



## STAFF MEMORANDUM

TO: Board Members and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: July 14, 2022

RE: State and Federal Affairs Update

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### **SUMMARY**

The San Luis & Delta-Mendota Water Authority engages in federal and state administrative and legislative forums to educate policymakers about the impacts of proposed federal and state actions on the Authority and its member agencies, specifically related to adopted annual Authority objectives and objectives contained within the Authority Strategic Plan.

Attached to this memo, please find the current status of legislation being monitored by Authority staff.



1. Tracked Legislation
  - a. Federal Legislation – Support Position

Bill Number(s)	Sponsor(s)	Bill Title	Summary	Position	Status
<b>S. 1179/H.R. 2552</b>	Feinstein (D-CA)  Costa (D CA-16)	Canal Conveyance Capacity Restoration Act	This bill would authorize the Secretary of the Interior to provide financial assistance up to a one-third non-reimbursable federal cost share for the design, planning, and construction of the Delta-Mendota Canal, San Luis Canal, Friant-Kern Canal, and the non-federal pools of the California Aqueduct. Additionally, the legislation would increase the authorization amount for the San Joaquin River Restoration Settlement Act Restoration Goal by \$180 million.	Support	Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)  Introduced and referred to the Senate Committee on Energy and Natural Resources. (4/15/2021)  Introduced and referred to the House Committee on Natural Resources. (4/15/2021)
<b>S. 4231</b>	Feinstein (D-CA)	STREAM Act	This bill authorizes \$1.65 billion in federal funds for a number of projects, programs and activities, including groundwater and surface storage projects and conveyance, water recycling, environmental funding, desalination, drinking water assistance to disadvantaged communities, and loans for water supply projects at discounted rates.  Additionally, the legislation establishes a two-tiered project authorization process by allowing Interior to approve water recycling, desalination and non-federal storage projects less with less than \$250 million in federal funding. For federal projects or projects with greater than \$250 million in federal funding, the legislation establishes a “Reclamation WRDA” process	Support	Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)  Introduced and referred to Senate Committee on Energy & Natural Resources. (5/17/2022)



			<p>to expedite Congressional review and approval of projects.</p> <p>Finally, the legislation would modify the cost allocation structure and approval structure for storage projects in a way that would incentivize multi-benefit projects.</p>		
<b>S. 914</b>	Duckworth (D-IL)	Drinking Water And Wastewater Infrastructure Act of 2021	<p>This bill reauthorizes through FY2026 or establishes a variety of programs for water infrastructure. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater. For example, the bill reauthorizes and revises the clean water state revolving fund (SRF) and the drinking water SRF.</p>	Support	<p>The Senate-passed version of the bill was included in H.R. 3684, the Infrastructure Investment and Jobs Act.</p> <p>Following the vote, the House received the bill on April 30<sup>th</sup>. Senator Tom Carper of the Senate Environment and Public Works Committee filed a written report on the bill on May 5<sup>th</sup>, 2021.</p> <p>S.914 passed the Senate on a vote of 89-2 on April 29<sup>th</sup>, 2021. Senators Ted Cruz (R-TX) and Mike Lee (R-UT) voted No on the measure. S. 914 would authorize more than \$35 billion in funding to improve water infrastructure and drinking water safety.</p>



<p><b>H.R. 1563</b></p>	<p>Garcia (R-CA-25)</p>	<p>To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.</p>	<p>The bill would extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 for 7 years, providing operational flexibility, drought relief, and other benefits to the State of California.</p>	<p>Support</p>	<p>Referred to the Subcommittee on Water, Oceans, and Wildlife (4/21/2021).</p> <p>Introduced and referred to the House Committee on Natural Resources and the Committee on Science, Space, and Technology (3/3/2021)</p>
<p><b>H.R. 644</b></p>	<p>Calvert (R-CA-42)</p>	<p>REBUILD Act</p>	<p>This bill authorizes (1) the assignment to states of federal environmental review responsibilities under relevant federal environmental laws for projects funded by, carried out by, or subject to approval by federal agencies; and (2) states to assume all or part of those responsibilities.</p> <p>Each responsible federal official who is authorized to assign such responsibility must promulgate regulations that establish requirements relating to information required to be contained in state applications to assume those responsibilities.</p> <p>An official may approve an application only if (1) public notice requirements have been met, (2) the</p>	<p>Support</p>	<p>Introduced and referred to the House Committee on Natural Resources (2/1/2021)</p>



