

**LAS VIRGENES - TRIUNFO
JOINT POWERS AUTHORITY
AGENDA**

4232 Las Virgenes Road, Calabasas, CA 91302

August 2, 2021, 5:00 PM

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

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that members of the Las Virgenes - Triunfo Joint Powers Authority Board of Directors will participate in meetings via teleconferencing.

PUBLIC PARTICIPATION: Pursuant to Executive Order N-29-20 and given the current health concerns, this meeting is being conducted via Zoom Webinar and all attendees are muted by default. To join via computer, please use the following Zoom Webinar ID:

Webinar ID: <https://us06web.zoom.us/j/84965548001>

To join by telephone, please dial (669) 900-6833 or (346) 248-7799 and enter Webinar ID: **849 6554 8001**

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

Members of the public can also access and request to speak at meetings live on-line, with audio and limited video, at www.LVMWD.com/JPALiveStream. In addition, members of the public can submit written comments electronically for consideration at www.LVMWD.com/JPALiveStream. To ensure distribution to the members of the Las Virgenes - Triunfo Joint Powers Authority Board of Directors prior to consideration of the agenda, please submit comments 24 hours prior to the day of the meeting. Those comments, as well as any comments received after 5:00 P.M., will be distributed to the members of the Board of Directors and will be made part of the official public record of the meeting. Contact Josie Guzman, Executive Assistant/Clerk of the Board at (818) 251-2123 or jguzman@lvmwd.com with any questions.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting the Executive Assistant/Clerk of the Board by telephone at (818) 251-2123 or via email to jguzman@lvmwd.com no later than 8:00 AM on the day of the scheduled meeting.

Members of the public wishing to address the Las Virgenes-Triunfo Joint Powers Authority (JPA) Board of Directors are advised that a statement of Public Comment Protocols is available from the Clerk of the Board. Prior to speaking, each speaker is asked to review these protocols, complete a speakers' card, and hand it to the Clerk of the Board. Speakers will be recognized in the order the cards are received.

The Public Comments agenda item is presented to allow the public to address the Board on matters not on the agenda. The public may also present comments on matters on the agenda; speakers for agendized items will be recognized at the time the item is called up for discussion.

Materials prepared by the JPA in connection with the subject matter on the agenda are available for public inspection at 4232 Las Virgenes Road, Calabasas, CA 91302. Materials prepared by the JPA and distributed to the Board during this meeting are available for public inspection at the meeting or as soon thereafter as possible. Materials presented to the Board by the public will be maintained as part of the records of these proceedings and are available upon request to the Clerk of the Board.

PLEDGE OF ALLEGIANCE

1 CALL TO ORDER AND ROLL CALL

2 APPROVAL OF AGENDA

3 PUBLIC COMMENTS

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

4 CONSENT CALENDAR

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

A **Minutes: Regular Meeting of July 6, 2021 (Pg. 5)**

Approve.

5 ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A **State and Federal Legislative Update (Pg. 12)**

B **Pure Water Project Las Virgenes-Triunfo: Update (Pg. 50)**

6 ACTION ITEMS

A Pump Replacement for Westlake Well No. 1: Authorization (Pg. 55)

Authorize the Administering Agent/General Manager to approve a change order to General Pump Company, in the amount of \$33,302.10, for pump replacement at Westlake Well No. 1.

B Bioassessment Monitoring Report: Approval of Contract and Purchase Order (Pg. 57)

Authorize the Administering Agent/General Manager to execute a four-year contract with Aquatic Bioassay Consulting Laboratories, Inc., in the annual amount of \$50,487 with a one-time 2% escalator after the second year, for bioassessment monitoring and reporting, and approve an annual purchase order, in the amount of \$155,000, for toxicity testing and reporting.

C Rancho Las Virgenes Composting Facility Woolsey Fire Repairs: Approval of Change Order (Pg. 60)

Authorize the Administering Agent/General Manager to approve Change Order No. 5 to Pacific Hydrotech Corporation, in the amount of \$33,046.29, for additional electrical and structural repairs at the Rancho Las Virgenes Composting Facility.

D Rancho Solar Generation Project Phase I: Amendment to Performance Guarantee (Pg. 75)

Authorize the Administering Agent/General Manager to execute amendments to Solar Power Purchase Agreement and Performance Guarantee Agreement with Tesla, Inc., to update the guaranteed kilowatt hour production values based on the final as-built configuration of the Rancho Solar Generation Project Phase I.

E Centrate Treatment 24-Inch Pump Suction Header and Valve Replacement Project: Final Acceptance (Pg. 80)

Approve Change Order No. 1 to J.R. Filanc Construction Company, Inc., in the amount of \$5,699.99, for additional work needed to complete construction; approve the execution of a Notice of Completion and have the same recorded by the Los Angeles County Clerk; and, in the absence of claims from subcontractors and others, release the retention, in the amount of \$5,050.00, 30-calendar days after filing the Notice of Completion for the Centrate Treatment 24-inch Pump Suction Header and Valve Replacement Project.

F Digester No. 2 Rehabilitation Project: Final Acceptance (Pg. 89)

Approve the execution of a Notice of Completion and have the same recorded; waive liquidated damages associated with delays during construction; and, in the absence of claims from subcontractors and others, release the retention, in the amount of \$105,424.50, 30-calendar days after filing the Notice of Completion for the Digester No. 2 Rehabilitation Project.

7 BOARD COMMENTS

8 ADMINISTERING AGENT/GENERAL MANAGER REPORT

9 FUTURE AGENDA ITEMS

10 PUBLIC COMMENTS

Members of the public may now address the Board of Directors **ON MATTERS NOT**

APPEARING ON THE AGENDA, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

11 ADJOURNMENT

Pursuant to Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and applicable federal rules and regulations, requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the Executive Assistant/Clerk of the Board in advance of the meeting to ensure availability of the requested service or accommodation. Notices, agendas, and public documents related to the Board meetings can be made available in appropriate alternative format upon request.

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

5:00 PM

July 6, 2021

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Charles Caspary.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Tjulander via teleconference in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. The meeting was conducted via teleconference pursuant to the provisions of the Governor's Executive Order, N-29-20, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Josie Guzman, Clerk of the Board, conducted the roll call.

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

Absent: Lewitt and Wall.

2. APPROVAL OF AGENDA

Director Caspary moved to approve the agenda. Motion seconded by Director Orkney. Motion carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Wall

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of June 7, 2021 and Special Meeting of June 16, 2021: Approve

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

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

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Wall

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A State and Federal Legislative Update

Lowry Crook, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), presented the federal legislative update, and reported that the amendment to the Alternative Water Source Pilot Program to allow those who received Title XVI Feasibility Study funds to also be eligible for the Alternative Water Source Pilot Program had passed out of Committee. He noted that this program was combined with the Surface Transportation Reauthorization Act Bill, which was passed by the House of Representatives. He also reported that Congress would work on reconciling the water and transportation package with the infrastructure package, which would include \$117 billion for drinking water projects and \$51 billion for wastewater projects over the next five years.

Syrus Devers, state lobbyist for the JPA with Best Best & Krieger LLP (BBK), presented the state legislative update, and reported that the Assembly was continuing to work on funding allocations for water recycling and groundwater projects. He noted that \$730 million was proposed for the water, drought resiliency, and groundwater package; however, this amount would need to be approved in a subsequent bill. He also stated that there was still discussion about allocating \$300 million to water recycling projects. He noted that BBK was continuing to work with the Association of California Water Agencies (ACWA) and the California Municipal Utilities Association (CMUA) regarding water recycling and not limiting funding for arrearages to low-income customers only. He also noted that he had placed a meeting request with Assemblymember Richard Bloom.

B Pure Water Project Las Virgenes-Triunfo: Update

Administering Agent/General Manager David Pedersen noted that items related to the Pure Water Project Las Virgenes-Triunfo would be included under Items 6B and 6C.

C Update on Proposed Landscape Transformation Initiative

Dave Roberts, Resource Conservation Manager, presented the report and PowerPoint presentation, which included information on the Comprehensive Water Conservation Plan, Landscape Transformation Initiative, Calscape Nursery Program, native garden kits, greenhouse, and next steps.

A discussion ensued regarding concerns with the JPA funding this initiative; opportunities to include non-native, drought tolerant Mediterranean plants; encouraging customers to install native plants to conserve water and meet water allocation regulations; concerns with partnering on the sale of plants; concerns with construction of a greenhouse on JPA-owned property; having staff bring back cost proposals from existing growers for the most popular and most attractive native plants; and concerns with staffing the greenhouse operation.

Mr. Roberts noted that TreePeople would staff and operate the greenhouse nursery on-site and implement the regional plant sale program. He also noted that TreePeople would build the greenhouse, and staff would develop a property lease proposal for consideration by the Board.

A discussion ensued regarding bringing back a rendering of the proposed greenhouse, concerns regarding whether signage would be included, and other potential uses for the sprayfields.

6. ACTION ITEMS

A Proposed JPA Operating and Capital Improvements Budget for Fiscal Year 2021-22: Adoption

Adopt the proposed JPA Operating and Capital Improvements Budget for Fiscal Year 2021-22

Don Patterson, Director of Finance and Administration, presented the report. He responded to questions regarding increased energy costs, increased labor costs due to cross-training at the Pure Water Demonstration Facility, and increased staff overtime costs associated with response to the COVID-19 pandemic.

Director Polan moved to approve Item 6A. Motion seconded by Director Caspary. Motion carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Wall

B Pure Water Project Las Virgenes-Triunfo: Updated Baseline Cost Estimate

Review and provide feedback on the updated baseline cost estimate for the Pure Water Project Las Virgenes-Triunfo.

Administering Agent/General Manager David Pedersen provided introductory remarks.

Jennifer Phillips, representing Jacobs Engineering, provided a PowerPoint presentation.

A discussion ensued regarding the increased baseline cost estimate for conveyance; consideration of a partnership with the City of Thousand Oaks for the brine pipeline; other potential partnerships to help offset the overall cost of the project; and the risk assessment and statistical analysis conducted to identify potential risks for the project.

Don Patterson, Director of Finance and Administration, continued the PowerPoint presentation regarding the funding and financing strategy. He responded to questions regarding working with Piper Sandler to identify short-term financing opportunities, including municipal bonds and a Water Infrastructure Finance and Innovation Act (WIFIA) loan.

Administering Agent/General Manager David Pedersen stated that staff would follow-up on the WIFIA loan interest rate and the State Revolving Fund rate. He responded to a question regarding the estimated cost of the project per person by stating that estimating the cost would be a complex process to evaluate the financial impacts based on a number of important factors. He stated that a special JPA Board meeting would be scheduled at the end of August to discuss the financial impacts of the baseline cost estimate in more detail. He also stated that he spoke with Director Lewitt, who indicated that the most important aspects for him were the impacts to customers, demonstrating that the project was affordable, and putting into context how the project would affect customers' monthly bills.

The report was received and filed.

C Pure Water Project Las Virgenes-Triunfo: Adoption of Program Implementation Plan

Approve and adopt the Program Implementation Plan for the Pure Water Project Las Virgenes-Triunfo.

Administering Agent/General Manager David Pedersen presented the report.

Director Orkney moved to approve Item 6C. Motion seconded by Director Caspary, and he asked that the motion be amended to include a statement in the Program Implementation Plan summary to explain that costs were expected to be substantially higher than originally indicated in the Title XVI cost estimates.

Director Orkney accepted the amendment to the motion.

Amended motion carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Wall

D **Tapia Summer Season TMDL Compliance and Meter Replacement Projects: CEQA Determination and Call for Bids**

Find that the Tapia Meter Replacement Project is exempt from the provisions of the California Environmental Quality Act and authorize the issuance of a call for bids for the Tapia Summer Season TMDL Compliance and Meter Replacement Projects.

Veronica Hurtado, Assistant Engineer, presented the report.

Director Lo-Hill moved to approve Item 6D. Motion seconded by Director Caspary. Motion carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Wall

7. **BOARD COMMENTS**

Director Orkney stated that she was pleased to return to meeting in the Board Room. She also stated that she was pleased to see the progress of the Pure Water Sustainability Garden.

Director Shapiro stated that he was also pleased to return to meeting in the Board Room. He commended staff and the Jacobs Team on the preparation of the Pure Water Project Program Implementation Plan document, and he asked that a copy be posted on the website.

Director Polan noted that the *Los Angeles Times* included mention of visiting the JPA's Pure Water Sustainability Garden as one of the 12 best events this summer for plant lovers. He also noted that a group of landscape architects would tour the garden the following day.

Director Lo-Hill reported that she attended the virtual Water Reuse Europe and WateReuse Association Joint webinar on June 24th, and noted that Andrew Salveson from Carollo Engineers used the Pure Water Project Las Virgenes-

Triunfo as an example of potable water reuse. She also congratulated the JPA on being selected to receive the California Association of Sanitation Agencies' Excellence in Innovation & Resiliency Award for the Pure Water Project Las Virgenes-Triunfo. She suggested that staff submit an award application to the American Public Works Association.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that the flow in Malibu Creek was measuring 2.89 cubic feet per second, and there was no need for water augmentation. He noted that typically the JPA Board would meet at the Oak Park Library in September, and he asked the Board to consider holding the September meeting in the LVWMD Board Room due to the continuing COVID-19 pandemic. He provided information regarding the nationwide chlorine shortage by noting that the shortage was caused by an electrical failure at a chlorine plant in Washington and a fire at another chlorine plant on the East Coast. He noted that the chlorine shortage had not affected the JPA. He also noted that the federal government and the U.S. Environmental Protection Agency had processes in place in case of consumable product shortages to initiate steps to ration and prioritize water and wastewater utilities to receive the limited supplies. He also reported that staff was continuing to monitor for COVID-19 and the Delta variant in the wastewater influent, and noted that levels were consistently low.

The JPA Board agreed to hold the September 13, 2021 JPA meeting in the LVMWD Board Room.

9. FUTURE AGENDA ITEMS

None.

10. INFORMATION ITEMS

A Saddle Peak and Cordillera Tanks Rehabilitation Projects: Final Acceptance

11. PUBLIC COMMENTS

None.

12. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **7:01 p.m.**, in honor of former Resource Conservation Manager, Dr. Randal D. Orton.

Ray Tjulander, Chair

ATTEST:

Jay Lewitt, Vice Chair



BEST BEST & KRIEGER ☰
ATTORNEYS AT LAW

To:	Las Virgenes - Triunfo JPA
From:	Syrus Devers, Best Best & Krieger
Date:	August 2nd, 2021
Re:	State Legislative Report

The Legislature began its Summer Recess on July 16th and focused primarily on the budget in their final week. They return on August 16th with significant work left to do on the budget. As previously reported, appropriating money in the state budget is just the first step in the process. Budget Trailer Bills must then be passed to state how the money allocated in the budget will be spent. If this seems unnecessarily complicated, it may help to know that the Governor can strike out anything in the Budget Bill (a.k.a., “blue pencil”) but he cannot strike language in a Budget Trailer Bill.

One Budget Trailer Bill of interest to the water community, AB 148, has already been signed. That bill was something of a disappointment because of the lack of funding for recycling projects, and because it made relief for unpaid wastewater treatment bills second in line following unpaid drinking water bills. It took significant effort by the California Municipal Utilities Association, including BB&K staff working on behalf of the JPA, just to get wastewater covered at all. Under AB 148, unpaid bills for wastewater due to impacts from COVID-19 will only get relief if there is sufficient funds left over after all arrearages for drinking water have been satisfied. The State Water Resources Control Board shall survey water service providers to determine statewide arrearages and then adopt a resolution stating how applications for relief will be processed. A major win in AB 148 was moving the Newsom administration off its position of limiting relief to qualifying low-income rate payers. Had that not happened, water agencies would have been tasked with determining which ratepayers qualified for relief based on income.

