

## Federal Report: Las Virgenes Water District

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### CONGRESS

#### Members of Congress Relaunch Bipartisan Congressional PFAS Task Force

Congressman Dan Kildee (D-MI-08) and Congressman Brian Fitzpatrick (R-PA-04) have relaunched the Congressional PFAS Task Force in the 118<sup>th</sup> Congress. The goals of the task force are to spread awareness on PFAS chemicals, find ways to better protect communities, and reduce PFAS usage and contamination.

The task force consists of over 50 Democrat and Republican members of congress, including California Representatives Ro Khanna (CA-17) and Katie Porter (CA-47).

#### The House Passes Bill to Raise the Debt Ceiling as Negotiations Continue

On April 19<sup>th</sup>, 2023, Speaker of the House Kevin McCarthy proposed legislation to raise the debt ceiling, a plan that will cut federal spending and repeal many of the Administration's priorities. The legislation was formally introduced by Congressman Jodey Arrington (TX-19) on April 25<sup>th</sup>, 2023, as H.R. 2811, the Limit, Save, Grow Act of 2023.

This bill includes many provisions to decrease federal spending and make cuts to certain federal programs. The plan would ultimately either suspend the debt limit until March 31, 2024, or raise the debt ceiling by \$1.5 trillion, whichever comes first. It reduces federal spending by \$130 billion, but does not specify agencies and departments that would be cut, leaving these determinations to the congressional appropriations process. The bill does, however, cap any increase to agency budgets at 1% per year for 10 years. It would also include H.R. 277, the Regulations From the Executive in Need of Scrutiny (REINS) Act introduced by Rep. Kat Cammack (FL-3). This bill would amend and broaden the Congressional Review Act, mandating congressional approval of major agency regulations before they are implemented.

The House of Representatives voted on H.R. 2811 on April 26<sup>th</sup>, 2023, and it passed in a 217-215 vote. The bill will now head to the Senate for consideration. It is not likely that the

Senate will vote on this bill directly and rather will take up a version the President would be willing to sign into law.

On Tuesday, May 16<sup>th</sup>, 2023, President Biden met with Speaker McCarthy and Senate Majority Leader Chuck Schumer to discuss the debt ceiling. There was no sign of a constructive solution at the close of the meeting, but there is a plan for continuing meetings and negotiations. Speaker McCarthy's team, joined by Congressman Garrett Graves (R-LA-06) will further discussions with Office of Management and Budget Director Shalanda Young, and members of White House staff.

### **Senate Holds Hearing to Review the FY24 President's Budget Request for Department of Interior**

On May 2<sup>nd</sup>, 2023, the Senate Committee on Energy and Natural Resources held a hearing Titled, *Examination of the FY24 President's Budget Request for the Department of Interior*. This hearing discussed the proposed budget for the Department of the Interior and other relevant issues. The Department has been provided with \$48.1 billion in the past 19 months, including \$47.3 billion for targeted investments through the Bipartisan

Infrastructure Law and Inflation Reduction Act and a \$779 million dollar increase in annual appropriations last year. The Administration is now requesting an additional \$18.9 billion for FY 2024, which is a 12% increase over FY 2023 appropriations. The committee discussed the justifications for such large increases on top of historic funding, as well as the state of leasing programs.

During the hearing, the committee largely centered its attention on the ongoing conflict surrounding the Administration's intention to restrict oil and gas leasing, a move that the committee feels is crucial to maintaining U.S. leadership and energy security. The committee expressed apprehension about the Department's inability to fulfill its statutory obligations and meet deadlines, particularly in areas such as streamlining the permitting process for critical minerals and irrigation projects. In addition, the hearing addressed the pressing water-related challenges that the nation, particularly in the West, is facing, including the allocation of funding for water projects and the levels of snowpack in the region.

During the hearing, Chairman Joe Manchin (D-WV) expressed his apprehension regarding the lack of progress and prolonged delay in licensing and permitting for coal and other fossil fuels. He further criticized the Biden administration's alleged lack of support for such projects. Manchin stressed the importance of supporting both clean energy and fossil fuel projects to ensure the fulfillment of the country's energy and mineral needs.

Ranking Member John Barrasso (R-WY) raised concerns on the licensing and permitting issues, but also chose to specifically criticize Secretary Haaland's proposed funding cut to the Bureau of Reclamation, which would be its third cut in as many years.

*Programs of Emphasis:*

Indian Water Rights Settlement – The budget proposes \$2.5 billion in mandatory funding over 10 years to expand the Indian Water Rights Settlement Completion Fund and \$340 million in mandatory funding over 10 years for ongoing costs related to enacted water settlements managed by the Bureau of Reclamation. This funding aims to provide stable support for Indian water rights settlements and ensure reliable water supplies for Tribal communities.

Bureau of Reclamation – The Bureau of Reclamation's FY 2024 budget requests a total of \$1.45 billion in federal discretionary appropriations. The budget includes funding for the California Bay Delta account (\$33.0 million), the Central Valley Project Restoration Fund (\$48.5 million), and the Dam Safety Program (\$105.3 million). There is also \$62.9 million for the WaterSMART Program, which collaborates with States, Tribes, and local entities to address water shortages. These investments, along with funds from the Bipartisan Infrastructure Law and Inflation Reduction Act, will help Reclamation provide dependable water and power to the West, and respond to drought and climate change.

**The Senate Environment and Public Works Committee Holds Hearing on WRDA**

On May 3rd, 2023, the Senate Environment and Public Works Committee held a hearing titled, *FY24 Budget for Civil Works Program of U.S. Army Corps of Engineers and Implementation of the WRDA of 2022*. The request for the U.S. Army Civil Works Program amounts to a historic \$7.4 billion, the largest request in the program's history. This substantial amount will be further supplemented by an additional \$1.05 billion from the Infrastructure Investment and Jobs Act. The hearing examined the urgent water resource challenges of the 21st century, with a focus on climate change and the economic ramifications we could face in the future from it. Overall, the hearing shed light on critical issues facing the Army Corps of Engineers, and acted as a meeting ground to discuss the coordination needed between Congress and the Army Corps of Engineers to effectively address these issues.

In his opening statement, Chairman Tom Carper (D-DE) stressed the importance of utilizing the allocated funds not just for immediate benefits but also for the future. In 2022, there were 18 "climate disasters" that caused at least \$1 billion in damage, and the same number of disasters are anticipated in 2023. He expressed concern that funding for this program is typically used for disaster response rather than proactive preparation and

building infrastructure resilience to survive these disasters. During the discussion, Ranking Member Shelly Moore Capito (R-WV) highlighted the significance of the 25 new projects and 100 feasibility studies planned under the Water Resources Development Act (WRDA) of 2022. She emphasized that these projects and studies are crucial in addressing future water resource challenges, and stressed the importance of the Army Corps of Engineers in completing these within the set timeline and budget.

Senator Alex Padilla (D-CA) underscored the need to prioritize disadvantaged communities in the aftermath of disasters. He suggested revisiting the benefit-to-cost ratio used by the Army Corps in selecting projects, as it tends to overlook the pressing need for mitigation and preparation in low-income areas with low property values. Additionally, he raised concerns about the record snowpack in the West, which poses a risk of flooding to downstream communities when it melts. Assistant Secretary Michael Connor responded that effective communication and coordination will be needed to prepare the day-to-day operators of levees for the anticipated increase in downstream water volume.

### The House Committee on Transportation and Infrastructure Holds Hearing on Clean Water Act

On May 16<sup>th</sup>, 2023, the House Committee on Transportation and Infrastructure holds a hearing titled 'The Next Fifty Years of the Clean Water Act: Examining the Law and Infrastructure Project Completion'. Witnesses included Andrea Travnicek, Director, Department of Water Resources for the State of North Dakota, Serena Coleman McIlwain, Secretary of the Environment for the State of Maryland, Mickey Conway, CEO, Metro Water Recovery in Denver, Colorado, and Brandon Farris, Vice President of E&R Policy for the National Association of Manufacturers.