			<p>state has the capability to assume the responsibilities, and (3) the head of the state agency having primary jurisdiction over the projects enters into a written agreement with an official to assume the responsibilities and to maintain the financial resources necessary to carry them out.</p> <p>The officials must audit state compliance with federal laws for which responsibilities are assumed. The officials may terminate the responsibilities assigned to states after providing notice to states of any noncompliance and an opportunity to take corrective action.</p>		
<b>H.R. 737</b>	Valadao (R-CA-21)	RENEW WIIN ACT	The bill would extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 for 10 years, providing operational flexibility, drought relief, and other benefits to the State of California.	Support	Referred to the Subcommittee on Water, Oceans, and Wildlife (2/23/2021)  Introduced and referred to the House Committee on Natural Resources (2/2/2021)
<b>H.R. 866</b>	Calvert (R-CA-42)	FISH Act	This bill gives the Fish and Wildlife Service (FWS) the sole authority to protect endangered or threatened species that are anadromous species (species of fish that spawn in fresh or estuarine waters and that migrate to ocean waters) or catadromous species (species of fish that spawn in ocean waters and migrate to fresh waters). Currently, the FWS shares this authority with the National Marine Fisheries Service.	Support	Referred to the Subcommittee on Water, Oceans, and Wildlife (3/3/2021)  Introduced and referred to the House Committee on Natural Resources (2/5/2021)



<b>S. 29</b>	Klobuchar (D-MN)	Local Water Protection Act	This bill reauthorizes through FY2025 programs within the Environmental Protection Agency that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.	Recommendation: Support	Introduced and Referred to the Senate Committee on Environment and Public Works (1/22/2021)
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b. Federal Legislation – Oppose Position

*Not tracking any bills SLDMWA is opposed to.*

c. Federal Legislation – No Position/Differing Position

Bill Number(s)	Sponsor(s)	Bill Title	Summary	Position	Status
<b>H.R. 4915</b>	McClintock (R-CA-04)	Water Supply Permitting Coordination Act	This bill would reauthorize the WIIN Act funding accounts; authorize funding to eliminate BOR’s maintenance backlog; restore storage capacity at BOR and U.S. Army Corp of Engineers facilities through a sediment management program.		Introduced and Referred to the House Committee On Natural Resources (8/03/2021)
<b>S. 2185</b>	Barrasso (R-WY)	The Western Water Infrastructure Act of 2021	This bill makes the Bureau of Reclamation the lead agency for the purpose of coordinating all permitting and related activities required to construct certain new surface-water storage projects. Additionally, Reclamation is authorized to accept and expend funds contributed by a nonfederal public entity to expedite the evaluation of a permit for such a project.		Introduced and Referred to the Senate Committee on Energy and Natural Resources (6/23/2021)
<b>S. 3886</b>	Warren (D-MA)	Future of Water Act of 2022	This bill would Prohibit the trading of water and water rights from commodity futures contracts. The proposed bill would add “water and water rights” to		(3/21/2022) – Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.



			the current list of prohibitions in the Commodity Exchange Act.		
<b>H.R. 6491</b>	Huffman (D-CA-02)	Salmon FISH Act	<p>This bill would identify the core centers of salmon abundance, productivity, and diversity as Salmon Conservation Areas and identify areas of particularly pristine quality as Salmon Strongholds.</p> <p>Build upon existing analysis such as that used in Essential Fish Habitat.</p> <p>Ensure actions of the federal government do not undermine the abundance of these areas.</p> <p>Authorize funding for a grant program focused on restoration and conservation of Salmon Conservation Areas and Salmon Strongholds.</p> <p>Support current federal programs focused on the restoration and maintenance of healthy watersheds.</p>		<p>WOW Subcommittee hearing held (3/17/2022). No movement since.</p> <p>Referred to the Subcommittee on Europe, Energy, the Environment and Cyber. (2/22/2022)</p> <p>Referred to the Subcommittee on Conservation and Forestry. (2/8/2022)</p> <p>Introduced in House. Referred to the Committee on Natural Resources. (1/25/2022)</p>
<b>H.R. 8127</b>	Schrier (WA-08-D) Garamendi (CA-03-D)	To reauthorize the Water Infrastructure Finance and Innovation Act of 2014	<p>This bill would clarify that state-led water projects, Bureau of Reclamation transferred works, and Congressionally authorized Army Corps projects are eligible to receive WIFIA loans.</p> <p>Additional provisions include: extending the maturity date of certain loans to 55 years. The bill would also direct the White House Office of Management and Budget (OMB) and the Congressional Budget Office to deem certain projects as “non-federal” under the Federal Credit Reform Act.</p>	Track language developments	<p>Referred to Subcommittee on Water Resources and Environment (6/17/2022)</p> <p>Introduced in the House and referred to the Committee on Transportation and Infrastructure (6/16/2022)</p> <p><a href="#">Bill text here.</a></p>
<b>H.R. 8265</b>	Kaptur (OH-09-D)	Making Appropriations	The Committee Report recommended \$1.89 billion for the Bureau of Reclamation, \$477 million above		Marked up by the Committee on Appropriations (6/28/2022)



for the energy and water development and related agencies for fiscal year ending September 30, 2023

the FY'23 budget request. This includes funding for the following line items:

