDAA legislation (HR. 6395), which passed on July 21, 2020, contains language which would require the Pentagon to follow the most stringent standard in cleaning-up PFAS contamination from defense facilities, whether at the state or federal level. This provision was included by Representative Elissa Slotkin (D-MI) on a party-line vote during the Committee mark-up of the bill. The provision would eliminate drawn-out negotiations between states and the military over whether to abide by federal PFAS-level thresholds related to drinking water source clean-up, or often stricter, state limits associated with contamination.

The Senate's FY 2021 NDAA bill (S. 4049), which passed out of that chamber on July 23, 2020, did not contain a similar provision to



the House's NDAA Slotkin language. The House and Senate Armed Service Committee chairmen recently expressed their collective desire for the annual defense authorization bill to be reconciled in November and a final version brought to the House and Senate floor for a vote the first week in December.

EPA Takes Action on PFAS: While this year will not see Congressional enactment of PFAS legislation on the scale of H.R. 535 (i.e. mandatory Superfund designations, etc.), the outcome of the November election will shape the prospect for passage of broader regulatory measure reform in the 117th Congress.

Of significance on the agency side, on March 10, 2020, EPA published its "Announcement of Preliminary Regulatory Determinations for Contaminants on the Fourth Drinking Water Contaminant Candidate List." EPA has sought comment on its preliminary determinations to develop drinking water regulations for PFOS and PFOA and not to regulate six other contaminants (1,1-dichloroethane, acetochlor, methyl bromide, metolachlor, nitrobenzene, and RDX).

EPA made preliminary determinations to regulate PFOS and PFOA because it concluded the two chemicals met the requirements under the Safe Drinking Water Act, including:

1. The contaminants may have an adverse effect on the health of persons;
2. The contaminants are known to occur or there is a substantial likelihood that the contaminants will occur in public water systems with a frequency and at levels of public health concern; and
3. That regulation of the contaminants presents a meaningful opportunity for health risk reduction for persons served by public water systems.

Although the Agency made only preliminary regulatory determinations for PFOA and PFOS in this announcement, the notice also discussed the possibility of regulating other PFAS. EPA asked for comments on potential regulatory approaches for other PFAS. It has identified the following options:

1. Evaluate each additional PFAS on an individual basis;
2. Evaluate additional PFAS by different grouping approaches; or
3. Evaluate PFAS based on drinking water treatment techniques.

If EPA finalizes its regulatory determinations, it will have 24 months to propose a non-enforceable maximum contaminant level goal and an enforceable national primary drinking water regulation for PFOS and PFOA. An enforceable national primary drinking water regulation applies to public water systems and can take the form of a maximum contaminant level (MCL); or if there is no reliable method that is economically and technically



feasible to measure a contaminant at concentrations to indicate there is not a public health concern, a treatment technique.

Also, in February 2019, EPA – as part of its PFAS Action Plan – announced its intention to initiate the regulatory process for listing PFOA and PFOS as hazardous substances under CERCLA. How long this process will take the agency to complete and what the ultimate outcome will be is unclear.

EMWD continues to weigh in on PFAS legislation with the following priorities:

1. Congress should not circumvent existing regulatory processes and procedures for establishing PFAS standards including the Safe Drinking Water Act and the Toxic Substances Control Act;
2. Responsibility for PFAS should rest with manufacturers and polluters, not water utilities;
3. Comprehensive Environmental response, Compensation, and Liability (CERCLA, super fund) designation for PFAS is not necessary, and would place innocent parties like water and wastewater agencies in the chain of liability; and
4. EMWD also urges Congress to require and support funding for the Department of Defense mitigation of PFAS in water supplies impacted by military operations, including treatment down to the state drinking water standards, or in the case of California, down to the notification levels.

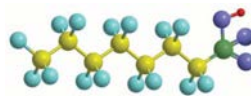
PFAS, At the Local Level

Over the last few years, EMWD has greatly appreciated the on-going collaboration with the United States Air Force (Air Force), and in particular the collaboration with the staff at March Air Reserve Base (MARB) regarding the Per- and Polyfluoroalkyl Substances (PFAS) contamination at and around MARB.

EMWD has been actively coordinating with the Air Force on PFAS remediation related to Well 59 due to the well exceeding the federal Lifetime Health Advisory (LHA) for combined Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA) concentrations from MARB source contamination. EMWD has also removed Well 56 from service due to elevated PFAS concentrations that exceed the California notification and action water quality levels. However, the Air Force is not participating in

What are PFAS, PFOA and PFOS?

- PFAS (Per-and Polyfluoroalkyl Substances) are a class of man-made chemicals
 - Chains of Carbon (C) atoms surrounded by Fluorine (F) atoms
 - Water-repellent (hydrophobic)
 - Stable and persistent C-F bond
 - “Long chain” molecules
 - Over 4,500 PFAS chemicals
 - Of these chemicals, PFOA and PFOS are the most extensively produced and analyzed for regulatory standards



Widely used by American manufacturers since the 1940's

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Why the Attention on PFAS?

- Evidence that significant exposure can lead to adverse health impacts
- Science Advisory Board to USEPA and World Health Organization considers PFOA a: “..likely human carcinogen”
- Long-term significant exposure has been linked to the following:
 - **PFOA:** High cholesterol levels, ulcerative colitis, thyroid disease, testicular and kidney cancers, pregnancy induced hypertension
 - **PFOS:** Decreased vaccination response, liver damage, and decreased birth rate



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the PFAS remediation of Well 56 and has communicated they will not enter into a tolling agreement for Well 56 since the PFAS concentrations do not currently exceed the LHA.

In March 2020, the United States Air Force released its “Expanded Site Inspection Report for Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA)” also known as the PFAS delineation study, or the ESI Report. The ESI Report presents information specific to PFAS contamination from the former fire training area and acknowledges that additional studies are needed to better define the extent of the PFAS plume.

In June 2020, EMWD transmitted a letter to the Air Force, requesting the ESI Report findings be revised to recommend that action is needed at Well 56 similar to Well 59 since the ESI Report shows Well 56 within the PFOS and PFOA plume exceeding the LHA. In addition, EMWD took the opportunity to clarify that EMWD’s Moreno Valley Regional Water Reclamation Facility is not a potential source of PFAS contamination, as suggested by the report.

During the September 9, 2020, Technical Advisory Committee meetings of the North Perris Basin Groundwater project, the Santa Ana Regional Water Quality Control Board (SARWQCB) inquired about the MARB responsibility in cleaning-up the PFAS contamination plume that has migrated off of the base, in particular as it relates to EMWD’s proposed Well 204. That meeting concluded with an agreement that the SARWQCB would put their request of the Air Force in writing.

On September 29, 2020, the SARWQCB sent a letter to both the on-base engineer, Eric Lehto, and Robert Estrada, the BRAC Environmental Coordinator from the Air Force Civil Engineering Center in Lackland Texas that purports that the Air Force is the responsible party for the PFAS plume, and calls for the Air Force to mitigate the contamination in impacted potable water wells down to the state notification levels. The letter specifies that the beneficial uses of the Perris North Groundwater Management Zone have been, and are threatened to be, impacted by the PFAS plume emanating from MARB.

The SARWQCB requested that the Air Force fully delineate the PFAS plume using California’s screening levels for PFOA and PFOS in drinking water, control the migration of the PFAS plume, and remediate the groundwater that has been impacted. As of the preparation of this report, the Air Force had not yet responded to the letter from the SARWQCB. EMWD is eager to resolve this issue as construction of the proposed Well 204 is to be funded from Proposition 1 grant administered by the State Water Resources Control Board as a component of the North Perris Groundwater Contamination and Remediation Program.

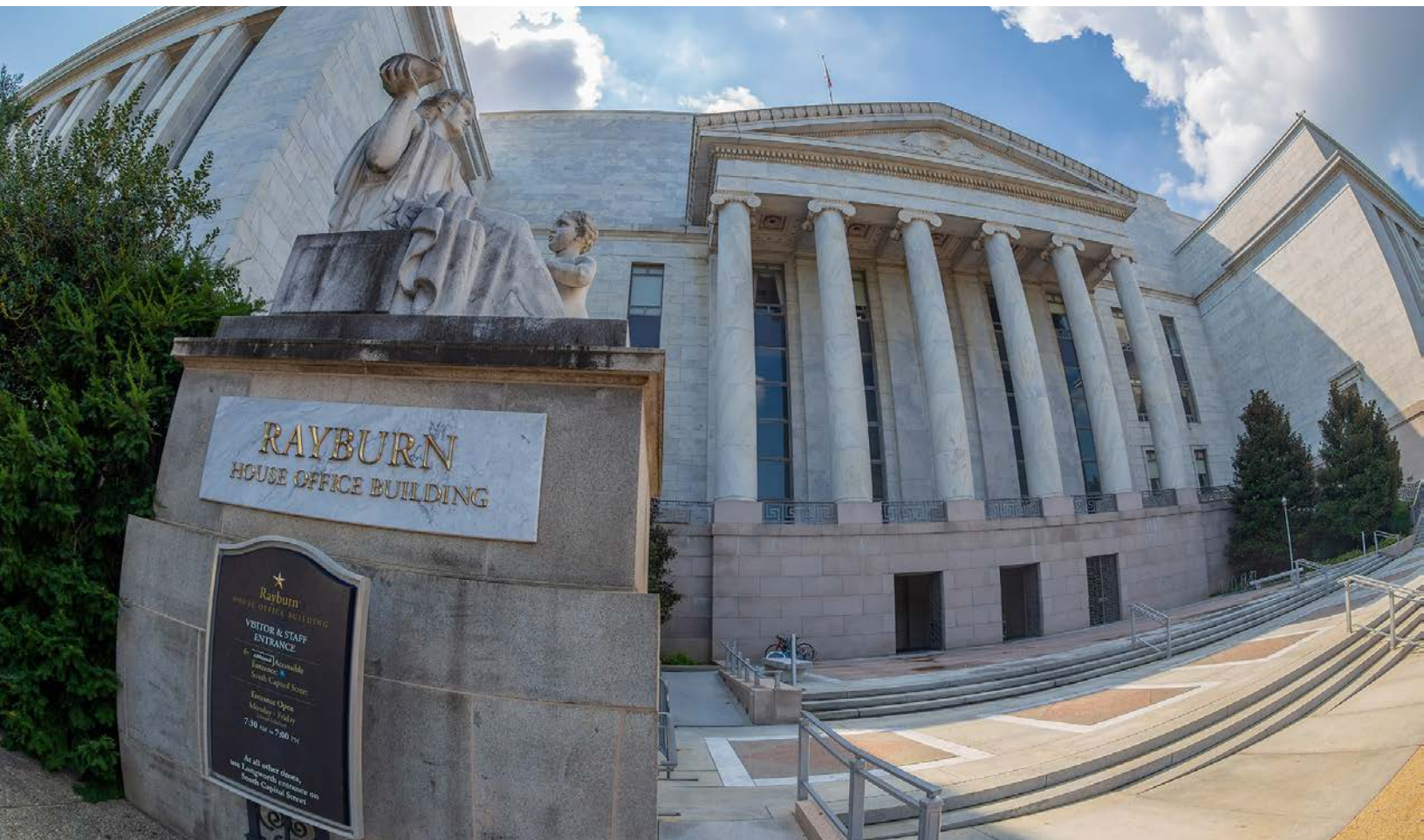


Continuing Resolution Gives Congress Breathing Room Until December

Once the Senate indefinitely postponed its FY 2021 spending bill markups earlier this summer, it became clear that Congress would not meet the October 1, 2020 deadline for enacting its annual appropriations bills. On September 30, 2020, Congress enacted a short-term, continuing resolution (CR) to fund federal government operations through December 11, 2020. President Trump supported the Congressional stop-gap funding measure and signed the legislation into law on October 1, 2020 the day the new fiscal year was set to begin.

Both House and Senate leaders have stated that they want to pass a bipartisan omnibus appropriations package by the December 11, 2020 deadline, but securing an agreement on FY 2021 spending bills after the November election could prove to be an ambitious goal given the uncertainty around the lame duck session and the coronavirus stimulus negotiations. In short, the mood of the Congress and White House in the aftermath of the election will determine whether an omnibus agreement can be reached before the end of the calendar year. These factors will also play a leading hand in the fate of a potential large-scale water-related measure (i.e. WRDA + Reclamation provisions + EPA clean-drinking water programs).

As the writing of this report is prior to the election, a supplemental report will be provided to the Board in mid-to-late December. The supplemental report will give an overview of the election's impact on EMWD's outstanding Congressional priorities, and key legislative actions which transpire in the final weeks of the 116th Congress.



FEDERAL BILLS BY SUBJECT

HIGHLIGHTS FROM THE
SECOND SESSION OF
THE 116TH CONGRESS

BILL NUMBER, AUTHOR **TITLE** **POSITION–PRIORITY** **STATUS**

Clean Water Act

HR 667, Herrera Beutler (R) Waters of the United States Rule Repeal Watch–C Pending
 HR 6745, DeFazio (D) US Waters Definition Oppose–A Pending

COVID-19

HR 6616, Cardenas (D) COVID 19 Vaccines and Treatment Coverage Watch–C Pending
 HR 6800, Lowey (D) HEROES Act Watch–C Pending
 HR 7073, Garamendi (D) Special Districts Provide Essential Services Act Support–A Pending
 S 4308, Sinema (D) Special Districts Provide Essential Services Act Support–A Pending

Dams/Storage

HR 1621, McClintock (R) Surface Water Storage Projects Construction Watch–C Pending
 HR 4659, Newhouse (R) Aging Infrastructure Account Establishment Support–A Pending
 HR 6617, Cox (D) Surface and Groundwater Storage Projects Support–A Pending

Energy Management

S 1857, Murkowski (R) Federal Energy and Water Performance Improvement Support–A Pending

Environmental Permitting

HR 363, Calvert (R) States of Federal Agency Environmental Review Support–A Pending
 HR 1764, Garamendi (D) Federal Water Pollution Control Permitting Terms Watch–C Pending
 HR 5095, Luetkemeyer (R) Endangered Species Delisting Watch–C Pending
 HR 5467, Tipton (R) Endangered Species Act Reauthorization Watch–C Pending
 HR 5579, Gianforte (R) Endangered Species Listing Precision Watch–C Pending
 HR 5585, Olson (R) Listing Reform Act Watch–C Pending
 HR 5588, Newhouse (R) WHOLE Act Watch–C Pending

FEDERAL BILLS BY SUBJECT

<i>BILL NUMBER, AUTHOR</i>	<i>TITLE</i>	<i>POSITION-PRIORITY</i>	<i>STATUS</i>
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Environmental Permitting (cont.)

HR 5627, Curtis (R)	Emergency Watershed Protection Costs	Watch-C	Pending
HR 5694, McClintock (R)	Endangered Species Determinations Publication	Support-A	Pending
HR 8069, Cook (R)	Conservation of Species Grants	Watch-C	Pending
S 3288, Harris (D)	California Federal Land Protection	Watch-C	Pending

Groundwater

HR 2871, Fulcher (R)	Aquifer Recharge Flexibility	Watch-C	Pending
HR 6053, Kildee (D)	Well Water Testing Website Establishment	Watch-C	Pending
HR 6185, Wasserman (D)	Water Extraction Excise Tax	Watch-C	Pending
S 1570, Risch (R)	Aquifer Recharge Flexibility	Watch-C	Pending
S 3811, Feinstein (D)	California Subsidence Impacts Projects Assistance	Support-A	Pending

Habitat

HR 358, Vargas (D)	California New River Restoration Program	Watch-C	Pending
HR 548, Calvert (R)	Fish Migration	Support-A	Pending
HR 5311, Huffman (D)	Urban and Community Forestry Advisory Council Renewal	Watch-C	Pending
HR 5859, Westerman (R)	Forest Management Reforestation and Utilization	Support-A	Pending
HR 6684, Matsui D (D)	Flood Protection and Water Resources Enhancement	Support-A	Pending
S 47, Murkowski (R)	Natural Resources Management Act	Watch-C	Enacted

Infrastructure Financing

HR 638, Cloud (R)	Public Debt Costs Estimate	Oppose-A	Pending
HR 658, DeLauro (D)	National Infrastructure Development Bank Establishment	Watch-C	Pending
HR 1137, Garamendi (D)	National Emergencies Reprogramming Authority	Watch-C	Pending
HR 1162, Napolitano (D)	Water Recycling and Reuse Projects Grant Program	Watch-C	Pending
HR 1417, Lawrence (D)	Water and Sewer Infrastructure Trust Fund	Watch-C	Pending
HR 1429, Waters (D)	Drinking Water State Revolving Funds Appropriations	Support-A	Pending
HR 2458, Mucarsel-Powell (D)	Green Projects Fund Capitalization Grants	Watch-C	Pending
HR 2470, Carbajal (D)	Environmental Protection Agency Grants Eligibility	Watch-C	Pending
HR 2705, Blumenauer (D)	Water Infrastructure Trust Fund	Watch-C	Pending
HR 2718, Kilmer (D)	Qualified Private Activity Bonds Inclusion	Watch-C	Pending
HR 3254, Delgado (D)	Drinking Water Projects Grant Program	Watch-C	Pending
HR 3510, Harder (D)	Water Resources Research Grants	Watch-C	Pending
HR 3779, Craig (D)	Disaster Risks Assistance Funds	Support-A	Pending
HR 4687, Rouda (D)	Procurement Provisions Waiver	Watch-C	Pending

BILL NUMBER, AUTHOR TITLE POSITION-PRIORITY STATUS

Infrastructure Financing (cont.)

HR 5347, Cox (D)	Safe Drinking Water Access Grants	Watch-C	Pending
HR 5445, Stewart (R)	Critical Infrastructure Construction	Watch-C	Pending
HR 5513, Kennedy J (D)	Loan Payment Period Modification	Watch-C	Pending
HR 6622, McKinley (R)	Public Water Systems Operational Sustainability Grants	Support-A	Pending
S 40, Barrasso (R)	Bureau of Reclamation Infrastructure Assets Management	Watch-C	Pending
S 611, Sanders (I)	Water and Sewer Infrastructure Funding	Watch-C	Pending
S 1837, Gillibrand (D)	Drinking Water Projects Grant Program	Watch-C	Pending
S 1932, Gardner (R)	Reclamation States Water Infrastructure Support	Support-A	Pending
S 2044, McSally (R)	Aging Infrastructure Account Establishment	Support-A	Pending
S 2636, Cardin (D)	Natural Hazards Resilience Grants Program	Watch-C	Pending
S 2674, Capito (R)	Public Water Systems Infrastructure Asset Management	Watch-C	Pending
S 3160, Warren (D)	State Revolving Funds Payment Periods Modification	Watch-C	Pending

Invasive Species

HR 29, Gohmert (R)	Water Transfer Exemptions	Support-A	Pending
HR 380, Grothman (R)	Fishways Prescription	Support-A	Pending
HR 3399, Harder (D)	Nutria Eradication and Control Act	Watch-C	Enacted
HR 6057, McAdams (D)	Aquatic Invasive Species Spread Prevention	Support-A	Pending
S 1535, Warner (D)	Infrastructure Financing Authority Establishment	Watch-C	Pending
S 2975, Bennet (D)	Aquatic Invasive Species Spread Prevention	Support-A	Pending

PFAS

HR 535, Dingell D (D)	Hazardous Substances Designation	Oppose-A	Pending
HR 1976, Kildee (D)	Perfluorinated Compounds Survey	Support-B	Pending
HR 2377, Boyle B (D)	Drinking Water Maximum Contaminant Level	Oppose unless amended-A	Pending
HR 2500, Smith A (D)	National Defense Authorization Act for Fiscal Year 2020	Oppose-A	Pending
HR 2533, Pallone (D)	Community Water Systems Contamination	Watch-C	Pending
HR 2570, Rouda (D)	Water Treatment Costs	Watch-C	Pending
HR 2577, Delgado (D)	Toxics Release Inventory Inclusion	Watch-C	Pending
HR 2596, Kuster (D)	Polyfluoroalkyl Substances Manufacturing and Processing	Watch-C	Pending
HR 2600, Dean (D)	Per and Polyfluoroalkyl Substances Regulation	Watch-C	Pending
HR 2626, Upton (R)	Water Contamination Remediation Agreements	Support-A	Pending
HR 2800, Slotkin (D)	Drinking Water Substance Monitoring	Watch-C	Pending
HR 3616, Pappas (D)	Federal Water Pollution Control Act	Watch-C	Pending
S 950, Stabenow (D)	Perfluorinated Compounds Survey	Support-B	Pending

FEDERAL BILLS BY SUBJECT

<i>BILL NUMBER, AUTHOR</i>	<i>TITLE</i>	<i>POSITION–PRIORITY</i>	<i>STATUS</i>
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PFAS (cont.)

S 1372, Stabenow (D)	Water Contamination Remediation Agreements	Watch–C	Pending
S 1507, Capito (R)	Toxics Release Inventory Inclusion	Oppose unless amended–A	Pending
S 1790, Inhofe (R)	National Defense Authorization Act for Fiscal Year 2020	Watch–C	Enacted

Safe and Affordable Drinking Water

HR 4033, Kildee (D)	Water Justice Act	Watch–C	Pending
HR 4832, Fudge (D)	Sanitation Services Access Assistance Programs	Watch–C	Pending
HR 4891, Small (D)	Water Security Measures Conduct	Support if amended–A	Pending
HR 5594, Smith J (R)	EMPOWERS Act	Watch–C	Pending
HR 7258, Levin A (D)	Potable Water Access	Watch–C	Pending
S 2466, Harris (D)	Water Justice Act	Watch–C	Pending
S 2596, Duckworth (D)	Community Water Systems Partnerships Authorization	Watch–C	Pending

Water Conservation

HR 34, Johnson E (D)	Water Intensity Consideration	Support–A	Pending
HR 2019, McNERNEY (D)	Smart Water Resource Management Pilot Program	Support–B	Pending
HR 2313, Huffman (D)	Water Conservation Subsidies Exclusion	Support–A	Pending
S 3422, Gardner (R)	Great American Outdoors Act	Support–A	Enacted

Water Quality

HR 1331, Craig (D)	Nonpoint Source Management Programs Reauthorization	Watch–C	Pending
HR 3677, Kildee (D)	National Primary Drinking Water Regulation	Oppose–A	Pending
HR 6113, Katko (R)	Advanced Research Projects Agency Water	Watch–C	Pending
S 1251, Shaheen (D)	Emerging Contaminants Public Health Response Assistance	Watch–C	Pending
S 1473, Gillibrand (D)	Drinking Water Maximum Contaminant Levels	Watch–C	Pending
S 1613, Markey (D)	Drinking Water Contaminants Reporting Requirements	Watch–C	Pending
S 2086, Duckworth (D)	National Primary Drinking Water Regulation Transparency	Oppose–B	Pending
S 3227, Sanders (I)	Hazardous Substances Designation	Watch–C	Pending
S 3480, Shaheen (D)	Pollution Assistance Authorization	Watch–C	Pending
S 3621, Baldwin (D)	Drinking Water Project Limitations	Oppose–A	Pending
S 3976, Stabenow (D)	Lead Exposure Registry Appropriations Extension	Watch–C	Pending

Water Supply

HR 855, Peters S (D)	Extreme Weather Cost Minimization	Watch–C	Pending
HR 1159, Cicilline (D)	Transportation and Water Infrastructure Construction	Watch–C	Pending

BILL NUMBER, AUTHOR	TITLE	POSITION—PRIORITY	STATUS
Water Supply (cont.)			
HR 1435, Garamendi (D)	Water Infrastructure Improvements Investments	Watch—C	Pending
HR 1497, DeFazio (D)	Water Pollution Control Programs Reauthorization	Support—A	Pending
HR 2473, Harder (D)	Water Supply Reliability and Management Improvement	Support—B	Pending
HR 3723, Levin (D)	Desalination Project Development and Drought Resilience	Watch—C	Pending
HR 4039, Levin (D)	Water Infrastructure Projects Funding	Watch—C	Pending
HR 5302, McNerney (D)	Recycled Water Projects Authorization	Watch—C	Pending
HR 5316, Cox (D)	Canal Carrying Capacity Restoration	Watch—C	Pending
HR 5361, Blunt Rochester (D)	Federal Interagency Actions Coordination	Watch—C	Pending
HR 5752, Costa (D)	Conveyance Capacity Correction Act	Support—A	Pending
HR 7243, Delgado (D)	Army Inventory and Research	Support—A	Pending
HR 8041, Harder (D)	Snow Water Supply Forecasting Program	Support—A	Pending
S 2718, Udall T (D)	Western Water Security Act	Support if amended—A	Pending
S 2799, Murkowski (R)	Energy and Water Sustainability Office	Watch—C	Pending
S 3590, Barrasso (R)	Drinking Water Infrastructure Act of 2020	Support—A	Pending
S 3591, Barrasso (R)	America’s Water Infrastructure Act of 2020	Support—A	Pending
S 4188, Harris (D)	Water for Tomorrow Act	Watch—C	Pending
S 4189, Wyden (D)	Water for Conservation and Farming Act	Watch—C	Pending
S 4228, McSally (R)	Water Energy Technologies Demonstration and Deployment	Watch—C	Pending
S 4431, Feinstein (D)	Wildfire Preparedness and Response	Watch—C	Pending
S 4530, Feinstein (D)	Snow Water Supply Forecasting Program	Support—A	Pending
S 403, Whitehouse (D)	Domestic Transportation and Water Infrastructure	Watch—C	Pending

ACTIVITY ON FEDERAL ISSUES

116TH CONGRESS
2019-2020

Title	Letters Sent	Purpose of Letter
WaterReuse California FY 21 Funding Letter	2.....	Request Support
Compromise Version of the Drought Resilience and Water Supply Infrastructure Act.....	1.....	Request Support
Congressional COVID-19 Relief Requests	5.....	Request Support
Section 2 of S. 2044 as an amendment to S. 3422, The Great American Outdoors Act	2.....	Expressing Support
Letter to EPA/Mr. Wheeler regarding EPA’s PFAS Action Plan.....	1.....	Expressing Support
S. 3811, the Restoration of Essential Conveyance Act.....	1.....	Expressing Support
The Great American Outdoors Act	2.....	Thank you
Supporting Section 2 of S. 2044 as an amendment to S. 3422	1.....	Thank you
Congratulating the 55th Chief of the Army Corps of Engineers	1.....	Congratulations
Congratulating the new LA District Commander, U.S. Army Corps of Engineers	1.....	Congratulations
Congratulating the South Pacific Division Commander, U.S. Army Corps of Engineers	1.....	Congratulations
Special Districts Provide Essential Services Act (H.R. 7073 and S. 4308)	4.....	Support
Language Increasing the Authorization of EMWD’s South Perris Water Supply Desalination Program in H.R. 7575, the Water Resources Development Act of 2020.....	3.....	Thank you
EMWD Funding Priorities in Legislation Pending Final Action in the 116th Congress	5.....	Request to Support
Comments to U.S. Department of Energy on Conservation Standards for Showerheads	1.....	Express Concern
Comments on the Proposed 2020 FCA for Clean Water Act Obligations.....	1.....	Support

“EMWD adapted to COVID-19 to preserve and maintain the high-level of engagement required to ensure that decisionmakers are informed of the EMWD’s projects, priorities, and policy related concerns.”