Since its inception, the Clean Water Act (CWA) has successfully reduced pollution and improved water quality through regulations on point source discharges and wetland protection. However, modern challenges require updates to the CWA. These include addressing non-point source pollution, emerging contaminants, climate change impacts, environmental justice concerns, and incorporating technological advancements. Revisions to the CWA, increased funding, and collaboration among stakeholders are necessary to effectively tackle these challenges and safeguard water resources for the future.

One of the main topics address was PFAS contamination and its impact on water infrastructure. Secretary McIlwain highlighted the urgency of addressing this issue, as it wastes valuable resources and poses significant risks, especially to disadvantaged communities. Congresswoman Hillary Scholten (D-MI) raised concerns about the

wastewater industry's ability to handle PFAS, pointing out the immense costs associated with constantly changing filters and the threat of increased litigation. Congressman Bruce Westerman (R-AR) warned about the potential liability and costs that could burden water utility facilities and taxpayers if PFAS falls under CERCLA classifications.

## Federal Budget/Appropriations

The House Appropriations Committee is gearing up for their busy season, with full committee and subcommittee markups on the horizon. House Appropriations Subcommittee Markups are scheduled for June 7-8, although it is still uncertain which subcommittee will meet on which dates. Similarly, the House Appropriations Full Committee Markups are set for May 23-25 and June 13-15, but the details are still unclear. This busy season is further complicated by the impending Debt Limit issue, with a reported default date of June 1, as announced by the Secretary of Treasury Janet Yellen. May will undoubtedly be a packed month for the House of Representatives and will set the tone for the remainder of the year. We eagerly await news on whether House Appropriations Chairwoman Kay Granger (R-TX) will present each individual Appropriation bill for the first time since 2012 or whether they will be passed as an omnibus, as has been the norm in recent years. There is less clarity on the upcoming schedule for Senate Appropriations Committee, with it being expected they will wait for the dust to settle in the House before setting any strong course of action.

## Judicial/Courts

### Supreme Court Announces it will Consider a Case that Could Overturn the 1984 *Chevron v. Natural Resources Defense Council* Ruling

The Supreme Court of the United States (SCOTUS) announced it will consider *Loper Bright Enterprises v. Raimondo*, a case brought by four New Jersey fishing companies. This case raises a challenge to the *Chevron* doctrine set forth by SCOTUS in 1984 in *Chevron v. Natural Resources Defense Council*. *Loper Bright Enterprises v. Raimondo* has arisen from an appeal by the fishing companies who argue a federal requirement, set forth by the National Marine Fisheries Services (NMFS) that fishing companies pay for third-party monitors aboard their vessels. A monitor is an individual who is hired by fishing companies to observe and report on their fishing activities to ensure they are practicing good conservation and management. The parties do not question NMFS authority to require third-party monitors, the issue rests on the requirement NMFS lays out for the fishermen to pay the observers upwards of 20 percent of the vessel's annual returns.

The outcome of this case will have far-reaching implications for federal regulatory authority. For nearly four decades, *Chevron* deference has been applied in cases to determine when a federal court should defer to a government agency's interpretation of a statute. Some of the Justices of SCOTUS, including Justices Gorsuch, Kavanaugh, and Thomas, have previously authored opinions against *Chevron* deference. When issuing its decision on the case, the Court may decide not to do away with *Chevron* completely, but could decide to narrow the scope of deference as it relates to statutory silence.

## Funding Opportunities

### Department of Interior

The Fish and Wildlife Service opened an grant opportunity, titled 'Fish Restoration and Irrigation mitigation Act'. This program provides assistance to state and local governments to remove instream barriers to allow fish and aquatic organism passage. The goal of the program is to restore fish populations and ecosystems. Initial proposals are due **June 6, 2023**. More information can be found [here](#).

### Department of Energy

The Office of State and Local Energy Programs has opened the Energy Efficiency and Conservation Block Grant Program. This opportunity aims to reduce carbon emissions and improve energy efficiency to state and local governments. The grant provides technical assistance to entities, which includes thorough planning and strategizing energy efficiency goals, and implementation of programs to incentivize and monitor efficiency goals. Applicants must submit a pre-award information sheet, which is due **July 31, 2023**. More information can be found [here](#).

### Department of Agriculture

The Inflation Reduction Act funded the Urban and Community Forestry program, which provides investments that improve community forest resilience for extreme weather and climate change-related events. Applications are due by **June 1, 2023**. More information can be found [here](#).



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### May 2023 Bill Tracking Matrix

Legislation	Summary	Status	Cosponsors	# of Cosponsors
H.R. 215 WATER for California Act	To provide long-term water supply and regulatory reliability to drought-stricken California, and for other purposes.	1/09/2023 Introduced by Rep. David Valadao (R-CA-21)  4/28/2023 Subcommittee on Water, Wildlife, and Fisheries Discharged.	<b>Rep. Ken Calvert (R-CA-42);</b> <b>Rep. John Duarte (R-CA-13);</b> <b>Rep. Mike Garcia (R-CA-25);</b> <b>Rep. Darrell Issa (R-CA-50);</b> <b>Rep. Kevin Kiley (R-CA-3);</b> <b>Rep. Young Kim (R-CA-39);</b> <b>Rep. Doug LaMalfa (R-CA-1);</b>	11
H.R. 186 Water Supply Permitting Coordination Act	To authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes.	01/09/2023 Introduced by Rep. Tom McClintock (R-CA-4)  2/21/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	<b>Rep. Doug LaMalfa (R-CA-1);</b> <b>Rep. David Valadao (R-CA-21);</b> Rep. Cliff Bentz (R-OR-2); Rep. Burgess Owens (R-UT-4); Rep. Pete Stauber (R-MN-8);	5
H.R. 250 Clean Water SRF Parity Act	This bill expands the state revolving fund established under the Clean Water Act, including by allowing low-interest loans to be given to privately owned treatment works to address wastewater. Currently, loans are given to wastewater systems that are publicly owned.	01/10/2023 Introduced by Rep. John Garamendi (D-CA-8)  02/01/2023 Referred to the Subcommittee on Water Resources and Environment.	Rep. Mike Bost (R-IL-12); Rep. Donald Norcross (D-NJ-1); Rep. Abigail Spanberger (D-VA-7)	3
H.R. 369 NIST Wildland Fire Communications and Information Dissemination Act	To require the National Institute of Standards and Technology to conduct research on public safety communication coordination standards among wildland firefighters and fire management response officials.	01/17/2023 Introduced by Rep. Young Kim (R-CA-40).  01/17/2023 Referred to the House Committee on Science, Space, and Technology.	Rep. Teresa Leger Fernandez (D-NM-3); <b>Rep. Mike Garcia (R-CA-25);</b> Rep. Joe Neguse (D-CO-2); Rep. Melanie Ann Stansbury (D-NM-1)	4
S. 64 Water Rights Protection Act of 2023	A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes.	01/25/2023 Introduced by Senator John Barrasso (R-WY).  01/25/2023 Referred to the Committee on Energy and Natural Resources.	Sen. Mike Crapo (R-ID); Sen. James Risch (R-ID)	2
S. 188 Wildfire Emergency Act of 2023	A bill to direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.	01/31/2023 Introduced by Senator Dianne Feinstein (D-CA)  01/31/2023 Referred to the Committee on Energy and Natural Resources.	Sen. Steve Daines (R-MT); <b>Sen. Alex Padilla (D-CA);</b> Sen. Ron Wyden (D-OR)	3
H.J.Res 27 Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to 'Revised Definition of Waters of the United States'.	This joint resolution nullifies the rule titled Revised Definition of "Waters of the United States," which was submitted by the U.S. Army Corps of Engineers and the Environmental Protection Agency on January 18, 2023. The rule specifies which bodies of water fall under the scope of the Clean Water Act and are thereby under federal jurisdiction and protected. For example, the definition in the 2023 rule includes certain wetlands and ephemeral waters (e.g., waters that flow intermittently). The 2023 rule replaced the 2020 Navigable Waters Protection Rule that included a narrower definition of waters of the United States.	02/02/2023 Introduced by Rep. Sam Graves (R-MO-06).  04/18/2023 The Chair directed the Clerk to notify the Senate of the action of the House.	<b>Rep. Ken Calvert (R-CA-42);</b> <b>Rep. John Duarte (R-CA-13);</b> <b>Rep. Mike Garcia (R-CA-25);</b> <b>Rep. Darrell Issa (R-CA-50);</b> <b>Rep. Kevin Kiley (R-CA-3);</b> <b>Rep. Doug LaMalfa (R-CA-1);</b> <b>Rep. Tom McClintock (R-CA-4);</b> <b>Rep. David Valadao (R-CA-21);</b> Rep. Robert Aderholt (R-AL-4); Rep. Mark Alford (R-MO-4); Rep. Rick Allen (R-GA-12); Rep. Mark Amodei (R-NV-2); Rep. Kelly Armstrong (R-ND-1); Rep. Jodey Arrington (R-TX-19); Rep. Brian Babin (R-TX-36); Rep. Don Bacon (R-NE-2); Rep. Jim Baird (R-IN-4); Rep.	170