- \$134 million for water storage projects authorized under section 4007 of the WIIN Act;
- \$33 million for CALFED;
- \$20 million in Title XVI program funding for projects authorized under section 4009 of the WIIN Act;
- \$10 million for planning and pre-construction activities related to canal conveyance capacity restoration;
- \$6 million for the Anadromous Fish Screen Program;
- \$500,000 for the Aging Infrastructure Account

a. Federal Legislation – Bills from Water & Power Subcommittee Legislative Hearing (5/25/2022)

Bill Number(s)	Sponsor(s)	Bill Title	Summary	Position	Status
<b>S. 953</b>	Wyden (D-OR)	Water for Conservation and Farming Act	To provide for drought preparedness and improved water supply reliability		Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)
<b>S. 2334</b>	Cortez Masto (D-NV)	Large Scale Water Recycling Project and Drought Resiliency Investment Act	Directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, to amend the Omnibus Public Land Management		Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)





			Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, and to provide emergency drought funding, and for other purposes.	
<b>S. 2693</b>	Padilla (D-CA)	Salton Sea Projects Improvement Act	Amends the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize additional projects related to the Salton Sea.	Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)
<b>S.3539</b>	Wyden (D-OR)	Watershed Results Act	Authorize the Secretary of the Interior to carry out watershed pilots.	Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)
<b>S.3971</b>	Inhofe (R-OK)	To amend the America’s Water Infrastructure Act of 2018 to modify a provision relating to cost-sharing requirements applicable to certain Bureau of Reclamation dams and dikes	Amends Sec. 4309 of the America’s Water Infrastructure Act of 2018 by modifying a provision related to cost-sharing requirements applicable to certain Bureau of Reclamation dams and dikes.	Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)
<b>S.4176</b>	Risch (R-ID)	To amend the Infrastructure Investment and Jobs Act to modify the eligibility requirements for	Amends the Infrastructure Investment and Jobs Act to modify the eligibility requirements for certain small water storage and groundwater storage projects and to authorize the use of funds for certain additional Carey Act projects.	Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)



certain small water storage and groundwater storage projects and to authorize the use of funds for certain additional Carey Act projects

<b>S.4233</b>	Barrasso (R-WY)	Platte River Basin Critical Maintenance and Repair Act	Amends the Infrastructure Investment and Jobs Act to provide for critical maintenance and repair of certain Bureau of Reclamation reserved or transferred works, and for other purposes.	Hearing held by Senate Committee on Energy & Natural Resources Subcommittee on Water & Power. (5/25/2022)
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1. Tracked State Legislation

Bill Number(s)	Author	Bill Title	Summary	Position	Status
<b>SB 559</b>	Hurtado	Department of Water Resources: water conveyance systems: Canal Conveyance Capacity Restoration Fund.	This bill would establish the Canal Conveyance Capacity Restoration Fund in the State Treasury to be administered by the department. The bill would require all moneys deposited in the fund to be expended, upon appropriation by the Legislature, in support of subsidence repair costs, including environmental planning, permitting, design, and construction and necessary road and bridge upgrades required to accommodate capacity improvements. The bill would require the department to expend from the fund, upon appropriation by the Legislature, specified monetary amounts to restore the capacity of 4 specified water conveyance systems, as prescribed, with 2 of those 4 expenditures being in the form of a grant to the Friant Water Authority and to the San Luis and Delta-Mendota Water Authority. The bill would make these provisions inoperative on July 1, 2030, and would repeal the provisions as of January 1, 2031.	Support	Ordered to inactive file on request of Assembly Member Gray. (9/8/2021)  Passed Senate Natural Resources and Water Committee on a 6-0 vote. Re-referred to the Committee on Appropriations. (4/27/2021)
<b>AB 252</b>	Rivas	Multibenefit Land Repurposing Incentive Program: Administration	This bill would find and declare that coordinated management of landscapes affected by SGMA can minimize economic and social dislocation in rural economies, reducing or avoiding environmental health impacts, facilitating a transition to less water-intensive but still productive and economic uses of land to achieve sustainable groundwater management. This bill would define "land	Support	Referred to the inactive file at the request of Senator Skinner. (09/07/2021)  From committee: Amend, and do pass as amended – voted 7-0 (8/26/2021).