As mentioned, much work is left to do on the budget which leaves the door open for additional funding for recycling. BB&K staff is in the process of arranging member meetings to highlight the need for additional funds for recycling for all of its clients. The meetings have so far been productive. Assembly leadership staff told CMUA that the final amount for recycling projects will likely be the number first proposed by the Senate, which was \$300 million.

Some good news to finish on--Assembly Member Bloom will finally get a bill through on flushable wipes. The third time was a charm when AB 818 cleared Senate Appropriations on July 15th, which is where the author’s efforts in previous years ground to a halt. There appear to be no further obstacles to the bill becoming law.

Las Virgenes-Triunfo JPA

Bill Matrix – July 25, 2021

Prepared by Best Best & Krieger

A. Priority Support/Oppose

Measure	Author	Topic	Current Text Version	Status	Location	Brief Summary	Position	Notes 1
AB 59	Gabriel D	Mitigation Fee Act: fees: notice and timelines.	Introduced: 12/7/2020 _html_df _p	4/30/2021- Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 1/11/2021) (May be acted upon Jan 2022)	4/30/2021- A. 2 YEAR	Current law authorizes any party to protest the imposition of a fee, dedication, reservation, or other exactions imposed on a development project within 90 or 120 days of the imposition of the fee, as applicable, and specifies procedures for those protests and actions. The Mitigation Fee Act imposes the same requirements on a local agency for a new or increased fee for public facilities. Current law, for specified fees, requires any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion. Current law also provides that, if an ordinance, resolution, or motion provides for an automatic adjustment in a fee or service charge and the adjustment results in an increase in the fee or service charge, that any action to attack, review, set aside, void, or annul the increase to be commenced within 120 days of the increase. This bill would increase, for fees and service charges and for fees for specified public facilities, the time for mailing the notice of the time and place of the meeting to at least 45 days before the meeting.	Opposition	
AB 377	Rivas, Robert D	Water quality: impaired waters.	Amended: 4/13/2021 _html_df _p	5/25/2021- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)	5/25/2021- A. 2 YEAR	Would require, by January 1, 2023, the State Water Resources Control Board and regional boards to prioritize enforcement of all water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state. The bill would require the state board and regional boards, by January 1, 2025, to evaluate impaired state surface waters and report to the Legislature a plan to	Opposition	Amended March 8th.

				(May be acted upon Jan 2022)		bring all water segments into attainment by January 1, 2050. The bill would require the state board and regional boards to update the report with a progress summary to the Legislature every 5 years. The bill would create the Waterway Recovery Account in the Waste Discharge Permit Fund and would make moneys in the Waterway Recovery Account available for the state board to expend, upon appropriation by the Legislature, to bring impaired water segments into attainment in accordance with the plan.		
AB 442	Maves I	Surface Mining and Reclamation Act of 1975: exemption: Metropolitan Water District of Southern California: master reclamation plan.	Amended: 7/12/2021 _html _pdf	7/12/2021-Read second time and amended. Re-referred to Com. on APPR.	7/8/2021-S. APPR.	The Surface Mining and Reclamation Act of 1975 prohibits a person, with exceptions, from conducting surface mining operations unless, among other things, a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for the operation of the surface mining operation. The act exempts certain activities from the provisions of the act, including, among others, emergency excavations or grading conducted by the Department of Water Resources or the Central Valley Flood Protection Board for the specified purposes; surface mining operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Department of Water Resources for the purpose of the State Water Resources Development System or flood control; and surface mining operations on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Central Valley Flood Protection Board for the purpose of flood control. This bill would additionally exempt from the provisions of the act emergency excavations or grading conducted by the Metropolitan Water District of Southern California (MWD) for its own operations and infrastructure for specified purposes.	Support	
AB 818	Bloom D	Solid waste: premoistened nonwoven disposable wipes.	Amended: 7/1/2021 _html _pdf	7/15/2021-From committee: Be ordered to second reading file pursuant to	7/15/2021-S. CONSENT CALENDAR	Would require, except as provided, certain premoistened nonwoven disposable wipes manufactured on or after July 1, 2022, to be labeled clearly and conspicuously with the phrase "Do Not Flush" and a related symbol, as specified. The bill would prohibit a covered entity, as defined,	Support	

				Senate Rule 28.8 and ordered to Consent Calendar.		from making a representation about the flushable attributes, benefits, performance, or efficacy of those premoistened nonwoven disposable wipes, as provided. The bill would establish enforcement provisions, including authorizing a civil penalty not to exceed \$2,500 per day, up to a maximum of \$100,000 per violation, to be imposed on a covered entity who violates those provisions.		
AB 1434	Friedman D	Urban water use objectives: indoor residential water use.	Amended: 4/19/2021 _html_df _p	5/25/2021- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/27/2021) (May be acted upon Jan 2022)	5/25/2021- A. 2 YEAR	Would establish, beginning January 1, 2023, until January 1, 2025, the standard for indoor residential water use as 48 gallons per capita daily. The bill would establish, beginning January 1, 2025, the standard as 44 gallons per capita daily and, beginning January 1, 2030, 40 gallons per capita daily.	Opposition	
AB 1500	Garcia, Eduardo D	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.	Amended: 5/11/2021 _html_df _p	5/20/2021- Joint Rule 62(a), file notice suspended. From committee: Do pass and re-refer to Com. on RLS. (Ayes 12. Noes 3.) (May 20). Re-referred to Com. on RLS.	5/20/2021- A. RLS.	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,080,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.	Support if amended	Amend to provide \$1.5B for recycling
SB 45	Portantino D	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.	Amended: 4/8/2021 _html_df _p	6/1/2021- Ordered to inactive file on request of Senator Portantino.	6/1/2021- S. INACTIVE FILE	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,595,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Support if amended	Same as AB 1500
SB 222	Dodd D	Water Rate Assistance Program.	Amended: 7/15/2021 _html_df _p	7/15/2021- From committee with author's amendments. Read	6/30/2021- A. APPR.	Would establish the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing	Out for Analysis	

				second time and amended. Re-referred to Com. on APPR.		economic hardship in California. The bill would require the Department of Community Services and Development to develop and administer the Water Rate Assistance Program established by the bill.		
SB 223	Dodd D	Discontinuation of residential water service.	Amended: 5/3/2021 _p_df	5/25/2021- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2021) (May be acted upon Jan 2022)	5/25/2021- S. 2 YEAR	Current law requires an urban and community water system to have a written policy on discontinuation of residential service for nonpayment, including, among other things, specified options for addressing the nonpayment. Current law requires an urban and community water system to provide notice of that policy to customers, as provided. This bill would apply those provisions, on and after July 1, 2022, to a very small community water system, defined as a public water system that supplies water to 200 or fewer service connections used by year long residents.	Out for Analysis	
SB 230	Portantino D	State Water Resources Control Board: Constituents of Emerging Concern Program.	Introduced: 1/19/2021 _p_df	5/25/2021- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 3/15/2021) (May be acted upon Jan 2022)	5/25/2021- S. 2 YEAR	Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel to review and provide recommendations to the state board on CEC for further action, among other duties. The bill would require the state board to provide an annual report to the Legislature on the ongoing work conducted by the panel.	Support	
SB 273	Hertzberg D	Water quality: municipal wastewater agencies.	Amended: 6/21/2021 _p_df	7/8/2021- Read second time. Ordered to third reading.	7/8/2021- A. THIRD READING	Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, as defined, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the	Support	CASA sponsor

						exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The bill would require a municipal wastewater agency that enters into or amends one of these agreements after January 1, 2022, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located, but would exempt those agreements and amendments from local agency formation commission approval except as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.		
SB 323	Caballero D	Local government: water or sewer service: legal actions.	Amended: 7/7/2021 html pdf	7/7/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.	6/24/2021-A. APPR.	Current law prohibits a local agency from imposing fees for specified purposes, including fees for water or sewer connections, as defined, that exceed the estimated reasonable cost of providing the service for which the fee is charged, unless voter approval is obtained. Existing law provides that a local agency levying a new water or sewer connection fee or increasing a fee must do so by ordinance or resolution. Current law requires, for specified fees, including water or sewer connection fees, any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion according to specified procedures for validation proceedings. This bill would require any judicial action or proceeding to attack, review, set aside, void, validate, or annul an ordinance, resolution, or motion adopting, modifying, or amending water or sewer service fees or charges adopted after January 1, 2022, to be commenced within 120 days of the date of final passage, adoption, or approval of the ordinance, resolution, or motion, except as provided.	Support	
SB 403	Gonzalez D	Drinking water: consolidation .	Amended: 7/5/2021 html pdf	7/14/2021-July 14 set for first hearing. Placed on suspense	7/14/2021-A. APPR. SUSPENSE FILE	The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system,	Out for Analysis	

				file.		<p>serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would revise those consolidation provisions, including, among other revisions, authorizing the state board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.</p>		
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B. Watch

Measure	Author	Topic	Current Text Version	Status	Location	Brief Summary	Position	Notes 1
AB 100	Holden D	Drinking water: endpoint devices: lead content.	Amended: 6/24/2021 _html_df _p	7/7/2021-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 7). Re-referred to Com. on APPR.	7/7/2021-S. APPR.	The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law prohibits, with certain exceptions, the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption. Current law defines “lead free” for purposes of conveying or dispensing water for human consumption to mean not more than 0.2% lead when used with respect to solder and flux and not more than a weighted average of 0.25% lead when used with respect to the wetted surfaces of pipes and pipe fittings, plumbing fittings, and fixtures. This bill would, commencing January 1, 2023, prohibit a person from manufacturing, and offering for sale in the state, an endpoint device, as defined, that does not meet a certain lead leaching standard. The bill would, commencing July 1, 2023, prohibit a person from introducing into commerce or offering for sale in the state an endpoint device that does not meet that lead leaching standard.	Watch	
AB 339	Lee D	Local government: open and	Amended: 7/5/2021 _html_p	7/14/2021-From committee:	7/14/2021-S. APPR.	The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a		

		public meetings.	df	Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (July 13). Re-referred to Com. on APPR.		local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. This bill would require local agencies to conduct meetings subject to the act consistent with applicable state and federal civil rights laws, as specified.		
AB 361	Rivas, Robert D	Open meetings: local agencies: teleconferences.	Amended: 7/6/2021 html p df	7/15/2021- Read second time. Ordered to third reading.	7/15/2021- S. THIRD READING	Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.	Watch	
AB 703	Rubio, Blanca D	Open meetings: local agencies: teleconferences.	Amended: 4/29/2021 html p df	5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/25/2021) (May be acted upon Jan 2021)	5/7/2021- A. 2 YEAR	Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow	Watch	

						for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.		
SB 55	Stern D	Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.	Amended: 4/5/2021 _p_df	4/30/2021- Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021)(May be acted upon Jan 2022)	4/30/2021- S. 2 YEAR	Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.	Watch	
SB 274	Wieckowski D	Local government meetings: agenda and documents.	Amended: 4/5/2021 _p_df	7/8/2021- Read second time. Ordered to third reading.	7/8/2021- A. THIRD READING	The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic	Watch	

						means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.		
SB 351	Caballero D	Water Innovation Act of 2021.	Amended: 4/20/2021 _html_df _p	5/25/2021- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENS E FILE on 5/10/2021) (May be acted upon Jan 2022)	5/25/2021- S. 2 YEAR	Current law establishes the State Water Resources Control Board for the purposes of providing for the orderly and efficient administration of the water resources of the state. This bill, the Water Innovation Act of 2021, would create the Office of Water Innovation at the California Water Commission for the furtherance of new technologies and other innovative approaches in the water sector. The bill would require the office, by December 31, 2023, to take specified measures to advance innovation in the water sector. The bill would make findings and declarations regarding the need for water innovation.	Watch	
SB 552	Hertzberg D	Drought planning: small water suppliers: nontransient noncommunity water systems.	Amended: 7/5/2021 _html_df _p	7/5/2021- Read second time and amended. Re-referred to Com. on APPR.	7/1/2021- A. APPR.	Would require small water suppliers, as defined, and nontransient noncommunity water systems that are schools, no later than December 31, 2022, to develop and maintain an abridged Water Shortage Contingency Plan that includes specified drought-planning elements. The bill would require these water systems to report annually specified water supply condition information to the state board through the state board's Electronic Annual Reporting System or other reporting tool, as directed by the state board, and to include water system risk and water shortage information in the water systems' consumer confidence reports, as provided.		
SB 559	Hurtado D	Department of Water Resources: water conveyance systems: Canal Conveyance Capacity Restoration Fund.	Amended: 6/14/2021 _html_df _p	7/1/2021- Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 0.) (July 1). Re-referred to Com. on APPR.	7/1/2021- A. APPR.	Would establish the Canal Conveyance Capacity Restoration Fund in the State Treasury to be administered by the Department of Water Resources. The bill would require all moneys deposited in the fund to be expended, upon appropriation by the Legislature, in support of subsidence repair costs, including environmental planning, permitting, design, and construction and necessary road and bridge upgrades required to accommodate capacity improvements. The bill would require the department to expend from the fund, upon appropriation by the Legislature, specified monetary amounts to	Watch	

					<p>restore the capacity of 4 specified water conveyance systems, as prescribed, with 2 of those 4 expenditures being in the form of a grant to the Friant Water Authority and to the San Luis and Delta-Mendota Water Authority. The bill would make operation of these provisions contingent on specified conditions being met. The bill would make these provisions inoperative on July 1, 2030, and would repeal the provisions as of January 1, 2031.</p>		
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Total Measures: 22

Total Tracking Forms: 22



To: Las Virgenes-Triunfo JPA Board of Directors and Staff
From: John Freshman, Ana Schwab, and Lowry Crook
Date: July 22, 2021
RE: Federal Report

Legislation

Large Scale Water Recycling Project Investment Act

Congressman Raúl Grijalva (D-AZ), Congresswoman Grace Napolitano (D-CA), Congressman Jared Huffman (D-CA), and Congresswoman Susie Lee (D-NV) introduced legislation, H.R.4099, that would establish a new \$750 million federal grant program for recycling projects. Senator Catherine Cortez Masto (D-NV) and Senator Alex Padilla (D-CA) introduced the companion bill in the Senate, S.2334. Senator Dianne Feinstein is a cosponsor of the legislation. The bill would create competitive grant program within the Department of the Interior – Bureau of Reclamation for large-scale water recycling projects that have a total estimated cost of at least \$500 million.

PFAS in Action Act

On July 21st, the House of Representatives voted and passed H.R. 2467, PFAS in Action Act. The bill was opposed by major water and wastewater trade associations due to the lack of protections for municipal governments and drinking water and wastewater systems. If passed in the Senate and signed into law, EPA will have to designate PFOA and PFOS as hazardous substances under CERCLA within one year..

Administration Infrastructure Package Developments

President Biden and the Senate continue to negotiate an infrastructure package, which would total \$1.2 trillion over eight years. The package includes \$579 billion in net new spending beyond outlays that Congress was planning to enact. Senate Majority Leader Chuck Schumer (D-NY) scheduled a procedural vote for Wednesday, July 21st, to begin debate on the infrastructure package. The motion required 60 votes, including 10 Republicans if all Democrats and independents vote yes. The vote did not receive any Republican support. Leading up to the vote, members on both sides expressed low expectations of passage due to the missing pieces of the package, which include how to pay for the package and certain policy provisions.