<p>S.J. Res. 7 A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to 'Revised Definition of "Waters of the United States"'.           H.R. 873 Water Quality and Environmental Innovation Act</p>	<p>This joint resolution nullifies the rule titled Revised Definition of "Waters of the United States," which was submitted by the U.S. Army Corps of Engineers and the Environmental Protection Agency on January 18, 2023. The rule specifies which bodies of water fall under the scope of the Clean Water Act and are thereby under federal jurisdiction. The 2023 rule replaced a 2020 rule that included a narrower definition of waters of the United States.           To authorize the Administrator of the Environmental Protection Agency to award grants and contracts for projects that use emerging technologies to address threats to water quality, and for other purposes.</p>	<p>02/02/2023 Introduced By Senator Shelley Moore Capito (R-WV).           02/13/2023 Star Print ordered on the joint resolution.</p>	<p>Sen. John Barrasso (R-WY); Sen. Marsha Blackburn (R-TN); Sen. John Boozman (R-AR); Sen. Mike Braun (R-IN); Sen. Katie Britt (R-AL); Sen. Ted Budd (R-NC); Sen. Bill Cassidy (R-LA); Sen. Susan Collins (R-ME); Sen. John Cornyn (R-TX); Sen. Thomas Cotton (R-AR); Sen. Kevin Cramer (R-ND); Sen. Mike Crapo (R-ID); Sen. Ted Cruz (R-TX); Sen. Steve Daines (R-MT); Sen. Joni Ernst (R-IA); Sen. Deb Fischer (R-NE); Sen. Lindsey Graham (R-SC); Sen. Chuck Grassley (R-IA); Sen. Bill Hagerty (R-TN); Sen. Josh</p>	<p>49</p>
<p>H.R. 872 FISH Act</p>	<p>To direct the Administrator of the Federal Aviation Administration to conduct a study relating to ultrafine particles, and for other purposes.</p>	<p>02/08/2023 Introduced by Rep. Byron Donalds (R-FL-19)           Referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Science, Space, and Technology.</p>	<p>Rep. Josh Gottheimer (D-NJ-5)</p>	<p>1</p>
<p>H.R. 1049 Protecting Airport Communities from Particle Emissions Act</p>	<p>This bill gives the Fish and Wildlife Service (FWS) the sole authority to protect endangered or threatened species that are anadromous species (species of fish that spawn in fresh or estuarine waters and that migrate to ocean waters) or catadromous species (species of fish that spawn in ocean waters and migrate to fresh or estuarine waters). Currently, the FWS shares this authority with the National Marine Fisheries Service.</p>	<p>02/08/23 Introduced by Rep. Ken Calvert (R-CA-41)           02/21/23 Referred to the Subcommittee on Water, Wildlife, and Fisheries.</p>	<p><b>Rep. Jim Costa (D-CA-16);</b>  <b>Rep. Darrell Issa (R-CA-50);</b>  <b>Rep. Doug LaMalfa (R-CA-1);</b>  <b>Rep. Tom McClintock (R-CA-4);</b>  <b>Rep. Jay Obernolte (R-CA-8);</b>  <b>Rep. Mike Simpson (R-ID-2);</b>  <b>Rep. Michelle Steel (R-CA-48)</b></p>	<p>7</p>
<p>H.R. 1152 Water Quality Certification and Energy Project Improvement Act of 2023</p>	<p>This bill would amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.</p>	<p>02/14/2023 Introduced by Rep. Adam Smith (D-WA-9)           02/24/23 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.</p>	<p>Rep. Suzan DelBene (D-WA-1); Rep. Pramila Jayapal (D-WA-7); Rep. Grace Meng (D-NY-6); Rep. Eleanor Norton (D-DC-1)</p>	<p>4</p>
<p>H.R. 1181 To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.</p>	<p>This bill would amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.</p>	<p>02/24/2023 Introduced by Rep. David Rouzer (R-NC-7)           03/17/2023 Reported by the Committee on Transportation and Infrastructure. H. Rept. 118-10.</p>	<p>Rep. Garret Graves (R-LA-6); Rep. Scott Perry (R-PA-10)</p>	<p>2</p>
<p>H.R. 1430 Determination of NEPA Adequacy Streamlining Act</p>	<p>This bill extends the maximum term for certain permits issued under the National Pollutant Discharge Elimination System (NPDES) program. Specifically, the bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years. Under the program, the Environmental Protection Agency issues permits to discharge pollutants from point sources, such as pipes, into waters of the United States.</p>	<p>02/24/2023 Introduced by Rep. John Garamendi (D-CA-8)           02/27/2023 Referred to the Subcommittee on Water Resources and Environment.</p>	<p><b>Rep. Eric Swalwell (D-CA-15);</b>  <b>Rep. Ken Calvert (R-CA-42);</b>          Rep. Andre Carson (D-IN-7); Rep. Garret Graves (R-LA-6);</p>	<p>4</p>
<p>H.R. 1430 Determination of NEPA Adequacy Streamlining Act</p>	<p>This bill would direct the Secretary of the Interior and the Secretary of Agriculture to use certain previously completed environmental assessments and environmental impact statements to satisfy the review requirements of the National Environmental Policy Act of 1969, and for other purposes.</p>	<p>03/07/2023 Introduced by Rep. David Valadao (R-CA-21)           04/25/2023 Referred to the Subcommittee on Forestry.</p>	<p></p>	<p>0</p>

H.R. 1586 Forest Protection and Wildland Firefighter Safety Act of 2023	This bill would allow the Secretary of the Interior and the Secretary of Agriculture to use a fire retardant, chemical, or water for fire suppression, control, or prevention activities.	3/14/2023 Introduced by Rep. Doug LaMalfa (R-CA-1)  05/17/2023 Ordered to be Reported - House Committee on Natural Resources	<b>Rep. Jay Obernolte (R-CA-8); Rep. David Valadao (R-CA-21); Rep. Ken Calvert (R-CA-42); Rep. Jim Costa (D-CA-16); Rep. Rick Crawford (R-AR-1); Rep. John Duarte (R-CA-13); ; Rep. John Garamendi (D-CA-3); Rep. Darrell Issa (R-CA-50); ; Rep. Kevin Kiley (R-CA-3); Rep. Young Kim (R-CA-39); Rep. Tom McClintock (R-CA-</b>	30
H.R. 1 Lower Energy Costs Act	To lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting, and production of American resources, and by improving water quality certification and energy projects, and for other purposes.	03/14/2023 Introduced by Rep. Steve Scalise (R-LA-1)  03/30/2023 The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1.	<b>Rep. Tom McClintock (R-CA-4); Rep. Robert Aderholt (R-AL-4); Rep. Rick Allen (R-GA-12); Rep. Kelly Armstrong (R-ND-1); Rep. Troy Balderson (R-OH-12); Rep. Lauren Boebert (R-CO-3); Rep. Michael Burgess (R-TX-26); Rep. Kat Cammack (R-FL-3); Rep. Mike Carey (R-OH-15); Rep. Buddy Carter (R-GA-1); Rep. Dan Claitor (R-TX-9);</b>	49
S. 820 Protecting Consumers from PFAS Act	This bill would require the Consumer Product Safety Commission (CPSC) to be added to the Administration interagency work group that coordinates federally funded PFAS research and development.	03/15/2023 Introduced by Sen. Gary Peters (D-MI)  03/15/2023 Read twice and referred to the Committee on Homeland Security and Governmental Affairs.	Burgess (R TX-26) <b>Re Sen. Susan Collins (-ME); Sen. Cynthia Lummis (R-WY); Sen. Peter Welch (D-VT)</b>	3
H.R. 1740 To amend the Water Infrastructure Finance and Innovation Act of 2014 to establish payment and performance security requirements for projects, and for other purposes.	To amend the Water Infrastructure Finance and Innovation Act of 2014 to establish payment and performance security requirements for projects, and for other purposes.	3/23/2023 Introduced by Rep. Mike Bost (R-IL-12).  03/31/2023 Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.	Rep. Troy Balderson (R-OH-12); Rep. Stephen Lynch (D-MA-8); Rep. Chris Pappas (D-NH-1)	3
S. 1022 Define WOTUS Act of 2023	This bill would amend the Federal Water Pollution Control Act to modify the definition of navigable waters, and for other purposes.	03/29/2023 Introduced by Sen. Mike Braun (R-IN)  03/29/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. Joni Ernst (R-IA); Sen. Chuck Grassley (R-IA)	2
H.R. 2419 Canal Conveyance Capacity Restoration Act	This bill would provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes.	03/30/2023 Introduced by Rep. Jim Costa (D-CA-16)  05/08/2023 Referred to the Subcommittee on Water, Wildlife, and Fisheries.	<b>Rep. John Garamendi (D-CA-3); Rep. Josh Harder (D-CA-10)</b>	2