			<p>repurposing” as converting previously irrigated agricultural land to new uses through any of the following methods:</p> <ul style="list-style-type: none"> <li>Restoring upland habitat.</li> <li>Creating pollinator habitat.</li> <li>Restoring floodplains.</li> <li>Creating dedicated wildlife-friendly recharge areas.</li> <li>Dryland farming or planting cover crops.</li> <li>Switching from irrigated agriculture to rangeland.</li> <li>Creating parks or community recreation areas.</li> </ul>		
<b>AB 350</b>	Villapudua	Agriculture: Cannella Environmental Farming Act of 1995: technical assistance grant program: groundwater conservation planning.	AB 350 would create a three-year program within CDFA (if funds are appropriated by the Legislature) that would fund technical assistance to support landowners located in critically over-drafted basins in the San Joaquin Valley in reaching water use reduction goals established under SGMA. The purpose of this program would be to avoid unnecessarily fallowing of agricultural land. The grant program would fund one technical assistance provider in each of the eight counties that make up the San Joaquin Valley.	Oppose	Referred to the inactive file at the request of Senator Hurtado. (09/02/2021)
<b>AB 979</b>	Frazier	Sacramento-San Joaquin Delta: projects: sea level rise analysis report.	As amended on April 13, 2021, AB 979 would require any individual or entity, including a state or local agency, that undertakes a “project” within the Delta to complete a report that analyzes the impact of sea level rise on the project. The report would be required to include an analysis based on the sea level	Oppose	(2/1/2022) - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.



			<p>rise scenarios described in the Ocean Protection Council’s (OPC) <i>Sea-Level Rise Guidance 2018 Update Document</i>. More probable or severe sea level rise scenarios could also be included but would not be required. The bill would require the individual or entity to submit the report to the DSC, the Delta Protection Commission (DPC), and the Legislature, and the report would be required to be posted on the DSC and DPC websites.</p>		<p>Ordered to inactive file at the request of Senator Hurtado.</p> <p>(9/2/2021)Passed Committee on Water, Parks, and Wildlife on a vote of 9 to 5. Referred to the Committee on Appropriations. (04/27/2021)</p> <p>In committee. Held under submission. (05/20/2021)</p>
<b>AB 2639</b>	Quirk	San Francisco Bay/Sacramento-San Joaquin Delta Estuary: water quality control plan: water right permits	Requires the State Water Resources Control Board (State Water Board) to complete an update and implementation, as specified, of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan (Bay-Delta Plan) by December 31, 2023, and places a moratorium on new water rights permits resulting in increased diversions in the Sacramento River/San Joaquin River watershed after January 1, 2024, unless and until the update and implementation are completed.	Oppose unless amended.	<p>Passed WP&amp;W 9-4 and ESTM 5-3, to Appropriations.</p> <p>Failed to pass Assembly Floor.</p>
<b>AB 2895</b>	Arambula	Water: permits and licenses: temporary changes: water or water rights transfers	Revises the State Water Resources Control Board’s (State Water Board) process for consideration and approval of a petition to temporarily change a water right to effectuate a short-term water transfer (i.e., for a period of one year or less).	Monitor, working with Author on Amendments.	<p>Passed WP&amp;W 11-0 and Appropriations.</p> <p>Passed Assembly Floor 50-19.</p>



					Passed Natural Resources & Water 7-0, to Appropriations.
<b>AB 1001</b>	Garcia	Environment: mitigation measures for air and water quality impacts: environmental justice	Amends the California Environmental Quality Act (CEQA) to 1) require mitigation to compensate for adverse air or water quality impacts in a disadvantaged community (DAC) to mitigate those impacts directly in the affected community and 2) require all public agencies implementing CEQA to give consideration to the principles of environmental justice by ensuring the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins.	Monitor	2-year bill, passed Assembly 43-23, to Senate EQ.  Failed to pass Senate EQ.
<b>AB 1640</b>	Ward	Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans	Requires the Office of Planning and Research (OPR) to facilitate the creation of regional climate networks and create standards for the development of a regional climate adaptation action plan to support the implementation of regional climate adaptation efforts	Monitor	Passed Natural Resources 8-1 and Appropriations.  Passed Floor 71-0.  Passed Natural Resources and Water 8-0.
<b>AB 1642</b>	Salas	California Environmental Quality Act: water system well and domestic well projects: exemption	Establishes an exemption from the California Environmental Quality Act (CEQA) for projects designed to mitigate or prevent the failure of a drinking water well designated as high risk or medium risk in the State Water Resources Control Board (SWRCB) drinking water need assessment.	Monitor	Passed Assembly 55-2, to Senate.  Passed Senate EQ 7-0.
<b>AB 1717</b>	Aguiar-Curry	Public works: definition	Expands the definition of “public works,” for the purpose of the payment of prevailing wages, to also include fuel reduction work paid for in whole or in part by public funds performed as part of a fire	Monitor	Passed Labor and Employment 6-0 and Appropriations.