As it currently stands, the framework for the plan has been released. Along with traditional highway and road funding, the package includes:

- \$16 billion for ports and waterways;
- \$20 billion for infrastructure financing;
- \$55 billion for water infrastructure;
- \$21 billion for environmental remediation;



- \$5 billion for western water storage; and
- \$47 billion for resilience.

In an effort to keep negotiations on an infrastructure package from collapsing, the President indicated that he would consider a minimum 15 percent corporate tax rate. During the G7 Conference in Cornwall, England, the United States, Britain, France, Germany, Italy, Japan and Canada converged on a minimum tax rate of 15 percent for multinational corporations. Republicans have voiced opposition to the 15 percent tax for corporations, but have not said it is a non-starter.

A key sticking point for the White House and Senate Republicans is how to pay for the bill. Negotiators have come up with the proposed financing sources for new investment:

- Reduce the IRS tax gap
- Unemployment insurance program integrity
- Redirect unused unemployment insurance relief funds
- Repurpose unused relief funds from 2020 emergency relief legislation
- State and local investment in broadband infrastructure
- Allow states to sell or purchase unused toll credits for infrastructure
- Extend expiring customs user fees
- Reinstate Superfund fees for chemicals
- 5G spectrum auction proceeds
- Extend mandatory sequester
- Strategic petroleum reserve sale
- Public-private partnerships, private activity bonds, direct pay bonds and asset recycling for infrastructure investment
- Macroeconomic impact of infrastructure investment

The infrastructure negotiation talks are in continuous flux as key pieces are being negotiated daily. We will provide an update with details of spending once more details are released.

Infrastructure Packages on the Move in Congress

On July 3, the House passed a \$715 billion infrastructure package, "Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act," with the support of two Republicans. The bill included water provisions as well, including H.R.1915 "Water Quality and Job Creation Act of 2021." The Clean Water State Revolving Fund is authorized to receive \$40 billion over five-years and the Drinking Water State Revolving Fund is authorized to receive \$25.44 billion over five years. The INVEST in America Act also contains the amendment on the Alternative Water Source Pilot Program that the JPA sought in H.R. 1915. Further, the package would create an \$8 billion low-income water assistance program at EPA, similar to the Low-



Income Household Water Assistance Program emergency program currently administered by HHS. The measure also requires EPA to set a national standard for PFAS within two years of enactment. At this time, it is not clear if, or when, the Senate will take the bill up.