H.R. 2735 Coastal State Climate Preparedness Act of 2023	This bill directs the Department of Commerce to establish a coastal climate change adaptation preparedness and response program. Under the program, Commerce must (1) assist coastal states with voluntarily developing coastal climate change adaptation plans, and (2) provide financial and technical assistance as well as training for coastal states to implement the adaptation plans.	04/20/2023 Introduced by Rep. Salud Carbajal (D-CA-24)  04/20/2023 Referred to the House Committee on Natural Resources.	<b>Rep. Ted Lieu (D-CA-33)</b> ; Rep. Brian Fitzpatrick (R-PA-1);	2
H.R. 2811 Limit, Save, Grow Act of 2023	This bill increases the federal debt limit and decreases spending. It also repeals several energy tax credits, modifies the permitting process and other requirements for energy projects, expands work requirements for the Supplemental Nutrition Assistance Program (SNAP) and other programs, and nullifies regulations for the cancellation of federal student loan debt.	04/25/2023 Introduced by Rep. Jodey Arrington (R-TX-19)  05/04/2023 Committee on the Budget. Hearings held.	Rep. Stephanie Bice (R-OK-5); Rep. Michael Burgess (R-TX-26); Rep. Buddy Carter (R-GA-1); Rep. James Comer (R-KY-1); Rep. Chuck Edwards (R-NC-11); Rep. Virginia Foxx (R-NC-5); Rep. <b>Rep. Tom McClintock (R-CA-4)</b> ; Kay Granger (R-TX-12); Rep. Sam Graves (R-MO-6); Rep. Glenn Grothman (R-WI-6); Rep. Patrick McHenry (R-	19
S. 1449 RESTART Act	This bill seeks to improve the environmental review process, and for other purposes.	05/04/2023 Introduced by Sen. Shelley Capito (R-WV)  05/04/2023 Read twice and referred to the Committee on Environment and Public Works.	Sen. John Barrasso (R-WY); Sen. John Boozman (R-AR); Sen. Kevin Cramer (R-ND); Sen. Lindsey Graham (R-SC); Sen. James Lankford (R-OK); Sen. Cynthia Lummis (R-WY); Sen. Pete Ricketts (R-NE); Sen. James Risch (R-ID); Sen. Dan Sullivan (R-AK); Sen. Roger Wicker (R-MS)	10
S.1456 SPUR Act	This bill would provide for certain energy development, permitting reforms, and for other purposes.	05/04/2023 Introduced by Sen. Joh Barrasso (R-WY)  05/04/2023 Read twice and referred to the Committee on Energy and Natural Resources.	Sen. Shelley Capito (R-WV); Sen. Bill Cassidy (R-LA); Sen. Steve Daines (R-MT); Sen. Josh Hawley (R-MO); Sen. John Hoeven (R-ND); Sen. Cindy Hyde-Smith (R-MS); Sen. James Lankford (R-OK); Sen. Mike Lee (R-UT); Sen. Lisa Murkowski (R-AK); Sen. James Risch (R-ID)	10
H.R. 1382 To amend the Energy Policy Act of 2005 to require the Secretary of Energy to create a plan for research, development, and commercialization projects capable of making significant reductions in the greenhouse gas emissions or carbon intensity of qualified fuel production facilities, and for other purposes.	This bill would amend the Energy Policy Act of 2005 to require the Secretary of Energy to create a plan for research, development, and commercialization projects capable of making significant reductions in the greenhouse gas emissions or carbon intensity of qualified fuel production facilities, and for other purposes.	05/10/2023 Introduced by Rep. Lizzie Fletcher (D-TX-7)  05/10/2023 Referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.		0

<p>S. 1576 A bill to provide for advancements in carbon removal research, quantification, and commercialization, including by harnessing natural processes, and for other purposes.</p>	<p>This bill would provide for advancements in carbon removal research, quantification, and commercialization, including by harnessing natural processes, and for other purposes.</p>	<p>05/11/2023 Introduced by Sen. Susan Collins (R-ME)           05/11/2023 Read twice and referred to the Committee on Energy and Natural Resources.</p>	<p>Sen. Maria Cantwell (D-WA); Sen. Bill Cassidy (R-LA); Sen. Christopher Coons (D-DE); Sen. Angus King (I-ME)</p>	<p>4</p>
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**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

To:	Las Virgenes - Triunfo JPA
From:	Syrus Devers, Best Best & Krieger
Date:	June 5th, 2023
Re:	State Legislative Report

**Legislative Report**

The deadline to move a bill out of the house of origin was June 2nd and both houses held floor sessions every day in the run-up to the deadline in order to clear a backlog of legislation. The next major deadline is passing the State Budget by June 15th, although this is more of a procedural deadline than a substantive one. After that comes what may be the most significant deadline of the year; the final policy committee deadline. Legislators will only have until July 14th to clear all assigned policy committees in the 2nd house. The 2nd house deadline is where the collegiality disappears and bills will not be moved as a courtesy to give the author more time to work on the issues.

Last month's report discussed the need to focus on other pieces of legislation besides the water rights bills. With all the attention on AB 460, AB 1337, and SB 389, several bills made it past policy committees with little opposition. The effort proved successful with a number of bad bills getting held in the Appropriations Committees of each house.

**Held bills:**

SB 687 (Eggman): This bill would have linked the Delta Conveyance Project to adoption and implementation of the Delta Water Quality Control Plan update, which could have delayed the project indefinitely. BBK staff was the only contract lobbyist who appeared in opposition in Senate Natural Resources and Water, and the only other opposition witness besides the State Water Contractors. Although the bill made it past the policy committee stage, it was successfully held on suspense in Senate Appropriations.

AB 1072 (Wicks): This bill would have required 40% of all conservation funds for water efficient landscapes to be dedicated to low-income households. This bill was held in Assembly Appropriations.

AB 838 (Connolly): This hard to explain bill required water districts to calculate the "median dollar amount" billed to each customer, and the cost of all planned infrastructure improvements. Despite opposition letters from water associations, the bill was not actively opposed in the policy committee and

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was passed with bipartisan support. More active opposition resulted in the bill being held in Assembly Appropriations.

Bad bills that are still alive:

AB 755 (Papan): This bill requires water districts to estimate the hypothetical savings rate payers would realize if the largest users of water achieved mandated efficiency goals when undertaking a rate study. Again, this was not actively lobbied in committee and it passed on a party line vote and cleared the floor with 58 votes. (41 required.) An “oppose” recommendation and letter will be submitted soon.