State Program

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STATE OVERVIEW

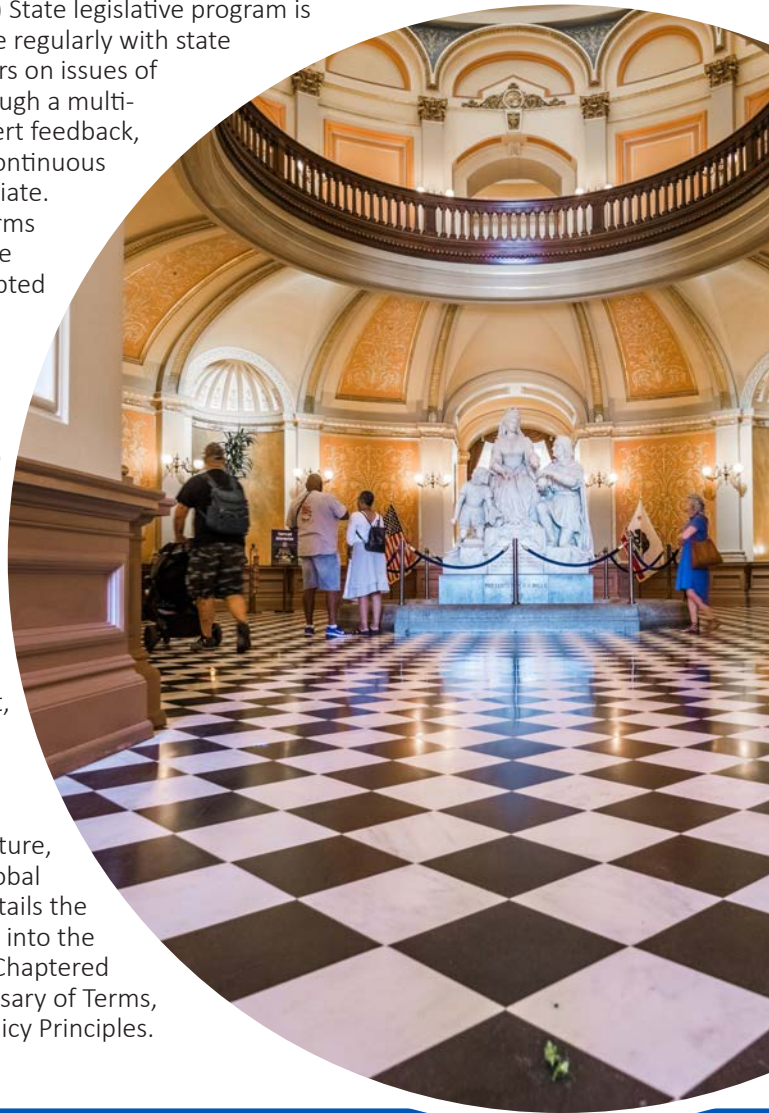
HIGHLIGHTS FROM THE 2020 LEGISLATIVE SESSION

State Overview

The priority and focus of Eastern Municipal Water District's (EMWD) State legislative program is to promote the District's interest at the state level and communicate regularly with state legislators, members of the administration, and other decisionmakers on issues of concern to the District and its ratepayers. This is accomplished through a multi-pronged approach that incorporates both internal and external expert feedback, formal correspondence on priority bills, briefings with Legislators, continuous bill monitoring, and testifying at committee hearings, when appropriate. While the 2020 legislative session did present new challenges, in terms of opportunities to engage and inform stakeholders on the legislative priorities and functions of the District due to COVID-19, EMWD adapted to preserve and maintain the high-level of engagement required to ensure that decisionmakers are informed of the District's projects, priorities, and policy related concerns.

The following sections of the EMWD Public and Governmental Affairs 2020 Annual Legislative Report details the District's approach and specific actions completed to effectively communicate the District's position, needs, and concerns as they relate to the more than 5,423 bills, resolutions, and constitutional amendments that were introduced between the 2019 and 2020, during the two-year session. 2390 were introduced in 2020 and 3033 in 2019. In total, only 428 bills were submitted to Governor Newsom for consideration in 2020, where he signed 372 bills and vetoed 56 bills. EMWD reviewed 123 bills and submitted 363 letters of support, opposition, concern, or other commentary.

A specific COVID-19 related section of the report has been included on pages 3–13 to provide a dedicated account of the reaction and related actions undertaken by the federal government, State Legislature, Newsom Administration, and EMWD to manage and address this global pandemic. The remaining "State Program" portion of this report details the additional specific bills of interest to the District and is broken down into the following sections: Legislative Review Process, Legislation by Topic, Chaptered Bills, Vetoed Bills, Correspondence, Governor's Veto Messages, Glossary of Terms, Standing Committee Abbreviations, Legislative Bill Positions, and Policy Principles.



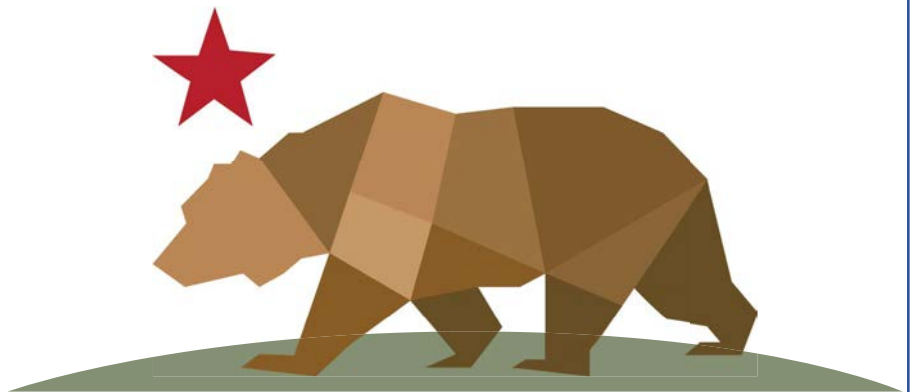
Political Landscape

On January 10, 2020, Governor Newsom released his record \$222 billion 2020-2021 State Budget proposal. The state's fiscal position was strong and the policy goals of the administration were clearly defined, with the budget proposal set to bolster these goals and make significant strides to address the ever-growing pension obligations of the state. The Governor declared, in his budget proposal release, that "...As 2020 begins, California's economy is the strongest in the nation and fifth largest in the world. We're eliminating debts, paying down pension liabilities, and growing our reserve funds – the largest ever at \$21 billion – and one out of every seven new U.S. jobs is in California..."

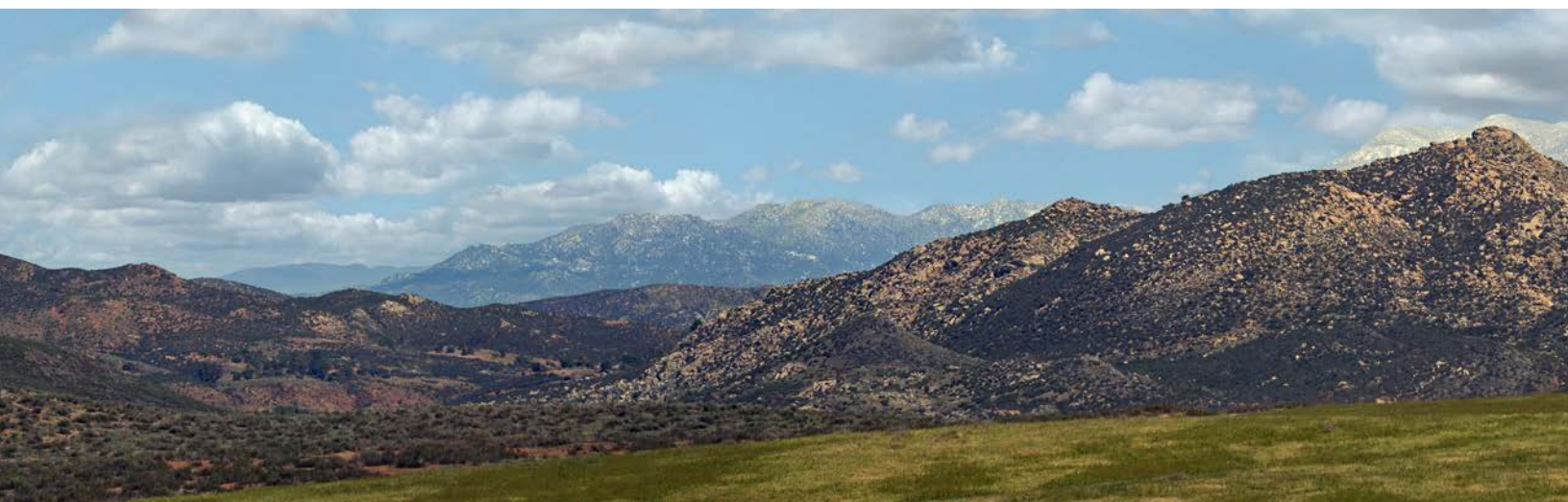
This strong fiscal outlook left the state poised to make great strides to address homelessness, housing affordability, climate change, and further invest in K-12 and higher education. As detailed in greater lengths on pages 3–13 of this report, the state's sunny fiscal outlook came to a dramatic stop as the emerging signs of a global pandemic forced the closure of most of California following the Governor's declared State of Emergency and "Stay at Home" order for all nonessential employees.

From March 4, 2020, to the end of the legislative session responding to COVID-19, securing personal protective equipment (PPE), and addressing the state's rapidly declining revenues took up a majority of the Administration and the Legislature's time. Struggles with data accuracy and reliability for infection rates along with technology issues and accusations of fraud at the Employment Development Department further caused increased levels of frustration and distrust between the government and the public. Growing tensions due to racial inequality throughout the nation and around the state added an additional dimension to already polarized policy debates, and outbreaks of massive-scale wildfires claimed lives and property, ending the 2020 legislative session on a devastating note.

CALIFORNIA STATE BUDGET 2020-21



Gavin Newsom, Governor
State of California



Climate Change and Climate Resiliency Issues are Prioritized by the Newsom Administration

As California continues to navigate a shift in climate, water resiliency grows increasingly more important. To combat the effects of these changes and prepare for the future, Governor Gavin Newsom issued an executive order on April 29, 2019, directing his administration to develop a broad portfolio of collaborative strategies with local water agencies and stakeholders to establish a set of recommendations to address water supply resilience.

In response to this executive order, on January 3, 2020, Governor Newsom and his resource agency secretaries released the Draft Resilience Portfolio (Draft Portfolio) which outlined existing solutions and laws that are underway, and it included a series of state and regional solutions geared towards encouraging collaboration across and between state agencies, as well as strategic actions at the regional level. In response to the draft document, EMWD provided a lengthy comment letter on the Draft Portfolio to acknowledge the work done by the Administration and to advance additional recommendations for consideration by the resources agencies as they finalized the document. On July 28, 2020, Governor Newsom released the Final Water Resilience Portfolio outlining 142 state actions to help build a climate-resilient water system for the state. The portfolio is a comprehensive document, with several priorities laid out for the state including:

- Implementing the Safe and Affordable Drinking Water Act of 2019;
- Supporting local communities to successfully implement the Sustainable Groundwater Management Act of 2014;
- Achieving voluntary agreements to increase flows and improve conditions for native fish in the Sacramento-San Joaquin Bay Delta (Delta) and its watersheds;
- Modernizing the Delta water conveyance system to protect long-term functionality of the State Water Project;
- Updating regulations to expand water recycling;
- Accelerating new water storage solutions;
- Expanding seasonal floodplains for fish and flood benefits;
- Improving conditions at the Salton Sea;
- Removing dams from the Klamath River, and
- Leveraging existing and new information, data, and science to improve water management.

Addressing climate change and ensuring water resilience is a high priority for this Administration, however funding is paramount to achieving these goals. Discussions on a funding scheme to address these and other climate change related efforts had been initiated in 2019, however they were renewed in earnest in 2020 as competing plans for a climate resiliency bond that could

potentially arrive on the November 3, 2020 ballot emerged.

In the 2020-21 budget proposal released by the Administration, Governor Newsom laid out a \$12.5 billion plan to fund a wide-range of climate-change programs, which included a \$4.75 billion climate resilience bond that would address water, wildfires, and drought risks. Other bond proposals included SB 45 (Allen) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which proposed a \$5.51 billion general obligation bond, with the funds going towards wildfire prevention, safe drinking water, and drought preparation projects. Assembly Member Eduardo Garcia was identified to champion the Assembly effort that was developed through a lengthy negotiation process between a key bipartisan group of legislators. The Assembly bill, AB 3256 (E. Garcia) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, was the largest of the three bond proposals at \$6.98 billion.

EMWD, along with a coalition of local water providers from Riverside and San Bernardino counties met with various legislators, including Assembly Member Eduardo Garcia and Senator Allen, as well as key committee consultants tasked with crafting the bond bills to encourage

language that would fund septic-to-sewer conversion projects. The issue of septic-to-sewer conversion as a means to secure groundwater from contamination, protect certain drinking water reservoirs from water quality degradation due to effluent overflow of septic systems during high storm events, and increasing the availability of source water for centralized recycled water systems gained significant traction through

this outreach effort, especially within the Assembly as a version of the bill that was circulated for review included septic-to-sewer conversion funding.

While the effort to generate a bond was widely supported in the early days of the legislative session, the bond discussion shifted dramatically as revenues began to rapidly decline due to the economic downturn stemming from COVID-19. The likelihood of a bond appearing on the 2020 ballot became even more remote when the Governor stated that he was no longer supportive of a climate bond due to the pandemic-induced state debt. Conversations did briefly pivot to the possibility of a recovery and economic stimulus bond effort, however it became evident that the Legislature did not feel confident that there was capacity within the state budget to support an additional general obligation

“The 2020-21 budget proposal laid out a \$12.5 billion plan to fund climate change programs.”





bond, and therefore the Legislature did not move a bond bill prior to the June 25, 2020 date to do so and the effort died for the remainder of the year.

A controversial climate change and resiliency bill had flown under-the-radar during the initial months of the legislative session, however by late June AB 3030 (Kalra) Resource Conservation: Land and Ocean Conservation emerged as one of the highest priorities for the water, agriculture, and ocean fishery related industries. This bill would have sought to preserve at least 30-percent of state and national fresh and ocean waters and lands by 2030. The measure would eventually die in the Senate Appropriations Committee, with extensive opposition due to the unknown, yet substantial, impacts of the bill. The crux of the issue with AB 3030 was not the preservation, it was the lack of information and detail that was included within the bill. AB 3030 failed to identify methods for quantifying what 30-percent of preservation and conservation entailed, how the bill worked with or accounted existing conservation and preservation requirements, and methods for addressing and prioritizing projects and programs to advance these goals.

Although AB 3030 ultimately died during the legislative session, the bill had gained the attention of the Administration and on October 7, 2020, Governor Newsom issued an executive order, joining 38 nations in preserving and protecting 30-percent of the

state's lands by 2030. While very similar to the language of AB 3030, the Governor's executive order was limited to land and ocean water protections and then further required the California Natural Resources Agency in consultation with the California Environmental Protection Agency, the California Department of Food and Agriculture, the California Air Resources Board, Governor's Office of Planning and Research, the California Strategic Growth Council as well as other state agencies to develop a Natural and Working Lands Climate Smart Strategy which will serve as a framework to establish climate resilience and achieve the state's carbon neutrality goals. The Governor declared that the executive order was part of a larger fight against climate change and reducing the state's carbon footprint.

“The Legislature did not feel confident that there was capacity within the state budget to support an additional general obligation bond.”

As Wildfires Reach Record Scale, Legislature Examines Emergency Response Protocols

Changing climate conditions and harsh and more lengthy droughts have become more regular occurrences in California, the effects of which have been especially pronounced in recent years, with unforgiving heat waves and extreme wildfires becoming more frequent. California wildfires have increased by as much as eight times in size since the 1970s, heat waves are becoming more frequent, and snowpack is becoming less dense. These signs illustrate the consequences of climate change, making water resiliency a crucial component in combating the climate crisis and additional intervention and management by state agencies is becoming increasingly more necessary to protect life and property from devastating wildfires.

By September 8, 2020, California had experienced more than 7,606 wildfires consuming approximately 2.3 million acres across the state. The figure eclipsed the prior record of 3,300 documented fires the previous year. While many other states around the nation have experienced utility transmission and distribution related wildfires, none have experienced the frequency of California. Unprecedented droughts accompanied by delayed maintenance practices by some utility agencies have placed, what may be deemed to be, an over reliance on the use of Public Safety Power Shutoffs (PSPS) to combat the frequency of the wildfires.

Wildfires are a perennial issue in California and Public Safety Power Shutoff events, as a response, facilitates unique challenges for the water and wastewater industries. Water and wastewater providers depend on power to keep water flowing in order for firefighters to fight fires and wastewater treatment plants to treat and move sewage. PSPS events present major hurdles that require water and sewer providers, including EMWD, to find a balance of keeping critical facilities operational using back-up generated power, while simultaneously working to avoid exceeding permit requirements placed on these generators. Adding further challenge during prior PSPS events was the lack of availability of back-up generators for rent as public agencies, hospitals, and private businesses competed to secure the limited number of back-up generators in order to safeguard investments and infrastructure. When back-up generators were available for purchase, the incredible financial investment necessary to buy the volume of back-up generators necessary to secure vulnerable facilities across the state totaled billions of dollars. These struggles brought on by the increasing numbers of PSPS occurrences, and the grid maintenance issues of some electric utility corporations, sparked an onslaught of wildfire and PSPS-related legislation.

On February 11, 2020, the Assembly Water, Parks and Wildlife Committee held an informational hearing to discuss the impacts of PSPS on public water and wastewater agencies in California. The first panel consisted of representatives from Las Virgenes Municipal Water District (LVMWD), East Bay Municipal Utilities District, and Calaveres County Water District. EMWD shared startling figures on the cost of broadly deploying back-up generators to vulnerable facilities. These cost assessments were featured during these discussions as the enormous financial impact of PSPS events was brought to light, along with the desperate need by special districts that manage critical infrastructure facilities to be able to access and use financial resources deployed by



“California experienced more than 7,606 wildfires consuming approximately 2.3 million acres across the state”





the state that had, as of yet, not been available to special districts. During this hearing, LVMWD also spoke about legislation that they were cosponsoring with CMUA, SB 1099 (Dodd) Emergency Backup Generators: Critical Facilities, which would have allowed critical facilities, including water and wastewater agencies, to operate existing emergency backup generators during Public Safety Power Shutoffs or other power interruptions without penalty by local air quality districts. This bill ultimately did not pass in the Legislature, although the measure prompted a discussion with South Coast Air Quality Management District, with the desired outcome intended to be an administrative solution outside of the bill.

“Water and wastewater providers depend on power to keep water flowing”

A second panel was included in the Assembly hearing on February 11, 2020, which included representation from the Association of California Water Agencies (ACWA). ACWA staff also discussed their sponsored legislation that was introduced in the Legislature that same day, AB 2182 (Rubio) Emergency Backup Generators: Water and Wastewater Facilities: Exemptions, which created a narrow exemption from existing air emission contaminants when operating an alternative power source during events. AB 2182 sought to advance a needed solution to the critical generator runtime and use concerns plaguing water and wastewater systems, similar to SB 1099. Unfortunately, similar to SB 1099, AB 2182 was also held in the Legislature due to committee hearing schedule concerns that resulted from the COVID-19 abbreviated session. EMWD had actively supported both bills.

Additional bills introduced this legislative session to address wildfires that passed out of the Legislature, yet were ultimately vetoed by the Governor, included SB 182 (Jackson) Local Government: Planning and Zoning: Wildfires requiring the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various components



Your Actions Save Lives

Historic Wildfire Season

2019	2020
4,927 fires	7,606 fires
118k acres	2.3m acres

including a housing and safety element for the protection of the community from unreasonable risks associated with the effects of various hazards. The other bill was AB 3164 (Friedman) Fire Prevention: Wildland Urban Interface which requires the Department of Forestry and Fire Protection to develop a wildland-urban interface wildfire risk model to determine the risk for a community or parcel within a local area or state responsibility area. SB 182 was vetoed by the Governor because of the view that the bill created loopholes for regions to not comply with their housing requirements and failed to account for efforts that could increase sprawl, while AB 3164 was vetoed because it did not provide for adequate flexibility through the modeling process and would not allow for sufficient discretion by CALFIRE.

Further legislation that was introduced, but failed passage this year included,

AB 2178 (Levine) Emergency Services, which would have added “de-energization” within those conditions constituting a state of emergency or local emergency event, and SB 952 (Nielsen) Sales and Use Tax: Exemption: Electrical Back-up Generators. This bill would have provided an exemption from sales and use tax laws with respect to the sale, storage, use, and consumption of a back-up electrical generator, if that generator will be used to power a critical facility during a PSPS event.

In addition to the aforementioned bills, Assembly Member Richard Bloom made an aggressive legislative push with a late session gut-and-amend on AB 1659 (Bloom) The Wildfire Prevention and Community Resilience Act of 2020, attempting to create a \$3 billion fund, in an effort to address both immediate and long-term wildfire response priorities. This bill would have immediately funded \$500 million for the hiring and training of firefighter personnel and \$2.5 billion to support wildfire prevention. While the allocation of funds seemed to be widely accepted, the method in which funds were to be procured was contentious. These funds would have come by way of a half-cent surcharge collected from ratepayers from Southern California Edison (SCE), Pacific Gas and Electric (PG&E), and San Diego Gas and Electric. This is a concern as the surcharge, based on rough estimates, could have had a financial impact on EMWD between \$250,000-\$500,000 annually. Due to utility costs in California already doubling the national average and water affordability becoming a major concern to public welfare, safety, and security, this effort was met with resistance. While this measure was unsuccessful in the last days of the legislative session, it reaffirmed the growing demand for California to establish a plan to address PSPS procedures and the wildfire risks plaguing the state.