**LAS VIRGENES-TRIUNFO - HIGH PRIORITY LEGISLATION IN THE 117TH CONGRESS
THROUGH JULY 20, 2021**

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.202</u> <u>SALT Fairness Act of 2021</u>	To amend the Internal Revenue Code of 1986 to repeal the limitation on deduction for State and local taxes, and for other purposes.	Introduced by Rep. Mike Garcia (R-CA) – January 5, 2021	
<u>S.29</u> <u>Local Water Protection Act</u>	A bill to amend the Federal Water Pollution Control Act to reauthorize certain programs relating to nonpoint source management, and for other purposes.	Introduced by Sen. Amy Klobuchar (D-MN) – January 22, 2021	
<u>S.Res.17</u> <u>A resolution expressing the sense of the Senate that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.</u>	Expressing the sense of the Senate that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.	Introduced by Sen. Joni Ernst (R-IA) – January 27, 2021	
<u>H.R.616</u> <u>Emergency Water is a Human Right Act</u>	To prohibit water shutoffs during the COVID-19 emergency period, provide drinking and waste water assistance to households, and for other purposes.	Introduced by Rep. Rashida Tlaib (D-MI) – January 28, 2021	
<u>S.85</u> <u>SALT Deductibility Act</u>	To amend the Internal Revenue Code of 1986 to repeal the limitation on the deduction for certain taxes, including State and local property and income taxes.	Introduced by Sen. Chuck Schumer (D-NY) – January 28, 2021	
<u>H.R.613</u> <u>SALT Deductibility Act</u>	<i>(Companion bill to S.85).</i>	Introduced by Rep. Thomas Suozzi (R-NY) – January 28, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S.101</u> <u>Environmental Justice Mapping and Data Collection Act of 2021</u>	To establish the Environmental Justice Mapping Committee, and for other purposes.	Introduced by Sen. Edward Markey (D-MA) – January 28, 2021	
<u>H.R.516</u> <u>Environmental Justice Mapping and Data Collection Act of 2021</u>	<i>(Companion bill to S.101).</i>	Introduced by Rep. Cori Bush (D-MO) – January 28, 2021	
<u>H.R.535</u> <u>Special District Provide Essential Services Act</u>	The bill would require the state’s to direct at least five percent of future Coronavirus Relief Fund (CRF) allocations to special districts within their state.	Introduced by Rep. John Garamendi (D-CA) – January 28, 2021	<i>SUPPORT</i>
<u>S.91</u> <u>Special Districts Provide Essential Services Act</u>	<i>(Companion bill to H.R. 535)</i>	Introduced by Sen. Kyrsten Sinema (D-AZ) – January 28, 2021	<i>SUPPORT</i>
<u>H.R.737</u> <u>RENEW WIIN Act</u>	The RENEW WIIN Act would extend the general and operations provisions of Subtitle J of the WIIN Act and extend the provision requiring consultation on coordinated operations of the Central Valley Project and State Water Project. The legislation would also extend the authorization of appropriations for water storage projects that the Secretary of the Interior finds feasible.	Introduced by Rep. David Valadao (R-CA) – February 2, 2021	<i>SUPPORT</i>
<u>H.R. 692</u> <u>Recognition of Local Interests in NEPA Decision Making</u>	To amend the National Environmental Policy Act of 1969 to provide a rule to determine venue for a proceeding for judicial review of certain agency actions.	Introduced by Rep. Liz Cheney (R-WY) – February 2, 2021	
<u>H.R.848</u> <u>GREEN Act of 2021</u>	To amend the Internal Revenue Code of 1986 to provide incentives for renewable energy and energy efficiency, and for other purposes.	Introduced by Rep. Mike Thompson (D-CA) – February 4, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.Res.104</u> <u>Recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy ("THRIVE")</u>	Recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy (“THRIVE”).	Introduced by Rep. Debbie Dingell (D-MI) – February 5, 2021	
<u>S.Res.43</u> <u>A resolution recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy ("THRIVE")</u>	Recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy (“THRIVE”).	Introduced by Rep. Edward Markey (D-MA) – February 8, 2021	
<u>H.R.946</u> <u>SALT Act</u>	To amend the Internal Revenue Code of 1986 to repeal the dollar limitation on deduction of State and local taxes, and for other purposes.	Introduced by Rep. Bill Pascrell (D-NJ) – February 8, 2021	
<u>H.R.1015</u> <u>Water Recycling Investment and Improvement Act</u>	To extend the authorization of the Bureau of Reclamation – Title XVI competitive grants program and increase the authorized funding level from \$50 million to \$500 million. Further, the legislation expands the geographic scope requirement that projects be located in sustained drought or disaster areas. The legislation also removes the requirement that Congress sign-off on each selected project, and modernizes the individual program funding cap from \$20 million to \$30 million.	Introduced by Rep. Grace Napolitano (D-CA) – February 11, 2021	<i>SUPPORT</i>
<u>H.R.988</u> <u>Recreational Lands Self-Defense Act of 2021</u>	To protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes.	Introduced by Rep. Bob Gibbs (R-OH) – February 11, 2021	
<u>H.R.1066</u> <u>Wildfire Recovery Act</u>	To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide flexibility with the cost share for fire management assistance, and for other purposes.	Introduced by Rep. Joe Neguse (D-CO) – February 15, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S.421</u> <u>Western Tribal Water Infrastructure Act of 2021</u>	To amend the America's Water Infrastructure Act of 2018 to expand the Indian reservation drinking water program, and for other purposes.	Introduced by Sen. Ron Wyden (D-OR) – February 24, 2021 Placed on the Senate Legislative Calendar – April 28, 2021	
<u>H.R.1319</u> <u>American Rescue Plan Act of 2021</u>	To provide for reconciliation pursuant to title II of S. Con. Res. 5.	Introduced by Rep. John Yarmuth (D-KY) – February 24, 2021 Became Public Law No: 117-2 – March 11, 2021	<i>SUPPORT</i>
<u>H.R.1352</u> <u>Water Affordability, Transparency, Equity, and Reliability Act of 2021</u>	To establish a trust fund to provide for adequate funding for water and sewer infrastructure, and for other purposes.	Introduced by Rep. Brenda Lawrence (D-MI) – February 25, 2021	
<u>S.479</u> <u>Lifting Our Communities through Advance Liquidity for Infrastructure (LOCAL Infrastructure) Act of 2021</u>	A bill to amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.	Introduced by Sen. Roger Wicker (R-MS) – February 25, 2021	<i>SUPPORT</i>
<u>H. R. 1438</u> <u>FLOODS Act</u>	To establish a national integrated flood information system within the National Oceanic and Atmospheric Administration, and for other purpose	Introduced by Rep. Mikie Sherrill (D-NJ) – February 26, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><u>S.498</u> A bill to amend title 54, United States Code, to limit the authority to reserve water rights in designating a national monument</p>	<p>To amend title 54, United States Code, to limit the authority to reserve water rights in designating a national monument.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 1, 2021</p>	
<p><u>S.558</u> FLOODS Act</p>	<p>To establish a national integrated flood information system within the National Oceanic and Atmospheric Administration, and for other purposes.</p>	<p>Introduced by Sen. Roger Wicker (R-MS) – March 3, 2021</p> <p>Ordered to be reported – April 28, 2021</p>	
<p><u>H.R.1563</u> To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California</p>	<p>To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.</p>	<p>Introduced by Rep. Mike Garcia (R-CA) – March 3, 2021</p>	
<p><u>H.R.1679</u> To prohibit the Secretary of the Interior and the Secretary of Agriculture from conditioning any permit, lease, or other use agreement on the transfer of any water right to the United States, and for other purposes</p>	<p>To prohibit the Secretary of the Interior and the Secretary of Agriculture from conditioning any permit, lease, or other use agreement on the transfer of any water right to the United States, and for other purposes.</p>	<p>Introduced by Rep. Lauren Boebert (R-CO) – March 9, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R.1804 Community Cleanup Act	To amend the public participation requirements of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes.	Introduced by Rep. Earl Carter (R-GA) – March 11, 2021	
H.R.1844 STOP CSO Act of 2021	To amend the Federal Water Pollution Control Act to ensure that publicly owned treatment works monitor for and report sewer overflows, and for other purpose.	Introduced by Rep. Seth Moulton (D-MA) – March 11, 2021	
S.715 NEPA Data Transparency and Accountability Act	To amend the National Environmental Policy Act of 1969 to require the submission of certain reports, and for other purposes.	Introduced by Sen. Mike Lee (R-UT) – March 11, 2021	
S.716 NEPA Legal Reform Act	To amend the National Environmental Policy Act of 1969 to provide for legal reform, and for other purposes.	Introduced by Sen. Mike Lee (R-UT) – March 11, 2021	
S.717 UNSHACKLE Act	To amend the National Environmental Policy Act of 1969 to impose time limits on the completion of certain required actions under the Act, and for other purposes.	Introduced by Sen. Mike Lee (R-UT) – March 11, 2021	
S.718 NEPA Agency Process Accountability Act	To amend the National Environmental Policy Act of 1969 to reform agency process requirements, and for other purposes.	Introduced by Sen. Mike Lee (R-UT) – March 11, 2021	
S.719 NEPA State Assignment Expansion Act	To amend the National Environmental Policy Act of 1969 to provide for project delivery programs, and for other purposes.	Introduced by Sen. Mike Lee (R-UT) – March 11, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.1848</u> <u>Leading Infrastructure for Tomorrow's America Act</u>	<p>To rebuild and modernize the Nation's infrastructure to expand access to broadband and Next Generation 9-1-1, rehabilitate drinking water infrastructure, modernize the electric grid and energy supply infrastructure, redevelop brownfields, strengthen health care infrastructure, create jobs, and protect public health and the environment, and for other purposes.</p>	<p>Introduced by Rep. Frank Pallone (D-NJ) – March 11, 2021</p> <p>Committee on Energy and Commerce held a hearing – March 22, 2021</p>	
<u>H.R.1820</u> <u>RETROACTIVE Policy Act</u>	<p>To amend the Federal Water Pollution Control Act to clarify when the Administrator of the Environmental Protection Agency has the authority to prohibit the specification of a defined area, or deny or restrict the use of a defined area for specification, as a disposal site under section 404 of such Act, and for other purposes.</p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – March 11, 2021</p>	
<u>H.R.1881</u> <u>To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes</u>	<p>To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.</p>	<p>Introduced by Rep. John Garamendi (D-CA) – March 12, 2021</p>	<p><i>SUPPORT</i></p>
<u>H.R. 1821</u> <u>RURAL Act</u>	<p>To amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.</p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – March 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.1889</u> <u>Environmental Justice for Coronavirus Affected Communities Act</u>	To require the Administrator of the Environmental Protection Agency to continue to carry out certain programs relating to environmental justice, and for other purposes.	Introduced by Rep. Raul Ruiz (D-CA) – March 12, 2021	
<u>H.R.1915</u> <u>Water Quality Protection and Job Creation Act of 2021</u>	To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.	Introduced by Rep. Peter DeFazio (D-OR) – March 16, 2021 Passed via legislative vehicle H.R. 3684 – July 1, 2021	
<u>S.804</u> <u>SALT Deduction Fairness Act</u>	To amend the Internal Revenue Code of 1986 to increase the limitation on the amount individuals filing jointly can deduct for certain State and local taxes.	Introduced by Rep. Susan Collins (D-ME) – March 17, 2021	
<u>H.R.2021</u> <u>Environmental Justice For All Act</u>	To restore, reaffirm, and reconcile environmental justice and civil rights, and for other purposes.	Introduced by Rep. Raul Grijalva (D-AZ) – March 18, 2021	
<u>S.855</u> <u>Water Rights Protection Act of 2021</u>	To prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes.	Introduced by Sen. John Barrasso (R-WY) – March 18, 2021	
<u>S.872</u> <u>Environmental Justice For All Act</u>	<i>(Companion bill to H.R.2021)</i>	Introduced by Sen. Tammy Duckworth (D-IL) – March 18, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><u>H.R.2095</u> <u>To require the Secretary of the Army to conduct a study to determine the costs for the Corps of Engineers to ensure that certain project activities authorized under Nationwide Permit 14 comply with public safety conditions, and for other purposes.</u></p>	<p>To require the Secretary of the Army to conduct a study to determine the costs for the Corps of Engineers to ensure that certain project activities authorized under Nationwide Permit 14 comply with public safety conditions, and for other purposes.</p>	<p>Introduced by Rep. Billy Long (R-MO) – March 22, 2021</p>	
<p><u>S.914</u> <u>Drinking Water and Wastewater Infrastructure Act of 2021</u></p>	<p>To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes.</p>	<p>Introduced by Sen. Tammy Duckworth (D-IL) – March 24, 2021</p> <p>Passed in the Senate. Report filed by Sen. Tom Carper (D-DE) - May 10, 2021</p>	
<p><u>H.R.2008</u> <u>Local Water Protection Act</u></p>	<p>To amend the Federal Water Pollution Control Act to reauthorize certain programs relating to nonpoint source management, and for other purposes.</p>	<p>Introduced by Rep. Angie Craig (D-MN) – March 24, 2021</p> <p>Passed House. Received in the Senate – June 16, 2021</p>	
<p><u>H.R.2173</u> <u>Wastewater Workforce Investment Act</u></p>	<p>To amend the Federal Water Pollution Control Act with respect to wastewater infrastructure workforce development, and for other purposes.</p>	<p>Introduced by Rep. Greg Stanton (D-AZ) – March 23, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S.939</u> <u>IMAGINE Act</u>	To encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes.	Introduced by Sen. Sheldon Whitehouse (D-RI) – March 24, 2021	
<u>S.953</u> <u>Water for Conservation and Farming Act</u>	To provide for drought preparedness and improved water supply reliability.	Introduced by Sen. Ron Wyden (D-OR) – March 24, 2021	
<u>H.R.2197</u> <u>IMAGINE Act</u>	<i>(Companion bill to S.939).</i>	Introduced by Rep. David Cicilline (D-RI) – March 26, 2021	
<u>H.R.2288</u> <u>Investing in Our Communities Act</u>	To amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.	Introduced by Rep. Dutch Ruppersberger (D-MD) – March 29, 2021	
<u>H.R.2397</u> <u>Protection from Cumulative Emissions and Underenforcement of Environmental Law Act of 2021</u>	To advance environmental justice by addressing cumulative impacts and underenforcement, and for other purposes.	Introduced by Diana DeGette (D-CO) – April 8, 2021	
<u>H.R.2434</u> <u>Environmental Justice Act of 2021</u>	To require Federal agencies to address environmental justice, to require consideration of cumulative impacts in certain permitting decisions, and for other purposes.	Introduced by Rep. Raul Ruiz (D-CA) – April 8, 2021	
<u>H.R.2442</u> <u>Climate Justice Grants Act</u>	To require the Administrator of the Environmental Protection Agency to carry out a grant program for projects and activities to address climate justice concerns of environmental justice communities, and for other purposes.	Introduced by Rep. Nanette Diaz Barragan (D-CA) – April 12, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.2467</u> <u>PFAS Action Act of 2021</u>	To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.	Introduced by Rep. Debbie Dingell (D-MI) – April 13, 2021 Reported to House – July 19, 2021	
<u>H.R.2468</u> <u>Made in America Act of 2021</u>	To ensure that certain materials used in carrying out Federal infrastructure aid programs are made in the United States, and for other purposes.	Introduced by Rep. John Garamendi (D-CA) – April 13, 2021	
<u>S.1094</u> <u>Made in America Act of 2021</u>	<i>(Companion bill to H.R.2468).</i>	Introduced by Sen. Tammy Baldwin (D-WI) – April 13, 2021	
<u>H.Res.318</u> <u>Expressing the sense of the House of Representatives that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.</u>	Expressing the sense of the House of Representatives that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.	Introduced by Rep. Mariannette Miller-Meeks (R-IA) – April 14, 2021	
<u>S.1121</u> <u>PFAS Registry Act of 2021</u>	To require the Secretary of Veterans Affairs to establish and maintain a registry for certain individuals who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam on military installations.	Introduced by Sen. Jeanne Shaheen (D-NH) – April 14, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.2660</u> <u>WATER Act</u>	To amend the Federal Water Pollution Control Act to codify the definition of the term “waters of the United States”, and for other purposes.	Introduced by Rep. Robert Latta (R-OH) – April 19, 2021	
<u>H.Res.320</u> <u>Recognizing the critical importance of access to reliable, clean drinking water for Native Americans and Alaska Natives and confirming the responsibility of the Federal Government to ensure such water access.</u>	Recognizing the critical importance of access to reliable, clean drinking water for Native Americans and Alaska Natives and confirming the responsibility of the Federal Government to ensure such water access.	Introduced by Rep. Joe Neguse (D-OH) – April 15, 2021	
<u>S.Res.166</u> <u>A resolution recognizing the duty of the Federal Government to create a Green New Deal</u>	Recognizing the duty of the Federal Government to create a Green New Deal.	Introduced by Sen. Ed Markey (D-MA) – April 20, 2021	
<u>H.Res.332</u> <u>Recognizing the duty of the Federal Government to create a Green New Deal</u>	Recognizing the duty of the Federal Government to create a Green New Deal.	Introduced by Rep. Alexandria Ocasio-Cortez (D-NY) – April 21, 2021	
<u>H.R.2673</u> <u>CERCLA Liability Expansion and Accountability for Negligent and Unjust Pollution Act</u>	To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to include certain landlocked releases of petroleum, and for other purposes.	Introduced by Earl Blumenauer (D-OR) – April 20, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S.1239</u> <u>A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for certain waste water management subsidies</u>	To amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for certain waste water management subsidies.	Introduced by Sen. Kirsten Gillibrand (D-NY) – April 20, 2021	
<u>H.R.2674</u> <u>Superfund Reinvestment Act</u>	To amend the Internal Revenue Code of 1986 to provide for the use of funds in the Hazardous Substance Superfund for the purposes for which they were collected, to ensure adequate resources for the cleanup of hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes.	Introduced by Rep. Earl Blumenauer (D-OR) – April 21, 2021	
<u>H.R.2742</u> <u>PFAS Registry Act of 2021</u>	To require the Secretary of Veterans Affairs to establish and maintain a registry for certain individuals who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam on military installations.	Introduced by Rep. Chris Pappas (D-OH) – April 21, 2021	
<u>S.1334</u> <u>PFAS Accountability Act of 2021</u>	A bill to amend the Toxic Substance Control Act to codify a Federal cause of action and a type of remedy available for individuals significantly exposed to per- and polyfluoroalkyl substances, to encourage research and accountability for irresponsible discharge of those substances, and for other purposes.	Introduced by Sen. Kirsten Gillibrand (D-NY) – April 22, 2021	
<u>H.R.2751</u> <u>PFAS Accountability Act of 2021</u>	<i>(Companion legislation to S. 1334).</i>	Introduced by Rep. Madeleine Dean (D-PA) – April 22, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S.1341</u> <u>Water Resources Research Amendments Act</u>	To amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.	Introduced by Sen. Ben Cardin (D-MD) - April 22, 2021	
<u>S.1303</u> <u>Build America, Buy America Act</u>	To ensure that certain Federal infrastructure programs require the use of materials produced in the United States, and for other purposes.	Introduced by Sen. Sherrod Brown (D-OH) – April 22, 2021 Ordered to be reported – May 21, 2021	
<u>H.R.2781</u> <u>Water Resources Research Amendments Act</u>	<i>(Companion bill to S.1341).</i>	Introduced by Rep. Josh Harder (D-CA) – April 22, 2021	
<u>H.R.2810</u> <u>Build America, Buy America Act</u>	<i>(Companion bill to S.1303).</i>	Introduced by Rep. Tim Ryan (D-OH) – April 22, 2021 Committee on Natural Resources hearing – May 4, 2021	
<u>H.R.2895</u> <u>REPAIR Act</u>	To facilitate efficient investments and financing of infrastructure projects and new, long-term job creation through the establishment of an Infrastructure Financing Authority, and for other purposes.	Introduced by Rep. Scott Peters (D-CA) – April 28, 2021	
<u>H.R.2952</u> <u>WISE Act</u>	To amend the Federal Water Pollution Control Act to require a certain percentage of funds appropriated for revolving fund capitalization grants be used for green projects, and for other purposes.	Introduced by Rep. Nikema Williams (R-GA) – April 30, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.2979</u> <u>To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes</u>	To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.	Introduced by Rep. John Garamendi (D-CA) – May 4, 2021	
<u>H.R.3023</u> <u>Restoring WIFIA Eligibility Act</u>	To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to budgetary treatment of certain amounts of financial assistance, and for other purposes.	Introduced by Rep. Jim Costa (D-CA) – May 10, 2021	
<u>H.R.3112</u> <u>Western Water Recycling and Drought Relief Act of 2021</u>	To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain recycled water projects, and for other purposes.	Introduced by Rep. Jerry McNerney (D-CA) – May 11, 2021	
<u>H.R.3113</u> <u>MAPLand Act</u>	To require the Secretary of the Interior, the Secretary of Agriculture, and the Assistant Secretary of the Army for Civil Works to digitize and make publicly available geographic information system mapping data relating to public access to Federal land and waters for outdoor recreation, and for other purposes	Introduced by Rep. Blake Moore (R-UT) – May 11, 2021 Ordered to be Reported – July 17, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.3218</u> <u>Wastewater</u> <u>Infrastructure</u> <u>Improvement Act of</u> <u>2021</u>	To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.	Introduced by Rep. David Rouzer (R-NC) – May 13, 2021	
<u>H.R.3228</u> <u>National Coastal</u> <u>Resilience Data and</u> <u>Services Act</u>	To direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to improve science, data, and services that enable sound decision making in response to coastal flood risk, including impacts of sea level rise, storm events, changing Great Lakes water levels, and land subsidence.	Introduced by Rep. Nydia Velazquez – May 13, 2021	
<u>H.R.3267</u> <u>Protect Drinking Water</u> <u>from PFAS Act of 2021</u>	To amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for total per- and polyfluoroalkyl substances, and for other purposes.	Introduced by Rep. Brendan Boyle (D-PA) – May 17, 2021	
<u>H.R.3282</u> <u>Drinking Water Funding</u> <u>for the Future Act of</u> <u>2021</u>	To reauthorize funding for drinking water programs under the Safe Drinking Water Act and America’s Water Infrastructure Act of 2018, and for other purposes.	Introduced by Rep. David McKinley (R-WV) – May 17, 2021	
<u>H.R.3293</u> <u>Low-Income Water</u> <u>Customer Assistance</u> <u>Programs Act of 2021</u>	To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish programs to assist low-income households in maintaining access to drinking water and wastewater services, and for other purposes.	Introduced by Rep. Lisa Blunt Rochester – (D-DE) – May 18, 2021 Passed via legislative vehicle H.R. 3684 – July 1, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.3291</u> <u>Assistance, Quality, and Affordability Act of 2021</u>	<p>To amend the Safe Drinking Water Act to provide assistance for States, territories, areas affected by natural disasters, and water systems and schools affected by PFAS or lead, and to require the Environmental Protection Agency to promulgate national primary drinking water regulations for PFAS, microcystin toxin, and 1,4-dioxane, and for other purposes.</p>	<p>Introduced by Rep. Paul Tonko (D-NY) – May 18, 2021</p> <p>Passed via legislative vehicle H.R. 3684 – July 1, 2021</p>	
<u>H.R.3292</u> <u>Water Debt Relief Act of 2021</u>	<p>To require the Administrator of the Environmental Protection Agency to carry out a residential emergency relief program to provide payment assistance for households to retain water service, and for other purposes.</p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – May 18, 2021</p>	
<u>H.R.3339</u> <u>National Infrastructure Bank Act of 2021</u>	<p>To facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Bank, and for other purposes.</p>	<p>Introduced by Rep. Danny Davis (D-IL) – May 19, 2021</p>	
<u>S.1761</u> <u>Water Quality Certification Improvement Act of 2021</u>	<p>To amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.</p>	<p>Introduced by Sen. John Barrasso (R-WY) – May 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>H.R.3404</u> <u>FUTURE Western Water Infrastructure and Drought Resiliency Act</u>	To provide drought preparedness and improved water supply reliability to the Nation.	Introduced by Rep. Jared Huffman (D-CA) – May 20, 2021	
<u>H.R.3422</u> <u>Water Quality Certification Improvement Act of 2021</u>	To amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.	Introduced by Rep. David McKinley (R-WV) – May 20, 2021	
<u>S.1726</u> <u>21st Century Buy American Act</u>	To amend chapter 83 of title 41, United States Code (popularly referred to as the Buy American Act) and certain other laws with respect to certain waivers under those laws, to provide greater transparency regarding exceptions to domestic sourcing requirements, and for other purposes.	Introduced by Sen. Chris Murphy (D-CT) – May 20, 2021	
<u>H.R.3473</u> <u>Build Local, Hire Local Act</u>	<i>(Companion bill to S.1827).</i>	Introduced by Rep. Karen Bass (D-CA) – May 25, 2021	
<u>S.1827</u> <u>Build Local, Hire Local Act</u>	To establish an expansive infrastructure program to create local jobs and raise the quality of life in every community, to launch middle class career pathways in infrastructure, and to invest in high-quality American jobs, and for other purposes.	Introduced by Sen. Kirsten Gillibrand (D-NY) – May 25, 2021	
<u>S.1907</u> <u>Clean Water Standards for PFAS Act of 2021</u>	To require the Administrator of the Environmental Protection Agency to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act, to provide Federal grants to publicly owned treatment works to implement such guidelines and standards, and for other purposes.	Introduced by Sen. Kirsten Gillibrand (D-NY) – May 27, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S.1855</u> <u>Wildfire Emergency Act of 2021</u>	To direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.	Introduced by Sen. Dianne Feinstein (D-CA) – May 26, 2021	
<u>H.R.3622</u> <u>Clean Water Standards for PFAS Act of 2021</u>	<i>Text is not yet available.</i>	Introduced by Rep. Chris Pappas (D-NH) – May 28, 2021	
<u>H.R.3684</u> <u>INVEST in America Act</u>	To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.	Introduced by Rep. Peter DeFazio (D-OR) – June 4, 2021 Passed the Committee on Transportation and Infrastructure – June 10, 2021	
<u>H.R.3691</u> <u>Wastewater Infrastructure Modernization Act</u>	To amend the Federal Water Pollution Control Act to establish a smart wastewater infrastructure technology grant program, and for other purposes.	Introduced by Rep. Carolyn Bourdeux (D-GA) – June 4, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R.3722 21st Century Infrastructure Bank Act	To establish the 21st Century American Infrastructure Bank, and for other purposes.	Introduced by Rep. Sean Maloney (D-NY) – June 4, 2021	
H.R.3701 PIPE Act	To establish water infrastructure grant programs.	Introduced by Rep. Antonio Delgado (D-NY) – June 4, 2021	
H.R.3751 Clean Water Infrastructure Resilience and Sustainability Act of 2021	To amend the Federal Water Pollution Control Act to establish a program to make grants to eligible entities to increase the resilience of publicly owned treatment works to natural disasters, and for other purposes.	Introduced by Rep. Salud Carbajal (D-CA) – June 8, 2021	
H.R.3814 UNSHACKLE Act	To amend the National Environmental Policy Act of 1969 to impose time limits on the completion of certain required actions under the Act, and for other purposes.	Introduced by Rep. Liz Cheney (R-WY) – June 11, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
H.R.4018 Define WOTUS Act of 2021	To amend the Federal Water Pollution Control Act to modify the definition of navigable waters, and for other purposes.	Introduced by Rep. David Valadao (R-CA) – June 17, 2021	
S.2168 Define WOTUS Act of 2021	<i>(Companion bill to H.R.4018).</i>	Introduced by Rep. Mike Braun (R-IN) – June 22, 2021	
H.R.4069 To amend the Federal Water Pollution Control Act to provide for additional subsidization assistance to a municipality to carry out on-site wastewater treatment system projects, and for other purposes.	<i>Text is not yet available.</i>	Introduced by Thomas Suozzi (D-NY) – June 22, 2021	
H.R.4099 Large-Scale Water Recycling Project Investment Act		Introduced by Rep. Grace Napolitano (D-CA) – June 23, 2021 House Natural Resources Subcommittee on Water, Oceans, and Wildlife hearing held – June 29, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><u>S.2286</u> <u>Western Water, Jobs, and Infrastructure Act</u></p>	<p>To authorize the Secretary of the Interior to use designated funding to pay for construction of authorized rural water projects, and for other purposes.</p>	<p>Introduced by Sen. Jon Tester (D-MT) – June 24, 2021</p>	
<p>H.R.4224 To require, pursuant to the Federal Water Pollution Control Act, disclosure of the introduction of perfluoroalkyl or polyfluoroalkyl substances into treatment works, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Antonio Delgado (D-NY) – June 29, 2021</p>	
<p>H.R.4284 To amend the Safe Drinking Water Act with respect to assistance for disadvantaged communities, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Raul Ruiz (D-CA) – June 30, 2021</p>	
<p>H.R.4336 To amend the National Environmental Policy Act of 1969 to provide for project delivery programs, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. David Schweikert (R-AZ) – July 1, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p>H.R.4372 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022</p>	<p>Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.</p>	<p>Introduced by Rep. Chellie Pingree (D-ME) – July 6, 2021</p> <p>Placed on the Union Calendar – July 6, 2021</p>	
<p>S.2334 A bill to direct the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, to amend the Omnibus Public Land Management Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, to provide emergency drought funding, and for other purposes.</p>	<p><i>(Companion bill to H.R.4099).</i></p>	<p>Introduced by Sen. Catherine Cortez Masto (D-NV) – July 13, 2021</p>	
<p>H.R.4413 To facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Bank, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – July 13, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p>S.2361 A bill to reauthorize the budget-neutral demonstration program for energy and water conservation at multifamily residential units, to establish a green retrofit program, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Sen. John Reed (D-RI) – July 15, 2021</p>	