The water rights bills:

While BBK staff was focused on the bills listed above, the rest of the water lobby corps was working against the package of water rights bills. Here are the current results:

AB 460 (Bauer-Kahan): Still moving. This is the most problematic of the three bills. It would give the SWRCB the power to issue restraining orders on par with a court’s power to issue Temporary Restraining Orders. It may appear that the bill squeaked by with the minimum of 41 votes on the Assembly Floor, but more likely is that the vote was worked out in advance. The author made no attempt to seek more votes once the count reached 41, which it did fairly quickly. Three more votes added on later to give it 44.

AB 1337 (Wicks): Still moving. This bill overturns the court holding in the Curtailment Cases and allows SWRCB to enforce water rights against pre-1914 water right holders. This bill fared slightly better than AB 460 and quickly got to 44 votes on the Assembly Floor. Again, it appeared that the author already had the vote count and made no attempt to hold the role open and add more votes. (One more added on for 45 votes.)

SB 389 (Allen): Still moving. This bill would grant the SWRCB sweeping powers to demand information to support a water right claim, and it puts the burden of proof on the holder of the right. The one possible bright spot for the opposition coalition is that SB 389 stalled on its first vote at 16, a poor showing, with 21 needed to pass the Senate Floor. But for all that, the bill got 23 votes the next day, but it did spark more earnest talks about amendments.

**Administrative Report**

The Governor took over the issue of infrastructure permit streamlining by holding a press conference and then introducing 10 Budget Trailer Bills on various aspects of the process for approving major projects. He was also probably behind the demise of ACWA’s sponsored bill on permit streamlining which was held on suspense in Senate Appropriations. Not 3 hours after SB 23 (Caballero) was held, the Executive Directors for ACWA and CMUA were called in by the Governor’s staff and told about the press conference that would be held the next day. During the press conference the Governor claimed he



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had been meeting with legislators on the trailer bills, but it soon became clear that this was overstated. It took the Legislature a little over a week to hear and shoot down the most visible piece of the Governor's bill package on CEQA reform. In lieu of the Governor's proposal, the Assembly scheduled a joint hearing of the Natural Resources and Judiciary Committees to consider CEQA reforms. The hearing will be on June 7th at 2:30 in the Assembly.

(Note: ACWA State Legislative Committee considered the trailer bill package and supports (generally) the package of trailer bills introduced following the Governor's press conference, but there were issues with a previous trailer bill to streamline moving flood flows into storage. The main objections came from the State Water Contractors who hold rights to excess flows in the Delta and believe that allowing unpermitted diversions of flood flows impairs their right.)

# Las Virgenes-Triunfo JPA

Bill Matrix - June 5th, 2023

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## A. Priority Support/Oppose

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### [AB 234](#)

#### **(Bauer-Kahan D) Microparticles.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/23/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-A. 2 YEAR

**Summary:** Would enact the Synthetic Polymer Microparticles in Cosmetic and Cleaning Products Prevention Act. The bill would prohibit a synthetic polymer microparticle from being placed on the market in this state as a substance on its own or, where the synthetic polymer microparticles are present to confer a sought-after characteristic, in mixtures in a concentration equal to or greater than 0.01% by weight. The restriction would apply on and after specified dates depending on the type of product, as described, except as otherwise provided. The bill would specify the screening tests and pass criteria to be used for purposes of determining compliance with this prohibition. The bill would make a person who violates this prohibition liable for a civil penalty not to exceed \$5,000 per day for each violation, in addition to any other penalty established by law. The bill would authorize the civil penalty to be assessed and recovered in a civil action brought by a city attorney, a district attorney, a county counsel, or the Attorney General in any court of competent jurisdiction.

Position  
Watch

### [AB 249](#)

#### **(Holden D) Water: schoolsites: lead testing: conservation.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** Would require a community water system that serves a schoolsite, as defined, to test for lead in the potable water system outlets of the schoolsite before January 1, 2027, except for potable water system outlets in buildings that were either constructed after January 1, 2010, or modernized after January 1, 2010, and all faucets and other end point devices used for providing potable water were replaced as part of the modernization. The bill would require the community water system to report its findings to the applicable school or local educational agency and to the State Water Resources Control Board. The bill would require the local educational agency or school, if the lead level exceeds a specified level at a schoolsite, to notify the parents and guardians of the pupils who attend the schoolsite, take immediate steps to make inoperable and shut down from use all fountains and faucets where the excess lead levels may exist, and work with the schoolsites under its jurisdiction to ensure that a potable source of drinking water is provided for pupils, as specified. The bill would require a community water system to test a potable water system outlet that replaces an outlet that is found to have excess levels of lead. The bill would require a community water system to prepare a sampling plan for each schoolsite where lead sampling is required under these provisions. The bill would require the state board to make the results of schoolsite lead sampling publicly available by posting the results on its internet website. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.

Position  
Watch

### [AB 460](#)

#### **(Bauer-Kahan D) State Water Resources Control Board: water rights and usage: interim relief: procedures.**

**Status:** 5/31/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 5/31/2023-S. RLS.

**Summary:** Current law authorizes the State Water Resources Control Board to investigate all streams, stream systems,



lakes, or other bodies of water, take testimony relating to the rights to water or the use of water, and ascertain whether water filed upon or attempted to be appropriated is appropriated under the laws of the state. Current law requires the board to take appropriate actions to prevent waste or the unreasonable use of water. This bill would authorize the board, in conducting specified investigations or proceedings to inspect the property or facilities of a person or entity, as specified. The bill would authorize the board, if consent is denied for an inspection, to obtain an inspection warrant, as specified, or in the event of an emergency affecting public health and safety, to conduct an inspection without consent or a warrant.

Position  
Opposition

[AB 682](#)

**(Mathis R) State Water Resources Control Board: online search tool: funding applications.**

**Status:** 5/10/2023-Referred to Coms. on E.Q. and N.R. & W.

**Location:** 5/10/2023-S. E.Q.

**Summary:** Current law establishes the State Water Resources Control Board (state board) to exercise the adjudicatory and regulatory functions of the state in the field of water resources. Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. This bill would require, by January 1, 2025, the state board to update the state board's online search tool for funding applications to include a description of the additional information the state board needs from a water system to continue processing the water system's application and a description of the typical steps that must be completed before a funding agreement can be executed after receipt of a complete application, among other information, as specified.

Position  
Support

[AB 755](#)

**(Papan D) Water: public entity: cost-of-service analysis.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** Current law authorizes a public entity that supplies water at retail or wholesale within its service area to adopt, in accordance with specified procedures, and enforce a water conservation program. This bill would require a public entity, as defined, that conducts a cost-of-service analysis, as defined, to identify the total incremental costs incurred by all the major water users, as described, in the single-family residential class and the total incremental costs that would be avoided if major water users met a specified efficiency goal. The bill would also require both of those costs to be made publicly available by posting the information in the public entity's cost-of-service analysis.

Position  
Watch

**Notes 1:** Possible oppose

[AB 838](#)

**(Connolly D) California Water Affordability and Infrastructure Transparency Act of 2023.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

**Summary:** 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 declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The act prohibits a person from operating a public water system unless the person first submits an application to the state board and receives a permit to operate the system, as specified. The act requires a public water system to submit a technical report to the state board as a part of the permit application or when otherwise required by the state board, as specified, and to submit the report in the form and format and at intervals specified by the state board. This bill would require, beginning January 1, 2025, and thereafter at intervals determined by the state board, public water systems to provide specified information and data related to customer water bills and efforts to replace aging infrastructure to the state board.

Position  
Watch

**Notes 1:** Possible oppose

[AB 1211](#)

**(Mathis R) Safe Drinking Water State Revolving Fund: internet website information: updates.**

**Status:** 5/26/2023-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 5/10/2023-S. E.Q.

**Summary:** The Safe Drinking Water State Revolving Fund Law of 1997, administered by the State Water Resources

Control Board, establishes the Safe Drinking Water State Revolving Fund to provide grants or revolving fund loans for the design and construction of projects for public water systems that will enable those systems to meet safe drinking water standards. Current law requires the board, at least once every 2 years, to post information on its internet website regarding implementation of the Safe Drinking Water State Revolving Fund Law and expenditures from the Safe Drinking Water State Revolving Fund, as specified This bill would require the board to post the information at least annually.