			mitigation project, including, but not limited to, residential chipping, rural road fuel breaks, fire breaks, and vegetation management.		Passed Assembly 58-11. Passed Senate Labor 4-1, to Appropriations.
<b>AB 1811</b>	Fong	Delta Plan: multispecies conservation plan	Deletes references to “Bay-Delta Conservation Plan” (BDCP) and “BDCP” in existing law and replaces them with “multispecies conservation plan;” likewise, deletes obsolete references to “Department of Fish and Game” in existing law and replaces them with “Department of Fish and Wildlife.”	Monitor	Passed WP&W 8-4 and Appropriations. Passed Assembly 69-1. Passed Natural Resources and Water 9-0, to Appropriations.
<b>AB 1865</b>	Bennett	Court fee waiver: water rights cases	Permits a person to proceed without paying court fees and costs when that person is joined or countersued in a case involving a water right held by the person, including, but not limited to, an appropriative, groundwater, or riparian water right.	Monitor	Passed WP&W 15-0 and Appropriations. Passed Floor 76-0. Passed Judiciary 11-0, to Appropriations.
<b>AB 1906</b>	Stone	Voluntary stream restoration: property owner liability: indemnification: claims	Makes technical changes to provisions relating to indemnity and limited liability protections for real property owners who voluntarily permit a state-funded project to restore fish and wildlife habitat on their real property	Monitor	Passed Assembly Floor 61-0, to Senate.
<b>AB 2016</b>	Bauer-Kahan	State Water Resources Control Board: desalination plant: feasibility study	Requests the California Council on Science and Technology (CCST) to undertake a comprehensive feasibility study of brackish and ocean water desalination along the San Francisco Bay in coordination with the Department of Water Resources (DWR) and submit the study to the Legislature no later than January 1, 2025.	Monitor	Passed WP&W 13-0 and Appropriations. Passed Floor 74-0. Passed Judiciary 9-0, to Appropriations.



<b>AB 2041</b>	Garcia	California Safe Drinking Water Act: primary drinking water standards: compliance	Requires the State Water Resources Control Board (State Water Board) to work with public water systems it has determined may not be able to comply with a future primary drinking water standard without receiving financial assistance to develop a compliance plan for those water systems	Monitor	Passed ESTM 9-0, failed to pass Appropriations.
<b>AB 2054</b>	Quirk-Silva	Corporation taxes: exempt organizations: mutual ditch or irrigation companies: public water system: mutual water companies	Exempts, for 2023 through 2027 taxable years, from the taxes imposed by the Corporation Tax (CT) Law, a mutual ditch or irrigation company that operates a public water system if the company complies with specified requirements, including those open meeting and record accessibility requirements for eligible persons.	Monitor	Passed Rev & Tax 11-0, failed to pass Appropriations.
<b>AB 2078</b>	Flora	Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program	This bill reconfigures the existing Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program (Atmospheric Rivers Program) within the Department of Water Resources (DWR).	Monitor	Passed WP&W 13-0, failed to pass Appropriations.
<b>AB 2081</b>	Garcia	Municipal water districts: water service: Indian lands	Extends the sunset date, until January 1, 2025, on the authorization for a municipal water district (MWD) to apply to a local agency formation commission (LAFCO) to extend water service to Indian lands, as specified. Defines "Indian lands" to mean Indian lands that were part of a reservation or held in trust as of January 1, 2022.	Monitor	Passed Assembly 70-0, to Senate.  Passed Gov and Finance 5-0, to Appropriations.
<b>AB 2106</b>	Rivas	Water quality: permits	Requires, on or before December 2024, the California State Water Resources Control Board (State Water Board) to, modernize its Stormwater Multiple Application and Report Tracking System (SMARTS) database. Additionally, Requires the State Water	Monitor	Passed ESTM 6-2 and Appropriations.  Passed Floor 50-21.