A major victory for the water industry was the passage of SB 1386 (Moorlach) Local Government: Assessments, Fees, and Charges: Water: Hydrants. This bill, which put into statute an existing unpublished court decision that declared that water and fixture costs were eligible property related expenses that could be included in rates and charges to customers under Proposition 218, was a necessary effort. AB 1386, which was sponsored by Irvine Ranch Water District and the San Diego County Water Authority, ensured reliability and clarity on how costs for water and fixtures, such as fire hydrants, which are critical to fighting residential fires, were to be paid for and therefore able to be made reliably available.

“A major victory for the water industry was the passage of SB 1386 (Moorlach)”

Safe and Affordable Drinking Water Effort Achieves Major Milestone in 2020

SB 200 (Monning) Safe and Reliable Drinking Water Fund was signed into law in 2019. This bill that was widely celebrated as it established a reliable funding source and proposed a method to address safe and affordable drinking water for all Californians.

As a result of the passage of SB 200, five-percent of the annual proceeds from the Greenhouse Gas Reduction Fund (GGRF) would be continuously allocated to the Safe and Reliable Drinking Water Fund within

the State Treasury. These resources, which stem from the auction of greenhouse gas emission reduction credits, would be capped at \$130 million annually for ten years and any funding shortfall would be made-up by the State General Fund. SB 200 also mandated the formation of a Safe and Affordable Drinking Water advisory group (Advisory Group) which would be tasked with providing oversight and input into the development of an annually released Safe and Affordable Drinking Water Fund Expenditure Plan (Plan).

Nineteen members of the inaugural Advisory Group were appointed on December 11, 2019, and the appointees that were selected represent public water systems, technical assistance providers, local agencies, nongovernmental organizations, the public, and residents served by a community water system. The Advisory Group first met on January 13, 2020, where the effort was rebranded as the Safe and Affordable Funding for

Equity and Resilience (SAFER) Advisory Group. The Advisory Group continued to meet over the course of the next several months, at first in-person and then transferring to virtual meetings as a result of COVID-19.

The first action by the SAFER Advisory Group was to provide feedback on the development of a Safe and Reliable Drinking Water Fund Policy (Policy) which outlines goals for the Fund as well as eligible expenditures of the Fund. The Policy was officially adopted by the State Board on May 5, 2020.

Prior to the adoption, EMWD and the California Municipal Utilities Association submitted correspondence to Chair Joaquin Esquivel to inquire into the exclusion of funding for regional consolidations as discussed in SB 200. SAFER revenues were a targeted funding source for the implementation of EMWD and CMUA's cosponsored bill, SB 414 (Caballero) Small System Water Authority Act which seeks to facilitate regional consolidations and governance reforms. Chair Esquivel further addressed this issue during the hearing and expressed his understanding that regional consolidation efforts were feasible under the Fund Policy.

Following the adoption of the Safe and Affordable Drinking Water Fund

Policy, the State Board, and the SAFER Advisory Group began working on the development of the initial Safe and Affordable Drinking Water Fund Expenditure Plan for the 2020-2021 fiscal year. This Plan was ultimately developed throughout the late spring and on July 7, 2020, the first Safe and Affordable Drinking Water Fund Expenditure Plan was adopted by the State Board with Board Member Laurel Firestone making the motion for adoption of this groundbreaking plan.

"This first year's adoption of the fund's annual expenditure plan is a key milestone, with much work ahead." ~ E. Joaquin Esquivel, Chair, State Board



Pandemic Related Economic Downturn Jeopardizes Safe and Reliable Drinking Water Funding

In May 2020, the California Air Resources Control Board facilitated the spring greenhouse gas emissions reduction auction for the sale of emission credits – the revenue from the credit sales fund a significant number of defined projects and programs, one of which is the Safe and Affordable Drinking Water Fund. As a result of COVID-19, the resulting economic downturn, and the closure of many industries throughout the state due to the “Stay at Home” order, the auction returns were only \$26 million, which was 96-percent below the average revenue made during the auctions. This tremendous decrease caused great concern on the future viability of GGRF as a source of revenue to support the SAFER effort. A second auction was held in mid-August 2020 which resulted in sales totaling \$474 million, which is still between \$150 million-\$175 million less than normal.

Out of an abundance of caution, and fearful that resources to advance SAFER drinking water initiatives would not be available from the GGRF revenues, the Senate passed SB 115 (Committee on Budget and Fiscal Review) Budget Act of 2020, which transferred \$130 billion from the Underground Storage Tank Cleanup Fund to the Safe and Affordable Drinking Fund to ensure reliable and ongoing access to revenue. Following this allocation, the SAFER Advisory Group met to receive an update on available revenues, and the State Board, Division of Drinking Water continued their separate, yet related, SAFER Needs Assessment to define and identify those public water systems and individual wells that are “at-risk” of failing to serve safe and affordable drinking water.



SB 414 Small System Water Authority Act Amended to Address “At-Risk” Water Systems

In 2019 EMWD and the California Municipal Utilities Association (CMUA) reintroduced their co-sponsored bill, AB 2050 (Caballero) Small System Water Authority Act, to be a Senate vehicle, as then Assembly Member Caballero was elected to the State Senate. The new bill, SB 414 (Caballero) Small System Water Authority Act made it through several policy committee hearings before it was ultimately made a two-year bill in the Assembly Appropriations Committee. EMWD and CMUA were deeply encouraged to meet with stakeholders, chiefly the State Water Resources Control Board and the environmental justice (EJ) community, to address concerns and to develop consensus on a concept for moving forward with the bill.

Throughout the fall of 2019 and into the spring and early summer of 2020, EMWD and CMUA spent an extensive amount of time meeting with State Board representatives and EJ community advocates to address concerns and develop a product that achieved a multitude of goals. Some of the changes were controversial in nature and expanded the reach of the bill to include systems deemed “at-risk” and added voluntary measures to address failing and at-risk domestic wells. Support for this new proposed method for addressing small failing water systems through a process that dissolved the former water system and advanced the formation of a new, independent special district was met with broad support. Opposition from the local agency formation committee (LAFCO) community emerged late in the session due to a streamlined approach for dissolution and formation processes, and mutual water company advocates also expressed some concern. The overwhelming pressures of the COVID-19 burdened session ultimately resulted in SB 414 being held in the Assembly Appropriations Committee for a final time, despite growing support for the bill.

“The COVID-19 burdened session ultimately resulted in SB 414 being held in Assembly Appropriations despite growing support.”





Opportunities for 2020

The bumps and hurdles of the 2020 legislative session due to COVID-19 resulted in a historic, yet challenging year. Although the Legislature advanced creative solutions in an attempt to incorporate public involvement and increase transparency during committee hearings and floor sessions, while also practicing safety protocols, these time-consuming solutions brought new and unforeseen struggles. Additionally, as a result of multiple extended recesses and quibbles between the houses and the political parties, many priority issues for the Legislature and the Administration were left unaddressed. Examples of some issues that the Legislature ran out of time to address included solutions to affordable housing, reforms to the Greenhouse Gas Reduction Fund allocation process, and strategies to facilitate an economic recovery in the path of the financial devastation and unprecedented unemployment numbers due to COVID-19.

Conversely, some priority multi-year efforts were initiated in 2020 and major accomplishments resulted following brief periods of transition to virtual platforms and methods, examples of such efforts include the SB 200 (Monning, 2019) Safe and Affordable Drinking Water Fund implementation and the related SAFER Needs Assessment process along with the related “At-Risk” assessment process for public water systems and individual wells. These multi-year efforts were able to get underway virtually and the process still allowed for close monitoring and engagement by stakeholders, including EMWD. Through this process, as indicated earlier, the State Water Resources Control Board, Division of Drinking Water, was able to facilitate the development of the Safe and Affordable Funding for Equity and Resilience Program (SAFER) Safe and Affordable Drinking Water Fund Policy (Policy) and the first Safe and Affordable Drinking Water Fund Expenditure Plan (Plan). This initial Plan adoption was a historic action that represents a first step in the annual Plan adoption process. By 2021 eleven new members of the SAFER Advisory Group will be appointed to advance solutions and provide guidance to the State Board as they seek to make even greater progress on hiring system administrators, pursuing consolidations of failing and potentially “at-risk” water systems, and developing an additional suite of solutions for the second Plan adoption.

New questions are being asked on how small failing water systems and those systems that are deemed “at-risk” can be incorporated and receive funding through regional efforts such as those embodied in the integrated regional watershed management plan (IRWMP) process. EMWD and the California Municipal Utilities Association’s (CMUA) effort to address economies of scale and water system governance through the development of SB 414 (Caballero) Small System Watershed Authority Act has received renewed interest by statewide stakeholders. The future of this concept as pursued by

EMWD and CMUA is uncertain at this time, however because of the efforts that the sponsors and the author's office put into both SB 414 and the prior AB 2050 (Caballero) Small System Water Authority Act of 2018, these concepts have been elevated in policy discussions and have left an impact on how future water policy innovators think about the delivery of water service.

The impacts to small and failing water systems, both financial and as a result of delayed infrastructure investments due to COVID-19, as of yet are still trying to be understood and quantified. Upon reflection by the Legislature a new process to address shutoffs for failure to make payment may either be pursued, extended, or reformed. The shutoff moratorium as it exists today has resulted in water and wastewater systems of all sizes burdened by mounting totals of unpaid water bills, which jeopardizes water system reliance, and the executive order instituting the moratorium included no timetable or process for the water systems to seek repayment further exacerbating the problem. Additionally, some residents have delayed payment to such a degree that the financial burden, once repayment is to begin, may trigger additional financial hardship. Going into 2021 the State Board is working to assess the overall financial situation of both the water providers and ratepayers alike. It is unlikely that without outside resources to make the water providers whole and ensure financial assistance to low income water ratepayers, a solution may be difficult to achieve.

The State Board has been flexible in many areas and have worked to monitor the challenges to water systems on a multitude of fronts throughout the pandemic. One area that they did remain vigilant was ensuring that regulation of water quality and constituents of emerging concern was to continue despite COVID-19 impacts to water systems. Efforts to regulate PFAS/PFOA continued to ramp-up, and near the end of 2020 the State Board also expressed a renewed interest in perchlorate detection and mitigation. While the passage of AB 2560 (Quirk) Water Quality: Notification Levels and Response Levels: Procedures ensured greater



communication with the regulated community, as science to detect and monitor contaminants advances, the State Board will continue to regulate to even smaller detection levels. It is certain that the detection, notification, and treatment of PFAS and its various chemical chains, along with source materials will be ongoing conversations at the State Board and within the Legislature throughout 2021. In addition to PFAS, discussions will be advanced to discuss perchlorate, microplastics, and various other contaminants to a greater degree. It is critical that

as continued investigation is progressed on these and other constituents, that science and process be allowed to serve as the guide for determining greater protocols on notification and response level setting and also that the appropriate entities are charged with responsibility of making progress to address these topics.





The record setting wildfire season underscored the need for the additional involvement by the Legislature and state agencies to secure a revenue source that will facilitate greater investment in wildfire and forest management, data tracking, and greater coordination between agencies responsible for tracking and deploying resource and assets to fight the fires. This aggressive wildfire season also served to incite a response by the Governor to further press for greater advances on climate change and to take further mandates on reducing greenhouse gas emissions. These responses came in the form of executive orders to preserve 30-percent of the state's lands and oceans by 2030, and also to facilitate deployment of 100-percent renewable vehicles in California by 2035 to accelerate reductions in greenhouse gas emissions from vehicles, in order to combat climate change. Both of these ambitious executive orders will require legislation to fully implement, which will likely be advanced in 2021.

Scientists, physicians, and drug manufacturers will continue to make great strides to address the spread of COVID-19. However, it is with great likelihood that COVID-19 will continue to be a source of illness and potentially death well into 2021. As this occurs, reliance on nondrug preventative therapy measures in the form of personal protective equipment (PPE) will be necessary. The Legislature and the Administration will continue to work with essential employers, including the water and wastewater industry, to monitor and prioritize the deployment of adequate and safe PPE. This past year, Governor Newsom was highly criticized for substantial purchase agreements made with providers of PPE. As the Legislature continues to scrutinize these contracts and the unilateral decisions made by the Governor throughout the "Stay at Home" order and beyond, it is likely there will

continue to be hearings on these issues, as well as the fiscal impacts to the State Budget.

Economic recovery in the wake of the global pandemic is certain to remain a major topic of conversation and policy consideration. The Economic Recovery Task Force (Task Force) comprised of industry heads assembled by the Governor during the early summer months of 2020 had advanced some recommendations, however broader deployment of actions and resources has yet to occur. It is uncertain if the Task Force will retain its full momentum due to the departure a member of the Task Force over a disagreement regarding the reopening protocols for amusement parks, however members of the water and wastewater community will continue to share with the Task Force the importance of investments in these sectors for job creation and economic stimulus.

These are a few of the high-level areas that will likely be considered for involvement and debate within 2021, however given the need to simultaneously stimulate growth and recovery while making progress on recent policy priorities for the Administration will be a challenge. As the start of this new legislative session gets underway, EMWD will continue to engage Legislators and stakeholders as bills are introduced and regulation is developed that could impact the District and ratepayers, and the District will continue to work proactively on behalf of the region to ensure the delivery of safe and reliable water, wastewater, and recycled water service in a cost effective manner.

LEGISLATIVE REVIEW PROCESS

Legislative Review Process

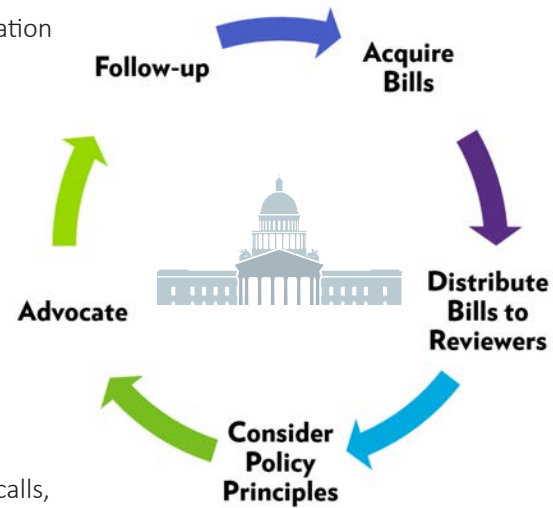
ACQUIRE BILLS Governmental Affairs staff reviews and evaluates all introduced legislation to determine relevance to EMWD.

DISTRIBUTE BILLS TO REVIEWERS Relevant bills are distributed to the Legislative Action Team members for review. Committee members provide: analysis of impact to EMWD, if any; recommended EMWD legislative position; and recommended amendments, if any.

CONSIDER POLICY PRINCIPLES Consider related Board adopted Policy Principles. Ten policy principles have been adopted by the EMWD Board of Directors: Water Recycling, Biosolids, Groundwater Management, Desalination, Water Use Efficiency, Bay Delta/State Water Project, Integrated Regional Water Management Plans, Water Infrastructure Financing, Governance, and Renewable Energy/Energy Management.

ADVOCATE Generate and distribute legislative reports consisting of bill information and recommended positions. Advocate EMWD’s position with letters, emails, phone calls, and meetings with legislators and their staff. Form coalitions with other organizations necessary.

FOLLOW-UP Acknowledge legislators who vote in favor of EMWD’s positions with phone calls and thank you letters; continue dialogue with others.



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EMWD'S Legislative Action Team

First Row, left to right: Al Javier, Director of Environmental and Regulatory Compliance; Corey Temple, Legislative Analyst; Danielle Coats, Senior Legislative Program Manager.

Second Row, left to right: Jeff Wall, Assistant General Manager; Jim Lee, Water Operations Supervisor; John Daverin, Senior Engineering Geologist.

Third Row, left to right: Jolene Walsh, Executive Policy and Governmental Affairs Advisor; Laura Zamora, Director of Human Resources; Rhonda Cooper, Public and Governmental Affairs Specialist.

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LEGISLATION BY SUBJECT

HIGHLIGHTS FROM THE
2020 LEGISLATIVE SESSION

BILL NUMBER, AUTHOR TITLE POSITION—PRIORITY STATUS

Air Quality

AB 40, Ting (D)	Air Quality Improvement Program: Clean Vehicle Rebates	Watch—C	Failed
AB 464, Garcia (D)	State Global Warming Solutions Act	Watch—C	Failed
AB 1046, Ting (D)	Air Quality Improvement Program: Clean Vehicles	Watch—C	Failed
AB 1115, Quirk-Silva (D)	California Global Warming Solutions Act Of 2006:	Watch—C	Failed
AB 1237, Aguiar-Curry (D)	Greenhouse Gas Reduction Fund: Guidelines	Watch—C	Chaptered
AB 1284, Carrillo (D)	Carbon Neutrality	Watch—C	Failed
AB 1328, Holden (D)	Oil and Gas: Notice of Intention to Abandon Well	Watch—C	Chaptered
AB 1463, Gabriel (D)	California Global Warming Solutions Act	Watch—C	Failed
AB 1589, Salas (D)	Carl Moyer Memorial Air Quality Standards	Watch—C	Failed
AB 1762, Boerner Horvath (D)	California Renewables Portfolio Standard Program	Watch—C	Failed
AB 2241, Calderon I (D)	State Air Resources Board: Report	Watch—C	Failed
AB 2860, O'Donnell (D)	Clean Truck, Bus, and Off Road Vehicle Program	Watch—C	Failed
AB 3027, O'Donnell (D)	Global Warming Solutions Act: Low-Carbon Fuel Standard	Watch—C	Failed
SB 210, Leyva (D)	Heavy-Duty Vehicle Inspection and Maintenance Program	Oppose unless amended—A	Chaptered
SB 216, Galgiani (D)	Carl Moyer Memorial Air Quality Standards Attainment	Watch—C	Failed
SB 1323, Skinner (D)	Carbon Sequestration: State Goals: Natural Lands	Watch—C	Failed

Bonds/Grants and Loans

AB 274, Mathis (R)	Water Treatment Facility: Grant	Watch—C	Failed
AB 352, Garcia E (D)	Wildfire Prevention, Safe Drinking Water	Support—B	Failed
AB 1298, Mullin (D)	Bond Act	Watch—C	Failed
AB 3256, Garcia E (D)	Bond Act	Support if amended—A	Failed
SB 45, Allen (D)	Wildfire Prevention, Drinking Water, Drought, and Flood	Support if amended—A	Failed
SB 178, Nielsen (R)	Initiative Measures: Circulating Title and Summary	Watch—C	Failed
SB 513, Hurtado (D)	State Water Resources Control Board: Grants	Watch—C	Chaptered
SB 1035, Rubio (D)	Climate Pollution Reduction in Low-Income Homes: Grants	Watch—C	Failed
SB 1293, Allen (D)	Sea Level Rise Revolving Loan Program	Watch—C	Failed

BILL NUMBER, AUTHOR **TITLE** **POSITION—PRIORITY** **STATUS**

Budget

AB 72, BUDG Cmt.....	Budget Act of 2018	Watch—C	Chaptered
AB 74, Ting (D)	Budget Act of 2019	Watch—C	Chaptered
AB 82, BUDG Cmt.....	State Government.....	Watch—C	Chaptered
AB 83, BUDG Cmt.....	Housing Provisions.....	Watch—C	Chaptered
AB 84, BUDG Cmt.....	Public Employment and Retirement	Watch—C	Chaptered
AB 85, BUDG Cmt.....	State Taxes and Charges.....	Watch—C	Chaptered
AB 86, BUDG Cmt.....	Budget Act.....	Watch—C	Failed
AB 88, BUDG Cmt.....	Public Safety.....	Watch—C	Failed
AB 89, Ting (D)	Budget Act.....	Watch—C	Chaptered
AB 90, BUDG Cmt.....	Transportation Provisions	Watch—C	Chaptered
AB 93, BUDG Cmt.....	Personal Income Taxes: Earned Income Tax.....	Watch—C	Chaptered
AB 97, BUDG Cmt.....	Cannabis.....	Watch—C	Chaptered
AB 98, Ting (D)	Budget Act of 2019	Watch—C	Failed
AB 99, Ting (D)	Budget Act of 2019	Watch—C	Failed
AB 100, BUDG Cmt.....	State Government.....	Support—A.....	Chaptered
AB 105, Ting (D)	Solar Energy Systems: Initiative	Watch—C	Failed
AB 106, BUDG Cmt.....	State Employment: State Bargaining Units	Watch—C	Failed
AB 107, BUDG Cmt.....	State Government.....	Watch—C	Chaptered
AB 108, Ting (D)	Budget Act of 2019	Watch—C	Failed
AB 109, BUDG Cmt.....	Department of Consumer Affairs: Licensees: Fees	Watch—C	Failed
AB 110, Ting (D)	Budget Act of 2019	Watch—C	Chaptered
AB 111, BUDG Cmt.....	Wildfire Agencies: Public Utilities: Safety.....	Support—B.....	Chaptered
AB 112, BUDG Cmt.....	State Government.....	Watch—C	Failed
AB 116, Ting (D)	Local Government.....	Watch—C	Chaptered
AB 117, Ting (D)	Education Finance: Coronavirus.....	Watch—C	Failed
AB 119, Ting (D)	State Employment: State Bargaining Units	Watch—C	Chaptered
AB 120, Ting (D)	Budget Act of 2019	Watch—C	Failed
AB 190, Ting (D)	Budget Act of 2019	Watch—C	Failed
SB 73, Mitchell (D)	Budget Act of 2019	Watch—C	Failed
SB 74, Mitchell (D)	Budget Act.....	Watch—C	Chaptered
SB 82, B&FR Cmt.....	State Government.....	Watch—C	Chaptered
SB 88, B&FR Cmt.....	Budget Act: Augmentation.....	Watch—C	Failed
SB 91, B&FR Cmt.....	Budget Act of 2019	Watch—C	Failed
SB 93, B&FR Cmt.....	Budget Act of 2018: Augmentation.....	Watch—C	Chaptered
SB 97, B&FR Cmt.....	Education Finance: Apportionments.....	Watch—C	Failed

BILL NUMBER, AUTHOR	TITLE	POSITION—PRIORITY	STATUS
Budget (cont.)			
SB 98, B&FR Cmt	Education Omnibus Budget Trailer Bill	Watch—C	Chaptered
SB 100, B&FR Cmt	Bergeson Peace Infrastructure and Economic Development	Watch—C	Failed
SB 101, B&FR Cmt	Human Services Omnibus	Support—A	Failed
SB 106, B&FR Cmt	Budget Act of 2019	Watch—C	Chaptered
SB 107, B&FR Cmt	Public Health Funding: Health Facilities and Services	Watch—C	Failed
SB 108, B&FR Cmt	State Government	Watch—C	Failed
SB 109, B&FR Cmt	Budget Act of 2019	Watch—C	Chaptered
SB 110, B&FR Cmt	Housing Provisions	Watch—C	Failed
SB 111, B&FR Cmt	Public Employment and Retirement	Support—B	Failed
SB 112, B&FR Cmt	State Government	Watch—C	Chaptered
SB 116, B&FR Cmt	Postsecondary Education Trailer Bill	Watch—C	Chaptered
SB 117, B&FR Cmt	Education Finance	Watch—C	Chaptered
SB 119, B&FR Cmt	State Bargaining Units	Watch—C	Chaptered
SB 123, B&FR Cmt	Public Resources: Omnibus Trailer Bill	Watch—C	Failed
SB 124, B&FR Cmt	Personal Income Taxes: Earned Income Tax Credit	Watch—C	Failed
SB 125, B&FR Cmt	Budget Act of 2019	Watch—C	Failed
SB 808, Mitchell (D)	State Budget Act	Neutral—D	Failed

California Water Commission

SB 547, Borgeas (R)	California Water Commission: Members	Watch—C	Failed
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California Environmental Quality Act

AB 431, Gallagher (R)	Environmental Quality Act: Exemptions: Town of Paradise	Watch—C	Failed
AB 782, Berman (D)	Environmental Quality Act: Exemption: Land Transfers	Watch—C	Chaptered
AB 1149, Fong (R)	California Environmental Quality Act	Watch—C	Failed
AB 1515, Friedman (D)	Planning and Zoning: State Environmental Quality Review	Watch—C	Chaptered
AB 1673, Salas (D)	CEQA: Judicial Challenge: Litigation Transparency	Watch—C	Failed
AB 1907, Santiago (D)	California Environmental Quality Act: Shelters	Watch—C	Failed
AB 2323, Friedman (D)	California Environmental Quality Act: Exemptions	Watch—C	Failed
AB 2444, Gallagher (R)	California Environmental Quality Act: Exemption	Watch—C	Failed
AB 2536, Obernolte (R)	California Environmental Quality Act	Watch—C	Failed
AB 2706, Fong (R)	California Environmental Quality Act: Proceedings	Watch—C	Failed
AB 2901, Chau (D)	California Environmental Quality Act	Watch—C	Failed
AB 3051, Diep (R)	CEQA: Judicial Challenge: Identification	Watch—C	Failed
AB 3279, Friedman (D)	California Environmental Quality Act	Watch—C	Failed

BILL NUMBER, AUTHOR **TITLE** **POSITION—PRIORITY** **STATUS**

California Environmental Quality Act (cont.)