Position  
Support

[AB 1337](#)

**(Wicks D) State Water Resources Control Board: water diversion curtailment.**

**Status:** 5/31/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 5/31/2023-S. RLS.

**Summary:** Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill contains other related provisions and other existing laws.

Position  
Opposition

[AB 1484](#)

**(Zbur D) Temporary public employees.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** (1)Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. Existing law generally requires that the scope of representation under the act include all matters relating to employment conditions and employer-employee relations, while excepting the consideration of the merits, necessity, or organization of any service or activity provided by law or executive order. Existing law states that the Legislature finds and declares that the duties and responsibilities of local agency employer representatives under the act are substantially similar to the duties and responsibilities required under existing collective bargaining enforcement procedures and therefore the costs incurred by the local agency employer representatives in performing those duties and responsibilities under that act are not reimbursable as state-mandated costs. This bill would impose specified requirements with respect to the temporary employees, as defined, of a public employer who have been hired to perform the same or similar type of work that is performed by permanent employees represented by a recognized employee organization. In this regard the bill would require those temporary employees to be automatically included in the same bargaining unit as the permanent employees, as specified, upon the request of the recognized employee organization. The bill would also require a public employer to, upon hire, provide each temporary employee with their job description, wage rates, and eligibility for benefits, anticipated length of employment, and procedures to apply for open, permanent positions. By imposing new duties on local agencies that employ temporary employees, the bill would impose a state-mandated local program. The bill would require complaints alleging a violation of its provisions to be processed as unfair practice charges under the act. The bill would additionally include the same findings and declarations as set forth above. This bill contains other related provisions and other existing laws.

Position  
Opposition

[AB 1567](#)

**(Garcia D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

Position  
Watch

[AB 1572](#)

**(Friedman D) Potable water: nonfunctional turf.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** (1)Existing law establishes various state water policies, including the policy that the use of water for

domestic purposes is the highest use of water. This bill would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.

Position  
Watch

**AB 1594**

**(Garcia D) Medium- and heavy-duty zero-emission vehicles: public agency utilities.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** Executive Order No. N-79-20 establishes the goal of transitioning medium- and heavy-duty vehicles in California to zero-emission vehicles by 2045 for all operations where feasible and by 2035 for drayage trucks, and requires the State Air Resources Board to develop and propose medium- and heavy-duty vehicle regulations to meet that goal. This bill would require any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles by a public agency utility to ensure that those vehicles can support a public agency utility's ability to maintain reliable water and electric services, respond to disasters in an emergency capacity, and provide mutual aid assistance statewide and nationwide, among other requirements. The bill would define a public agency utility to include a local publicly owned electric utility, a community water system, and a wastewater treatment provider, as specified. This bill contains other existing laws.

Position  
Watch

**Notes 1:** Clean fleets bill - CMUA sponsored - possible support

**SB 23**

**(Caballero D) Water supply and flood risk reduction projects: expedited permitting.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-S. 2 YEAR

**Summary:** Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to submit to the department the certified or adopted environmental review document, as applicable, for the activity in the notification. The bill would require the department, under prescribed circumstances, to take certain actions within specified timelines, or within a mutually agreed-to extension of time.

Position  
Support

**SB 48**

**(Becker D) Building Energy Savings Act.**

**Status:** 6/1/2023-Referred to Coms. on U. & E. and NAT. RES.

**Location:** 6/1/2023-A. U. & E.

**Summary:** Current law requires each utility to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete calendar months, and to deliver or otherwise provide that aggregated energy usage data for each covered building, as defined, to the owner, as specified. Current law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to adopt regulations providing for the delivery to the Energy Commission and public disclosure of benchmarking of energy use for covered buildings, and specifies that this requirement does not require the owner of a building with 16 or fewer residential utility accounts to collect or deliver energy usage information to the Energy Commission. This bill would additionally specify that the requirement does not require the owner of a building with less than 50,000 square feet of gross floor space to collect or deliver energy usage information to the Energy Commission.

Position  
Watch

**SB 366**

**(Caballero D) The California Water Plan: long-term supply targets.**

**Status:** 6/1/2023-In Assembly. Read first time. Held at Desk.

**Location:** 5/31/2023-A. DESK

**Summary:** Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and

coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as “The California Water Plan.” Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department, in coordination with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state’s water needs and meeting specified long-term water supply targets established by the bill for purposes of “The California Water Plan.”

Position  
Support

**SB 389**

**(Allen D) State Water Resources Control Board: determination of water right.**

**Status:** 5/31/2023-In Assembly. Read first time. Held at Desk.

**Location:** 5/30/2023-A. DESK

**Summary:** Would, upon specified findings, authorize the State Water Resources Control Board to investigate the diversion and use of water from a stream system to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right, as specified.

Position  
Watch

**SB 687**

**(Eggman D) Water Quality Control Plan: Delta Conveyance Project.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-S. 2 YEAR

**Summary:** Would require the State Water Resources Control Board to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as provided, before the board may consider a change in point diversion or any other water rights permit or order for the Delta Conveyance Project. The bill would also, if, after completing the update of the plan and in compliance with existing law, the board approves a change in point of diversion or any other water rights permit or order associated with the Delta Conveyance Project, prohibit the operation of the Delta Conveyance Project unless and until the updated plan is fully implemented. The bill would specify that these provisions do not constitute an authorization for or approval of funding for the Delta Conveyance Project or any other project that includes isolated Delta conveyance facilities, and do not reduce any statutory or other regulatory conditions or permit requirements for Delta conveyance projects.

Position  
Watch

**Notes 1:** Possible oppose

**SB 867**

**(Allen D) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.**

**Status:** 6/1/2023-In Assembly. Read first time. Held at Desk.

**Location:** 5/31/2023-A. DESK

**Summary:** Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

Position  
Support

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## B. Watch

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### [AB 30](#)

#### **(Ward D) Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program.**

**Status:** 5/31/2023-Referred to Com. on N.R. & W.

**Location:** 5/31/2023-S. N.R. & W.

**Summary:** Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in the Department of Water Resources. Current law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would rename that program the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

Position  
Watch

### [AB 62](#)

#### **(Mathis R) Statewide water storage: expansion.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

**Summary:** Current law establishes within the Natural Resources Agency the State Water Resources Control Board and the California regional water quality control boards. Current law requires the work of the state board to be divided into at least 2 divisions, known as the Division of Water Rights and the Division of Water Quality. This bill would establish a statewide goal to increase above- and below-ground water storage capacity by a total of 3,700,000 acre-feet by the year 2030 and a total of 4,000,000 acre-feet by the year 2040. The bill would require the Department of Water Resources, in consultation with the state board, to take reasonable actions to promote or assist efforts to achieve the statewide goal, as provided. The bill would require the department, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the state board, to prepare and submit a report to the Legislature on the progress made to achieve the statewide goal.

Position  
Watch

### [AB 66](#)

#### **(Mathis R) Natural Resources Agency: water storage projects: permit approval.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

**Summary:** Current law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources. Current law establishes in the agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require the agency, and each department, board, conservancy, and commission within the agency, to take all reasonable steps to approve the necessary permits for specified projects that meet certain employment conditions within 180 days from receiving a complete permit application.

Position

### [AB 277](#)

#### **(Rodriguez D) Extreme Weather Forecast and Threat Intelligence Integration Center.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** Would establish the State-Federal Flood Operations Center within the Department of Water Resources and would authorize the department to administer the center in the department's divisions, offices, or programs. The bill would provide that the purpose of the center is to function as the focal point for gathering, analyzing, and disseminating

flood and water-related information to stakeholders and would authorize the center to take specified actions for that purpose, including to function during emergency situations to enable the department to centrally coordinate statewide emergency responses.