			Board to establish a statewide commercial, industrial, and institutional national pollutant discharge elimination system (NPDES) order		Passed EQ 5-2, to Appropriations.
<b>AB 2108</b>	Rivas	Water policy: environmental justice: disadvantaged and tribal community representation	Requires one member of the State Water Resources Control Board (State Water Board) and one member of each Regional Water Quality Control Board (Regional Water Board) to have experience related to disadvantaged or tribal communities and requires the State Water Board and Regional Water Boards to take various actions to address environmental justice and racial equity in their planning and permitting processes.	Monitor	Passed ESTM 6-1 and WP&W 11-3 and Appropriations. Passed Assembly 52-19.
<b>AB 2113</b>	Rivas	State Water Pollution Cleanup and Abatement Account: annual proceed transfers	Creates four new accounts in the Waste Discharge Permit Fund and, subject to a future legislative act, transfers up to a total of 50 percent of the annual proceeds from the State Water Pollution Cleanup and Abatement Account (Account) to these four new accounts for specified purposes.	Monitor	Passed ESTM 9-0, failed to pass Appropriations.
<b>AB 2173</b>	Petrie-Norris	Public contracts: payment	This bill would remove the sunset clause on the 5% retention cap policy related to public works projects, thereby permanently establishing it	Monitor	Passed Assembly 69-0, to Senate. Passed Senate, to Governor.
<b>AB 2201</b>	Bennet	Groundwater sustainability agency: groundwater extraction permit	Requires a groundwater sustainability agency (GSA) in a critically overdrafted basin to establish and implement a process to issue permits for groundwater extraction facilities within the GSA's jurisdiction by July 1, 2023, unless the facility is exempted due to groundwater being used for	Monitor	Passed WP&W 8-5 and Appropriations. Passed Floor 44-24. Passed Gov & Finance 3-1, to Appropriations.



			domestic, environmental, existing, or renewable energy purposes.		
<b>AB 2313</b>	Bloom	Water: judges and adjudications	Establishes a judicial training program on water and expands use of experts to assist in complex cases involving water law.	Monitor	Passed Judiciary 10-0 and WP&W 15-0 and Appropriations.  Passed Floor 74-0.  Passed Judiciary 10-0, to Appropriations.
<b>AB 2387</b>	Garcia	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022	Authorizes the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Act of 2022 (Climate Bond), a \$7.4 billion general obligation bond to address the impacts of climate change, to be placed before voters on the November 8, 2022, general election ballot.	Monitor	Passed WP&W 11-2 and Natural Resources 7-2, failed to pass Appropriations.
<b>AB 2412</b>	Villapudua	Agriculture: State Water Efficiency and Enhancement Program	Codifies the State Water Efficiency and Enhancement Program (SWEEP) administered by the California Department of Food and Agriculture (CDFA) which provides grants to agricultural operations for projects that reduce greenhouse gases (GHG) and water use.	Monitor	Passed Ag 9-0 and WP&W 15-0, failed to pass Appropriations.
<b>AB 2419</b>	Bryan	Environmental justice: federal Infrastructure Investment and Jobs Act: Justice40 Oversight Committee	Requires a state agency administering federal funds under the federal Infrastructure Investment and Jobs Act to allocate a minimum of 40 percent of those funds to projects that provide a direct benefit to disadvantaged communities and an additional 10	Monitor	Passed ESTM 6-2 and Natural Resources 6-2 and Appropriations.  Passed Floor 55-17



			percent of those funds to projects that provide direct benefits to low-income households		Passed GO 9-3, to Appropriations
<b>AB 2421</b>	Rubio	Water: unlicensed cannabis cultivation	This bill enhances the ability for local prosecutors to civilly enforce restrictions against unlawful diversions of water and water pollution stemming from unlicensed cannabis growing operations.	Monitor	Passed Judiciary 9-0 and WP&W 13-0 and Appropriations.  Passed Floor 76-0.  Passed WPW 15-0, to Appropriations.
<b>AB 2447</b>	Quirk	Oil and gas wastewater: unlined ponds: prohibition	Prohibits the disposal of produced wastewater into unlined ponds and the construction of new unlined ponds.	Monitor	Passed Natural Resources 8-3, to Appropriations.  Moved to inactive file.
<b>AB 2451</b>	Wood	State Water Resources Control Board: drought planning	Establishes a permanent Drought Section at the State Water Resources Control Board (State Water Board) and requires it to adopt principles and guidelines that apply to specified coastal watersheds during times of drought. Requires the State Water Board to establish a permanent Drought Section within the Division of Water Rights (Division) to improve drought planning, drought response, and climate resiliency, including adopting principles, guidelines, and plans as directed by this bill. Requires that the State Water Board consider the recommendations of the Water Rights Drought Effort Review report.	Monitor	Passed WP&W 11-1, failed to pass Appropriations.
<b>AB 2805</b>	Bauer-Kahan	Department of Fish and Wildlife: advance mitigation and	Revises provisions relating to the Regional Conservation Investment Strategies (RCIS) Program at the Department of Fish and Wildlife (DFW).	Monitor	Passed WP&W 15-0 and Appropriations.  Passed Floor 71-0.