AB 3296, Kiley (R)	California Environmental Quality Act: Documents	Watch—C	Failed
AB 3297, Kiley (R)	California Environmental Quality Act	Watch—C	Failed
AB 3325, Brough (R)	California Environmental Quality Act	Watch—C	Failed
SB 795, Beall (D)	Economic Development: Housing: Climate Change	Watch—C	Failed
SB 950, Jackson (D)	Environmental Quality Act: Housing and Land Use	Oppose unless amended—B	Failed
SB 974, Hurtado (D)	Environmental Quality Act: Water Systems	Support—A	Chaptered

Climate Change

AB 65, Petrie-Norris (D)	Coastal Protection: Climate Adaption	Watch—C	Chaptered
AB 296, Cooley (D)	Climate Change: Climate Innovation Grant Program	Watch—C	Vetoed
AB 409, Limon (D)	Climate Change: Agriculture: Agricultural Climate	Watch—C	Failed
AB 839, Mullin (D)	Climate Adaptation Strategy	Watch—C	Failed
AB 1071, Limon (D)	Climate Change: Agriculture: Agricultural Climate	Support—B	Failed
AB 1445, Gloria (D)	Climate Change: Emergency Declaration and Policy	Watch—C	Failed
AB 1920, Boerner Horvath (D)	Climate Change: Climate Adaptation Center	Watch—C	Failed
AB 2089, Rivas (D)	Resilient Economies and Community Health Pilot Program	Watch—C	Failed
AB 2148, Quirk (D)	Climate Change: Adaptation: Planning Groups and Plans	Watch—C	Failed
AB 2371, Friedman (D)	Climate Change: Office and Planning and Research	Watch—C	Failed
AB 2441, Rivas (D)	Climate Change: Safeguarding California Plan	Watch—C	Failed
AB 2522, Petrie-Norris (D)	Sea Level Rise: Working Group: Economic Analyses	Watch—C	Failed
AB 2585, Chau (D)	California China Climate Institute	Watch—C	Failed
AB 2619, Stone (D)	Program for Coastal Resilience, Adaptation, and Access	Watch—C	Failed
AB 2621, Mullin (D)	Climate Adaptation Action Plans	Support—B	Failed
AB 2653, Kalra (D)	Smart Climate Agriculture	Watch—C	Failed
AB 2800, Quirk (D)	Climate Safe Infrastructure Working Group	Watch—C	Chaptered
AB 2812, Garcia E (D)	Global Warming Solutions Act	Watch—C	Failed
AB 2832, Garcia (D)	Greenhouse Gases: Carbon Neutrality	Watch—C	Failed
AB 2954, Rivas R (D)	Global Warming Solutions Act: Climate Goals	Watch—C	Failed
ACR 143, Quirk (D)	Climate Crisis	Watch—C	Failed
AJR 7, Gloria (D)	Green New Deal	Watch—C	Failed
SB 168, Wieckowski (D)	Climate Change: Chief Climate Resilience Officer	Watch—C	Failed
SB 351, Hurtado (D)	Transformative Climate Communities Program	Watch—C	Chaptered
SB 576, Umberg (D)	Coastal Resources: Climate Ready Program	Watch—C	Chaptered
SB 1320, Stern (D)	Climate Change: State Climate Change Assessment	Watch—C	Chaptered
SB 1329, Wilk (R)	Climate Change: Climate Innovation Grant Program	Watch—C	Failed

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Consolidations

AB 2509, Mathis (R)	Drinking Water: Consolidation	Watch—C	Failed
SB 625, Bradford (D)	Central Basin Municipal Water District: Receivership	Watch—C	Failed
SB 1096, Caballero (D)	Water and Sewer System Corporations: Consolidations	Support—B	Failed

Contracting/Contracts/Public Works

AB 456, Chiu (D)	Public Contracts: Claim Resolution	Watch—C	Chaptered
AB 520, Kalra (D)	Public Works: Public Subsidy	Concerns—A	Vetoed
AB 572, Kalra (D)	California Deforestation-Free Procurement Act	Watch—C	Failed
AB 626, Quirk-Silva (D)	Conflicts of Interest	Support—B	Failed
AB 1045, Chen (R)	Public Works: Prevailing Wages	Watch—C	Failed
AB 1166, Levine (D)	Public Works: Underground Infrastructure	Watch—C	Chaptered
AB 1613, O’Donnell (D)	Public Works: Prevailing Wages	Watch—C	Vetoed
AB 1736, Daly (D)	Internet Posting Requirements	Watch—C	Vetoed
AB 1821, JUD Cmt	Contracts	Watch—C	Chaptered
AB 2075, Kiley (R)	Independent Contractors: Hiring Entity Liability	Watch—C	Failed
AB 2186, Grayson (D)	Public Contracting: Contractor Retention Withholding	Watch—C	Failed
AB 2231, Kalra (D)	Public Works	Watch—C	Chaptered
AB 2232, Grayson (D)	Contractors: Renewal of Licenses	Watch—C	Failed
AB 2257, Gonzalez (D)	Worker Classification	Watch—C	Chaptered
AB 2284, Calderon I (D)	Local Agency Public Construction Act: Change Orders	Watch—C	Failed
AB 2311, Low (D)	Public Contracts: Skilled and Trained Workforce	Watch—C	Chaptered
AB 2317, Weber (D)	Call Centers: Protections	Watch—C	Failed
AB 2368, Quirk (D)	Contractors: Discipline: Illegal Dumping	Watch—C	Failed
AB 2987, Flora (R)	Local Agency Public Contracts: Bidding	Support—B	Failed
AB 3290, Garcia E (D)	Subletting and Subcontracting Fair Practices Act	Watch—C	Failed
ACA 5, Weber (D)	Government Preferences	Watch—C	Chaptered
SB 241, Moorlach (R)	Public agencies: Joint Powers Authorities: Contracts	Oppose—B	Gut and Amend
SB 396, Morrell (R)	Public Works: Prevailing Wage	Watch—C	Failed
SB 1368, Durazo (D)	Contractors: Wages: Liability	Watch—C	Failed

COVID-19

AB 196, Gonzalez (D)	Workers’ Compensation: Coronavirus	Watch—C	Failed
AB 398, Chu (D)	COVID 19 Local Government and School Recovery	Watch—C	Failed
AB 664, Cooper (D)	Workers’ Compensation: Injury: Communicable Disease	Watch—C	Failed
AB 1035, Ramos (D)	COVID 19 Emergency: Small Businesses	Watch—C	Failed

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COVID-19 (cont.)

AB 1839, Bonta (D)	Coronavirus Recovery Deal	Watch—C	Failed
AB 2501, Limon (D)	COVID 19: Homeowner, Tenant, and Consumer Relief	Watch—C	Failed
AB 2707, Holden (D)	Local Government Finance: Coronavirus Credit Facility	Watch—C	Failed
SB 893, Caballero (D)	Workers' Compensation: Hospital Employees	Watch—C	Failed
SB 939, Wiener (D)	Emergencies: Coronavirus: Evictions	Watch—C	Failed

Dams/Reservoirs

AB 722, Bigelow (R)	Water: Dams: Fees	Watch—C	Failed
AB 727, Flora (R)	Dams and Reservoirs: Exclusions	Watch—C	Failed

Design-Build

AB 584, Gallagher (R)	Paradise Irrigation District: Water Pipeline	Support—B	Failed
AB 1957, Gallagher (R)	Paradise Irrigation District: Water Pipeline	Support—B	Failed

Drought

AB 2322, Friedman (D)	Small Water Suppliers and Rural Communities	Support—B	Failed
SB 971, Hertzberg (D)	Small Water Supplier and Countywide Water Shortages	Support—B	Failed

Department of Water Resources

AB 557, Wood (D)	Atmospheric Rivers: Research and Forecasting Program	Support—B	Failed
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Economic Development

AB 2413, Ting (D)	Greenhouse Gas Reduction Fund: Study	Watch—C	Failed
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Elections

AB 17, Salas (D)	Elections: Vote by Mail Ballots	Watch—C	Chaptered
AB 849, Bonta (D)	Elections: City and County Redistricting	Concerns—A	Chaptered
AB 854, Mayes (R)	Imperial Irrigation District: Electric Service	Watch—C	Failed
ACA 7, Kiley (R)	Elections: Initiatives and Referenda	Watch—C	Failed

Endangered Species Act

AB 202, Mathis (R)	Endangered Species: Conservation: Safe Harbor Program	Watch—C	Failed
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Energy/Alternative Energy

AB 56, Garcia E (D)	Alternative Energy and Advanced Transportation	Watch—C	Failed
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Energy/Alternative Energy (cont.)			
AB 176, Cervantes (D)	Alternative Energy Advanced Transportation Financing	Watch—C	Chaptered
AB 383, Mayes (R)	Clean Energy Financing Clearinghouse	Watch—C	Failed
AB 801, Levine (D)	Photovoltaic Requirements: Tariffs and Programs: Study	Watch—C	Failed
AB 877, Gabriel (D)	Energy: Solar Energy and Energy Storage Systems	Watch—C	Failed
AB 915, Mayes (R)	California Renewables Portfolio Standards Program	Watch—C	Failed
AB 1002, Quirk-Silva (D)	Global Warming Solutions Act	Watch—C	Failed
AB 1026, Wood (D)	Electricity: Interconnection Rules	Watch—C	Chaptered
AB 1028, Gonzalez (D)	Clean Energy Job Creation Program	Watch—C	Failed
AB 1083, Burke (D)	Long Term Plans and Procurement Plans: Energy	Watch—C	Chaptered
AB 1195, O’Donnell (D)	California Global Warming Solutions Act of 2006	Watch—C	Vetoed
AB 1347, Boerner Horvath (D)	Electricity: Renewable Energy	Watch—C	Failed
AB 1362, O’Donnell (D)	Load-serving Entities: Rate and Program Information	Watch—C	Chaptered
AB 1371, Cunningham (R)	State Renewables Portfolio Standard Program	Watch—C	Failed
AB 1406, O’Donnell (D)	Renewable Fuel and Vehicle Technology	Watch—C	Failed
AB 1424, Berman (D)	Electric Vehicle Charging Stations Open Access Act	Watch—C	Failed
AB 1503, Burke (D)	Distributed Energy and Microgrids: Policies: Report	Watch—C	Failed
AB 1584, Quirk (D)	Electricity: Cost Allocation	Watch—C	Chaptered
AB 1621, Frazier (D)	Alternative and Renewable Vehicle Fuel	Watch—C	Failed
AB 1655, O’Donnell (D)	Hydrogen Fuel	Watch—C	Failed
AB 1686, Burke (D)	Energy Consumption: Report	Watch—C	Failed
AB 1733, Salas (D)	California Renewable Portfolio Standard Program	Watch—C	Failed
AB 1941, Gallagher (R)	Renewables Portfolio Standard	Watch—C	Failed
AB 2044, Voepel (R)	Building Standards: Photovoltaic Requirements	Watch—C	Failed
AB 2255, Eggman (D)	Long Duration Energy Storage Systems	Watch—C	Failed
AB 2262, Berman (D)	Greenhouse Gases: Zero Emission Readiness Plans	Watch—C	Failed
AB 2313, Eggman (D)	Renewable Energy Resources	Watch—C	Failed
AB 2547, Gonzalez (D)	California Renewables Portfolio Standard Program	Watch—C	Failed
AB 2582, Carrillo (D)	Electricity: Net Energy Metering	Watch—C	Failed
AB 3046, Mathis (R)	Energy, Environment, and Economy Council	Watch—C	Failed
AB 3163, Salas (D)	Energy: Biomethane: Procurement	Support—B	Chaptered
ACA 17, Gray (D)	Energy: Hydroelectric Generation Facilities	Watch—C	Failed
SB 49, Skinner (D)	Energy: Appliance Standards and State Water Project	Watch—C	Chaptered
SB 155, Bradford (D)	Renewables Portfolio Standard Program: Resource Plans	Watch—C	Chaptered
SB 597, Hueso (D)	Pumped Hydropower System: Pilot Project	Watch—C	Failed
SB 702, Hill (D)	California Renewables Portfolio Standard Program	Watch—C	Chaptered

BILL NUMBER, AUTHOR	TITLE	POSITION—PRIORITY	STATUS
Energy/Alternative Energy (cont.)			
SB 766, Stern (D)	Transportation: Cost Recovery: Wildlife Crossings	Watch—C	Failed
SB 772, Bradford (D)	Long Duration Bulk Energy Storage: Procurement	Watch—C	Failed
SB 773, Skinner (D)	Emergencies: State 911 Advisory Board	Watch—C	Failed
SB 774, Stern (D)	Electricity: Microgrids	Watch—C	Failed
SB 807, Nielsen (R)	Reclamation District No. 108: Hydroelectric Power	Watch—C	Failed
SB 895, Archuleta (D)	Energy: Zero Emission Fuel, Infrastructure Technologies	Watch—C	Chaptered

Finance/Fees

AB 213, Reyes (D)	Local Government Finance: Property Tax: Vehicle Fee	Watch—C	Failed
AB 264, Melendez (R)	Income Taxes: Credits: Development Impact Fees	Watch—C	Failed
AB 400, Lackey (R)	State Mandates	Watch—C	Failed
AB 579, Daly (D)	Development Fees: Definition	Watch—C	Failed
AB 831, Grayson (D)	Planning and Zoning: Housing: Development Applications	Concerns—A	Chaptered
AB 945, McCarty (D)	Local Government: Financial Affairs: Surplus Funds	Watch—C	Chaptered
AB 1013, Obernolte (R)	State Agencies: Grant Applications	Support—B	Chaptered
AB 1252, Rivas R (D)	Environment Justice Small Grant Program: Advance Pay	Watch—C	Vetoed
AB 1290, Gloria (D)	Water Projects: Financial Assistance and Construction	Watch—C	Chaptered
AB 1386, Chen (R)	Residential Fees and Charges	Watch—C	Failed
AB 1483, Grayson (D)	Housing Data: Collection and Reporting	Concerns—A	Chaptered
AB 1484, Grayson (D)	Mitigation Fee Act: Housing Developments	Oppose unless amended—A	Failed
AB 1640, Boerner Horvath (D)	Local Government Finance: Budget Reserves	Concerns—A	Failed
AB 1698, Wicks (D)	Infrastructure Investment and Financing	Watch—C	Failed
AB 1701, Cervantes (D)	Economic Development Facilities	Watch—C	Failed
AB 1924, Grayson (D)	Housing Development: Fees	Watch—C	Failed
AB 2013, Irwin (D)	Property Taxation: New Construction	Watch—C	Chaptered
AB 2095, Cooper (D)	Water Charge Reduction: Coronavirus Impact	Concerns—A	Failed
AB 2107, Rodriguez (D)	Local Government: Securitized Obligation Notes	Support—B	Chaptered
AB 2722, McCarty (D)	Development Fees and Charges: Deferral	Concerns—B	Failed
AB 3033, Kamlager-Dove (D)	Infrastructure and Revitalization Financing	Watch—C	Failed
AB 3144, Grayson (D)	Housing Cost Reduction Incentive Program	Watch—C	Failed
AB 3145, Grayson (D)	Local Government: Housing Development	Oppose—B	Failed
AB 3147, Gabriel (D)	Fees for Development Projects	Oppose unless amended—B	Failed
AB 3148, Chiu (D)	Planning and Zoning: Density Bonuses	Concerns—A	Failed
AB 3149, Gloria (D)	Mitigation Fee Act: Publicly Available Data	Watch—C	Failed
ACA 1, Aguiar-Curry (D)	Local Government Financing: Affordable Housing	Watch—C	Failed

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Finance/Fees (cont.)

SB 15, Portantino (D)	Local State Sustainable Investment Program	Watch—C	Failed
SB 203, Bradford (D)	Juveniles: Custodial Interrogation	Watch—C	Chaptered
SB 367, Hueso (D)	State Coastal Conservancy: Grants: Educational Projects	Watch—C	Chaptered
SB 379, GOV&FIN Cmt	Validations	Support—B	Chaptered
SB 380, GOV&FIN Cmt	Validations	Support—B	Chaptered
SB 381, GOV&FIN Cmt	Validations	Support—B	Chaptered
SB 454, Caballero (D)	Water Resources Control Board: Administrative Hearings	Watch—C	Failed
SB 519, Bradford (D)	Hazardous Substances: Underground Storage Tanks	Watch—C	Chaptered
SB 559, Hurtado (D)	Department of Water Resources: Friant Kern Canal	Watch—C	Vetoed
SB 646, Morrell (R)	Local Agency Utility Services: Service Extensions	Watch—C	Chaptered
SB 732, Allen (D)	South Coast Air Quality Management District	Oppose—B	Failed
SB 861, Nielsen (R)	Public Utilities: Rates	Watch—C	Failed
SB 928, GOV&FIN Cmt	Validations Provisions	Support—B	Chaptered
SB 929, GOV&FIN Cmt	Validations Provisions	Support—B	Chaptered
SB 930, GOV&FIN Cmt	Validations Provisions	Support—B	Chaptered
AB 3148, Chiu (D)	Planning and Zoning: Density Bonuses	Concerns—A	Failed
SB 1171, Nielsen (R)	Reclamation Districts: Improvement Districts: Formation	Support—B	Failed

Flood Control

AB 137, Cooper (D)	Facilities of the State Plan of Flood Control	Support—B	Failed
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Greenhouse Gas Emissions

AB 1431, Burke (D)	Greenhouse Gases: Education	Watch—C	Failed
AB 1778, Boerner Horvath (D)	Greenhouse Gas Reduction Fund: Investment Plan	Watch—C	Failed
AB 2566, Garcia (D)	Consumption-Based Greenhouse Gas Inventory	Watch—C	Failed
SB 43, Allen (D)	Carbon Intensity and Pricing: Retail Products	Watch—C	Failed
SB 236, Wilk (R)	Low-Carbon Innovation Grant Program	Watch—C	Failed
SB 535, Moorlach (R)	Greenhouse Gases: Wildfires and Forest Fires	Watch—C	Failed
SB 995, Atkins (D)	Improvement Through Environmental Leadership Act	Watch—C	Failed

Governance

AB 63, Fong (R)	State Government	Watch—C	Failed
AB 345, Muratsuchi (D)	Oil and Gas: Regulation of Operations	Watch—C	Failed
AB 1582, Diep (R)	Joint Powers Authorities	Watch—C	Failed
SB 780, GOV&FIN Cmt	Local Government Omnibus Act	Watch—C	Chaptered

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Graywater/OnsiteReuse

AB 254, Quirk-Silva (D)	Warewashing Machines: Water Reuse	Watch—C	Failed
SB 166, Wiener (D)	Process Water Treatment Systems: Breweries	Concerns—A	Failed

Groundwater

AB 441, Eggman (D)	Water: Underground Storage	Oppose—A	Failed
AB 2623, Arambula (D)	Sustainable Groundwater Management	Watch—C	Failed
AB 2642, Salas (D)	Multibenefit Land Conversion Incentive Program	Watch—C	Failed
AB 2953, Gray (D)	State Highways: Landscaping and Cleaning	Watch—C	Failed
AB 3039, Quirk (D)	Underground Storage Tanks	Watch—C	Failed
AB 3047, Flora (R)	Water Quality: Groundwater: Monitoring	Watch—C	Failed
SB 1012, Hurtado (D)	Oil and Gas Wells: Hazardous or Idle Deserted Wells	Watch—C	Failed

Land Use

AB 1775, Reyes (D)	The Mitigation Fee Act	Watch—C	Gut and Amend
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Human Resources

AB 5, Gonzalez (D)	Independent Contractors	Watch—C	Chaptered
AB 9, Reyes (D)	Employment Discrimination: Limitation of Actions	Watch—C	Chaptered
AB 23, Burke (D)	Governor’s Office Of Business and Economic Development	Watch—C	Vetoed
AB 35, Kalra (D)	Worker Safety: Blood Lead Levels: Reporting	Watch—C	Chaptered
AB 51, Gonzalez (D)	Employment Discrimination: Enforcement	Watch—C	Chaptered
AB 71, Melendez (R)	Independent Contractors and Employees	Watch—C	Failed
AB 160, Voepel (R)	Employment Policy: Voluntary Veterans’ Preference	Watch—C	Failed
AB 171, Gonzalez (D)	Employment: Sexual Harassment	Watch—C	Vetoed
AB 249, Choi (R)	Public Employers: Employee Organizations	Watch—C	Failed
AB 314, Bonta (D)	Public Employment: Labor Relations: Release Time	Support—B	Vetoed
AB 418, Kalra (D)	Evidentiary Privileges: Union Agent-Worker Privilege	Watch—C	Failed
AB 443, Flora (R)	Wage Records: Private Attorney General Actions	Watch—C	Failed
AB 457, Quirk (D)	Occupational Safety and Health: Lead: Exposure Levels	Watch—C	Failed
AB 462, Rodriguez (D)	Asset Management: Emerging Managers	Watch—C	Failed
AB 555, Gonzalez (D)	Paid Sick Leave	Watch—C	Failed
AB 628, Bonta (D)	Employment: Victims of Sexual Harassment	Watch—C	Failed
AB 672, Cervantes (D)	Public Employees’ Retirement: Disability: Reinstatement	Watch—C	Chaptered
AB 758, Carrillo (D)	Solicitation of Employees	Watch—C	Failed
AB 789, Flora (R)	Itemized Wage Statements: Violations: Actions	Watch—C	Failed

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Human Resources (cont.)