Position  
Watch

[AB 305](#) **(Villapudua D) California Flood Protection Bond Act of 2024.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** Would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,500,000,000 pursuant to the State General Obligation Bond Law for flood protection projects, as specified. The bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election.

Position  
Watch

[AB 338](#) **(Aguiar-Curry D) Public works: definition.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Existing law defines the term “public works” for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would, commencing January 1, 2025, expand the definition of “public works” to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified. The bill would limit those provisions to work that falls within an apprenticeship program has been approved and to contracts in excess of \$100,000. The bill would delay the application of those provisions until January 1, 2026, for nonprofits.

Position  
Watch

[AB 340](#) **(Fong, Vince R) California Environmental Quality Act: grounds for noncompliance.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/9/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-A. 2 YEAR

**Summary:** The California Environmental Quality Act (CEQA) prohibits an action or proceeding from being brought in a court to challenge the approval of a project by a public agency unless the alleged grounds for noncompliance are presented to the public agency orally or in writing by a person during the public comment period provided by CEQA or before the close of the public hearing on the project before the issuance of the notice of determination. This bill would require the alleged grounds for noncompliance with CEQA presented to the public agency in writing be presented at least 10 days before the public hearing on the project before the issuance of the notice of determination. The bill would prohibit the inclusion of written comments presented to the public agency after that time period in the record of proceedings and would prohibit those documents from serving as basis on which an action or proceeding may be brought.

Position  
Watch

[AB 557](#) **(Hart D) Open meetings: local agencies: teleconferences.**

**Status:** 5/24/2023-Referred to Coms. on GOV. & F. and JUD.

**Location:** 5/24/2023-S. GOV. & F.

**Summary:** The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without

complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, current law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.

Position  
Watch

[AB 676](#)

**(Bennett D) Water: general state policy.**

**Status:** 5/31/2023-Referred to Com. on N.R. & W.

**Location:** 5/31/2023-S. N.R. & W.

**Summary:** Current law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water and that the next highest use is for irrigation. This bill would provide specific examples of the use of water for domestic purposes, including, but not limited to, sustenance of human beings and household conveniences.

Position  
Watch

[AB 735](#)

**(Berman D) Workforce development: utility careers.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

**Summary:** Would establish the High Road Utility Careers (HRUC) program, to be administered by the California Workforce Development Board, to connect existing resources with individuals interested in careers in the utility sector and ensure a continued reliable workforce for California utilities. The bill would require the board to administer the HRUC program through partnerships with statewide water, wastewater, and energy utility associations and to coordinate the program with existing and future programs and initiatives administered by the board, including high road training partnerships, in order to align interested individuals with available resources. The bill would require the HRUC program, upon appropriation by the Legislature, to dedicate funding and resources toward accomplishing specified goals, including connecting workers to high-quality jobs or entry-level work with defined routes to advancement and increasing skills and opportunities while expanding pipelines for low-income populations.

Position  
Watch

[AB 759](#)

**(Grayson D) Sanitary districts.**

**Status:** 5/3/2023-Referred to Com. on GOV. & F.

**Location:** 5/3/2023-S. GOV. & F.

**Summary:** Current law authorizes the formation of a sanitary district, pursuant to specified requirements. Current law authorizes a sanitary district to acquire, plan, construct, reconstruct, alter, enlarge, lay, renew, replace, maintain, and operate garbage dumpsites and garbage collection and disposal systems, sewers, drains, septic tanks, and sewerage collection, outfall, treatment works and other sanitary disposal systems, and storm water drains and storm water collection, outfall and disposal systems, and water recycling and distribution systems, as the deemed necessary and proper by the governing board of the district. Current law generally authorizes the district to expend money only upon written order of the board. Current law also authorizes a district board, as an alternative to the functions of the treasurer, to elect to disburse district funds upon resolution of the board and the filing of a certified copy with the treasurer. Under current law, the treasurer is then required to deliver all district funds to the district, which can only be withdrawn by written order of the district boards, signed by the president and secretary. Current law requires the district board to appoint a treasurer responsible for the deposit and withdrawal of district funds. This bill would instead authorize funds to be withdrawn by a district treasurer or expended by a treasurer upon approval by the board, signed by the president and secretary.

Position  
Watch

[AB 1072](#)

**(Wicks D) Water conservation and efficiency: low-income residential customers.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

**Summary:** Would declare the policy of the state that all residents have access to water conservation and efficiency programs. The bill would also set forth related findings including that reaching the state's environmental justice goals and commitments requires designing climate adaptation programs so that all households may participate.

Position  
Watch

[AB 1205](#)

**(Bauer-Kahan D) Water rights: sale, transfer, or lease: agricultural lands.**

**Status:** 5/31/2023-Referred to Com. on N.R. & W.

**Location:** 5/31/2023-S. N.R. & W.

**Summary:** Would find and declare that speculation or profiteering by an investment fund in the sale, transfer, or lease of an interest in any surface water right or groundwater water right previously put to beneficial use on agricultural lands within the state is a waste or an unreasonable use of water.

Position  
Watch

[AB 1563](#)

**(Bennett D) Groundwater sustainability agency: groundwater extraction permit: verification.**

**Status:** 5/26/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 5/26/2023-S. RLS.

**Summary:** Existing law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. This bill contains other related provisions and other existing laws.

Position  
Watch

[AB 1573](#)

**(Friedman D) Water conservation: landscape design: model ordinance.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.

**Summary:** The Water Conservation in Landscaping Act provides for a model water efficient landscape ordinance that is adopted and updated at least every 3 years by the Department of Water Resources, unless the department makes a specified finding. Existing law requires a local agency to adopt the model ordinance or to adopt a water efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance, except as specified. Existing law specifies the provisions of the updated model ordinance, as provided. Existing law includes a related statement of legislative findings and declarations. This bill would require the updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance. The bill would require the updated model ordinance to include provisions that require that all new or renovated nonresidential areas install plants that meet specified criteria, and that prohibit the inclusion of nonfunctional turf in nonresidential landscape projects after January 1, 2026. The bill would also revise the legislative findings and declarations to state that the model ordinance furthers the state's goal to conserve biodiversity and provide for climate resilience consistent with state drought efforts to eliminate the use of irrigation of nonfunctional turf. This bill contains other related provisions and other existing laws.

Position  
Watch

[AB 1637](#)

**(Irwin D) Local government: internet websites and email addresses.**

**Status:** 6/1/2023-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 6/1/2023-S. RLS.



**Summary:** The California Constitution authorizes cities and counties to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws and further authorizes cities organized under a charter to make and enforce all ordinances and regulations in respect to municipal affairs, which supersede inconsistent general laws. This bill, no later than January 1, 2027, would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a “.gov” or “.ca.gov” domain. This bill, no later than January 1, 2027, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a “.gov” domain name or a “.ca.gov” domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position  
Watch

[AB 1648](#)

**(Bains D) Water: Colorado River conservation.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/16/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-A. 2 YEAR

**Summary:** Would prohibit the Metropolitan Water District of Southern California and the Department of Water and Power of the City of Los Angeles from achieving a reduction in, or conservation of, Colorado River water consumption required by an agreement with specified entities through increased water deliveries or imports from other regions of California, including the San Joaquin Valley and the Sacramento-San Joaquin Delta. The bill would require the Colorado River Board of California, the Department of Water Resources, and the State Water Resources Control Board to use their existing authority to enforce these provisions. The bill would specify that these provisions apply retroactively to January 1, 2023, and apply to any agreement entered into on or after that date.

Position  
Watch

[ACA 2](#)

**(Alanis R) Public resources: Water and Wildfire Resiliency Act of 2023.**

**Status:** 4/20/2023-Referred to Coms. on W., P., & W. and NAT. RES.

**Location:** 4/20/2023-A. W.,P. & W.

**Summary:** Would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that 50% of the moneys in the fund be used for water projects, as specified, and that the other 50% of the moneys in the fund be used for forest maintenance and health projects, as specified.