INFORMATION ONLY

August 2, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: General Manager

Subject : Pure Water Project Las Virgenes-Triunfo: Update

SUMMARY:

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

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

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

FISCAL IMPACT:

No

ITEM BUDGETED:

No

Prepared by: Eric Schlageter, Principal Engineer

ATTACHMENTS:

Monthly Update on Pure Water Project Las Virgenes-Triunfo

To: Las Virgenes-Triunfo JPA Board of Directors
From: Jennifer Phillips, Jacobs Engineering Group Inc.
Date: July 21, 2021
Re: Pure Water Project JPA Board Monthly Update

Pure Water Project Overview

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

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

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

Monthly Major Milestones

- Presented the final Program Implementation Plan (PIP) at the July 6th Board meeting that summarizes the roadmap to implement the technical, regulatory, environmental, financial, procurement, and public outreach strategies of the Pure Water Project. Also presented the updated independent cost estimate and clarified assumptions and unknowns.
- Conducted financing and funding workshop with LVMWD and Triunfo Water & Sanitation District on July 7th to outline the roadmap of activities for understanding the impact to rates based on potential funding scenarios.
- Conducted internal kick-off meeting on July 13th for California Environmental Quality Act (CEQA) and Public Outreach coordination to prepare for the Notice of Preparation and Public Scoping Meeting.
- Conducted site visits on July 14th and 15th of Reservoir 2, Recycled Water Pump Stations, Demonstration Facility, Westlake Filtration Plant, potential AWPF sites (Agoura Rd and Las Virgenes Reservoir), Tapia WRF and Rancho Las Virgenes Composting Facility to meet with staff, discuss operations, and review critical items.

- Conducted kick-off meeting on July 28th for conveyance alignments and to capture lessons learned of permitting and coordination requirements with different agencies.

Key Program Accomplishments Last Month

Following is a summary of key July 2021 program accomplishments. Many PWP team meetings occurred in July to plan, coordinate and implement the following activities:

July Accomplishments:

Programmatic:

Technical:

- Conducted site visit for Program Team to view the two potential AWPf sites (Agoura Road and Las Virgenes Reservoir sites), Tapia Water Reclamation Facility, Rancho Las Virgenes Composting Facility, Reservoir 2, Demonstration Facility, Las Virgenes Reservoir, and Westlake Filtration Plant. This site visit initiates the technical, regulatory and environmental activities that will progress over the next 15 months.
- Internally reviewed the draft technical memorandum of the “*Tapia Water Reclamation Facility and new AWPf Flow Management*” for overall operating considerations for the integrated facilities. Workshop will be held in early August to discuss findings.
- Initiated a regional brine scaling survey of 15 reverse osmosis facilities to obtain lessons learned and brine scaling mitigation strategies to consider.
- Initiated Tapia WRF chlorine disinfection evaluation that will characterize disinfection byproduct formation potential. Developed an updated data request based on key information observed during the site visit.

Regulatory/Environmental:

- Met with LVMWD Operations on July 22nd to discuss regulatory strategy and schedule initial meetings with the Division of Drinking Water (DDW) and the Regional Water Quality Control Board (RWQCB).
- Met with LVMWD External Affairs group on July 22nd to discuss next steps and planning efforts for the CEQA Notice of Preparation (scheduled for August).

Financial:

- Presented additional clarifications and assumptions in the updated costs during the July 6th board meeting.
- Conducted financing and funding workshop with LVMWD and Triunfo Water and Sanitation District on July 7th to outline the roadmap of activities for understanding the impact to rates based on potential funding scenarios.

Public Outreach:

- Conducted biweekly calls to provide clarity on CEQA focused support efforts.
- Prepared draft Stakeholder interview questions to collect information and help shape public meeting preparation.
- Developed a strategy for advertisement for the Public Scoping Meeting.
- Review of additional mechanisms required to ramp up CEQA efforts.

Main Considerations

- **Reservoir Operation** – assessing approaches to mitigate algal blooms to allow the reservoir to operate closer to anticipated flows.
- **Water Augmentation and Integration Plan** – finding and securing viable supplemental water sources, and establishing MOUs/Agreements with regional parties and partners over the life of the project.
- **Minimizing disinfection byproducts** – developing cost effective treatment strategies to mitigate formation and achieve regulatory compliance using the Demonstration Plant over the next six months.
- **Conveyance Coordination** – initiating early discussions with cities and agencies in the alignment corridors to understand desire to work together to minimize schedule impacts. Looking to propose Memorandums of Understanding (MOUs), JPAs, or other commitment-level approaches as conveyance alignment is finalized and developed over the next year.
- **Brine Management** – establishing MOUs/Agreements with regional parties and partners for brine disposal to the Calleguas Regional Salinity Management Pipeline over the next 15 months.

Look Ahead

The Project Team is preparing the technical evaluations of each site, initiating meetings with regulators and the public, and proceeding with the strategies outlined in the Program Implementation Plan.

Upcoming Project Team workshops and meetings planned for August:

- Workshop on the “Tapia Water Reclamation Facility and New AWPF Flow Management” task that identifies emergency diversion scenarios and operating approaches on August 3rd.
- Water Augmentation workshop on August 4th to share the ranking of potential sources.
- LVMWD-Triunfo JPA Pure Water Demo: Water Quality Module Workshop on August 5th. The existing Demonstration Facility will be leveraged to better define and supply data for specific treatment needs that supports specific real-time data and information required by regulators to meet PWP goals, permitting requirements and demonstrate compliance. Jacobs team provided input on additional testing recommendations.
- Initial Meetings with DDW and RWQCB.
- Initial Southern California Edison meeting to determine power availability and access for both potential AWPF sites.
- CEQA Notice of Preparation release in August.
- CEQA Public Scoping Meeting in September.

Upcoming JPA Board Meetings:

- a. Presentation on Water Augmentation Evaluation Findings – September.

August 2, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Pump Replacement for Westlake Well No. 1: Authorization

SUMMARY:

Las Virgenes Municipal Water District, acting as Administering Agent of the Las Virgenes-Triunfo Joint Powers Authority, recently hired General Pump Company to replace the pump at Westlake Well No. 2. The work was performed through a purchase order, in the amount of \$22,958.31, that was approved under the authority of the Administering Agent/General Manager. Prior to completion of the work, staff requested that General Pump Company evaluate the condition of the pump for Westlake Well No. 1, and it was determined to be failing and also require replacement. As a result, staff recommends authorization for a change order to General Pump Company, in the amount of \$33,302.10, for the addition of pump replacement at Westlake Well No. 1.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to approve a change order to General Pump Company, in the amount of \$33,302.10, for pump replacement at Westlake Well No. 1.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

No

FINANCIAL IMPACT:

The cost of this action is \$33,302.10, increasing the not-to-exceed amount of the purchase order to \$56,260.41. Sufficient funds are available in the adopted Fiscal Year 2021-22 JPA Budget. The cost of the work is allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District.

DISCUSSION:

The JPA owns and operates two wells in Westlake Village that pump impaired groundwater to the Tapia Water Reclamation Facility via the sewer collection system. The wells are operated

seasonally to increase the supply of source water to Tapia for recycling during the warm summer months when recycled water demands are highest. The additional source water supplied to Tapia reduces the amount of potable supplement required for the recycled water system.

In 2008, General Pump Company, headquartered in San Dimas, installed the existing pumps for Westlake Well Nos. 1 and 2. After 13 years of service, both pumps are beginning to fail and require replacement. The 13-year service life is considered normal for this type of pump based on the service history of the two units.

Prepared by: Doug Anders, Administrative Services Coordinator

August 2, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Bioassessment Monitoring Report: Approval of Contract and Purchase Order

SUMMARY:

Since 2006, the JPA has prepared an annual bioassessment monitoring report as required by Tapia's NPDES Permit. The report is intended to assess the "eco-health of the stream" by measuring the physical condition of the receiving waters and their biological communities. The work involves sampling and characterizing the habitat potential of the creek, as well as identifying and quantifying the species of benthic macroinvertebrates at eight receiving water stations.

Aquatic Bioassay & Consulting Laboratories, Inc. (ABC) has completed all of the bioassessment field work and reporting for the JPA. The firm has the expertise and specialized equipment in a local setting to perform the required tasks. ABC recently submitted the attached price quote to complete the bioassessment reports for the four-year period of 2021 through 2024. Staff believes it is prudent to establish a multi-year contract with ABC to ensure a predictable cost for the annual bioassessments.

Staff recommends that the JPA accept the price quote from ABC and execute a four-year contract, in the annual amount of \$50,487 with a one-time 2% escalator after the second year, for bioassessment monitoring and reporting. For comparison, the 2020 bioassessment monitoring and reporting cost was \$49,843.

In addition to the bioassessment work, ABC also performs toxicity testing and reporting required for Tapia's effluent and its receiving waters in Malibu Creek and the Los Angeles River. This work is separate from the annual bioassessment work. Staff recommends that the Board also authorize the Administering Agent/General Manager to approve an annual purchase order with ABC, in the amount of \$155,000, for toxicity testing and reporting required for Fiscal Year 2021-22.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute a four-year contract with Aquatic Bioassay Consulting Laboratories, Inc., in the annual amount of \$50,487 with a one-time 2% escalator after the second year, for bioassessment monitoring and reporting, and

approve an annual purchase order, in the amount of \$155,000, for toxicity testing and reporting.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total cost of this action is \$358,968, which consists of \$203,968 for bioassessment monitoring and reporting over a four-year period and \$155,000 for one year of toxicity testing and reporting. Sufficient funds are available for the work in adopted Fiscal Year 2021-22 JPA Budget and will be proposed in future year budgets. The cost of the work is allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District.

Prepared by: Brett Dingman, Water Reclamation Manager

ATTACHMENTS:

ABC Bioassessment Proposal

**Las Virgenes Municipal Water District
Bioassessment Price Quote
Valid thru 2024**



Project Assumptions

- 1 Bioassessment sampling will adhere to the requirements set forth in the Las Virgenes Municipal Water Districts NPDES permit (CA0056014; Order No. R4-2017-0124).
- 2 Sampling will occur annually in the spring and/or summer at eight locations in the Malibu Creek watershed including: RSW-MC001U, RSW-MC002D, RSW-MC003D, RSW-MC004D, RSW-MC007D, RSW-MC009D, RSW-MC011D, and RSW-MC013D.
- 3 Bioassessment sampling at all stations, except RSW-MC0011D, will adhere to SWAMP bioassessment protocols (*Ode et al. 2016*). Station RSW-MC011D is located in the Malibu Lagoon in the tidal prism so that large changes in salinity occur frequently due to exposure to marine water. As a result sampling will adhere to a protocol established for these conditions (*USEPA 2000b*).
- 4 All lead staff members working on this project have attended the SWAMP bioassessment workshop and have been field audited by either the Southern California Stormwater Coalitions Regional Monitoring Program or SWAMP for work in southern California.
- 5 Field collections will include benthic macroinvertebrates (BMIs), attached algae (both diatoms and soft bodied algae per SWAMP protocols) and benthic infauna at R-11 in the Lagoon.
- 6 BMI samples will be sorted based on the 600 count protocol and then identified according to the SAFIT STE (Level 2a) by active SAFIT taxonomists. Ten percent of the samples (1) will go to QC by DF&W. The benthic infauna sample from the Lagoon will be a whole sample sort and organisms will be identified by either SAFIT or SCAMIT taxonomists. One field duplicate will be collected for BMIs for each annual event per SWAMP protocol.
- 7 Attached algae (diatoms and soft bodied algae) from the seven upstream stations will be identified according to SWAMP protocols. Attached algae samples are not collected in the lagoon at RSW-MC011D.
- 8 Chlorophyll-a samples for attached algae will be collected at the seven upstream stations by SWAMP protocols and water samples for chlorophyll-a will be collected at each of the eight stations. Chlorophyll-a concentrations in the water samples will be reported in mg/m³.
- 9 SWAMP physical habitat and water quality data will be collected simultaneously with BMI and algae sampling.
- 10 Pricing for a full report is included below that includes tabular and graphical presentation of calculated biological metrics, CSCI and ASCI scores, chemistry and chlorophyll-a results, station photos, detailed methods, results and discussion.
- 11 All results will be uploaded to the CEDEN state database, if requested.
- 12 Payment terms are net 30 days based on the invoice date.

Sampling	Rate	No. Personnel	Hrs/Day	Item total	No. of Events/ Days	Total	Sub Total	2021	2022	2023	2024
Mobilization											
Biologist	\$120	1	6	\$720	1.0	\$720	\$720				
Bioassessment Sampling (7 stream sites, 1 Malibu Lagoon site = 8)											
Senior Biologist	\$142	1	12	\$1,704	3.5	\$5,964					
Biologist	\$120	1	12	\$1,440	3.5	\$5,040					
Lab Technician	\$93	1	12	\$1,116	3.5	\$3,906					
Equipment (YSI, velocity meter, etc.)	\$70				3.5	\$245					
Equipment (AVON for lagoon)	\$350				1.0	\$350					
Mileage (charged at 0.55c per mile (~80 miles round trip)	\$0.55	80			3.5	\$154					
Endangered species permits	\$2,800					\$2,800					
Shipping & handling	\$300					\$300					
DFW Scientific Collection Permit Amendment	\$230					\$230	\$18,989	\$19,709	\$19,709	\$20,103	\$20,103
Laboratory Analysis											
Benthic Macroinvertebrates (8 sites + 1 field duplicate per event)											
BMI 600 Count (Sorting and ID, SAFIT Level 2a)	\$880		9	\$7,920	1	\$7,920					
BMI QC: to DF&W Rancho Cordova (1 sample)	\$991					\$991	\$8,911				
Attached Algae (7 sites, 1 field duplicate per event)											
Diatom/Algae ID & Enumeration	\$1,590		7	\$11,130	1	\$11,130					
Ash Free Dry Weight (AFDM)	\$60		7	\$420	1	\$420	\$11,550				
Chlorophyll-a											
Chlorophyll-a (attached algae)	\$65		7	\$455	1	\$455					
Chlorophyll-a (water)	\$65		8	\$520	1	\$520	\$975	\$21,436	\$21,436	\$21,865	\$21,865
Reporting											
Data Management, Analysis, CEDEN submittals											
Senior Biologist	\$142	1	15	\$2,130			\$2,130				
Final Report Includes BMI metrics, ASCI scores, statistical analyses, full written report and discussion											
Senior Scientist	\$164	1	18	\$2,952							
Senior Biologist	\$142	1	30	\$4,260			\$7,212	\$9,342	\$9,342	\$9,529	\$9,529
							TOTAL	\$50,487	\$50,487	\$51,497	\$51,497



August 2, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Engineering and External Affairs

Subject : Rancho Las Virgenes Composting Facility Woolsey Fire Repairs: Approval of Change Order

SUMMARY:

On November 12, 2018, the LVMWD Board declared a state of emergency due to the Woolsey Fire, which devastated portions of western Los Angeles and eastern Ventura counties. The fire impacted most of the JPA's service area and damaged key facilities including the Rancho Las Virgenes Composting Facility. On May 5, 2020, the LVMWD Board, acting as Administering Agent of the JPA, approved a change order to Pacific Hydrotech Corporation, in the amount of \$1,542,900, to complete repairs to the Rancho Las Virgenes Composting Facility. At this time, staff recommends authorization to approve Change Order No. 5, in the amount of \$33,046.29, for additional repair work that was identified during construction and not included in the original scope of work.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to approve Change Order No. 5 to Pacific Hydrotech Corporation, in the amount of \$33,046.29, for additional electrical and structural repairs at the Rancho Las Virgenes Composting Facility.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The cost of the change order is \$33,046.29. Sufficient funding for the work is available in the adopted Fiscal Year 2021-22 JPA Budget. The cost of the repair work is expected to be reimbursed by the JPA's insurance carrier because the damages were caused by the Woolsey Fire.