AB 882, McCarty (D)	Discrimination In Employment: Drug Rehabilitation	Watch—C	Failed
AB 1224, Gray (D)	Disability Insurance: Paid Family Leave Program	Watch—C	Failed
AB 1478, Carrillo (D)	Employment Discrimination	Watch—C	Vetoed
AB 1554, Gonzalez (D)	Employers: Dependent Care Assistance Program	Watch—C	Chaptered
AB 1661, Gloria (D)	Regulation and Supervision of Employees	Watch—C	Failed
AB 1804, L&E Cmt	Occupational Injuries and Illnesses: Reporting	Watch—C	Chaptered
AB 1805, L&E Cmt	Occupational Safety and Health	Watch—C	Chaptered
AB 1928, Kiley (R)	Employment Standards: Independent Contractors	Watch—C	Failed
AB 1947, Kalra (D)	Employment Violation Complaints: Requirements: Time	Watch—C	Chaptered
AB 2017, Mullin (D)	Employee: Sick Leave: Kin Care	Watch—C	Chaptered
AB 2355, Bonta (D)	Employment Discrimination: Medical Cannabis	Oppose—B	Failed
AB 2399, INS Cmt	Paid Family Leave: Qualifying Exigency	Watch—C	Chaptered
AB 2947, Bonta (D)	Discrimination: Employee Complaint: Standard of Proof	Watch—C	Failed
AB 2992, Weber (D)	Employment Practices: Leave Time	Watch—C	Chaptered
AB 2999, Low (D)	Employees: Bereavement Leave	Watch—C	Failed
AB 3123, Gonzalez (D)	Employees: Public Health Emergency	Watch—C	Failed
AB 3216, Kalra (D)	Unemployment: Rehiring and Retention: Emergency	Oppose—B	Vetoed
AB 3240, Gray (D)	Labor Disputes: Strikes: Healthcare Coverage	Watch—C	Failed
SB 135, Jackson (D)	Paid Family Leave	Watch—C	Failed
SB 142, Wiener (D)	Employees: Lactation Accommodation	Support if amended—A	Chaptered
SB 179, Nielsen (R)	Excluded Employees: Arbitration	Watch—C	Vetoed
SB 734, Borgeas (R)	Working Hours	Watch—C	Failed
SB 760, Durazo (D)	Employment Provisions	Watch—C	Failed
SB 778, L,PE&R Cmt	Employers: Sexual Harassment Training: Requirements	Watch—C	Chaptered
SB 850, Leyva (D)	Work Hours: Scheduling	Watch—C	Failed
SB 900, Hill (D)	Department of Industrial Relations: Worker Status	Watch—C	Failed
SB 997, Borgeas (R)	Worker Status: Employees and Independent Contractors	Watch—C	Failed
SB 1129, Dodd (D)	Employment: Itemized Wage Statements: Violations	Watch—C	Failed
SB 1173, Durazo (D)	Public Employment: Labor Relations	Watch—C	Failed
SB 1383, Jackson (D)	Unlawful Employment Practice: Family Rights Act	Watch—C	Chaptered

Information Technology

AB 1330, Kiley (R)	Personal Information: Privacy: Breach	Watch—C	Failed
AB 2507, Bigelow (R)	Cybersecurity Integration Center	Watch—C	Failed

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Land Use

AB 68, Ting (D)	Land Use: Accessory Dwelling Units	Watch—C	Chaptered
AB 69, Ting (D)	Help Homeowners Add New Housing Program	Watch—C	Vetoed
AB 148, Quirk-Silva (D)	Regional Transportation Plans: Sustainable Communities	Watch—C	Failed
AB 485, Medina (D)	Local Government: Economic Development Subsidies	Watch—C	Chaptered
AB 509, Lackey (R)	General Plans	Watch—C	Failed
AB 587, Friedman (D)	Accessory Dwelling Units: Sale or Separate Conveyance	Watch—C	Chaptered
AB 606, Diep (R)	Local Government Zoning Ordinances	Watch—C	Failed
AB 670, Friedman (D)	Accessory Dwelling Units	Watch—C	Chaptered
AB 671, Friedman (D)	Accessory Dwelling Units: Incentives	Watch—C	Chaptered
AB 881, Bloom (D)	Accessory Dwelling Units	Watch—C	Chaptered
AB 953, Ting (D)	Land Use: Accessory Dwelling Units	Oppose unless amended—B	Failed
AB 1074, Diep (R)	Accessory Dwelling Unit Construction Bond Act	Watch—C	Failed
SB 1400, Umberg (D)	Accessory Dwelling Unit Construction Bond Act	Watch—C	Failed
AB 1486, Ting (D)	Surplus Land	Oppose—A	Chaptered
AB 1536, Gray (D)	RISE Districts: Standards	Watch—C	Failed
AB 1585, Boerner Horvath (D)	Accessory Dwelling Units	Watch—C	Failed
AB 1657, Garcia E (D)	Salton Sea Restoration Act	Watch—C	Gut and Amend
AB 1720, Carrillo (D)	Long-duration Energy Storage: Procurement	Watch—C	Failed
AB 1786, O’Donnell (D)	Land Use and Planning: Regional Housing Assessment	Watch—C	Failed
AB 2137, Wicks (D)	Planning and Zoning Law: Court Orders: Housing	Watch—C	Failed
AB 2470, Kamlager-Dove (D)	Splitting Multifamily Dwelling Units: Approval	Watch—C	Failed
AB 2603, Daly (D)	Accessory Dwelling Units	Watch—C	Failed
SB 13, Wieckowski (D)	Accessory Dwelling Units	Oppose unless amended—A	Chaptered
SB 899, Wiener (D)	Planning and Zoning: Housing Development	Watch—C	Failed
SB 902, Wiener (D)	Planning and Zoning: Housing Development: Density	Watch—C	Failed
SB 1070, Leyva (D)	Land Use: General Plans	Watch—C	Failed

Local Agency Formation Commission

AB 600, Chu (D)	Local Government: Disadvantaged Communities	Watch—C	Chaptered
AB 1253, Santiago (D)	Personal Income Taxes: Additional Tax	Support—B	Failed
AB 1822, LGOV Cmt	Local Government: Omnibus	Watch—C	Chaptered
SB 654, Moorlach (R)	Local Government Planning	Watch—C	Failed

Metal Theft

SB 143, Skinner (D)	Junk Dealers and Recyclers: Nonferrous Material	Watch—C	Chaptered
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BILL NUMBER, AUTHOR	TITLE	POSITION—PRIORITY	STATUS
Miscellaneous			
AB 64, Fong (R)	State Project Audits	Watch—C	Failed
AB 138, Bloom (D)	California Community Health Fund	Watch—C	Failed
AB 142, Garcia (D)	Lead Acid Batteries	Watch—C	Chaptered
AB 144, Aguiar-Curry (D)	Public Resources Management: Organic Waste	Watch—C	Failed
AB 161, Ting (D)	Solid Waste: Paper Waste: Proofs of Purchase	Watch—C	Failed
AB 209, Limon (D)	Parks: Outdoor Environmental Education: Grant Program	Watch—C	Chaptered
AB 215, Mathis (R)	Dumping	Watch—C	Failed
AB 257, Mathis (R)	Solid Waste: Woody Biomass: Collection and Conversion	Watch—C	Failed
AB 289, Fong (R)	California Public Records Act Ombudsperson	Watch—C	Failed
AB 291, Chu (D)	Local Emergency Preparedness and Hazard Mitigation Fund	Support—A	Failed
AB 315, Garcia (D)	Local Government: Lobbying Associations: Public Funds	Concerns—A	Failed
AB 323, Rubio (D)	Newspapers: Agency Advertising: Worker Status	Watch—C	Chaptered
AB 417, Arambula (D)	Agriculture and Rural Prosperity Act	Watch—C	Vetoed
AB 450, Arambula (D)	Bees: Apiary Protection Act	Watch—C	Chaptered
AB 470, Limon (D)	California Green Business Program	Watch—C	Failed
AB 478, Kiley (R)	Legislature: Member Training	Watch—C	Failed
AB 490, Salas (D)	CEQA: Affordable Housing Development Projects	Watch—C	Failed
AB 507, Kiley (R)	Green Building Standards: Review: Annual Report	Watch—C	Failed
AB 556, Carrillo (D)	Outdoor Experiences: Community Access Program	Watch—C	Vetoed
AB 585, Limon (D)	Public Land: Oil, Gas, and Mineral Leases	Watch—C	Chaptered
AB 591, Garcia (D)	Central Basin Water District: Board of Directors	Watch—C	Chaptered
AB 616, Patterson (R)	California Forest Carbon Plan: Reports	Watch—C	Failed
AB 804, Ting (D)	Medical Waste: Sharps Waste	Watch—C	Failed
AB 906, Cooley (D)	Economic Development Strategic Action Plan	Watch—C	Failed
AB 911, Rodriguez (D)	Office of Emergency Services: Emergency Information	Watch—C	Chaptered
AB 931, Boerner Horvath (D)	Local Boards and Commissions	Watch—C	Chaptered
AB 939, Frazier (D)	Administrative Procedure Act: Major Regulations	Watch—C	Failed
AB 968, Garcia (D)	Naturalist Workforce Model Curriculum	Watch—C	Failed
AB 1057, Limon (D)	Oil and Gas: Geologic Energy Management Division	Watch—C	Chaptered
AB 1111, Friedman (D)	Office of Outdoor Recreation	Watch—C	Failed
AB 1255, Rivas R (D)	Surplus Public Land: Inventory	Watch—C	Chaptered
AB 1276, Bonta (D)	Local Redistricting	Watch—C	Chaptered
AB 1283, Cervantes (D)	California Conservation Corps	Watch—C	Failed
AB 1300, Kamlager-Dove (D)	State Coastal Conservancy: Explore the Coast	Watch—C	Failed
SB 1343, Hueso (D)	Tribes: Land Acquisition: Comments	Watch—C	Failed

BILL NUMBER, AUTHOR	TITLE	POSITION—PRIORITY	STATUS
Miscellaneous (cont.)			
AB 1357, Quirk (D)	Department of Toxic Substances Control: Public	Watch—C	Failed
AB 1375, Bigelow (R)	Disaster Relief: Dead and Dying Tree Removal	Watch—C	Failed
AB 1440, Levine (D)	Oil and Gas: Development	Watch—C	Vetoed
AB 1441, Levine (D)	Unemployment Compensation	Watch—C	Failed
AB 1479, Cervantes (D)	Opportunity Zone Credit Enhancement Act	Watch—C	Failed
AB 1522, Low (D)	Professional Engineers Land Surveyors and Geologists	Watch—C	Chaptered
AB 1567, Aguiar-Curry (D)	Organic Waste: Scoping Plan	Watch—C	Failed
AB 1628, Rivas R (D)	Environmental Justice	Watch—C	Chaptered
AB 1637, Smith C (D)	Unclaimed Property Law	Watch—C	Chaptered
AB 1657, Garcia E (D)	Salton Sea Restoration Act	Watch—C	Gut and Amend
AB 1694, O’Donnell (D)	Dominguez Channel Watershed and Santa Catalina Island	Watch—C	Failed
AB 1857, Chen (R)	Emergency Services: Contracts	Watch—C	Failed
AB 1916, Chu (D)	Proclaims State and Local Emergencies: Translation	Watch—C	Failed
AB 1945, Salas (D)	Emergency Services: First Responders	Watch—C	Chaptered
AB 1968, Ramos (D)	Tribal Land Acknowledgment Act	Watch—C	Failed
AB 2002, Kalra (D)	Deforestation Free Procurement Act	Watch—C	Failed
AB 2027, Boerner Horvath (D)	Ocean Resources Management: State Policy	Watch—C	Failed
AB 2071, Muratsuchi (D)	Once Through Cooling Policy: Extension	Watch—C	Failed
AB 2165, Rivas R (D)	Electronic Filing and Service of Documents	Watch—C	Chaptered
AB 2163, Rivas R (D)	Rural Broadband and Emergency Infrastructure Grant Act	Watch—C	Failed
AB 2213, Limon (D)	Office of Emergency Services: Planning Guidance	Watch—C	Chaptered
AB 2392, Rodriguez (D)	Government Operations: State Geographic Information	Watch—C	Failed
AB 2487, Reyes (D)	Commission on Human Rights	Watch—C	Failed
AB 2577, Chiu (D)	Environmental Protection: Vulnerable Population	Watch—C	Failed
AB 2629, Mayes (R)	Imperial Irrigation District: Retail Electric Services	Watch—C	Failed
AB 2736, Garcia E (D)	Pumped Hydroelectric Energy Storage Systems	Watch—C	Failed
AB 2744, Limon (D)	Environmental Protection: Environmental Data	Watch—C	Failed
AB 2799, Petrie-Norris (D)	Income Taxes: Credits: Leased or Rented Property	Watch—C	Failed
AB 2852, Mullin (D)	Public Employee Housing: Local Agencies	Watch—C	Failed
AB 2887, Bonta (D)	Statewide Emergencies: Mitigation	Concerns—A	Failed
AB 2968, Rodriguez (D)	Country Emergency Plans: Best Practices	Watch—C	Chaptered
AB 2991, Santiago (D)	Jobs and Economic Improvement Leadership Act	Watch—C	Failed
AB 3146, Bonta (D)	Housing Data: Collection and Reporting	Watch—C	Failed
AB 3199, Kiley (R)	Greenhouse Gas Reduction Fund	Watch—C	Failed
ACA 11, Mullin (D)	Home Protection for Victims of Disasters	Watch—C	Chaptered

BILL NUMBER, AUTHOR	TITLE	POSITION—PRIORITY	STATUS
Miscellaneous (cont.)			
ACR 89, Cooley (D)	Special Districts Week	Support—B	Chaptered
ACR 158, Bonta (D)	State Scientist Day	Watch—C	Failed
SB 1, Atkins (D)	Environmental, Public Health, and Workers Defense Act	Oppose unless amended—A	Vetoed
SB 56, Roth (D)	University of California, Riverside School of Medicine	Support—B	Failed
SB 62, Dodd (D)	Endangered Species: Accidental Takes: Safe Harbor	Watch—C	Chaptered
SB 139, Allen (D)	Independent Redistricting Commissions	Watch—C	Vetoed
SB 169, Jackson (D)	Pipeline Safety: Records	Watch—C	Failed
SB 251, BF&I Cmt	Financial Institutions	Watch—C	Chaptered
SB 253, Dodd (D)	Environmental Farming Incentive Program	Watch—C	Failed
SB 287, Nielsen (R)	Commission on State Mandates: Test Claims: Filing Date	Watch—C	Failed
SB 466, Wilk (R)	Agriculture: Environmental Farming Program	Watch—C	Failed
SB 528, Hueso (D)	Infrastructure and Economic Development Bank	Watch—C	Failed
SB 605, Hueso (D)	Public Utilities Commission: Proceedings	Watch—C	Failed
SB 668, Rubio (D)	Fire Hydrants: Water Suppliers: Regulations	Watch—C	Failed
SB 865, Hill (D)	Excavations: Subsurface Installations	Support if amended—B	Chaptered
SB 964, Skinner (D)	Chemicals: Outdoor Application: Residential Areas	Watch—C	Failed
SB 998, Moorlach (R)	Local Government: Investments	Watch—C	Chaptered
SB 1006, Bates (R)	Building Standards	Watch—C	Failed
SB 1206, Gonzalez (D)	Local Government: Broadband Infrastructure Development	Watch—C	Failed
SB 1416, Bradford (D)	Assault and Battery of a Public Utility Worker	Support in concept—B	Failed
SB 1473, GOV&FIN Cmt	Local Government Omnibus Act	Watch—C	Chaptered

Metropolitan Water District of Southern California

AB 2246, Mayes (R)	Surface Mining and Reclamation Act of 1975: Exemption	Support—A	Failed
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PACE

AB 1551, Arambula (D)	Property Assessments: Requirements	Watch—C	Chaptered
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PSPS/Wildfire

AB 38, Wood (D)	Fire Safety: Low Cost Retrofits: Wildfire Mitigation	Watch—C	Chaptered
AB 235, Mayes (R)	Endangered Species: Petitions: Takings	Watch—C	Failed
AB 247, Dahle (R)	Disaster Relief: Carr and Klamathon Fires	Watch—C	Failed
AB 248, Dahle (R)	Disaster Relief: Carr and Klamathon Fires	Watch—C	Failed
AB 281, Frazier (D)	Transmission and Distribution Lines	Watch—C	Failed
AB 477, Cervantes (D)	Emergency Preparedness: Vulnerable Populations	Watch—C	Chaptered

BILL NUMBER, AUTHOR	TITLE	POSITION—PRIORITY	STATUS
PSPS/Wilfdire (cont.)			
AB 836, Wicks (D)	Wildfire Smoke Clean Air Incentive Pilot Program	Watch—C	Chaptered
AB 868, Bigelow (R)	Electric Utilities: Wildfire Mitigation Plans	Support—A	Failed
AB 900, Flora (R)	Electrical Grid Inspection Unit	Watch—C	Failed
AB 1054, Holden (D)	Public Utilities: Wildfires and Employee Protection	Watch—C	Chaptered
AB 1067, Bigelow (R)	Public Lands: Department of Parks and Recreation	Watch—C	Failed
AB 1124, Maienschein (D)	Health Care Service Plans	Concerns—A	Chaptered
AB 1144, Friedman (D)	Self-Generation Incentive Program: Community Energy	Watch—C	Chaptered
AB 1167, Mathis (R)	Greenhouse Gas Reduction Fund: Fire Protection	Watch—C	Failed
AB 1363, Stone (D)	Electrical Corporations: Financing Wildfire Expenses	Watch—C	Failed
AB 1388, Flora (R)	Forestry: Forest Health: Fire Prevention: Grants	Watch—C	Failed
AB 1513, Holden (D)	Energy: Wildfire Mitigation Plan	Watch—C	Chaptered
AB 1516, Friedman (D)	Fire Prevention: Wildfire Risk	Watch—C	Vetoed
AB 1609, Chen (R)	Public Utilities: Fireproofing Programs	Watch—C	Failed
AB 1659, Bloom (D)	Large Electrical Corporations: Wildfire Mitigation	Watch—C	Failed
AB 1823, NATRES Cmt	Fire Protection: Local Fire Planning	Watch—C	Chaptered
AB 1915, Chu (D)	Electrical Corporations: Deenergization Events	Watch—C	Failed
AB 1936, Rodriguez (D)	Price Gouging: Public Safety Power Shutoffs	Watch—C	Failed
AB 1942, Gallagher (R)	Forestry and Fire Protection: Greenhouse Gas Reductions	Watch—C	Failed
AB 2076, Bigelow (R)	Public Lands: Wildfire Prevention Strategy	Watch—C	Failed
AB 2178, Levine (D)	Emergency Services	Support—A	Failed
AB 2179, Levine (D)	Electrical Corporations: Wildfire Mitigation Plans	Watch—C	Failed
AB 2180, Levine (D)	Electrical Corporations: Wildfire Mitigation Plans	Watch—C	Failed
AB 2182, Rubio (D)	Emergency Backup Generators: Wastewater Facilities	Support—A	Failed
AB 2356, Bauer-Kahan (D)	Electrical Corporations: Safety Standards: Enforcement	Watch—C	Failed
AB 2421, Quirk (D)	Emergency Standby Generators	Watch—C	Chaptered
AB 2705, Low (D)	Electricity: Deenergization Events	Watch—C	Failed
SB 133, Galgiani (D)	Wildfires: Detection	Watch—C	Failed
SB 167, Dodd (D)	Electrical Corporations: Wildfire Mitigation Plans	Support—A	Chaptered
SB 182, Jackson (D)	Local Government: Planning and Zoning: Wildfires	Watch—C	Vetoed
SB 209, Dodd (D)	Office of Emergency Services: Wildfire Forecast	Support—A	Chaptered
SB 226, Nielsen (R)	Watershed Restoration: Wildfires: Grant Program	Watch—C	Failed
SB 247, Dodd (D)	Wildland Fire Prevention: Vegetation Management	Watch—C	Chaptered
SB 462, Stern (D)	Community Colleges: Fire Resiliency Workforce Program	Watch—C	Failed
SB 548, Hill (D)	Electricity: Transmission Facilities: Inspection	Support—B	Failed
SB 560, McGuire (D)	Wildfire Mitigation Plans	Support—B	Chaptered

BILL NUMBER, AUTHOR TITLE POSITION—PRIORITY STATUS

PSPS/Wilfdfire (cont.)

SB 584, Moorlach (R)	Electricity: Undergrounding of Electrical Wires	Watch—C	Failed
SB 632, Galgiani (D)	State Board of Forestry and Fire Protection	Watch—C	Chaptered
SB 802, Glazer (D)	Emergency Backup Generators: Health Facilities	Watch—C	Failed
SB 862, Dodd (D)	Planned Power Outage: Public Safety	Watch—C	Failed
SB 884, Dodd (D)	Education Finance: Emergencies: Power Shutoffs	Watch—C	Failed
SB 917, Wiener (D)	Consumer Energy and Conservation Financing Authority	Watch—C	Failed
SB 952, Nielsen (R)	Sales and Use Tax: Exemptions: Backup Electrical	Support—A	Failed
SB 1046, Dahle (R)	Fish and Wildlife: Catastrophic Wildfires	Watch—C	Failed
SB 1099, Dodd (D)	Emergency Backup Generators: Critical Facilities	Watch—C	Failed
SB 1160, Stern (D)	Public Utilities: Electrical and Communications	Watch—C	Failed
SB 1185, Moorlach (R)	Emergency Backup Generators: Deenergization Events	Concerns—A	Failed
SB 1312, McGuire (D)	Electrical Corporations: Deenergization	Watch—C	Failed
SB 1313, McGuire (D)	Electrical Corporations: Deenergization	Watch—C	Failed
SB 1314, Dodd (D)	Community Energy Resilience Act of 2020	Support if amended—A	Failed
SB 1348, Stern (D)	Fire Prevention: Vegetation Management	Watch—C	Failed
SB 1386, Moorlach (R)	Local Government: Assessments, Fees, and Charges	Support—A	Chaptered

Public Employees Retirement System/Pension Reform

AB 33, Bonta (D)	State Public Retirement Systems: Divestiture	Watch—C	Failed
AB 287, Voepel (R)	Public Employees’ Retirement: Annual Audits	Support—B	Failed
AB 472, Voepel (R)	Public Employees’ Retirement	Watch—C	Failed
AB 1212, Levine (D)	Public Employees’ Retirement: Pension Fund	Watch—C	Vetoed
AB 1320, Nazarian (D)	Public Employee Retirement Systems: Investments: Turkey	Watch—C	Chaptered
AB 2365, Rodriguez (D)	Public Employees’ Retirement System	Watch—C	Failed
AB 2378, Cooper (D)	Public Employees Retirement System	Watch—C	Failed
AB 2394, Cooper (D)	Public Employees Retirement System: Allowances	Watch—C	Failed
SB 266, Leyva (D)	Public Employees Retirement: Disallowed Compensation	Watch—C	Failed
SB 341, Morrell (R)	Public Employment and Retirement	Watch—C	Failed
SB 769, Moorlach (R)	Public Employees Retirement	Watch—C	Failed
SB 1297, Moorlach (R)	Public Employees’ Retirement	Watch—C	Failed

Public Records/Records Management/Transparency

AB 62, Fong (R)	State Government: FI\$Cal: Transparency	Watch—C	Failed
AB 469, Petrie-Norris (D)	State Records: Records Management Coordinator	Watch—C	Chaptered
AB 510, Cooley (D)	Local Government Records: Destruction of Records	Support—A	Failed

BILL NUMBER, AUTHOR TITLE POSITION—PRIORITY STATUS

Public Records/Records Management/Transparency (cont.)