Position  
Out for Analysis

[SB 3](#)

**(Dodd D) Discontinuation of residential water service: community water system.**

**Status:** 6/1/2023-In Assembly. Read first time. Held at Desk.

**Location:** 5/31/2023-A. DESK

**Summary:** Current law authorizes the State Water Resources Control Board to provide for the deposit into the Safe and Affordable Drinking Water Fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would require the board to, upon appropriation by the Legislature, expend moneys to provide training statewide to community water systems with between 15 and 200 service connections to meet compliance with the Water Shutoff Protection Act.

Position  
Out for Analysis

[SB 57](#)

**(Gonzalez D) Utilities: disconnection of residential service.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E. U., & C. on 3/22/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-S. 2 YEAR

**Summary:** Would require an electrical corporation, local publicly owned electric utility, gas corporation, local publicly owned gas utility, water corporation, or local agency that owns a public water system to postpone the disconnection of a customer's residential service for nonpayment of a delinquent account when the temperature will be 32 degrees Fahrenheit or cooler, or 95 degrees Fahrenheit or warmer, within the utility's service area during the 24 hours after that

service disconnection would occur, as specified. The bill would require each of those utilities to notify its residential ratepayers of that requirement and to create an online reporting system available through its internet website, if it has one, that enables its residential ratepayers to report when their utility service has been disconnected in violation of that requirement, as specified. The bill would require the PUC to establish a citation program to impose a penalty on an electrical corporation or gas corporation that violates that requirement, and require each local publicly owned electric utility and local publicly owned gas utility to annually report to the State Energy Resources Conservation and Development Commission the number of residential service connections it disconnected for nonpayment of a delinquent account. The bill would authorize the State Water Resources Control Board to enforce the requirement that a water corporation and local agency that owns a public water system postpone a disconnection of a customer's residential service, as specified.

Position  
Watch

**SB 66**

**(Hurtado D) Water Quality, Supply, and Infrastructure Improvement Act of 2014: Drinking Water Capital Reserve Fund: administration.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/29/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-S. 2 YEAR

**Summary:** The Water Quality, Supply, and Infrastructure Improvement Act of 2014 bond act provides that the sum of \$260,000,000 is to be available for grants and loans for public water system infrastructure improvements and related actions to meet safe drinking water standards, ensure affordable drinking water, or both, as specified. Current law requires the State Water Resources Control Board to deposit up to \$2,500,000 of the \$260,000,000 into the Drinking Water Capital Reserve Fund, to be available upon appropriation by the Legislature. Current law requires the state board to administer the Drinking Water Capital Reserve Fund for the purpose of serving as matching funds for disadvantaged communities and requires the state board to develop criteria to implement this provision. This bill would require the state board to provide an analysis of the criteria to implement that provision to the Senate Committee on Natural Resources and Water and Assembly Committee on Water, Parks, and Wildlife on January 1, 2025, and every 2 years thereafter.

Position  
Watch

**SB 69**

**(Cortese D) California Environmental Quality Act: local agencies: filing of notices of determination or exemption.**

**Status:** 5/31/2023-In Assembly. Read first time. Held at Desk.

**Location:** 5/30/2023-A. DESK

**Summary:** The California Environmental Quality Act (CEQA) authorizes a local agency that determines that a project is not subject to CEQA to file a notice of exemption with the county clerk of each county in which the project will be located, as provided. CEQA requires the county clerk to make the notice available for public inspection and post the notice within 24 hours of receipt in the office or on the internet website of the county clerk, as specified. This bill would require a local agency to file a notice of determination with the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would authorize a local agency to file a notice of exemption with the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would require the notice, including any subsequent or amended notice, to be posted both in the office and on the internet website of the county clerk and on the State Clearinghouse website of the Office of Planning and Research within 24 hours of receipt. By imposing duties on local agencies, the bill would create a state-mandated local program.

Position  
Watch

**SB 231**

**(Hurtado D) Water measurement.**

**Status:** 5/25/2023-Read third time. Passed. (Ayes 40. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

**Location:** 5/25/2023-A. DESK

**Summary:** Current law requires the Department of Water Resources, the State Water Resources Control Board, and the State Department of Public Health to coordinate the collection, management, and use of agricultural and urban water measurement information provided to each agency. Current law requires the board, in collaboration with the Department of Water Resources, the California Bay-Delta Authority or its successor agency, and the State Department of Public Health, to prepare and submit a report to the Legislature by January 1, 2009, evaluating the feasibility, estimated costs, and potential means of financing a coordinated water measurement database. This bill would require the board, in collaboration with the Department of Water Resources and the Delta Stewardship Council or its successor agency, to prepare and submit an update to the report to the Legislature by January 1, 2025, evaluating the feasibility, estimated costs, and potential means of financing a coordinated water measurement database, as specified.

Position  
Watch

[SB 272](#)

**(Laird D) Sea level rise: planning and adaptation.**

**Status:** 6/1/2023-Referred to Com. on NAT. RES.

**Location:** 6/1/2023-A. NAT. RES.

**Summary:** Would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program, as defined, to the California Coastal Commission or submitting, and receiving approval for, a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2034, as provided. By imposing additional requirements on local governments, the bill would impose a state-mandated local program. The bill would require local governments that receive approval for sea level rise planning and adaptation on or before January 1, 2029, to be prioritized for sea level rise funding, upon appropriation by the Legislature, for the implementation of projects in the local government's approved sea level rise adaptation plan. The bill would require, on or before December 31, 2024, the California Coastal Commission, in close coordination with the Ocean Protection Council and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of that planning and adaptation.

Position  
Watch

[SB 315](#)

**(Hurtado D) Groundwater: groundwater sustainability agencies: probationary basins.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-S. 2 YEAR

**Summary:** The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate specified basins as probationary basins if certain conditions are met, including, but not limited to, that the Department of Water Resources, in consultation with the board, determines that a groundwater sustainability plan is inadequate or that the groundwater sustainability program is not being implemented in a manner that will likely achieve the sustainability goal. Current law requires the board, if it designates a basin as a probationary basin pursuant to specified conditions, to identify the specific deficiencies and potential remedies. Current law authorizes the board to request the department, within 90 days of the designation, to provide technical recommendations to local agencies to remedy the deficiencies and to develop an interim plan for the probationary basin one year after the designation, as specified. This bill would require any groundwater sustainability agency that hires a third-party consulting firm to ensure that the integrity of the science being used to develop a groundwater sustainability plan is protected and the data is not sold. The bill would delete the authorizations for the board to request technical recommendations from the department. The bill would additionally place various requirements on the board in working with a groundwater sustainability agency, including, among other things, requiring the board to provide clear benchmarks and guidance for groundwater sustainability agencies to improve their groundwater management plans.

Position  
Watch

[SB 504](#)

**(Dodd D) Wildfires: defensible space: grant programs: local governments.**

**Status:** 5/11/2023-Referred to Com. on NAT. RES.

**Location:** 5/11/2023-A. NAT. RES.

**Summary:** Current law requires the Director of Forestry and Fire Protection to establish a common reporting platform that allows defensible space and home hardening assessment data, collected by the qualified entities, to be reported to the department. Current law requires the department to establish a local assistance grant program for fire prevention and home hardening education activities and provides that local agencies, among others, are eligible for these grants. Current law requires the State Fire Marshal to identify areas of the state as moderate, high, and very high fire hazard severity zones based on specified criteria. Current law requires a local agency to designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal, and authorizes a local agency, at its discretion, to include areas within the jurisdiction of the local agency, not identified as moderate, high, and very high fire hazard severity zones by the State Fire Marshal, as moderate, high, and very high fire hazard severity zones, respectively. This bill would require the department, when reviewing applications for the local assistance grant program, to give priority to any local governmental entity that is qualified to perform defensible space assessments in very high and high fire hazard severity zones who reports that information using the common reporting platform, as provided.

Position  
Watch

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# Dead Bill

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[AB 422](#)

**(Alanis R) Natural Resources Agency: statewide water storage: tracking.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 2/9/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-A. 2 YEAR

**Summary:** Would require the Natural Resources Agency, on or before June 1, 2024, to post on its publicly available internet website information tracking the progress to increase statewide water storage, and to keep that information updated.

Position  
Watch

**Total Measures: 45**

**Total Tracking Forms: 45**