DISCUSSION:

Background:

On November 12, 2018, the LVMWD Board declared a state of emergency for the Woolsey Fire, which devastated portions of western Los Angeles and eastern Ventura counties. The fire impacted most of the JPA's service area and damaged key facilities including the Rancho Las Virgenes Composting Facility (Rancho).

Staff has worked with the JPA's insurance carrier to secure reimbursement for the cost of repairs to Rancho. To expedite the completion of the repairs and restore the operation of Rancho, staff determined that the best strategy was to issue change orders to the companies that already held construction contracts for similar work at Rancho: Pacific Hydrotech Corporation and GSE Construction, Inc. The two contractors were provided the same scope of work for bidding purposes, which included repair of the biofilter as well as structural and mechanical repairs to Rancho's Amendment Building, to ensure the JPA received competitive pricing for the work to be performed.

JPA legal counsel advised staff to ensure that the work for any proposed change order was related to the original scope of work described in the respective construction contracts. Both contractors were working on repairs and modifications to the composting processes. The scope of work being performed by GSE Construction was for the Digester No. 2 Rehabilitation Project and most closely related to the biofilter repairs. Pacific Hydrotech's work was on the Amendment Bin and Conveyance System Modifications Project, which was most closely related to the required structural and mechanical repairs within the Amendment Building.

Phase I and Phase II Rancho Repairs:

Staff proposed to complete the repairs at Rancho in two phases as additional funding was approved by the JPA's insurance carrier. Phase I consisted of repairs to the biofilter, which provides odor control for the composting process. On February 10, 2020, the LVMWD Board, acting as the Administering Agent of the JPA, approved the work for Phase I. The Phase I work commenced in late March 2020, and was completed in May 2020 by GSE Construction. Staff has been manually loading compost since the completion of the biofilter work, which has been a labor intensive and time-consuming process.

Phase II of the repairs includes structural and mechanical repairs within the Amendment Building. The work consists of structural repairs to the Amendment Building, replacement of the dust collector and repair of damaged mechanical equipment. Completion of the work will eliminate the need for staff to manually load amendment, resulting in greater compost yield and restoration of Rancho to its full operational capacity. On May 5, 2021, the LVMWD Board, acting as the Administering Agent of the JPA, approved Change Order No. 2 to Pacific Hydrotech Corporation, in the amount of \$1,542,900, for Phase II repairs to the Rancho Amendment Building.

Summary of Change Orders:

There have been four change orders approved for the original construction contract with Pacific Hydrotech Corporation. The original contract with Pacific Hydrotech was for the Amendment Bin and Conveyance System Modifications Project, which consisted of installation of a new amendment bin and modification to the conveyance system. The original contract was in the amount of \$1,408,700.

- Change Order No. 1 (\$11,497.63 – Administratively Approved): Change from polyvinyl chloride pipe (PVC) to galvanized steel pipe. The work also included upsizing of electrical wiring for the new conveyors. The change order was part of the original Rancho Amendment Bin and Conveyance System Modification Project.
- Change Order No. 2 (\$1,542,900 – LVMWD Board Approval on May 5, 2020): The change included structural and mechanical repairs to Rancho to address damages from the Woolsey Fire.
- Change Order No. 3 (\$-3,669.52 – Administratively Approved): The deductive change order provided a credit to the JPA for the elimination of structural framing. Structural framing members were removed from the scope after meeting with the JPA's insurance carrier and determining that they were not necessary. The credit was partially offset by the cost of painting the interior of the hopper and additional stucco and studs that were needed for the architectural repair.
- Change Order No. 4 (\$10,439.70 – Approved by Board on June 7, 2021): The change was required to replace burnt electrical wires that were found during demolition and not identified in the original scope of work.

Change Order No. 5 (Recommended):

Change Order No. 5 is recommended, in the amount of \$33,046.29, to include the replacement of the rain gutters, downspouts and fascia board that were not identified in the original scope of work. The change order also addresses additional burnt wires found when taking down exterior lights and a price increase for electrical wires.

The LVMWD Code establishes that a single change order equal to or greater than five percent of the original contract amount must be approved by the Board. Further, if cumulative change orders exceed 10% of the original contract amount, the Board must also approve all subsequent change orders. Starting with Change Order No. 2, the cumulative amount of the change orders exceeded 10% of the original contract amount. As a result, Board approval is required for Change Order No. 5. Staff recommends authorization for the Administering Agent/General Manager to approve Change Order No. 5 to Pacific Hydrotech Corporation, in the amount of \$33,046.29, for additional electrical and structural repairs at Rancho.

Progress of Work:

Demolition for Phase II of the project occurred in March 2021. Construction of Phase II started on May 21, 2021 and is anticipated to continue through the end of September due to delays for equipment delivery. Staff will seek reimbursement for the additional repair work from the JPA's insurance carrier.

Prepared by: Mercedes Acevedo, E.I.T, Assistant Engineer

ATTACHMENTS:

Change Order No. 5



CONTRACT CHANGE ORDER

No. 5

4232 Las Virgenes Road
Calabasas, California 91302-1994

Project: Rancho Fire Repair- Woolsey Fire
Project No. Acct. No. 10689.1880.605

Contractor: Pacific Hydrotech Inc.

Date 08/02/2021

CONTRACTOR CHANGE ORDER NO. 5 The Contractor is hereby authorized and directed to make the herein described changes from the Plans and Specifications or do the following work not included in the Plans and Specifications for the construction of this project.

This change requested by: Pacific Hydrotech Inc.

DESCRIPTION OF CHANGE:

	Description	Amount
1	<u>Item No.1:</u> Installation of fascia board, downspout, and ran gutter damaged during the fire.	\$20,658.88
	<u>Item No.2:</u> Due to increase of wiring cost due to shortages, the cost of the wire has increased. This is reference to change order no.4. The cost includes replacement of wire for the five wall packs, and 2 GFI plugs. The five wall packs and 2 GFI plugs were to be replaced, but the actual wiring was not stated to be replaced in the initial scope of work.	\$12,387.41
	TOTAL	\$33,046.29

INCREASES

TOTAL AT AGREED PRICES OR FORCE ACCOUNT: \$ 33,046.29

DECREASES

(2) Estimate of increases and/or decreases in contract items at contract unit prices:

INCREASES

Item	Description	Quantity	Unit Price	Total
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TOTAL INCREASES:

DECREASES

Item	Description	Quantity	Unit Price	Total
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TOTAL DECREASES

TOTAL NET DECREASE IN CONTRACT ITEMS AT CONTRACT UNIT PRICES

TOTAL COST OF THIS CHANGE ORDER \$33,046.29

INCREASE

DECREASE

It is agreed 0 working days extension of time will be allowed by reason of this change.

Recommended by

Departmental Approval

Mercedes Acevedo, E.I.T
Assistant Engineer

Joe McDermott, P.E
Director of Engineering and External Affairs

ACCEPTED:

APPROVED:

Pacific Hydrotech Inc.

Las Virgenes Municipal Water District

By: _____

By: _____
David W. Pedersen, General Manager

Date: _____

Date: _____

Note: Attention is called to the sections of the Special Provisions and Standard Provisions on EXTRA, ADDITIONAL OR OMITTED WORK.

- THIS CHANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED BY OWNER
- IF ACCEPTABLE TO THE CONTRACTOR, THIS CHANGE ORDER IS EFFECTIVE IMMEDIATELY



PACIFIC HYDROTECH CORPORATION

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

May 4, 2021

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

Attention: **Ms. Mercedes Acevedo**
Construction Manager

Reference: **Amendment Bin and Conveyance Modifications**
PHC Project C1823

Dear Mercedes,

Please see the attached COR 08 for removing damaged rain gutters, downspouts and fascia, and replacing with new. This price also includes painting of all these items to match existing. During site investigation, PHC notice all three of the items had damaged areas and needed replacement. None of these items were included on the schedule of values for this work. The total price for this COR is \$20,658.88 per the attached backup documents.

We have truly enjoyed working with you and your district to make this a successful project. If we can answer and questions regarding this delay or any other aspect of the project, please feel free to call me anytime at 951-943-8803.

Sincerely yours,
Pacific Hydrotech Corp.

Kyle Bremer
Project Manager

PACIFIC HYDROTECH CORPORATION

314 E 3rd Street
 Perris, CA 92570
 (951) 943-8803

EXTRA WORK

DESCRIPTION: Remove Damaged and Install New Gutter, Downspout, and Fascia, Paint to Match

PROJECT NAME: Amendment Bin Replacement

JOB #: C1823

DATE: 5/4/2021

EQUIPMENT	Hours	Rate	Total
Tool Truck	8	21.50	\$ 172.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Subtotal			\$ 172.00
15% Markup		15%	\$ 25.80
Total Cost			\$ 197.80

MATERIAL	Quant	Cost	Total
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Subtotal			\$ -
15% Markup		15%	\$ -
Total Cost			\$ -

SUBCONTRACTS	Unit	Cost	Total
Prestigious Rain Gutters	1	16800.00	\$ 16,800.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Subtotal			\$ 16,800.00
15% Markup		15%	\$ 2,520.00
Total Cost			\$ 19,320.00

LABOR	Hours	Rate	Total
Foreman	8	80.00	\$ 640.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
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			\$ -
			\$ -
			\$ -
			\$ -
Subtotal			\$ 640.00
15% Markup		15%	\$ 96.00
Total Cost			\$ 736.00

Equipment Total Cost	\$ 197.80
Material Total Cost	\$ -
Subcontracts Total Cost	\$ 19,320.00
Labor Total Cost	\$ 736.00
Subtotal	\$ 20,253.80
Bond 1%	\$ 202.54
Insurance 1%	\$ 202.54
TOTAL COSTS	\$ 20,658.88

Mailing Address:
P.O. Box 7993
Northridge, CA 91327-7993
Business Address:
18801 Calvert Street
Tarzana, CA 91335

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prgestimates@aol.com

PROPOSAL

April 27, 2021

PACIFIC HYDROTECH
3700 LAS VIRGENES RD.
CALABASAS, CA. 91302

Remove and Replace

Fire Damaged 80' of Fascia Board Metal Covering

Existing 50' Rain Gutter

26' of Downspouts

Paint and Primer New Material to Match Existing

Includes all Fire Damaged Areas on Building

..... **TOTAL: \$16,800.00**





PACIFIC HYDROTECH CORPORATION

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

June 14, 2021

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

Attention: **Ms. Mercedes Acevedo**
Construction Manager

Reference: **Rancho Woolsey Fire Repairs**
PHC Project C1823

Dear Mercedes,

Please see attached COR 09 for removing and replacing additional wiring and conduits that were damaged during the fire. Per RFI 18 from Venco Electric *“The Fire report has us replacing 2 GFI plugs and wire and 5 wall packs and wire. After investigating, we have found these plugs and lights are in the same conduit as well as 6 additional circuits that are all in the same conduits feeding existing plugs, lights and water heater. This is all fed in an existing 3/4” conduit for a total of 11 #12 wires. All these wires are bad feeding throughout the multiple conduits.”* Venco electric was advised to proceed with the necessary work to correct the problem. The total price for this COR is \$12,387.41 per the attached backup documents.

Also, PHC has added the additional cost for COR 04 of \$2,500.00 and COR 05 of \$1,400.00. The original COR 04 and 05 were submitted in early March and material costs have increased since then. Per last week’s conference call on 6/10, PHC was advised to add the additional costs for COR 04 and 05 to this change order total.

We have truly enjoyed working with you and your district to make this a successful project. If we can answer and questions regarding this delay or any other aspect of the project, please feel free to call me anytime at 951-943-8803.

Sincerely yours,
Pacific Hydrotech Corp.

Kyle Bremer
Project Manager

VENCO ELECTRIC, INC.

Lic #446770 C-10
2360 Sturgis Road, Ste #D
Oxnard, CA 93030
Phone (805) 278-1922
Email: vencoelectric@verizon.net

C/O Proposal #6R

Page No. 1 of 5 Pages
Job Name: AMENDMENT BIN FIRE REPAIR
Location: Calabasas, CA

ATTN: Kyle Bremer
To: Pacific Hydrotech

Date: 06/14/2021

We hereby submit specifications and estimates for:

RFI #18 remove & replace additional damaged #12

Materials	-	\$516.62
Tax	-	\$47.79
Labor	-	<u>\$4,968.00</u>
Service Truck	-	<u>\$168.00</u>
C/O #4 ADD	-	<u>\$2,500.00</u>
C/O #5 ADD	-	<u>\$1,400.00</u>
Subtotal	-	\$9,600.41
OH&P	-	<u>\$960.04</u>
Total	-	\$10,560.45

WE PROPOSE hereby to furnish material and labor – complete in accordance with these specifications, for the sum of: **\$10,560.45**

Payable as follows: _____.

All material is guaranteed to be as specified.

All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature _____ *Roy Martin*

NOTE: This proposal may be withdrawn by us if not accepted within 30 days. ACCEPTANCE OF PROPOSAL – The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date _____ Signature _____ Date _____

PACIFIC HYDROTECH CORPORATION

314 E 3rd Street
 Perris, CA 92570
 (951) 943-8803

EXTRA WORK

DESCRIPTION: Additional Labor and Material to Replace Wires and Conduits that are Fire Damaged
 PROJECT NAME: Rancho Woolsey Fire Repairs
 JOB #: C1823
 DATE: 6/14/2021

EQUIPMENT	Hours	Rate	Total
Tool Truck			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Subtotal			\$ -
15% Markup		15%	\$ -
Total Cost			\$ -
MATERIAL	Quant	Cost	Total
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
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			\$ -
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			\$ -
			\$ -
			\$ -
Subtotal			\$ -
15% Markup		15%	\$ -
Total Cost			\$ -
SUBCONTRACTS	Unit	Cost	Total
Venco Electric	1	10560.45	\$ 10,560.45
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Subtotal			\$ 10,560.45
15% Markup		15%	\$ 1,584.07
Total Cost			\$ 12,144.52

LABOR	Hours	Rate	Total
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
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			\$ -
			\$ -
			\$ -
			\$ -
Subtotal			\$ -
15% Markup		15%	\$ -
Total Cost			\$ -

Equipment Total Cost		\$ -
Material Total Cost		\$ -
Subcontracts Total Cost		\$ 12,144.52
Labor Total Cost		\$ -
Subtotal		\$ 12,144.52
Bond	1%	\$ 121.45
Insurance	1%	\$ 121.45
TOTAL COSTS		\$ 12,387.41



REQUEST FOR INFORMATION No. 18
Amendment Bin Fire Repair Work
Las Virgenes Pacific Hydrotech Corporation

To: Mercedes Acevedo
Las Virgenes Municipal Water District
4232 Las Virgenes Road
Calabasas, CA 91302
Phone: 818.251.2100
E-mail: macevedo@lvmwd.com

From: Kyle D. Bremer
Pacific Hydrotech Corporation
314 E. 3rd St.
Perris, CA 92570
Phone: 951.943.8803
E-mail: Dmckay@pachydro.com

Subject: Extra Burned Wiring

Information Required:

Please see RFI below from Venco Electric and advise.