AB 654, Rubio (D)	Public Records: Utility Customers: Personal Information	Support—A	Failed
AB 802, Stone (D)	Reports To the Legislature: Statewide Open Data Portal	Watch—C	Failed
AB 805, Obernolte (R)	Unemployment Insurance: Contribution Rates	Support—A	Failed
AB 873, Irwin (D)	California Consumer Privacy Act	Watch—C	Failed
AB 874, Irwin (D)	State Consumer Privacy Act	Watch—C	Chaptered
AB 992, Mullin (D)	Open Meetings: Local Agencies: Social Media	Support—B	Chaptered
AB 1072, Patterson (R)	Public Utilities Commission: Audits and Reviews	Watch—C	Chaptered
AB 1130, Levine (D)	Personal Information: Data Breaches	Watch—C	Chaptered
AB 1184, Gloria (D)	Public Records: Writing Transmitted by Electronic Mail	Oppose—B	Vetoed
AB 1241, Quirk-Silva (D)	Contracts Between Public and Private Entities	Watch—C	Failed
AB 1323, Stone (D)	Public Utilities Information: Confidentiality	Watch—C	Failed
AB 1574, Mullin (D)	Lobbying Expenditures	Watch—C	Failed
AB 1758, Chau (D)	Consumer Privacy	Watch—C	Failed
AB 1760, Wicks (D)	Privacy for All Act	Watch—C	Failed
AB 1819, JUD Cmt	Public Records Inspection: Use of Requester’s Equipment	Oppose—B	Chaptered
AB 2028, Aguiar-Curry (D)	State Agencies: Meetings	Watch—C	Failed
AB 2093, Gloria (D)	Public Records: Writing Transmitted by Electronic Mail	Watch—C	Failed
AB 2123, Chau (D)	Accessibility: Internet Website	Watch—C	Failed
AB 2138, Chau (D)	State Public Records Act	Watch—C	Failed
AB 2214, Carrillo (D)	Administrative Procedure Act: Notice of Proposed Action	Watch—C	Failed
AB 2433, Cooper (D)	Local Public Employee Organizations	Watch—C	Failed
AB 2438, Chau (D)	Public Records Act: Conforming Revisions	Watch—C	Failed
AB 2452, Garcia (D)	State Auditor: Audits: High Risk Local Government	Watch—C	Failed
AB 2473, Cooper (D)	Public Investment Funds	Watch—C	Failed
AB 2676, Quirk (D)	California Public Records Act: Exemptions	Watch—C	Failed
AB 2768, Kalra (D)	Public Entities: Digital Signatures	Watch—C	Failed
AB 3162, Obernolte (R)	Reports Submitted to Legislative Committees	Support—B	Failed
AB 3223, Gallagher (R)	Information Practices: Public Agencies	Watch—C	Failed
SB 53, Wilk (R)	Open Meetings	Watch—C	Failed
SB 615, Hueso (D)	Public Records: Disclosure	Support—B	Failed
SB 629, McGuire (D)	Public Peace: Media Access	Watch—C	Vetoed
SB 749, Durazo (D)	State Public Records Act: Trade Secrets	Concerns—A	Failed
SB 931, Wieckowski (D)	Local Government Meetings: Agenda and Documents	Support if amended—B	Failed

Public Safety and Emergency Preparedness

AB 2064, Patterson (R)	Emergency Preparedness: Access and Functional Needs	Watch—C	Failed
AB 3191, Gray (D)	Utility Workers and Vehicles	Watch—C	Failed

<i>BILL NUMBER, AUTHOR</i>	<i>TITLE</i>	<i>POSITION—PRIORITY</i>	<i>STATUS</i>
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Recycled Water

AB 231, Mathis (R)	Environmental Quality Act: Exemption: Recycled Water	Support—B	Failed
AB 292, Quirk (D)	Recycled Water: Raw Water and Groundwater Augmentation	Support—A	Failed
SB 332, Hertzberg (D)	Wastewater Treatment: Recycled Water	Oppose—A	Failed

Redevelopment

AB 11, Chiu (D)	Community Redevelopment Law	Concerns(B)	Failed
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Sacramento-San Joaquin Delta

AB 1194, Frazier (D)	Sacramento-San Joaquin Delta	Oppose—A	Failed
AB 1580, Levine (D)	Major Infrastructure Construction Projects	Oppose—A	Failed
AB 1958, Cooper (D)	State Plan of Flood Control: Facilities	Support—B	Failed
AJR 8, Quirk (D)	Invasive Species: Federal Nutria Eradication/Control	Support—A	Chaptered

Safe and Affordable Drinking Water

AB 134, Bloom (D)	Safe Drinking Water Restoration	Oppose unless amended—A	Failed
AB 217, Carcia E (D)	Safe and Affordable Drinking Water Fund	Oppose unless amended—A	Gut and Amend
AB 402, Quirk (D)	Water Resources Control Board: Local Primacy Delegation	Concerns—A	Failed
AB 637, Gray (D)	Disadvantaged Communities: Drinking Water	Oppose unless amended—B	Failed
AB 1381, Salas (D)	Safe Drinking Water Plan	Support—A	Failed
AB 1751, Chiu (D)	Water and Sewer System Corporations	Watch—C	Failed
ACA 3, Mathis (R)	Clean Water for All Act	Watch—C	Failed
SB 115, B&FR Cmt	Budget Act	Watch—C	Chaptered
SB 414, Caballero (D)	Small System Water Authority Act of 2019	Support—A	Failed
SB 669, Caballero (D)	Water Quality: Safe Drinking Water Fund	Support—A	Failed
SB 1280, Monning (D)	State Water Resources Control Board	Oppose unless amended—B	Failed

Sewer

AB 530, Aguiar-Curry (D)	The Fairfield Suisun Sewer District	Watch—C	Chaptered
AB 1672, Bloom (D)	Solid Waste: Premoistened Nonwoven Disposable Wipes	Support—A	Failed
SB 335, Hurtado (D)	Provision of Sewer Service: Onsite Treatment System	Watch—C	Failed

State Water Project

SB 204, Dodd (D)	State Water Project: Contracts	Oppose unless amended—A	Failed
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Stormwater

AB 755, Holden (D)	Tire Fee: Stormwater Permit Compliance Fund	Watch—C	Failed
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<i>BILL NUMBER, AUTHOR</i>	<i>TITLE</i>	<i>POSITION—PRIORITY</i>	<i>STATUS</i>
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Stormwater (cont.)

AB 2364, Rubio (D)	Municipal Separate Storm Sewer Systems	Support—B	Failed
SB 1052, Hertzberg (D)	Water Quality: Municipal Wastewater Agencies	Watch—C	Failed
State Water Resources Control Board			
SB 693, Borgeas (R)	State Water Resources Control Board	Watch—C	Failed

Water/Water Rights

AB 937, Rivas R (D)	Waste Discharge Requirements: Produced Water	Watch—C	Failed
AB 955, Gipson (D)	Water Replenishment Districts: Water System Needs	Watch—C	Failed
AB 1161, Calderon I (D)	Recreational Water Use: Wave Basins	Watch—C	Vetoed
AB 1415, Friedman (D)	Department of Water Resources: Reporting	Oppose—B	Failed
AB 1752, Petrie-Norris (D)	South Coast Water District	Watch—C	Chaptered

Water Discharge

AB 2333, Quirk (D)	Waste: Releases: Remedial Action: Local Oversight	Watch—C	Failed
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Water Conservation

AB 60, Friedman (D)	Water Conservation: Water Meters: Accuracy Standards	Support if amended—A	Failed
AB 533, Holden (D)	Income Tax: Exclusion: Turf Removal Water Conservation	Support—A	Failed
AB 2519, Wood (D)	Conservation Projects: Grants: Advance Payments	Support—B	Failed
AB 2656, Eggman (D)	Wholesale Water Suppliers: Water Loss Audit Reports	Watch—C	Failed
AB 3030, Kalra (D)	Resource Conservation: Land and Ocean Conservation	Concerns—A	Failed
SB 775, Rubio (D)	Corporation Taxes: Exempt Organizations	Support—A	Failed

Water Quality

AB 129, Bloom (D)	Microfiber Pollution	Watch—C	Failed
AB 223, Stone (D)	California Safe Drinking Water Act: Microplastics	Oppose—A	Failed
AB 432, Quirk (D)	Released Waste: Certification of Local Officers	Watch—C	Failed
AB 636, Gray (D)	State Water Resources Control Board: Objectives	Watch—C	Failed
AB 834, Quirk (D)	Freshwater and Estuarine Harmful Algal Bloom Program	Watch—C	Chaptered
AB 835, Quirk (D)	Safe Recreational Water Use: Harmful Algal Blooms	Watch—C	Failed
AB 841, Ting (D)	Energy Efficiency Programs	Watch—C	Chaptered
AB 1204, Rubio (D)	Public Water Systems: Primary Water Standards	Support—A	Failed
AB 1439, Melendez (R)	Policy for Water Quality Control	Watch—C	Failed
AB 1952, Stone (D)	Washing Machines: Microfiber Filters: State Facilities	Support—B	Failed
AB 2060, Holden (D)	Drinking Water: Pipes and Fittings: Lead Content	Watch—C	Failed
AB 2104, Garcia (D)	Lead Acid Battery Recycling Act	Watch—C	Chaptered

BILL NUMBER, AUTHOR TITLE POSITION—PRIORITY STATUS

Water Quality (cont.)

AB 2296, Quirk (D)	State Water Resources Control Board: Delegation	Watch—C	Vetoed
AB 2297, Bloom (D)	Microfiber Pollution	Support—B	Failed
AB 2488, Gonzalez (D)	Drinking Water: Lead Safe Schools Protection Act	Watch—C	Failed
AB 2560, Quirk (D)	Water Quality: Notification Levels and Response Levels	Support—B	Chaptered
AB 2592, Garcia (D)	Reduction of Human Remains and Disposition of Remains	Watch—C	Failed
AB 2762, Muratsuchi (D)	Cosmetic Products: Safety	Watch—C	Chaptered
AB 3048, Flora (R)	Small Business Water Regulation Working Group	Watch—C	Failed
SB 69, Wiener (D)	Ocean Resiliency Act	Concerns—A	Failed
SB 996, Portantino (D)	State Water Resources Control Board: Constituents	Support—A	Failed
SB 1011, Dahle (R)	Water Quality: Waste Discharge	Watch—C	Failed
SB 1044, Allen (D)	Firefighting Equipment and Foam: PFAS Chemicals	Support—B	Chaptered
SB 1285, Nielsen (R)	Navigable Waters: Hazardous, Medical, Or Human Waste	Watch—C	Failed
SB 1429, Monning (D)	Cannabis: Environmental Violations	Support—B	Failed

Watershed

AB 933, Petrie-Norris (D)	Ecosystem Resilience: Watershed Protection	Watch—C	Failed
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Water Supply

SB 779, NR&W Cmt	Appropriation of Water: Change of Point of Diversion	Watch—C	Chaptered
SB 785, NR&W Cmt	Public Resources: Parklands, Freshwater Resources	Support—B	Chaptered
AB 1304, Waldron (R)	Water supply contract: Native American tribes	Oppose—B	Gut and Amend

Workers Compensation

AB 1107, Chu (D)	Proclaimed State Emergencies	Watch—C	Failed
AB 1750, Burke (D)	Workers Compensation: Rehabilitation	Watch—C	Failed
AB 1815, Daly (D)	Worker’s Compensation	Watch—C	Failed
AB 2169, Maienschein (D)	Workers Compensation	Watch—C	Failed
AB 2294, Salas (D)	Workers’ Compensation	Watch—C	Failed
SB 537, Hill (D)	Workers’ Compensation: Treatment and Disability	Watch—C	Chaptered
SB 731, Bradford (D)	Peace Officers: Certification: Civil Rights	Watch—C	Failed
SB 924, Hertzberg (D)	Workers’ Compensation: Utilization Review	Watch—C	Failed
SB 1159, Hill (D)	Workers Compensation: Coronavirus: Critical Workers	Oppose—B	Chaptered

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ACTIVITY ON STATE ISSUES

HIGHLIGHTS FROM THE
2020 LEGISLATIVE SESSION

Support Letters

Title	Letters Sent	Bill Outcome
AB 533 (Holden) Income Tax Exemption for Turf Removal	20.....	Failed
AB 1672 (Bloom) Solid Waste: Premoistened Nonwoven Disposable Wipes.....	52.....	Failed
AB 2182 (Rubio) Emergency Backup Generators: Wastewater Facilities	15.....	Failed
AB 2246 (Mayes) Surface Mining and Reclamation Act of 1975: Exemption	1.....	Failed
AB 2560 (Quirk) Water Quality: Notification Levels and Response Levels	44.....	Chaptered
SB 414 (Caballero) Small System Water Authority Act of 2020	38.....	Failed
SB 952 (Nielsen) Sales and Use Tax: Exemptions: Backup Electrical.....	14.....	Failed
SB 996 (Portantino) State Water Resources Control Board: Constituents.....	1.....	Failed
SB 1099 (Dodd) Emergency Backup Generators: Critical Facilities.....	9.....	Failed
SB 1386 (Moorlach) Local Government: Assessments, Fees, and Charges.....	84.....	Chaptered

Letters on State Issues

Title	Letters Sent	Purpose of Letter
Riverside County Water Task Force Speaker Letters	4	Thank You
EMWD Delegation Annual Consumer Confidence Report Letters.....	7	Informational
Climate Resiliency Bond Proposals – Request for Septic to Sewer Funding Letter	1	Request
Comment Letter on the Draft Fiscal Year 2020-2021 Clean Water State Revolving Fund (SRF) Intended Use Plan.....	2	Comments
Support Sean Maguire’s Confirmation to the State Board.....	9	Support
Support letter for Recycled Water Funding in Climate Resilience Bond.....	15	Support
May Revision 2020-21 Budget – Proposed Budget Cap and Trade Expenditure Plan Letter	24	Request
Response to Concerns on SB 414	1	Response
Response to Questions and Concerns on SB 414.....	3	Response
Imbalance of Self-Generation Incentive Program (SGIP) Letter.....	2	Concerns
Local Coalition Letter Supporting Funding for Septic to Sewer System Conversion with a Climate Resilience Bond.....	6	Funding Request
Draft Water Resilience Portfolio Comment Letter.....	4	Concerns
Draft Policy for Developing the Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund.....	11	Comments
State Water Resources Control Board Chair, Joaquin Esquivel University of California, Riverside Symposium	1	Thank You
Assembly Member E Garcia, Chief of Staff, Carlos Gonzalez University of California, Riverside Symposium	1	Thank You

Governor's Veto Messages

EMWD Position: Concerns—A

Bill Number: AB 520

Governor's Message: October 13, 2020

To the members of the California State Assembly:

I am returning Assembly Bill 520 without my signature.

This measure seeks to codify a definition of the term “de minimis” to define the level of public subsidy that would trigger prevailing wage requirements on an otherwise private project.

While I steadfastly support prevailing wage law, I am concerned that the restrictive nature of this law may have unintended consequences. Further, there is nothing to suggest that the longstanding administrative practice of considering the public subsidy in the context of the project and using two percent as a general threshold is insufficient.

For these reasons, I am returning this bill without my signature.

Sincerely,

Gavin Newsom, Governor

EMWD Position: Oppose, unless amended—A

Bill Number: SB 1

Governor's Message: September 27, 2020

To the members of the California State Senate:

I am returning Senate Bill 1 without my signature.

This bill would enact the California Environmental, Public Health, and Workers Defense Act of 2019 with the intent of ensuring that protections afforded under federal environmental and labor laws and regulations as of January 2017, could remain in place in the event of federal regulatory changes.

California is a leader in the fight for resource, environmental, and worker protections. Since 2017, the federal government has repeatedly tried to override and invalidate those protections, and each time, the state has aggressively countered—taking immediate legal action and deploying every tool at the state's disposal to safeguard our natural resources, environmental protections and workers. No other state has fought harder to defeat Trump's environmental policies, and that will continue to be the case.

While I disagree about the efficacy and necessity of Senate Bill 1, I look forward to working with the Legislature in our shared fight against the weakening of California's environmental and worker protections.

Sincerely,

Gavin Newsom, Governor

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“These Legislative Policy Principles reflect the proactive steps that EMWD takes in providing potable and recycled water supply and wastewater services in an economical, efficient, and responsible manner.”



Policy Principles

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POLICY PRINCIPLES

2020 STATE AND FEDERAL LEGISLATIVE PROGRAM

Introduction

Eastern Municipal Water District (EMWD) has adopted a strategic objective to “Conduct a highly productive and effective federal, state and local advocacy representation program to effectively influence legislation, regulation and outside funding in a manner that responds to a shifting political landscape, benefits EMWD’s customers and consistently demonstrates industry leadership.” To achieve this goal, the Public and Governmental Affairs Department builds and maintains relationships with legislative leaders, their staff, and other opinion leaders, and involves all appropriate EMWD disciplines to formulate positions on legislative and policy issues.

EMWD monitors and, where appropriate, seeks to influence federal and state legislation to provide EMWD’s ratepayers safe and reliable potable and recycled water supply and wastewater services in an economical manner. Guided by the Legislative Policy Principles adopted by EMWD’s Board of Directors and the professional opinion of EMWD’s staff, the Legislative Affairs Team communicates EMWD’s position and takes action on pertinent legislative issues.

The EMWD Legislative Policy Principles represent areas of public policy that the Board of Directors has adopted an EMWD position. These principles are consistent with EMWD’s mission statement, guiding principles and are developed with careful consideration of EMWD’s Strategic Plan. Furthermore, the EMWD Legislative Policy Principles are dynamic in nature. As new legislative issues affecting the potable and recycled water and wastewater industries arise, EMWD will respond accordingly and update its Policy Principles.

During the review, analysis, and development of each Legislative Policy Principle, EMWD involves all appropriate EMWD disciplines and also takes into consideration the broader policy objectives of related associations to foster a synchronized advocacy effort. The final process for policy principle development includes formulating the principles with input of EMWD specialists in the various policy fields; analyzing and editing the principles in the Legislative Review Committee, examining and critiquing the policy in the appropriate Board Committee, and finally, the Board of Directors adopting the principles.

These Legislative Policy Principles reflect the proactive steps that EMWD takes in providing potable and recycled water supply and wastewater services in an economical, efficient, and responsible manner. With this proactive approach to legislation, EMWD continually enhances its partnership with the community and quality of service provided to its customers.



Water Recycling

EMWD Policy: EMWD seeks to develop and implement strategies to achieve the highest beneficial use of recycled water to maximize the District’s water supply reliability and sustainability.

This policy principle supports EMWD’s Strategic Objectives addressing Water Recycling; and, Water Supply Diversity and Reliability: “Implement on-going treatment, storage, and distribution system projects and programs to allow 100 percent utilization of treated effluent for the highest beneficial and sustainable use possible.”; and, “Develop and implement a portfolio of projects and management techniques to achieve a reliable and cost-effective balance of water supplies utilizing imported, local, and recycled water sources.”

EMWD and its Board of Directors support legislative or administrative actions:

1. Acknowledging recycled water as a beneficial resource that should be permitted and managed as such.
2. Increasing public education and awareness of water recycling, its benefits and safety.
3. Advancing recycled water-marketing efforts.
4. To increase statewide recycled water use goals.
5. To provide assistance and training for design, construction, and operation of recycled water systems.
6. Expanding the ability to advance recycled water application, when readily available, in a safe and cost effective manner.
7. Advancing new grants, low interest loans, and/or other funding for recycled water consistent with the following objectives:
 - a. Increasing recycled water and recycled water quality in California and the Colorado River Basin.
 - b. Research leading to advances in science and technology, health effects assessments, and facility, regional, and watershed planning.
 - c. To streamline administrative procedures for state low interest-rate loans and federal grants for projects and research.
8. Facilitating the completion of research consistent with the California WateReuse Action Plan that outlines the need for research to complete the following:
 - a. Measurement and removal of contaminants at increasingly lower regulated levels and other limits;
 - b. Revising regulatory requirements and their application to recycled water end users;
 - c. Preparing and responding to climate change impacts including both flooding and drought;
 - d. Examining the effectiveness of alternative treatment trains; and
 - e. Advancing new and increased uses of recycled water.
9. Encouraging the implementation of the National Water Reuse Action Plan by the U.S. EPA, and other federal agencies.
10. Encouraging voluntary cooperation and partnership among involved agencies to foster strategies for recycled water project implementation.
11. Supporting continuous review, appropriate revision and streamlining of water recycling regulations, permitting and administration consistent with experience gained in operations, public health and environmental protection to advance



the development, permitting and implementation of direct and indirect potable reuse (reservoir augmentation and groundwater recharge) while ensuring water quality that protects public health.

12. Facilitating the application of recycled water for recreational use in a manner that protects public health and safety, and acknowledges local agency policies.
13. Acknowledging salinity management as a strategy to improve the sustainability and reliability of recycled water resources.
14. Promoting recycled water as a sustainable and efficient water supply during drought conditions.

EMWD and its Board of Directors oppose legislative and administrative actions:

1. Minimizing the distinction between graywater, on-site recycled water, and recycled water supplies.
 - a. Advancing the inclusion of source water supplies or end use applications for graywater and on-site recycled water systems that have not been scientifically studied, monitored, and regulated;
 - b. Restricting the ability of local cities, counties, or special districts to permit or restrict the installation of graywater systems and on-site recycled water systems; or
 - c. Advancing or mandating the application of graywater or on-site recycled water systems in areas that have invested in a dedicated centralized recycled water system, or where such decentralized systems will jeopardize current or future investments in such a system.
2. Inhibiting the safe application of recycled water.
3. Continuing to define recycled water as a waste.
4. Restricting the use of recycled water during a water shortage or emergency drought conditions.
5. Seeking to arbitrarily mandate the reduction or elimination of ocean or bay discharges of treated effluent.

**ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT'S BOARD OF DIRECTORS
ON DECEMBER 15, 2004 AND UPDATED ON JANUARY 22, 2020.**

Biosolids

EMWD Policy: It is the policy of EMWD to practice and support efforts to encourage sustainable, cost effective, responsible and environmentally sound management of biosolids as an integral component of its wastewater treatment program.

This policy principle supports EMWD's Strategic Plan Objective addressing Water Resource Management: "Implement cost-effective projects and programs to manage wastewater and biosolids to achieve long-term environmentally sustainable reuse."

EMWD and its Board of Directors support legislative and administrative actions:

1. Promoting the utilization of biosolids for land application, providing that it is applied in a responsible manner.
2. Establishing appropriate funding mechanisms, including grants and low-interest loans, and/or other funding to treat, use, and/or recycle biosolids.
3. Providing financial incentives for research and development of new and/or improved methods and technologies for biosolids management.
4. Encouraging efforts to promote biosolids as an alternative, renewable fuel source (i.e. biofuel conversions).
5. Increasing EMWD's local management options, self-sufficiency, and independence in managing biosolids.
6. Protecting the public health and groundwater supply by providing increased funding and research for comprehensive management techniques.
7. Creating a market for advanced technologies by promoting the use of innovative products derived from biosolids, including biosolids pellets.
8. Fostering cooperation among governmental agencies, regulators, private corporations, and the agriculture community related to biosolids use and management.
9. Promoting cost effective management of biosolids.





EMWD and its Board of Directors oppose legislative and administrative actions:

1. Unreasonably restricting local and regional biosolids management including land application.
2. Efforts to regulate Per-and Poly-fluoroalkyl Substances (PFAS) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that could require biosolids to be treated as hazardous materials.
3. Increasing the financial burden of managing biosolids without demonstrated equivalent environmental and/or public health benefit related thereto.
4. Duplicating existing programs and requirements.
5. Causing an unfounded negative public perception of biosolids and biosolid producers.
6. Requiring unreasonable treatment of biosolids for specific applications, without adequate scientific justification.
7. Limiting the transportation and land application of biosolids between counties or states.

***ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT'S BOARD OF DIRECTORS
ON FEBRUARY 20, 2008 AND UPDATED ON JANUARY 22, 2020.***



Groundwater/Sustainable Groundwater Management

EMWD Policy: It is the policy of EMWD to maximize the use of groundwater while protecting groundwater quality and sustainability and enhancing the basin yield in an environmentally and economically responsible manner in collaboration with local groundwater users.

This policy principle supports EMWD’s Strategic Plan Objective addressing Water Supply Diversity and Reliability: “Develop and implement a portfolio of projects and management techniques to achieve a reliable and cost-effective balance of water supplies utilizing imported, local, and recycled water sources.”

EMWD and its Board of Directors support legislative and administrative actions:

1. Providing appropriate funding mechanisms, including grants, low-interest loans, and/or other funding for Sustainable Groundwater Management Act (SGMA) compliance and development of groundwater projects, including groundwater cleanup to preserve the integrity of groundwater resources, and to advance plans on water available for recharge to protect communities from water shortages.
2. Recognizing the impacts of climate change on groundwater supplies and furthers local development opportunities to address potential impacts and contaminants.
3. Acknowledging salinity management as a strategy to improve the sustainability and reliability of local water resources.
4. Improving groundwater monitoring programs and technology (i.e. Geographic Information Systems) for resource development and groundwater management purposes and assists water districts to collect and manage local groundwater data required under SGMA.
5. Providing oversight and monitoring of hydraulic fracturing (fracking) operations that are protective of groundwater and surface water resources.
6. Providing additional tools and funding opportunities to foster cooperation and partnerships with local groundwater producers and other community stakeholders.
7. Enhancing local water supply reliability to reduce dependence on imported water.
8. Providing protection for groundwater recharge areas.
9. Providing local stakeholder flexibility to protect water rights.
10. Promoting integrity of groundwater basins, including long-term overdraft protection.
11. Facilitating transfers and exchanges of groundwater supplies with appropriate safeguards.
12. Encouraging storage of imported water through conjunctive use programs.
13. Protecting groundwater quality and enhances groundwater cleanup and recovery for beneficial use, including strategies to mitigate and prevent contamination.
14. Promoting agricultural and irrigational use of recycled water and/or other suitable non-potable water in-lieu of groundwater.

15. Requiring those who cause or contribute to pollution of a groundwater basin to make restitution for damage caused.
16. Promoting recycled water use and recharge in groundwater basins while ensuring water quality that protects public health.

EMWD and its Board of Directors oppose legislative and administrative actions:

1. Restraining local stakeholder flexibility in the use of groundwater resources.
2. Imposing new water quality regulations or control actions that are not based on thorough consideration of scientific and technical evidence.
3. That do not provide demonstrated operational, environmental, or public health benefits.
4. That do not allow reasonable schedules for development, implementation, and compliance of new laws and regulations.
5. Duplicating existing program, requirements, and mandates.

***ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT'S BOARD OF DIRECTORS
ON JULY 7, 2006 AND UPDATED ON JANUARY 22, 2020.***



Desalination

EMWD Policy: It is the policy of EMWD to utilize desalination for salinity management, to protect local groundwater quality and include desalted brackish water as an element of EMWD’s balanced water supply portfolio to achieve long-term water supply reliability.

This policy principle supports EMWD’s Strategic Plan Objective addressing Water Quality Salinity Management: “Achieve improved water quality through cost effective supply management, source control, to maximize utilization of recycled water and local water resources.”

EMWD and its Board of Directors support legislative and administrative actions:

1. Acknowledging salinity management as a strategy to improve sustainability and reliability of groundwater production, and use of recycled water.
2. Providing grants, low-interest loans, and/or other funding for desalination research and development and implementation projects.
3. Acknowledging and promotes salinity management as a tool for economic development and recognizes that brackish desalination can play a major role in meeting California’s future water needs.
4. Improving communication, cooperation, and consistency in the desalination permitting processes.
5. Recognizing the significance of energy costs for desalination and providing for strategies to optimize energy cost savings.
6. Promoting and incentivizing the development of renewable energy alternatives in conjunction with desalination facilities.
7. Creating a statewide desalination information database and data sharing opportunities (i.e. operational data, water quality data and research).



COMING SPRING 2021

In the Spring of 2021, EMWD will bring the Perris II Desalter online. EMWD’s Desalination Program is one of several strategies EMWD is pursuing to become less reliant on imported water and move toward the goal of drought proofing the region and providing reliability and flexibility to the area’s water supply.



Take a virtual tour of EMWD’s Desalination Complex



Learn more about how EMWD is desalinating salty groundwater.
www.emwd.org/gwr-plus

8. Providing funds for brine management projects, including alternative disposal methods, and recognizing that brine disposal is a major cost for implementation of inland brackish groundwater desalination.
9. Fostering partnerships with universities, state and federal agencies, and other institutions for the development of improved desalination and brine disposal and minimization technologies.
10. Encouraging desalination stakeholder work groups and outreach programs.
11. Promoting water use efficiency and reuse through desalination of recycled water for direct and/or indirect potable reuse.
12. Encouraging technology transfers among groups, agencies including state and federal government entities that have specialized expertise with new or emerging desalination technologies.
13. Encouraging regional collaboration within watersheds to manage salt impacts to surface and ground waters.
14. Promoting desalination as a drought resilient, hydrologically independent sustainable supply.



EMWD and its Board of Directors oppose legislative and administrative actions:

15. Unreasonably restricting EMWD’s flexibility and authority to make decisions regarding desalination operation.
16. Imposing new water quality and related desalination regulations or control actions that are not based on thorough consideration of scientific and technical evidence.
17. That do not allow reasonable schedules for development, implementation, and compliance of new laws and regulations.
18. Duplicating existing programs and requirements.
19. Restricting the use of desalinated water during a water shortage or emergency drought conditions.
20. Seeking to arbitrarily mandate the reduction or elimination of ocean or bay discharges of treated effluent, especially if such actions could restrict the discharge of brine from brackish groundwater desalination or other water treatment projects.

**ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT’S BOARD OF DIRECTORS
ON JULY 7, 2006 AND UPDATED ON JANUARY 22, 2020.**

Water Use Efficiency / Conservation

EMWD Policy: It is the policy of EMWD to promote efficient use of water in order to provide the most reliable supply at a reasonable cost.

This policy principle supports EMWD's Strategic Plan Objective addressing Water Use Efficiency: "Promote efficient use of water resources through the implementation of industry-leading programs and practices combined with customer education and awareness."

EMWD and its Board of Directors support legislative and administrative actions:

1. Encouraging the expanded and efficient use of recycled water, recognizing that recycled water is a drought resistant supply.
2. Encouraging planning and land-use agencies to require water efficient landscape in new development.
3. Implementing cost-effective new-product water efficiency standards.
4. Creating or expanding appropriate educational and informational programs to encourage conservation among water users (including the integration of water-use efficiency in state and federal energy-efficiency public outreach).
5. Stating that any water usage reduction requirements, emergency drought regulations, and advanced conservation mandates:
 - a. Establish and protect local control and local water management strategies to ensure lasting water supply reliability;
 - b. Stating that new policy should be flexible and preserve local control in achieving statewide urban conservation goals and any additional conservation mandates; and
 - c. Provide resources and funding to advance tools, including retrofit and landscape conversion programs for residential and commercial water use efficiency.
6. Making water conservation rebates tax exempt, at the state and federal levels.
7. Encouraging the expanded and efficient use of recycled water recognizing that recycled water is a drought resistant supply.
8. Encouraging efficient use of water and the application of recycled water specifically, when available, during hydraulic fracturing (fracking) operations.
9. Supporting local efforts to increase on-site water retention and reduce runoff.
10. Implementing and/or enforcing local ordinances governing:
 - a. Water waste.
 - b. Implementation of/and funding for the retrofit of



indoor and outdoor systems to water efficient models upon the resale of real property.

- c. Statewide installation and reading of water meters and customer billing based on recorded usage.
- d. Water efficient landscaping.

11. Increasing landscape water-use efficiency by:

- a. Urging landscape irrigation device manufacturers to develop and market more efficient equipment.
- b. Encouraging retailers to market and carry a broad array of water efficient devices, plants, and equipment.
- c. Promoting guidelines for architects to design more efficient landscapes and/or irrigation systems.
- d. Funding education/training on properly operating water-efficient irrigation systems and installing and maintaining water-efficient landscape.
- e. Limiting the use of turf and/or encouraging the application of native/water efficient plant life installed in yards.
- f. Supporting the concept of “water budgeting” and the application of budget based tiered rate structures.

12. Increasing agricultural water-use efficiency by:

- a. Supporting studies and actions to improve agricultural water-use efficiency.
- b. Supporting development of irrigation timing strategies to reduce peak demand on water supply systems.
- c. Supporting implementation of water-use audits for agricultural irrigation.

13. Promoting commercial, Institutional and Industrial (CII) programs such as:

- a. Grants for CII conservation and rebate programs.



- b. Evaluating new technologies and their implementation via new programs.
- c. Offering incentives for the construction of water efficient buildings and communities.

EMWD and its Board of Directors oppose legislative and administrative actions:

1. Establishing water providers as land-use decision-makers, rather than city and county government, or the State, as it relates to development, land-use, and enforcement of long range planning objectives.
2. Seeking to reform the Water Supply Assessment process in a manner that reduces a water provider's flexibility to manage and allocate water supplies.
3. Impeding or eliminating a local government or public agency's ability to adopt an ordinance to regulate the installation of graywater or on-site recycled water systems that are more stringent or restrictive than current law.
4. Applying water usage and emergency drought regulations:
 - a. Establishing additional drought management objectives and conservation mandates that fail to adequately consider local conditions including climate, water supply conditions, growth and investments in new water supplies; and
 - b. Establishing water providers in roles as land-use decision-makers as it relates to development, land-use, and enforcement of long range planning objectives.
5. Limiting local control on conservation and demand reduction programs.
6. Supplants counties with community water systems as the required entity responsible for serving as a backstop for small systems in the countywide drought contingency planning arena.

ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT'S BOARD OF DIRECTORS ON DECEMBER 15, 2004 AND UPDATED ON JANUARY 22, 2020.



Sacramento-San Joaquin Bay Delta / State Water Project



EMWD policy: Implement the co-equal goals of water supply reliability and environmental sustainability in the Sacramento-San Joaquin Bay Delta (Delta) to ensure the delivery of adequate and reliable supplies of water to all Californians, while water districts simultaneously develop long lasting and robust local water supply portfolios.

This policy principle supports EMWD's Strategic Plan Objectives addressing Water Supply Diversity and Reliability; and Water System Redundancy: "Develop and implement a portfolio of projects and management techniques to achieve a reliable and cost-effective balance of water supplies utilizing imported, local, and recycled water sources."; and "Develop adaptable water storage, and delivery system improvements to manage uncertain delivery conditions and emergency outages."

EMWD and its Board of Directors support legislative and administrative actions:

1. Ensuring that all beneficiaries of the Delta pay their fair share towards environmental restoration, flood management, and water quality.
2. Recognizing all beneficiaries of the Delta including water exporters, recreational, agricultural and environmental interests.
3. Requiring that all stressors on the Delta be considered and addressed in a manner that is fair and equitable.
4. Ensuring that entities contributing to adverse environmental impacts should pay proportionally for mitigating those impacts.
5. Enabling the timely implementation and funding for the completion of critical studies necessary to establish a comprehensive and long term fix for water conveyance in the Delta.
6. Establishing state and federal funding opportunities to complete the environmental studies, planning, mitigation projects and construction of vital restoration projects.
7. Urging immediate action by the Administration and regulators to advance a conveyance solution in the Delta.
8. Allocating funding and low-interest loans that would facilitate new surface and groundwater storage statewide.

EMWD and its Board of Directors oppose legislative and administrative actions:

1. Failing to consider the full scope of the co-equal goals in terms of identification of a long term solution in the Delta.
2. Seeking to overturn or prohibit implementation of the 2009 Comprehensive Water Package.
3. Delaying the adoption and/or implementation of a Delta conveyance option, California EcoRestore, or the Delta Plan.
4. Establishing inequitable cost-sharing for those stakeholders responsible for program and project costs.

**ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT'S BOARD OF DIRECTORS
ON JANUARY 22, 2014 AND UPDATED ON JANUARY 22, 2020.**

Integrated Regional Water Management Plans

EMWD Policy: It is the policy of EMWD to utilize the State’s Integrated Regional Water Management Planning (IRWMP) process to maximize water use efficiency as well as the quality and quantity of water available to meet the State’s domestic, agriculture, industrial and environmental water supply needs.

This policy principle supports EMWD’s Strategic Plan Objectives addressing Water Supply Diversity and Reliability:

“Develop and implement a portfolio of projects and management techniques to achieve a reliable and cost effective balance of water supplies utilizing imported, local and recycled water sources.”

EMWD and its Board of Directors support legislative and administrative actions:

1. Establishing funding opportunities for IRWMP either through the passage of new resiliency bonds or allocation of other funding.
2. Providing flexibility and discretion to regions throughout California to determine the governance and implementation of IRWMP.
3. Improving multi-jurisdictional, multi-benefit coordination related to the IRWMP program.
4. Using IRWMP to support the goals and objectives of the State, as outlined in the State Water Plan Update, as well as local priorities as defined by each region.
5. Encouraging a robust stakeholder process but recognizes the need to leave decision making authority with the agencies, or steering committees comprised of those agencies, that have the statutory authority to provide IRWMP related services.
6. Promoting proactive, transparent communication and partnerships.
7. Providing increased funding for IRWMP.
8. Streamlining IRWMP grant administration and minimizes the cost of utilizing IRWMP grants.
9. Defining integrated water resource planning regions as those regions that have been accepted through the California Department of Water Resources Regional Acceptance Process or unique sub-watershed areas within those regions.
10. Requiring changes to IRWMP be vetted through a stakeholder driven, publicly reviewed process.
11. Utilizing IRWMP information to improve land use decision making.
12. Employing IRWMP process to develop adaptive water management strategies addressing climate change and other long term influences on water supply conditions.

EMWD and its Board of Directors oppose legislative and administrative actions:

1. Weakening the intent, purpose, and process of IRWMP.
2. Hindering improved coordination among agencies related to IRWMP.
3. Prohibiting funding allocations to sub-watershed areas with unique needs and characteristics.

**ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT’S BOARD OF DIRECTORS
ON FEBRUARY 20, 2008 AND UPDATED ON JANUARY 22, 2020.**



Water Infrastructure Financing

EMWD policy: Capital improvement projects and infrastructure financing should be accomplished in a manner that is beneficial, economical, and facilitates a means in which all beneficiaries pay for the goods and services received.

This policy principle supports EMWD’s Strategic Plan Goal addressing Water Supply and Reliability: “Provide a safe and reliable water supply portfolio that achieves an optimum balance of imported, local, and recycled water at a reasonable cost.”

EMWD and its Board of Directors support legislative and administrative actions:

1. Establishing grants, low-interest loans, and/or funding opportunities for local water infrastructure projects.
2. Offering public infrastructure financing mechanisms including, but not limited to tax credit bonds, as an alternative to tax-exempt municipal bonds.
3. Stating that for those capital improvement and infrastructure projects that provide direct, measurable benefits to water ratepayers a “beneficiary pays” principle should apply; over a public goods charge, resulting in financing that is accomplished in a manner that is beneficial, economical, and provides a means in which the beneficiaries pay for the goods and services they receive.
4. Establishing that investments resulting in broad public benefits should be funded by state and federal resources and not through local resources.
5. Securing flexibility in the manner in which EMWD may finance public infrastructure projects (e.g., community facilities districts, public-private partnerships, etc.).
6. Providing flexibility in the structure, reporting, and repayment of state loans, including:
 - a. Partial repayment options;



- b. Subordinate lien structure;
 - c. Alternative principal repayment options (other than “level debt service”); and
 - d. Streamlining application processes to reduce obstacles and facilitate access to state funds in a timely manner.
7. Allocating resources that have been defined under the Safe and Affordable Drinking Water Fund as envisioned within the passage of SB 200 to ensure that limited resources are allocated in a manner that advances projects, infrastructure improvements, and consolidation actions that will achieve long-term sustainability for the system.
 8. Ensuring that the passage of any resiliency bonds or water bonds:
 - a. Allocate resources in a manner that provides funding opportunities that would result in the broadest public benefit;
 - b. Funds water recycling and groundwater desalination projects outside the IRWMP process;
 - c. Protects existing water rights;
 - d. Facilitates flexibility for local entities to leverage funding from the bond with other federal, regional, and local funding sources;
 - e. Includes an equitable division of both grant and loan funding opportunities; and
 - f. Supports special districts as applicants to any wildfire related funding opportunities.



EMWD and its Board of Directors oppose legislative and administrative actions:

1. Establishing a fee or tax that does not result in a clear and commensurate benefit to EMWD and its customers.
2. Establishing a fee or tax without first considering alternatives for funding that may be better suited or have a more clear connection to the funding need.
3. Minimizing opportunities to fund water infrastructure through the passage of statewide or local bonds.
4. Eliminating the tax-exempt status of municipal bonds.
5. Allocates funding, grants, or loans in a manner that is geographically inequitable.

**ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT'S BOARD OF DIRECTORS
ON JANUARY 18, 2012 AND UPDATED ON JANUARY 22, 2020.**

Governance

EMWD policy: It is the policy of EMWD to function and operate in an open and transparent way while providing superior services to the community in a safe, reliable, and cost-effective manner.

This policy principle supports EMWD's Strategic Plan

Objective addressing Community Relations: "Promote and sustain timely and effective two-way communication between [EMWD] and the communities it serves and continue to be a trusted resource for the communities on all water, wastewater, and recycled water issues."

EMWD and its Board of Directors support legislative and administrative actions:

1. Streamlining state reporting requirements and establishing opportunities to utilize technology and data sharing methods that could result in more timely and open communication.
2. Establishing reforms to address systems that chronically fail to supply safe and reliable drinking water to their ratepayers by establishing a small system water authority that would allow for systems to:
 - a. Take advantage of economies of scale,
 - b. Employ competent and qualified staff, and
 - c. Establish enhanced internal and external financial capabilities as part of an effort to establish sustainable systems
3. Improving transparency of publicly-issued debt obligations.
4. Centralizing and consolidating all debt and investment reporting requirements to reduce redundancy and provide one location for the public to access information.
5. Providing standardized implementation guidance for reporting requirements to facilitate useful access to information.
6. Establishing funding sources to host educational opportunities and awareness campaigns to promote water conservation, water quality, and water recycling expansion.
7. Encouraging local governments to seek innovative means to address climate adaptation goals and advance service delivery (e.g., cost sharing, alternative energy pursuits, and technology advancements).
8. Providing funding, easily accessible data, and best practices to advance sustainability and climate adaptation strategies.
9. Recognizing that water purveyors have made significant strides in achieving sustainability and reducing GHG emissions,



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and that any future legislation or administrative actions should:

- a. Account for and acknowledge past actions to reduce greenhouse gas (GHG) emissions and advance climate resilient supplies;
 - b. Avoid the establishment of an arbitrary GHG or energy use target or baseline;
 - c. Create a clear path towards achieving sustainability objectives;
 - d. Avoids the application of a one-size-fits-all approach;
 - e. Clearly recognizes geographic, regional, and water supply variations and allows for water purveyors to address these variables in a manner that best suits the region; and
 - f. Supports and acknowledges local control.
10. Advancing an approach to address climate change and sustainability that is supported by a careful economic analysis and supports economic growth.
 11. Establishing a pathway towards standardizing the process for assessing constituents of emerging concern and/or development of a maximum contaminant level, and further acknowledging that the process must include a public and transparent process and be grounded in science.
 12. Enabling EMWD to recruit and retain a diverse and highly qualified workforce.
 13. Streamlining contracting procedures, while at the same time preserving EMWD's legal and safety obligations.
 14. Enabling Local Agency Formation Commissions (LAFCOs) to obtain service and boundary related information on private and mutual water companies to ensure the delivery of clean and reliable water supplies and compliance with state and federal safe drinking water mandates.
 15. Streamlining or exempting water, recycled water, and/or wastewater projects from the California Environmental Quality Act (CEQA).
 16. Providing liability protections to public water districts, and related wholesale water providers, seeking to consolidate troubled water systems that cannot consistently demonstrate that they are able to provide safe, clean and reliable water supplies to their customers.
 17. Eliminating or minimizing redundant reports and studies on environmental impacts covered through subsequent state and federal regulatory efforts.
 18. Securing the ability to apply tiered rates/allocation based conservation rates in a manner that is both fair to ratepayers and provides maximum flexibility and protections to the water providers.



19. Ensuring that transparency objectives do not jeopardize the protection of critical infrastructure.
20. Ensuring that any future benefit allocation plan for disadvantaged community residents or ratepayers making under two-hundred percent of the federal poverty level are disbursed in a manner that is financially viable and self-sustaining and takes into account water usage, and ability to pay where feasible and appropriate.

EMWD and its Board of Directors oppose legislative and administrative actions:

1. Taking a “broad brush” approach to local government reforms that would confer unnecessary burden to all local governments in an effort to capture a small number of public trust offenders.
2. Seeking to establish a permanent funding source to address water accessibility and affordability concerns without first reforming service delivery and governance models to reduce costs and establish sustainable and well managed public water systems.
3. Seeking to limit local control.
4. Transferring responsibilities to local governments absent funding.
5. Seeking to establish a statewide low income water rate assistance program that is not consistent with conservation objectives, and burdens water providers with collecting fees and charges that are inconsistent with Proposition 218.
6. Jeopardizing public safety due to the disclosure of critical infrastructure information or personal employee or ratepayer data in advancing transparency measures.
7. Adding additional costs for EMWD and its ratepayers absent a clear and necessary benefit, or creates administrative reporting requirements that are duplicative or ambiguous, resulting in incremental cost to the ratepayer without providing proportional benefit.
8. Seeking to mandate financial reporting of public pension or other post-employment benefits using a risk-free rate of return as a discount rate in the measurement of actuarial liabilities.
9. Reallocating property tax revenues, and/or special district reserves, or imposes fees/fines that will impact EMWD and its operations.
10. Reducing or eliminating a local government’s ability to establish price and parameters for cost-sharing activities.
11. Reducing or eliminating the state’s obligation to compensate local governments on reimbursable mandate related activities.
12. Arbitrarily forcing or restricting consolidations of special districts.
13. Requiring water districts to collect, secure, and maintain sensitive customer data.
14. Implementing redundant and costly compliance measures.
15. Resulting in additional challenges to CEQA compliance or could result in opportunities for additional delays or legal challenges to projects
16. Seeking to implement a carbon tax or other fee based program to advance climate change initiatives without advanced economic analysis.

**ADOPTED BY EASTERN MUNICIPAL WATER DISTRICT’S BOARD OF DIRECTORS
ON JANUARY 18, 2012 AND UPDATED ON JANUARY 22, 2020.**

Renewable Energy/Energy Management

EMWD policy: It is EMWD’s policy to seek opportunities to expand energy conservation and renewable energy production efforts in a cost effective manner that will improve operational efficiency, reduce operating expenses, and maximize existing available resources in an effort to achieve state and local regulatory compliance and reduce energy costs for EMWD.

This policy principle supports EMWD’s Strategic Plan Objective addressing Energy Independence: “Plan and implement cost-effective energy projects and programs to optimize EMWD’s energy use portfolio and minimize its carbon footprint.”

EMWD and its Board of Directors support legislative or administrative actions:

1. Providing incentives and funding opportunities for voluntary and regulatory compliance actions to expand renewable energy resources that enable EMWD to maximize available energy resources that includes, but is not limited to, solar energy, biodiesel, digester gas, and bio-methane.
2. Facilitating interconnection and capacity availability to gas pipeline and electricity transmission lines.
3. Enabling EMWD to access funding opportunities that will enable EMWD to pursue expansion/ development of energy efficiency/ renewable energy projects.
4. Facilitating opportunities where water and wastewater providers can access revenues from Greenhouse Gas Reduction Funds for the development of energy efficiency and renewable energy projects and energy saving water use efficiency programs and development of alternative water supplies with lower embedded energy.



5. Requiring or encouraging electrical corporations to procure electrical generating capacity from small-scale biomass and biogas projects.
6. Establishing similar efforts to level the playing field between large biogas producers and smaller generators, especially in light of the initial investment costs for small-scale projects.
7. Providing flexibility to utilize available energy storage technologies to maximize use of renewable energy sources.

EMWD and its Board of Directors oppose legislative or administrative actions:

1. Penalizing water districts for early adoption of energy efficiency and cost saving actions.
2. Requiring EMWD to invest in technology that would generate excessive costs for EMWD and its ratepayers and/or is unproven/unreliable.
3. Infringing on water/sewage districts ability to manage the production of biomethane through flaring or other means until technological solutions to treat and use biogas are available and cost effective.
4. Enacting changes to existing renewable energy project net energy metering contracts or utility incentive agreements mid-contract.
5. Requiring energy efficiency to take precedence over EMWD's ability to develop and manage reliable and sustainable water supplies to meet the needs of its ratepayers.

ADOPTED BY THE EASTERN MUNICIPAL WATER DISTRICT'S BOARD OF DIRECTORS ON JANUARY 22, 2014 AND UPDATED ON JANUARY 22, 2020.