		regional conservation investment strategies			Passed Natural Resources and Water 9-0, to Appropriations.
<b>AB 2819</b>	Cooley	The Rural California Infrastructure Act	AB 2819 establishes the Rural California Infrastructure Act for the purpose of awarding \$1 billion in grants to local agencies for rural infrastructure projects, including fairground maintenance, disaster preparedness, highway or street maintenance or repair, and historic or cultural preservation or repair	Monitor	Passed Emergency Management 7-0 and Jobs, Economic Development and the Economy 6-0, failed to pass Appropriations.
<b>AB 2877</b>	Garcia	Safe and Affordable Drinking Water Fund: tribes	Requires the State Water Resources Control Board (State Water Board) when administering funds under the Safe and Affordable Drinking Water Fund (Fund) to work with tribes to remove barriers for those tribes to accessing funding under the Fund. Additionally, provides that a limited waiver of tribal sovereignty is not required for a tribe that is an eligible recipient to access funding under the Fund.	Monitor	Passed ESTM 9-0 and Appropriations. Passed Floor 72-0. Passed Senate EQ 7-0, to Appropriations.
<b>SB 463</b>	Dahle	Water: landowner right to modify, repair, or replace jointly used conduits	This bill authorizes a landowner, where a conduit is constructed across or buried beneath the lands of 2 or more landowners, to modify, repair, or replace the conduit on or beneath their land if the modification, repair, or replacement is made in a manner that does not impede the flow of the water to any other property receiving a benefit of the conduit or, otherwise injure any person using or interested in the conduit.	Monitor	2-year bill, passed Senate Floor 38-0, to WP&W. Failed passage.



<b>SB 991</b>	Newman	Public contracts: progressive design- build: local agencies	This bill allows local agencies that provide water service to use progressive design-build for projects over \$5 million.	Monitor	Passed Gov & Finance 5-0 and Appropriations.  Passed Floor 33-0.  Passed Local Gov 8-0, to Appropriations.
<b>SB 1100</b>	Cortese	Open meetings: orderly conduct	This bill authorizes the presiding member of a legislative body conducting a meeting to remove an individual for disrupting the meeting, and defines “disrupting” for these purposes.	Monitor	Passed Senate Floor 29-7, to Assembly.  Passed Judiciary, to Appropriations.
<b>SB 1123</b>	Caballero	Resilience Navigators Program: climate-related disaster resilience grant and loan programs	Requires the Office of Planning and Research to develop the Resilience Navigators Program to provide support and guidance to potential applicants for state programs that offer financial assistance related to enhancing resilience to climate change, including disasters associated with or amplified by climate change.	Monitor	Passed Senate EQ 7-0 and Natural Resources 9-0 and Appropriations.  Passed Floor 39-0.  Passed Natural Resources 10-0, to Appropriations.
<b>SB 1124</b>	Archuleta	Public health goal: primary drinking water standard: manganese	This bill would require the Office of Environmental Health Hazard Assessment (OEHHA) to prepare a public health goal for manganese as well as require the State Water Resources Control Board (SWRCB) to adopt a primary drinking water standard for manganese and to establish monitoring requirements for manganese.	Monitor	Passed Senate EQ 5-0 and Appropriations.  Passed Floor 31-5.  Passed ESTM 6-2, to Appropriations.
<b>SB 1144</b>	Wiener	Water efficiency and quality assessment reports: state	This bill requires state agencies and public schools to complete a water efficiency and quality assessment report on their facilities, including testing for lead, radon, Legionella, and other contaminants. If the report identifies noncompliant plumbing fixtures and	Monitor	Passed GO 10-1 and Education 6-0 and Appropriations.  Passed Floor 36-1.