Date: 4/28/2021 Name of Person requesting info: Kyle Bremer, Pacific Hydrotech

Contractor Recommendation:

Engineer's Response:

Date: _____ Name of Person responding to RFI: _____

VENCO ELECTRIC, INC.
FAX: 805-278-1959
REQUEST FOR INFORMATION

To: Pacific Hydrotech

Attn: Kyle Bremer

From: Mike Sheets

Project Name: Amendment bin fire repair

Drawing Ref: Specification Ref: 16000

Contractor: Venco Electric, Inc. Date: 3-18-21

Description of Clarification/Information required:

Fire report has us replacing 2 GFI plugs and wire and 5 wall packs and wire. After investigation we have found these plugs and lights are in the same conduit as well as 6 additional circuits that are all in the same conduits feeding existing plugs, lights, and water heater. This is all fed in an existing 3/4" conduit for a total of 11 #12 wires. All these wires are bad feeding around the building throughout multiple conduits. Please let us know how to proceed.

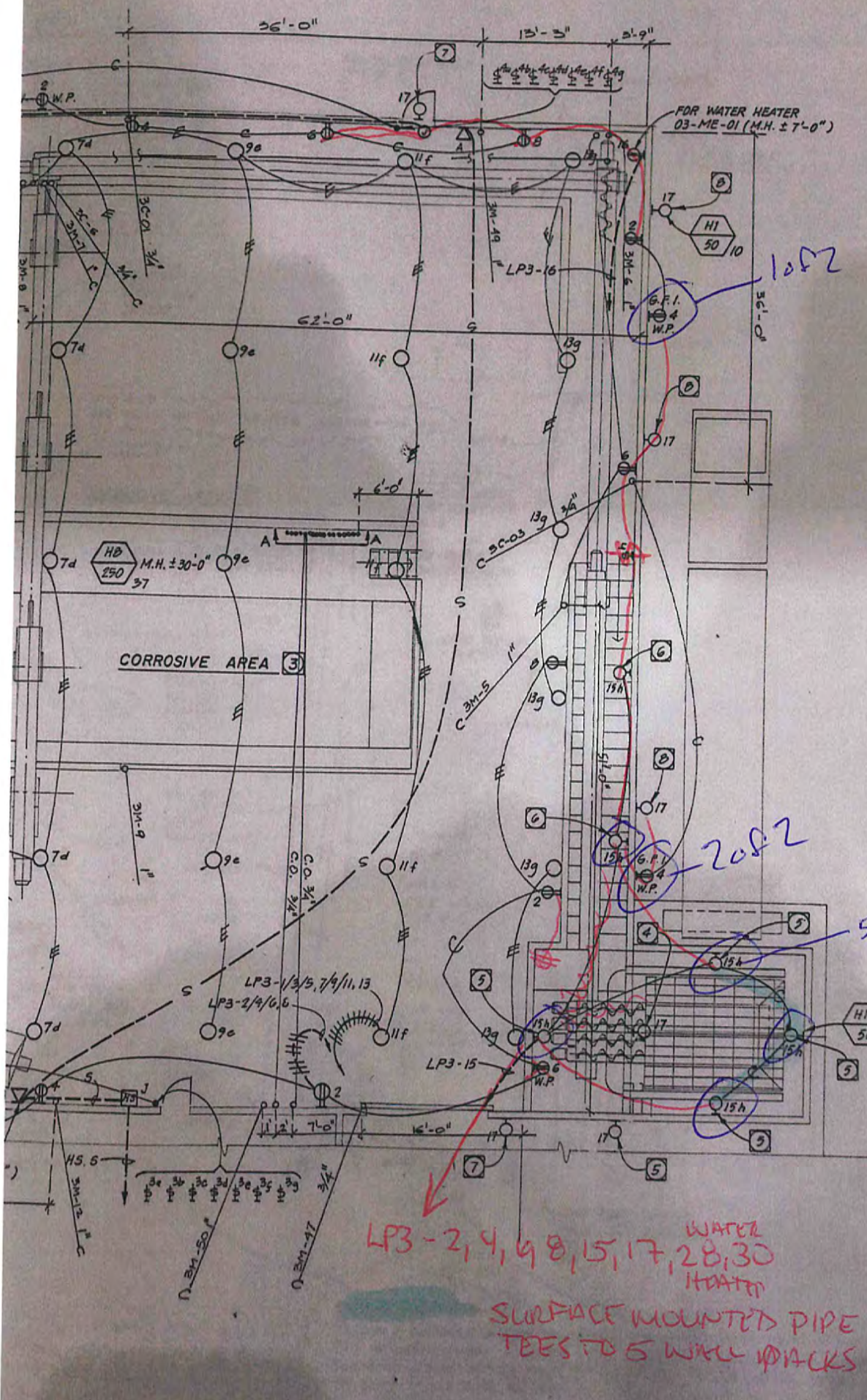
Proposed Solution: Replace conduit and wire as needed to get all these circuits back on line via an approved change order.

R.F.I. By: Mike Sheets Date: 3-18-21

Response:

Response By: _____ Date: _____
Title: _____

Received By: _____ Date: _____



- NOTES:**
- 1 FOR LOCATION
 - 2 SEE RACEWAY
 - 3 THIS AREA SHALL AND SHALL MEE
 - 4 MOUNT = 12'-0"
 - 5 MOUNT = 12'-0"
 - 6 MOUNT = 11'-6"
 - 7 MOUNT = 10'-0"
 - 8 MOUNT = 1'-0"
 - 9 MOUNT LIGHTING
- Mount Light
RFI # 94

3M-40	3/4"
3M-41	1"
3M-42	3/4"
3C-7	3/4"
3C-12	3/4"
3C-13	3/4"
C.O.	3/4"
3C-9	3/4"
3C-10	3/4"
3C-19	1 1/2"
3C-20	1 1/2"

**SECTION VIEW
A-A**

LP3-2, 4, 8, 15, 17, 28, 30
 WATER HEATER
 SURFACE MOUNTED PIPE WITH
 TEES TO 5 WALL PACKS

August 2, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Rancho Solar Generation Project Phase I: Amendment to Performance Guarantee

SUMMARY:

In April 2013, the JPA entered into a Solar Power Purchase Agreement and Performance Guarantee Agreement with Solar City, now Tesla, for the one-megawatt Rancho Solar Generation Project Phase I. Among other terms, the agreements establish guaranteed kilowatt-hour (kWh) production levels for the system over a 20-year period, which is divided into four five-year intervals. During the first five years of operation (February 7, 2014 through February 6, 2019), the system generated approximately 9,840,584 kWh, which is short of the guaranteed amount by 1,613,311 kWh. The shortfall corresponds to a guaranteed performance payment to the JPA in the amount of \$25,812.97.

One factor that contributed to the production shortfall is that the final system was constructed with approximately 214 fewer solar panels than originally envisioned in the Solar Power Purchase Agreement and Performance Guarantee Agreement. The reduction in the number of solar panels was due to changes from Southern California Edison during final construction approval. As a result, Tesla has requested that the JPA amend the Solar Power Purchase Agreement and Performance Guarantee Agreement to reflect the reduced power production of the system.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute amendments to Solar Power Purchase Agreement and Performance Guarantee Agreement with Tesla, Inc., to update the guaranteed kilowatt hour production values based on the final as-built configuration of the Rancho Solar Generation Project Phase I.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The difference between the original and proposed guaranteed kilowatt hour production values varies over the four five-year intervals with a maximum of 0.8%. The amendment would result in a slight reduction to the guaranteed performance payment to the JPA.

DISCUSSION:

The Solar Power Purchase Agreement and Performance Guarantee Agreement provide guaranteed kilowatt hour generation for each of four five-year periods beginning with the "Commercial Operation Date." Based on the final configuration of the system, Tesla requests the following amendment to the agreements:

Guarantee Period	Original Guaranteed kWh	Proposed Guaranteed kWh	Change
Years 1-5	11,453,895	11,367,003	-0.8%
Years 6-10	11,164,655	11,085,655	-0.7%
Years 11-15	10,875,415	10,811,271	-0.6%
Years 16-20	10,586,175	10,543,679	-0.4%

The Rancho Solar Generation Project Phase I has been providing approximate 35% to 40% of the energy required for the Recycled Water Pump Station at \$0.105/kWh with no 0% escalation for 20 years. The solar generation offsets the purchase of power from Southern California Edison at a current rate of \$0.163/kWh, resulting in a cost-savings of approximately \$134,133 for the current year.

Prepared by: Doug Anders, Administrative Services Coordinator

ATTACHMENTS:

- Proposed Amendment to Solar Power Purchase Agreement
- Proposed Amendment to Performance Guarantee Agreement



**Amendment to
Solar Power Purchase Agreement (Commercial CA)**

Purchaser:		Seller:	
Name and Address	Las Virgenes – Triunfo Joint Power Authority 4232 Las Virgenes Rd Calabasas, CA 91302 Attention: David W. Pedersen, Administering Agent/General Manager	Name and Address	Tesla Energy Operations, Inc. formerly known as SolarCity Corporation 3500 Deer Creek Road Palo Alto, CA 94304 Attention: Energy Products
Phone	(818) 251-2100	Phone	(650) 681-5000
E-mail	dpedersen@lvmwd.com	E-mail	energynotices@tesla.com, with a copy to legal@tesla.com
Facility Ownership	Purchaser owns the Facility		Contractor’s License Number CA: CSLB 888104
Project Name	Solar Generation Project-Recycle Water Pump Station		

The Solar Power Purchase Agreement dated April 12, 2013, (the “Agreement”), between Tesla Energy Operations, Inc. formerly known as SolarCity Corporation (“Seller”) and Las Virgenes Municipal Water District (the “Purchaser”) for Solar Generation Project-Recycle Water Pump Station is hereby amended, effective when executed by the Parties below, as follows:

Exhibit 2, System Description, Delivery Point and Premises Sections 2, 3, 5 & 6 are removed and replaced with the following:

- 2. System Size (DC kW): 1,143.45**
- 3. Expected First Year Energy Production (kWh): 2,296,248**
- 5. Expected Module(s):**

<u>Manufacturer/Model</u>	<u>Quantity</u>
Suniva: OPT315-72-4-100	3,630

- 6. Expected Inverter(s):**

Manufacturer/Model	Quantity
Solectria Renewables: SGI500kW-480	2

Signature Page to Follow

If a conflict or inconsistency arises between the provisions of this Amendment and the Agreement, the provisions of this Amendment shall prevail.

Purchaser: Las Virgenes Municipal Water District

Tesla Energy Operations, Inc.

Signature: _____

Signature: _____

Printed Name: David W. Pedersen

Printed Name: RJ Johnson

Title: Administering Agent/General Manager

Title: Attorney-in-Fact

Date: _____

Date: _____



**Amendment to
Performance Guarantee Agreement (PPA)**

Purchaser:		Seller:	
Name and Address	Las Virgenes – Triunfo Joint Power Authority 4232 Las Virgenes Rd. Calabasas, CA 91302 Attention: David W. Pederson	Name and Address	Tesla Energy Operations, Inc. 3500 Deer Creek Road Palo Alto, CA 94304 Attention: Energy Products
Phone	(818) 251-2100	Phone	(650) 681-5000
E-mail	dpedersen@lvmwd.com	E-mail	energynotices@tesla.com, with a copy to legal@tesla.com
Project Name	Solar Generation Project Recycle Water Pump Station		

The Performance Guarantee Agreement dated April 12, 2013, (the "Agreement"), between Tesla Energy Operations, Inc. formerly known as SolarCity Corporation ("Seller") and Las Virgenes Municipal Water District (the "Purchaser"), for Solar Generation Project-Recycle Water Pump Station, is hereby amended effective when executed by the Parties below as follows:

Section 1, C is replaced with the following:

C. **"Guaranteed kWh"**:

True Up Term Years	Guaranteed kWh
Years 1-5	11,367,003
Years 6-10	11,085,655
Years 11-15	10,811,271
Years 16-20	10,543,679

If a conflict or inconsistency arises between the provisions of this Amendment and the Agreement, the provisions of this Amendment shall prevail.

Las Virgenes Municipal Water District

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Tesla Energy Operations, Inc.

Signature: 
Mike Snyder (Jul 14, 2021 13:06 PDT)

Printed Name: **Mike Snyder**

Title: **Attorney-in-Fact**

Date: **Jul 14, 2021**

August 2, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Engineering and External Affairs

Subject : Centrate Treatment 24-Inch Pump Suction Header and Valve Replacement Project: Final Acceptance

SUMMARY:

On January 4, 2021, the JPA Board awarded a construction contract to J.R. Filanc Construction Company, Inc. (J.R. Filanc) for the Centrate Treatment 24-inch Pump Suction Header and Valve Replacement Project at the Rancho Las Virgenes Composting Facility. The project consisted of modifications to the existing centrate treatment pump suction header and replacement of the leaking 24-inch valves. The project is now complete, and there are no significant outstanding issues to prevent final acceptance of the project. Staff recommends filing the Notice of Completion, and releasing the retention as stipulated in the contract documents. In addition, staff recommends approval of Change Order No. 1, in the amount of \$5,699.99, to address construction delays associated with the interference of electrical conduits that were not identified on the record drawings and a clog in Centrate Tank No. 2.

RECOMMENDATION(S):

Approve Change Order No. 1 to J.R. Filanc Construction Company, Inc., in the amount of \$5,699.99, for additional work needed to complete construction; approve the execution of a Notice of Completion and have the same recorded by the Los Angeles County Clerk; and, in the absence of claims from subcontractors and others, release the retention, in the amount of \$5,050.00, 30-calendar days after filing the Notice of Completion for the Centrate Treatment 24-inch Pump Suction Header and Valve Replacement Project.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The cost of the change order is \$5,699.99. The total cost of the project is \$153,313.13. Sufficient funds are available in the adopted Fiscal Year 2021-22 JPA Budget for the work. The project costs are allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation

District.

DISCUSSION:

In 2009, two Aquastore glass-lined, steel tanks (approximately 700,000 gallons each) were converted to centrate treatment tanks at the Rancho Las Virgenes Composting Facility. The converted tanks have proven to be very successful for the treatment of centrate, achieving a consistent nitrogen removal rate in excess of 80 percent. In 2018, a third glass-lined, steel tank (approximately 480,000 gallons) was constructed to provide equalization storage and redundancy for the centrate treatment process.