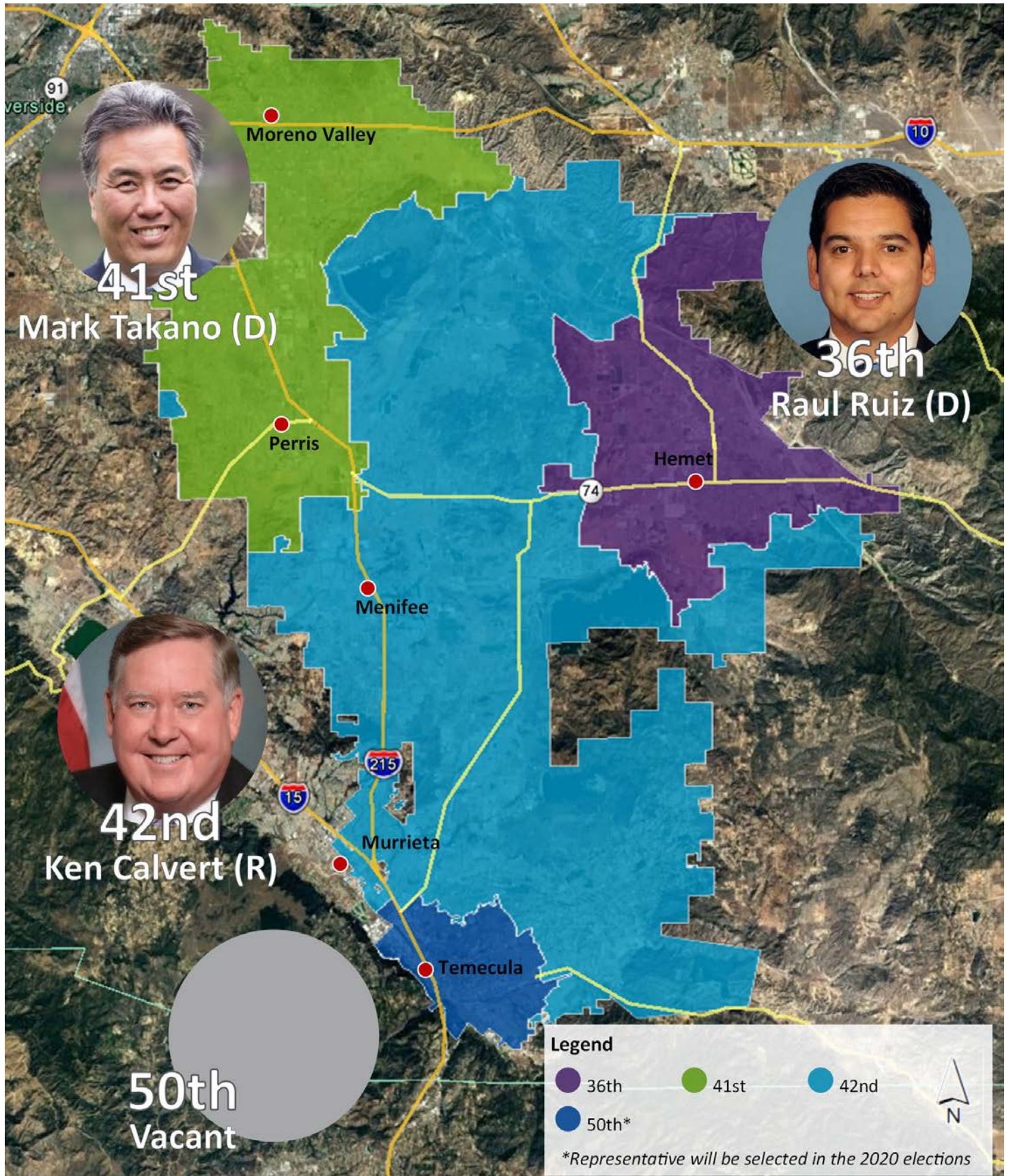
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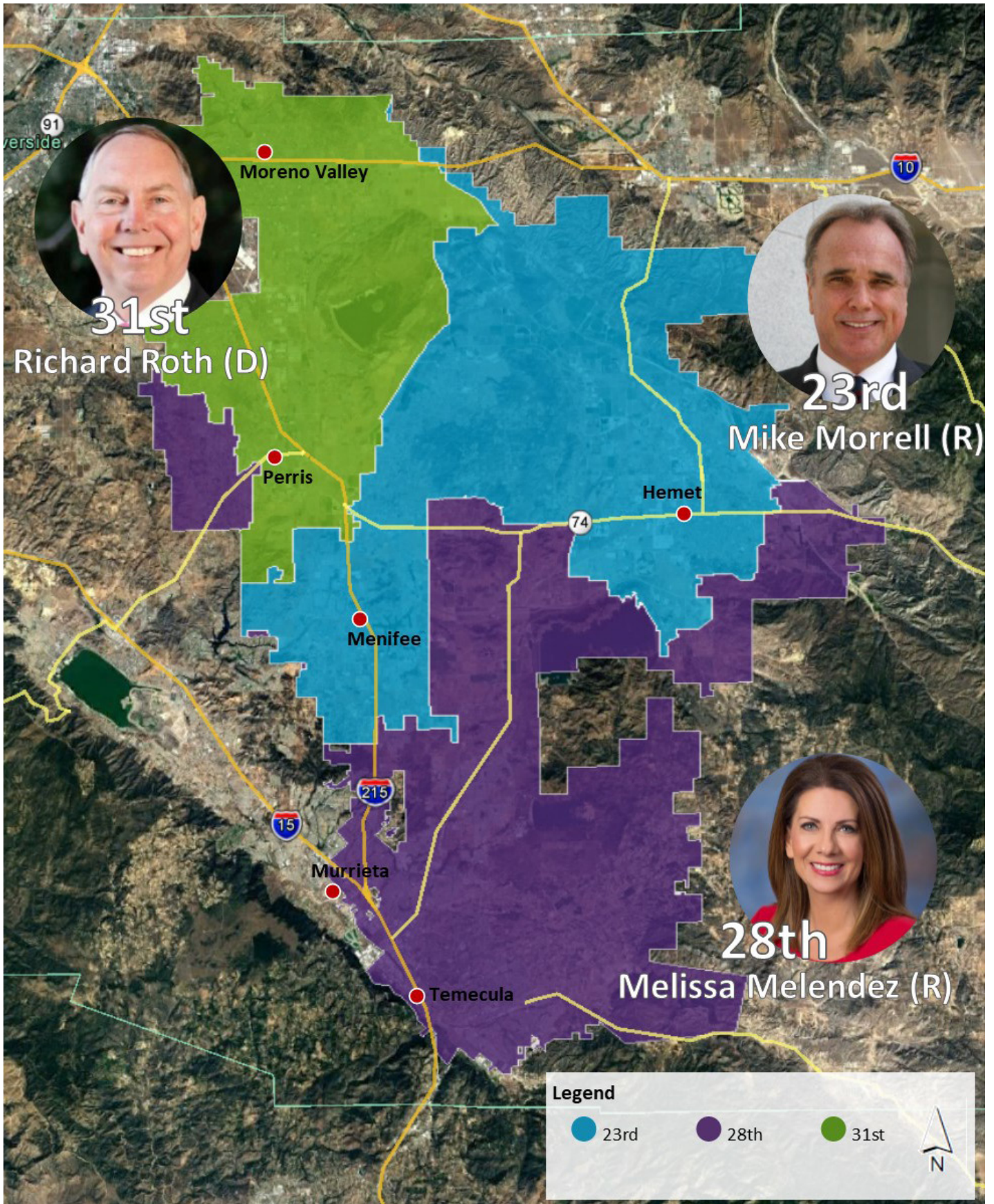
Legislative Maps

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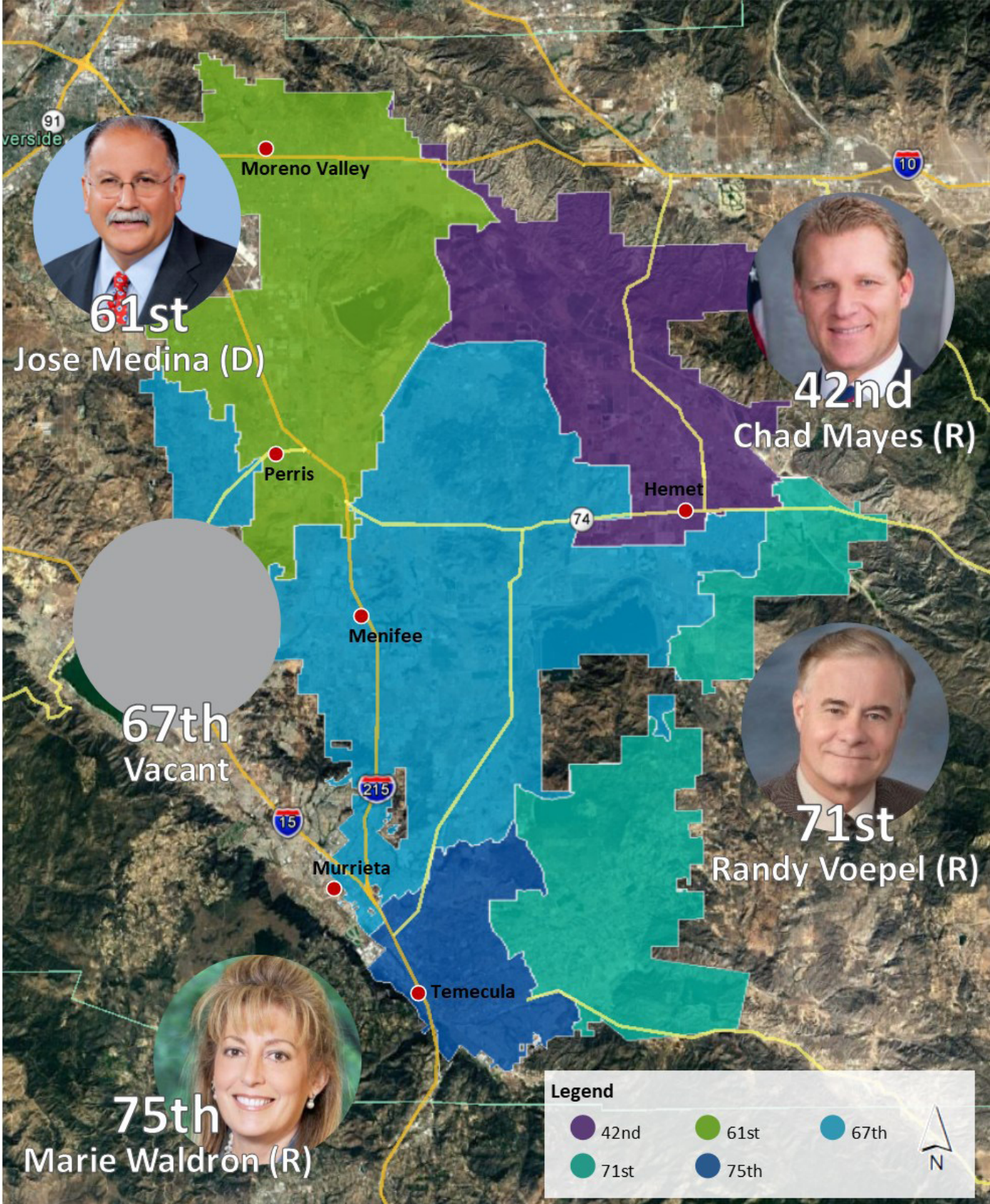
EMWD Service Area | U.S. House of Representatives



EMWD Service Area | State Senatorial Districts



EMWD Service Area | State Assembly Districts



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Appendix

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APPENDIX

THE 2020 ANNUAL LEGISLATIVE REPORT

GLOSSARY OF TERMS

AB

State Assembly Bill

ACA

Assembly (authored) Constitutional Amendment: A proposed change in the state Constitution, which, after approval of two-thirds of the legislators, is submitted to the voters

ACR

Assembly Concurrent Resolution: A measure that can be introduced in either house but must be approved by both houses and filed with the Secretary of State to take effect. These measures usually involve the business of the Legislature

AJR

Assembly Joint Resolution: A legislative opinion on matters pertaining to the federal government, often urging passage or defeat of legislation pending before Congress

Chaptered

When a bill has been passed by the Legislature and enacted into law, the Secretary of State assigns the bill a “chapter number” which is subsequently used to refer to the measure in place of the bill number

(D)

Democratic Party Affiliated

Failed

A bill that does not pass the Legislature

Gutted and Amended

When amendments to a bill remove the current contents in their entirety and replace them with different provisions

HR

Bill originating in the House of Representatives

(I)

Independent

LAT

Legislative Action Team (EMWD)

Measure

A bill, resolution or constitutional amendment considered by the Legislature

(R)

Republican Party Affiliated

S

A bill originating in the United States Senate

SB

State Senate Bill

SCA

Senate (authored) Constitutional Amendment (see ACA)

SCR

Senate Concurrent Resolution (see ACR)

SJR

Senate Joint Resolution (see AJR)

SR

Senate Resolution

Two-Year Bill

A bill that does not pass the Legislature in the first year of the two-year session, can be considered in the second year

Veto

The Governor’s formal rejection of a measure passed by the Legislature

LEGISLATIVE BILL POSITIONS

POSITION	POSITION DEFINITION AND ACTION
<p>Sponsor Priority: A</p>	<p>The legislation is initiated by EMWD. District staff/counsel drafts the bill, requests ACWA, CASA, or another organization to co-sponsor the bill, and then finds a member of the Legislature to introduce the bill. Staff works to advance the measure through the legislative process by writing letters and contacting legislators and the Governor’s office; negotiates with stakeholders to address concerns and solicits support. Attends committee hearings to provide testimony and technical information.</p>
<p>Support Priority: A</p>	<p>The legislation furthers the goals of the District and is consistent with its Strategic Plan. District staff notifies the author and sponsor of the bill, in writing, that the District supports the measure, then sends support letters, and contacts other members of the Legislature and committee consultants to solicit support. Monitors progress of the bill, watches for amendments that may change the District’s position. Works with coalitions or organizations such as ACWA, CASA, CSDA, MWD, and SAWPA to encourage the bill’s passage.</p>
<p>Support if Amended Priority: A</p>	<p>Generally positive legislation, however if amendments were made the District could support it. District staff works with the author and sponsor of the bill, and organizations such as ACWA, CASA, CSDA, MWD, and SAWPA to incorporate amendments that will align the bill to the District’s mission and goals. Monitors the bill for amendments that may change the District’s position.</p>
<p>Oppose Priority: A</p>	<p>The legislation will have a detrimental effect on the District and its constituents. District staff notifies the bill’s author and sponsor, members of the Legislature, committee consultants, and the Governor’s office of District concerns and requests opposition. Staff works with coalitions and/or organizations such as ACWA, CASA, CSDA, MWD, and SAWPA to kill the bill. Testifies at hearings against the bill and continues to monitor and urge opposition.</p>
<p>Oppose Unless Amended Priority: A</p>	<p>Generally negative legislation; however with specific amendments the District may remove its opposition. District staff works with the bill’s author and sponsor, and organizations such as ACWA, CASA, CSDA, MWD, and SAWPA to amend the bill so the District is not negatively impacted by the measure.</p>

POSITION	POSITION DEFINITION AND ACTION
Favor/Support Not Favor/Oppose Priority: B	<p>The District agrees or disagrees with certain provisions, but the bill will not have a significant impact on the District. District staff monitors, as well as supports or opposes these bills in concept; no action is taken.</p>
Concerns Priority: A	<p>The legislation includes elements that are concerning or could negatively impact the District, however the author has expressed an interest in working with stakeholders on the issue. Provides an opportunity for the District to engage in conversations on legislation with a willingness to modify the position if the circumstances or outstanding language is addressed. Submits letters, engages on working groups, and works with coalitions to draft amendments to the bill language.</p>
Watch Priority: C	<p>The bill does not have a direct impact on the District. District staff monitors the bill and watches for amendments that may alter the bill and prompt District action.</p>
Neutral Priority: D	<p>The bill has no impact on the District. No action or monitoring is required.</p>

BILL CATEGORY EXPERTS

SUBJECT	COMMITTEE MEMBER(S)	DISTRICT EXPERT(S)
Air Quality and Priority Reserve	Al Javier	
Alternative Energy Sources	Dan Howell, Jeff Wall	Sam Robinson, Joe Mouawad
Assessment, Fees, and Charges	Laura Nomura	Gary Molin
Beneficiaries Pay Principle	Jolene Walsh, Danielle Coats	
Biodiesel/Biogas	Al Javier, Jeff Wall	Erik Jorgensen, Matthew Melendrez
Biosolids	Al Javier, Jeff Wall	Matthew Melendrez
Brown Act/Open Meeting Laws		Steven O'Neill
Delta Solution (BDCP, budget, environmental water account, governance, water storage, water conservation)	Jolene Walsh	
California Endangered Species Act	Al Javier	
California Environmental Quality Act	Al Javier	
Colorado River Resources	Jolene Walsh	
Commissions and Agencies	Jolene Walsh	
Community Facilities District	Laura Nomura	Thomas Hays
Constituents of Emerging Concern	Al Javier	Matthew Melendrez
Cross-Connection Control/Backflow	Al Javier, Jim Lee	
Desalination and Brine Disposal	Phil Lancaster	Joe Mouawad
Elections, Initiative, and Referendum	Danielle Coats	
Eminent Domain, Inverse Condemnation		John Ward
Employment and Employee Relations (prevailing wage, public agency employees)	Laura Zamora	Paula Allen
Energy and Utilities (conservation, demand reduction, generation, rates/regulation (PUC))	Jeff Wall, Dan Howell	Sam Robinson
Finance and Investments	Laura Nomura	Traci Lee, Thomas Hays
Fish and Wildlife Protection	Al Javier	
Flood Protection, Flood Plain Management, and Levees	Al Javier, Jolene Walsh	John Ward
Grants and Loans		Nicolette JonKhoff
Graywater	Al Javier, Jim Lee	
Grease Traps/Interceptors		Matthew Melendrez
Groundwater/Conjunctive Use/IRRP	Al Javier, John Daverin	Bryan Powell
Identity Theft		Mike Malone, Steven O'Neill
Information Systems		Mike Malone
Insurance and Liability		Doug Hefley
Integrated Regional Water Management Planning		Lanaya Alexander
LAFCO	Dan Howell	Chris Teague
Land Use and Planning		
Local Government Organization	Danielle Coats	
Metropolitan Water District of SoCal	Jolene Walsh	

BILL CATEGORY EXPERTS (CONT.)

SUBJECT	COMMITTEE MEMBER(S)	DISTRICT EXPERT(S)
Natural Community Conservation Plans (NCCP's)	Al Javier	
Natural Disasters	Jeff Wall	Doug Hefley
Notary Public		Michelle Herrington
Occupational Safety and Health	Laura Zamora	Paula Allen, Doug Hefley
Parks, Recreation and Body Contact	Al Javier, Jim Lee	
Political Reform Act	Danielle Coats	
Pollution Prevention	Al Javier	
Prevailing Wage/Labor Compliance	Laura Zamora	Paula Allen, Bruce Mitzel, Amy Eichperger
Property Tax and ERAF	Laura Nomura, Danielle Coats	Thomas Hays
Public Contracts (Competitive Bidding)/ Public Works	Dan Howell	John Ward, Bruce Mitzel, Amy Eichperger, Chris Teague
Public Employees Retirement System (PERS)	Laura Zamora	Paula Allen; Tracy Perez
Public Records Act		Michelle Herrington
Recycled Water	Al Javier, Jeff Wall, Jim Lee	
Redevelopment	Laura Nomura	
Regional Boards	Al Javier, Jeff Wall	
Reserves for special districts	Laura Nomura	
Safe Drinking Water	Al Javier, Jim Lee	Michelle Karras, Phil Lancaster
Salinity Management	Al Javier, John Daverin	
Source Control	Al Javier	Matthew Melendrez
State Boards	Al Javier, Jeff Wall	
State Budget	Laura Nomura, Jolene Walsh	
Subdivision Map Act		John Ward
Urban Water Management Planning Act		Lanaya Alexander
Wastewater Treatment	Jeff Wall	Joe Mouawad, Matthew Melendrez
Water Bonds	Danielle Coats	Nicolette JonKhoff
Water Quality (Hazardous substances/toxics, nonpoint sources, solid waste, underground storage tanks)	Al Javier	
Water Quality Laboratory	Al Javier	Andrew Rozenstraten
Water Resources Development	John Daverin	
Water Rights	John Daverin	Brian Powell
Water Softeners	Al Javier	
Water Supply Assessments		
Water Transfers (water marketing, wheeling)		
Water Use Efficiency, Water Conservation		
Watershed Protection	Al Javier	Brian Powell
Wetlands	Al Javier	

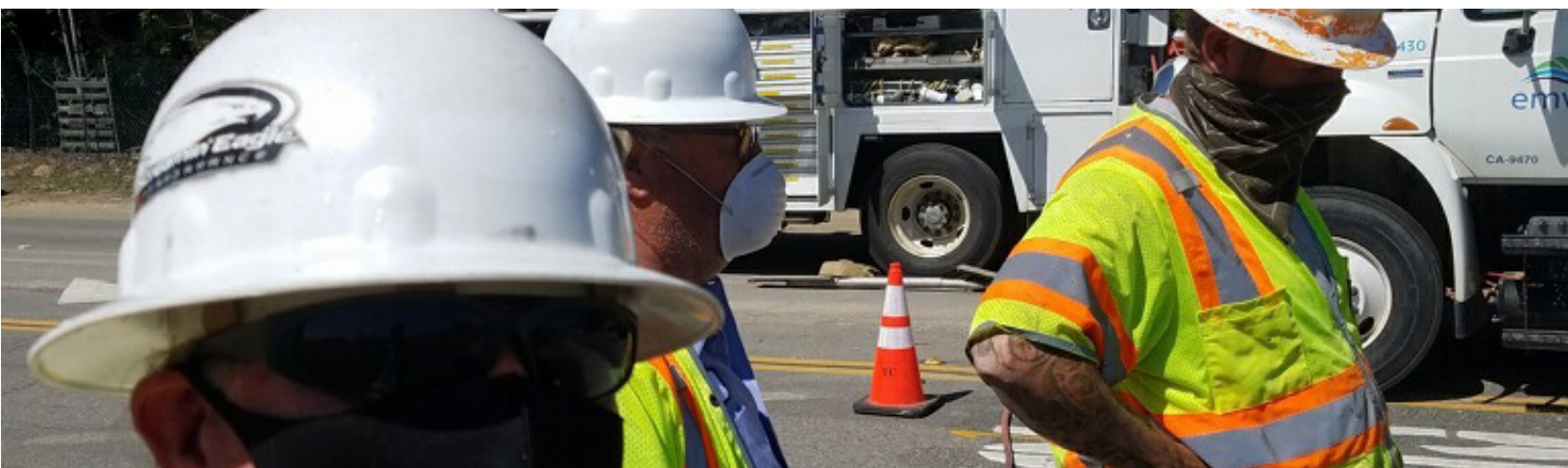
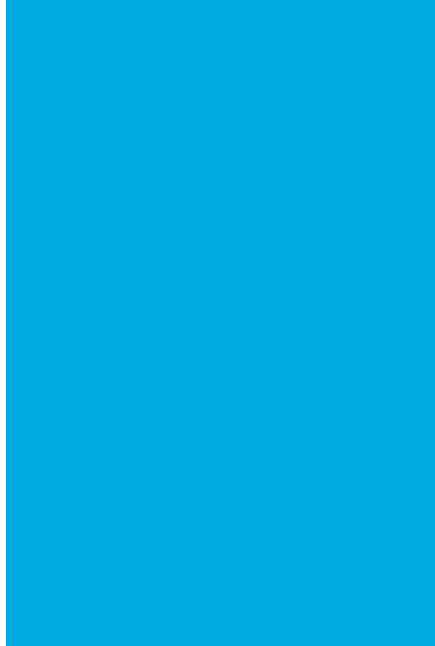
STANDING COMMITTEE ABBREVIATIONS

SENATE COMMITTEES

Agriculture.....	AGRI
Appropriations	APPR
Banking and Financial Institutions.....	BF&I
Budget and Fiscal Review	B&FR
Business Professions and Economic Development	BP&ED
Education.....	ED
Elections and Constitutional Amendments	ELEC&CA
Energy, Utilities and Communications.....	EU&C
Environmental Quality.....	EQ
Governance and Finance.....	GOV&FIN
Governmental Organization	GO
Health.....	HEALTH
Housing	HOUSE
Human Services.....	HUMANSVS
Insurance.....	INS
Judiciary	JUD
Labor, Public Employment and Retirement.....	L,PE&R
Natural Resources and Water.....	NR&W
Public Safety	PUBSAFE
Rules.....	RULES
Transportation.....	TRANS
Veterans Affairs	VA

ASSEMBLY COMMITTEES

Accountability and Administrative Review	ACTBTY&ADMR
Aging and Long-Term Care	A<C
Agriculture.....	AGRI
Appropriations	APPR
Arts, Entertainment, Sports Tourism and Internet Media.....	AEST&IM
Banking and Finance	B&F
Budget.....	BUDG
Business and Professions	BUS&PROF
Communications and Conveyance	COM&CONV
Education.....	ED
Elections and Redistricting	E&R
Environmental Safety and Toxic Materials	ENVS&TOXM
Governmental Organization	GO
Health.....	HEALTH
Higher Education	HIED
Housing and Community Development	H&CD
Human Services.....	HUMANSVS
Insurance.....	INS
Jobs, Economic Development, and the Economy.....	JED&E
Judiciary	JUD
Labor and Employment	L&E
Local Government	LGOV
Natural Resources	NATRES
Public Employment and Retirement	PE&R
Public Safety	PUBSAFE
Revenue and Taxation	REV&TAX
Rules.....	RULES
Transportation.....	TRANS
Utilities and Energy	U&E
Veterans Affairs	VA
Water, Parks, and Wildlife	WP&W



EASTERN MUNICIPAL WATER DISTRICT

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