		buildings and public school buildings	appliances or contaminants, the bill would require the operating agency to remedy the problem at the earliest practical time, subject to available funding.		Passed ESTM and Education, to Appropriations.
<b>SB 1157</b>	Hertzberg	Urban water use objectives: indoor residential water use	This bill changes th the standards for indoor residential water use beginning 2025 to 47 gallons per capita daily (gpcd) and beginning 2030 to 42 gpcd.	Monitor	Passed Senate Floor 28-9, to Assembly WP&W. Passed WPW 8-4, to Appropriations.
<b>SB 1188</b>	Laird	Safe Drinking Water State Revolving Fund: financial assistance	This bill would authorize the State Water Resources Control Board (State Water Board) to provide grants, principal forgiveness funding, and zero percent financing from the state’s Drinking Water State Revolving Fund to the extent authorized by federal law by deleting certain existing requirements, including making such funding limited to water systems serving severely disadvantaged communities.	Monitor	Passed EQ 7-0 and Appropriations. Passed Floor 39-0. Passed ESTM 8-0, to Appropriations.
<b>SB 1197</b>	Caballero	Water Innovation and Drought Resiliency Act of 2022	Create in the Office of Planning and Research, the Initiative to Advance Water Innovation and Drought Resiliency. The purpose of the Initiative is the furtherance of new technologies and other innovative approaches in the water sector, including how these approaches can lead to a drought-resilient economy. Requires the initiative to:  a) Establish an interagency team to increase collaboration among state agencies on innovative approaches and drought resiliency.  b) Engage affected stakeholders, including water agencies, academia, vendors, commercial and	Monitor	Passed Natural Resources and Water 8-0, failed to pass Appropriations.



agriculture users, and environmental and environmental justice organizations.

c) Review regulations that may limit or inhibit innovation, the adoption of new technologies and other water innovations, or planning for a drought-resilient future, including, but not limited to, in disadvantaged communities, and make recommendations for streamlining or revising those regulations.

d) Develop recommendations for innovative approaches and technologies that will protect the state’s economy from fluctuations brought on by drought conditions, including regional and local water supply options, incorporating any relevant elements of state plans and efforts that address impacts of drought on the state’s economy, and the role of innovation in securing a sustainable water future.

<b>SB 1205</b>	Allen	Water rights: appropriation	Require the State Board to develop and adopt regulations to provide greater specificity as to the methods and practices for determining water availability in the issuance and administration of water right permits and licenses. Would require the regulations to include, but not be limited to, consideration of the effects of climate change, including drought extremes, climate variability, wildfires, long term watershed land use changes, and ground-water-surface-water interactions, upon	Monitor	Passed Natural Resources and Water 8-0 and Appropriations.  Passed Floor 34-0.  Passed WPW 10-5, to Appropriations.
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			watershed hydrology as part of the preparation of water availability analyses.		
<b>SB 1219</b>	Hurtado	21st century water laws and agencies: committee	Requires the Secretary of the Natural Resources Agency and the Secretary for Environmental Protection to convene a committee to develop and submit to the Governor and to the Legislature a strategic vision, proposed statutes, and recommendations for a modern 21st century set of water laws and regulations and state and local water agencies for the state, as provided, on or before December 31, 2024.	Monitor	Passed EQ 5-0 and Natural Resources and Water 6-0 and Appropriations.  Passed Floor 21-6.  Failed to pass WPW.
<b>SB 1253</b>	Melendez	Infrastructure plan: flood control: delta levees	This bill would add the following to the list of types of infrastructure to be included in the five-year infrastructure plan: 1) Construction, operation, and maintenance for facilities of the State Plan of Flood Control. 2) Support for infrastructure needs pursuant to the Delta Levee Subvention Program. 3) Support for infrastructure needs pursuant to the Delta Special Flood Control Projects Program. 3) Aggregate funding for the state share of nonfederal capital costs for flood control projects located outside of the Central Valley.	Monitor	Passed Natural Resources and Water 8-0 and Appropriations.  Passed Floor 39-0.  Passed WPW 14-0, to Appropriations.
<b>SB 1254</b>	Hertzberg	Drinking water: administrator: managerial and other services	This bill provides a level of immunity to administrators of water systems appointed or selected by the State Water Resources Control Board. The bill also expands the water systems for which administrators can be appointed.	Monitor	Passed Senate EQ 7-0 and Judiciary 11-0, failed to pass Appropriations.





Legislative Matrix

June 9<sup>th</sup>, 2022

<b>SB 1392</b>	McGuire	Fish and wildlife: steelhead trout: fishing report-restoration card	This bill would extend the sunset for the steelhead report card program until January 1, 2028, and again require a legislative report on the program prior to the sunset, as provided.	Monitor	Passed Natural Resources and Water 8-0 and Appropriations 7-0. Passed Floor 38-0. Passed WPW 12-0, to Appropriations.
<b>SB 1469</b>	Bradford	Water corporations: demand elasticity	This bill requires the California Public Utilities Commission (CPUC) to authorize the use of full decoupling of water sales and revenues by water utilities	Monitor	Passed EUC 11-0 and Appropriations. Passed Floor 36-0. Passed U&E 13-0, to Appropriations.