With the recent addition of the 480,000-gallon storage tank, operations staff would like to use both 700,000 gallon centrate tanks simultaneously for the treatment process to support better nitrogen removal. The 480,000-gallon tank would be used for equalization storage. For this transition to be successful, several existing and leaking valves on the 24-inch centrate pump suction header needed to be replaced. The project consisted of removing the leaking underground 24-inch plug valves and replacing them with new aboveground 20-inch plug valves. On January 4, 2021, the JPA Board awarded a construction contract to J.R. Filanc, in the amount of \$101,000, for the Centrate Treatment 24-inch Pump Suction Header and Valve Replacement Project. The project is now complete, and there are no significant outstanding issues to prevent final acceptance of the work.

J.R. Filanc Change Order No. 1 (Recommended):

Change Order No. 1, in the amount of \$5,699.99, is recommended for approval due to delays encountered during construction. During the course of work, electrical conduits were found to be buried above one of the valves that needed to be replaced. The electrical conduits had not been reflected on the District's record drawings for the facility, nor were they shown on the plans or specifications for the project. To avoid the electrical conduits, the contractor had to cut the suction header that was to be abandoned to remove the valves. The contractor also had to dewater for three hours due to a trench flooding when removing the valve for Centrate Tank No. 2. The tank had not completely drained due to a clog caused by the consolidation of sludge at the bottom of the tank, which caused the trench to flood when the valve for the tank was removed. Despite these setbacks, the project was still completed on June 28, 2021, before the completion deadline of July 5, 2021. The cost of the change order reflects the time and materials associated with addressing the above-described work.

Following is a summary of the total project cost:

Description	Amount
Professional Services	
Design, Bidding, and Construction Support -MKN	\$24,769.00
Construction	
Construction Award	\$101,000.00
Change Order No. 1 (Recommended)	\$5,699.99
Administrative	
District Labor	\$4,474.88
G&A	\$17,369.26
Total Project Cost	\$153,313.13
Existing Appropriation	\$289,000.00

Prepared by: Mercedes Acevedo, E.I.T, Assistant Engineer

ATTACHMENTS:

Notice of Completion

Construction Photos

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Name
Street
Address
City &
State
Zip

SPACE ABOVE THIS LINE FOR RECORDER'S USE

T 420 LEGAL (9-94)

Notice of Completion

NOTICE IS HEREBY GIVEN THAT:

- 1. The undersigned is the owner of the interest or estate stated below in the property hereinafter described.
- 2. The full name of the undersigned is _____ (NAME).
- 3. The full address of the undersigned is _____

 (NUMBER AND STREET, CITY, STATE, ZIP).
- 4. The nature of the title of the undersigned is OWNER IN FEE
 (E.G., owner in fee OR vendee under contract of purchase OR lessee OR OTHER APPROPRIATE DESIGNATION).
- 5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

Names	Addresses
_____	_____
_____	_____
- 6. The names of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work of improvement herein referred to are (OR IF NO TRANSFER WAS MADE, INSERT THE WORD "none"):

Names	Addresses
_____	_____
_____	_____
- 7. A work of improvement on the property hereinafter described was completed on _____ (DATE).
- 8. The name of the original contractor, if any, for the work of improvement was _____
 (NAME OF CONTRACTOR, OR IF NO CONTRACTOR FOR THE WORK OF IMPROVEMENT AS A WHOLE, INSERT THE WORD "none"). [IF NOTICE COVERS COMPLETION OF CONTRACT FOR ONLY PART OF THE WORK OF IMPROVEMENT, ADD: The kind of work done or material furnished was _____
 (GIVE GENERAL STATEMENT, E.G., furnishing of concrete for sidewalks].
- 9. The property on which the work of improvement was completed is in the City of _____, County of _____, State of California, and is described as follows: _____

 (set forth description of jobsite sufficient for identification, using legal description if possible).
- 10. The street address of the said property is _____
 (NUMBER AND STREET, OR, IF THERE IS NO OFFICIAL STREET ADDRESS, INSERT THE WORD "none".)

Dated: _____, _____ Las Virgenes Municipal Water District

(SIGNATURE)

(TYPED NAME)

VERIFICATION

I, the undersigned, say:
 I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.
 I declare under penalty of perjury that the foregoing is true and correct.

Executed at _____, California, this _____ day of _____,
 _____ (SIGNATURE)

DO NOT RECORD

Recommended Procedure in the Preparation of a Notice of Completion

A notice of completion must be filed for record *within 10 days* after completion of the work of improvement (to be computed exclusive of the day of completion), as provided in section 3093, Civil Code.

The "owner" who must file for record a notice of completion of a building or other work of improvement means the owner (or his successor in interest at the date of notice is filed) on whose behalf the work was done, though his ownership is less than the fee title. For example, if A is the owner in fee, and B, lessee under a lease, causes a building to be constructed, then B, or whoever has succeeded to his interest at the date the notice is filed, must file the notice.

If the ownership is in *two or more persons as joint tenants or tenants in common*, the notice may be signed by any one of the co-owners (in fact, the foregoing form is designed for giving of the notice by only one co-tenant), but the names and addresses of the other co-owners must be stated in paragraph 5 of the form.

In paragraphs 3 and 5, the full address called for should include street number, city, county and state.

As to paragraph 6, insert the date of completion of the work of improvement as a *whole* if applicable. However, if the notice is to be given only of completion of a particular contract, where work of improvement is made pursuant to two or more original contracts, strike the words "a work of improvement" and insert a general statement of the kind of work done or materials furnished pursuant to such contract (e.g. "The foundations for the improvements").

If the notice is to be given as a notice of completion of the work of improvement as a *whole*, insert the name of the prime contractor, if any, in paragraph 7. No contractor's name need be given if there is no general contractor, e.g., on so-called "owner-builder jobs". However, if the notice is to be given only of completion of a particular contract, where work of improvement is made pursuant to two or more original contracts, insert the name of the contractor who performed that particular contract.

Paragraph 8 should be completed only where the notice is signed by a successor in interest of the owner who caused the improvement to be constructed.

In paragraph 9, insert the *full legal* description, not merely a street address or tax description. Refer to deed or policy of title insurance. If the space provided for description is not sufficient, a rider may be attached.

In paragraph 10, show the street address, if any, assigned to the property by any competent public or governmental authority.

**NOTICE
OF COMPLETION**

CHICAGO TITLE COMPANY



WESTERN DIVISION HEADQUARTERS
245 S. LOS ROBLES AVENUE, SUITE 105
PASADENA, CALIFORNIA 91101-2820
(818) 432-7600

CHICAGO TITLE COMPANY





Installation of the new above ground valves, and suction header



Centrate treatment water flooding trench after pulling old 24 inch valve.



Installation of new 20 inch valves above ground



Installation of new pipe supports

August 2, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Engineering and External Affairs

Subject : Digester No. 2 Rehabilitation Project: Final Acceptance

SUMMARY:

On December 9, 2019, the JPA Board awarded a construction contract to GSE Construction, in the amount of \$1,882,000, for the Digester No. 2 Rehabilitation Project. The scope of work included replacement of valves on Digester No. 2, a new sludge gas line, four new hatch covers and the repair of cracks in the digester roof. The scope also included installation of conduit and lighting supports on Digester No. 1 and sealing of explosion-proof fittings. The work was substantially completed July 13, 2021. There are no outstanding issues to prevent acceptance of the project, and staff recommends the Board approve the execution of a Notice of Completion as stipulated in the contract documents.

RECOMMENDATION(S):

Approve the execution of a Notice of Completion and have the same recorded; waive liquidated damages associated with delays during construction; and, in the absence of claims from subcontractors and others, release the retention, in the amount of \$105,424.50, 30-calendar days after filing the Notice of Completion for the Digester No. 2 Rehabilitation Project.

FISCAL IMPACT:

No

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total cost of the project was \$2,760,736.81. Sufficient funding for the project is available in the adopted Fiscal Year 2020-21 JPA Budget. The project costs are allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District.

DISCUSSION:

The Rancho Las Virgenes Composting Facility processes biosolids from the Tapia Water Reclamation Facility, producing high-quality compost that is provided at no cost to the public by the JPA. The facility has three digesters that treat the biosolids in preparation for dewatering and composting. Digester Nos. 1 and 2 were constructed in the early 1990s and have been in continuous service. In 2015, Digester No. 3 was constructed to provide redundancy and allow for Digester Nos. 1 and 2 to be temporarily taken out of service, one at a time, for maintenance and rehabilitation. Rehabilitation work for Digester No. 1 was completed in August 2018. The JPA Board approved the construction contract for rehabilitation of Digester No. 2 on December 9, 2019.

Following is a summary of the change orders during construction:

Change Order No. 1 (\$188,100):

Change Order No. 1, which was approved on February 18, 2020, in the amount of \$188,100, was issued to the contractor to make biofilter repairs due to damages that arose from the Woolsey Fire. The work partially restored composting operations. The change order was 9.99% of the original contract amount. The LVMWD Code stipulates that all change orders cumulatively above 10% of the original contract amount must be approved by the Board. As a result, Board approval was required for all change orders after Change Order No. 1.

Change Order No. 2 (\$2,975):

The piping, fittings and couplings for the sludge gas line were intended to be stainless steel for improved longevity due to the corrosivity of the sludge gas. However, the plans and specifications did not specify that the couplings for the sludge gas were to be stainless steel.

Change Order No. 3 (82 Calendar Days Extension):

Due to the COVID-19 pandemic, there was an extended delay to procure the valves. The contract was extended 82 calendar days, or 25% of the original contract duration, due to these delay that were beyond the control of the contractor.

Change Order No. 4 (\$35,415):

This change order addressed extensive buildup of caked sludge to prepare the construction joints. Change Order No. 4 also addressed the need to repair concrete that was failing within the digester, and additional conduit and wire that was needed due to a change in orientation of the valves within the digester pump room.

Following is a summary of the total project cost:

Description	Cost
Professional Services	
Design & Bidding- PACE, Inc.	\$56,630.00
Change Order No.1	\$5,000
Construction:	
Construction Award	\$1,882,000
Change Order No.1	\$188,100
Change Order No.2	\$2,975

Change Order No. 3	\$0 (82 day extension)
Administrative	
District Labor	\$46,373.33
G&A	\$194,416.08
Digester No. 2 Cleaning Expenditure (Completed 03/02/19)	\$349,827.40
Total Estimated Project Cost	\$2,760,736.81
Total Project Budget	\$2,856,488.00

Staff recommends that the Board waive liquidated damages for the project. There were significant delays during construction due to the COVID-19 pandemic, which affected the contractors ability to obtain materials and labor. While a time extension was provided with Change Order No. 3, the additional days were not sufficient to address the full extent of delay to the overall project. The majority of the valves for the project were not shipped by the manufacturer until after the original project end date due to material shortages related to the pandemic. GSE Construction worked diligently to obtain the necessary materials in a timely fashion, and worked with staff to complete the project as expeditiously as possible given the unique circumstances.

Prepared by: Mercedes Acevedo, E.I.T, Assistant Engineer

ATTACHMENTS:

- Notice of Completion
- Construction Photos

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Name
Street
Address
City &
State
Zip

SPACE ABOVE THIS LINE FOR RECORDER'S USE

T 420 LEGAL (9-94)

Notice of Completion

NOTICE IS HEREBY GIVEN THAT:

- 1. The undersigned is the owner of the interest or estate stated below in the property hereinafter described.
- 2. The full name of the undersigned is _____ (NAME).
- 3. The full address of the undersigned is _____

 (NUMBER AND STREET, CITY, STATE, ZIP).
- 4. The nature of the title of the undersigned is OWNER IN FEE
 (E.G., owner in fee OR vendee under contract of purchase OR lessee OR OTHER APPROPRIATE DESIGNATION).
- 5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

Names	Addresses
_____	_____
_____	_____
- 6. The names of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work of improvement herein referred to are (OR IF NO TRANSFER WAS MADE, INSERT THE WORD "none"):

Names	Addresses
_____	_____
_____	_____
- 7. A work of improvement on the property hereinafter described was completed on _____ (DATE).
- 8. The name of the original contractor, if any, for the work of improvement was _____
 (NAME OF CONTRACTOR, OR IF NO CONTRACTOR FOR THE WORK OF IMPROVEMENT AS A WHOLE, INSERT THE WORD "none"). [IF NOTICE COVERS COMPLETION OF CONTRACT FOR ONLY PART OF THE WORK OF IMPROVEMENT, ADD: The kind of work done or material furnished was _____
 (GIVE GENERAL STATEMENT, E.G., furnishing of concrete for sidewalks].
- 9. The property on which the work of improvement was completed is in the City of _____, County of _____, State of California, and is described as follows: _____

 (set forth description of jobsite sufficient for identification, using legal description if possible).
- 10. The street address of the said property is _____
 (NUMBER AND STREET, OR, IF THERE IS NO OFFICIAL STREET ADDRESS, INSERT THE WORD "none".)

Dated: _____, _____ Las Virgenes Municipal Water District

(SIGNATURE)

(TYPED NAME)

VERIFICATION

I, the undersigned, say:
 I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.
 I declare under penalty of perjury that the foregoing is true and correct.

Executed at _____, California, this _____ day of _____,
 _____ (SIGNATURE)

DO NOT RECORD

Recommended Procedure in the Preparation of a Notice of Completion

A notice of completion must be filed for record *within 10 days* after completion of the work of improvement (to be computed exclusive of the day of completion), as provided in section 3093, Civil Code.

The "owner" who must file for record a notice of completion of a building or other work of improvement means the owner (or his successor in interest at the date of notice is filed) on whose behalf the work was done, though his ownership is less than the fee title. For example, if A is the owner in fee, and B, lessee under a lease, causes a building to be constructed, then B, or whoever has succeeded to his interest at the date the notice is filed, must file the notice.

If the ownership is in *two or more persons as joint tenants or tenants in common*, the notice may be signed by any one of the co-owners (in fact, the foregoing form is designed for giving of the notice by only one co-tenant), but the names and addresses of the other co-owners must be stated in paragraph 5 of the form.

In paragraphs 3 and 5, the full address called for should include street number, city, county and state.

As to paragraph 6, insert the date of completion of the work of improvement as a *whole* if applicable. However, if the notice is to be given only of completion of a particular contract, where work of improvement is made pursuant to two or more original contracts, strike the words "a work of improvement" and insert a general statement of the kind of work done or materials furnished pursuant to such contract (e.g. "The foundations for the improvements").

If the notice is to be given as a notice of completion of the work of improvement as a *whole*, insert the name of the prime contractor, if any, in paragraph 7. No contractor's name need be given if there is no general contractor, e.g., on so-called "owner-builder jobs". However, if the notice is to be given only of completion of a particular contract, where work of improvement is made pursuant to two or more original contracts, insert the name of the contractor who performed that particular contract.

Paragraph 8 should be completed only where the notice is signed by a successor in interest of the owner who caused the improvement to be constructed.

In paragraph 9, insert the *full legal* description, not merely a street address or tax description. Refer to deed or policy of title insurance. If the space provided for description is not sufficient, a rider may be attached.

In paragraph 10, show the street address, if any, assigned to the property by any competent public or governmental authority.

**NOTICE
OF COMPLETION**

CHICAGO TITLE COMPANY



WESTERN DIVISION HEADQUARTERS
245 S. LOS ROBLES AVENUE, SUITE 105
PASADENA, CALIFORNIA 91101-2820
(818) 432-7600

CHICAGO TITLE COMPANY





Installation of concrete injection system to seal Digester No.2 from any air loss.



New installation ductile iron pipe installed inside Digester No.2



Additional photos of new pipe installed inside Digster No.2