



## ● **Communications and Legislation Committee Report**

### **Summary**

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This letter provides information on activities in External Affairs, relating to federal and state legislative activities and community outreach.

### **Purpose**

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Informational

### **Attachments**

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None.

### **Detailed Report**

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#### **Background**

External Affairs is working with member agencies, organizations and policymakers on the state and federal levels to address impacts of the COVID-19 pandemic on the water sector, to advance Metropolitan's priority policy objectives and to maintain effective outreach and education activities throughout the service area.

#### **Federal Legislative Report**

##### COVID-19 Relief Package

Leaders from both parties in Congress and the administration are negotiating the next legislative response to COVID-19. If an agreement is reached, it would be the fifth major COVID-19 federal relief package and would provide stimulus funding and address several key CARES Act programs that expired at the end of July, including unemployment benefits and protections against evictions.

Currently, there are significant differences between the Senate and House packages. On July 27, Senate Republicans released the "Health, Economic Assistance, Liability Protection, and Schools (HEALS) Act," a \$1 trillion package of eight bills that address liability protections, limited unemployment insurance benefits and tax credits, among other provisions. The House Democrats' COVID-19 package, H.R. 6800 (Lowey, D-NY), the "Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act," was passed in May and includes \$3.5 trillion in funding relief, with aid to state and local governments, payroll tax credits and numerous other programs.

Notably absent from the Senate legislative package is aid for state and local governments and special districts. Senators Sinema (D-AZ) and Cornyn (R-TX) introduced S. 4308, a companion bill to Rep. Garamendi's H.R. 7073, Special Districts Provide Essential Services Act which would include special districts among local government agencies that receive funding. California Senators Harris and Feinstein are co-sponsors of the legislation along with Senator McCally (R-AZ). Metropolitan staff is working with a broad coalition, including the Association of Metropolitan Water Agencies, Association of California Water Agencies, and the California Special Districts Association, to advocate for aid to public agencies, including special districts, and build support for the inclusion of S. 4308 in the next COVID-19 relief package.

##### Fiscal Year 2021 (FY21) Appropriations

The federal fiscal year ends September 30; however, the Senate Appropriations Committee has yet to release any appropriations bills nor are any hearings currently scheduled. In July, the House passed 11 FY21 appropriations bills, including H.R. 7612 (McCullum, D-MN), the Department of Interior, Environment, and Related Agencies Appropriations Act of 2021. This bill funds the U.S. Environmental Protection Agency (EPA) and the U.S. Geological Survey at levels consistent with FY20 appropriations. The bill provides no new funding for EPA's

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Water Infrastructure Finance and Innovation Act (WIFIA) program but instead rescinds roughly \$71 million of unobligated funds from FY18 and FY19 and re-appropriates these funds for FY21. The House adopted an amendment offered by Rep. Speier (D-CA) to clarify that WIFIA projects already in the funding pipeline should not have to restart their applications.

Metropolitan staff, along with a coalition of water and wastewater organizations, is advocating for new FY21 appropriations for the WIFIA program, an important and valuable tool for funding water infrastructure projects that compliments EPA's State Revolving Fund program to help ensure communities have access to safe reliable drinking water.

On July 31, the House passed H.R. 7613 (Kaptur, D-OH), the Energy and Water Development and Related Agencies Appropriations Act of 2021 that funds the Bureau of Reclamation and Army Corps of Engineers at similar levels to FY20, including \$63.6 million for water recycling projects.

### Per- and Polyfluoroalkyl Substances (PFAS)

Legislation directing U.S. EPA to set a drinking water standard for specific PFAS or list PFAS as a hazardous substance is unlikely to happen this year. While the FY20 National Defense Authorization Act (NDAA) contained multiple provisions on PFAS, the PFAS language in the FY21 bill is more limited. Both the House (H.R. 6395) and Senate (S. 4049) FY21 NDAA provide \$15 million for a study by the Centers for Disease Control and Prevention to examine the health effects of PFAS. The House bill includes disclosure requirements for PFAS at military installations and the Senate bill includes funds to address PFAS pollution near military housing. Both bills have passed their respective chambers and are now being conferenced.

H.R. 7612 (McCollum, D-MN), the Department of Interior, Environment, and Related Agencies Appropriations Act of 2021, also includes several PFAS provisions that are limited in scope. For example, the bill provides \$2 million to study the relationship between PFAS exposure and susceptibility to COVID-19; and \$2.5 million for the development of wastewater discharge limits for industries.

### Western Water Legislation

On July 22, the Senate Committee on Energy and Natural Resources, Subcommittee on Water and Power held a hearing on five western water bills including S. 3811, Senator Feinstein's Restoration of Essential Conveyance Act. Senator Feinstein testified in person emphasizing that, "these projects are restoring canals damaged by subsidence to their original design capacity, they raise few environmental issues." Senator McSally (R-AZ), Chairwoman of the Subcommittee, is expected to combine elements from the bills with S. 1932 (Gardner, R-CO), the Drought Resiliency and Water Supply Infrastructure Act, and her own bill S.2044 (McSally, R-AZ), the Water Supply Infrastructure Utilization and Rehabilitation Act, into one Reclamation-focused water infrastructure package.

### **State of California Legislative Report**

The Legislature resumed work on July 27 after an extended summer recess. A condensed schedule with policy committee hearings twice a day and on some weekends will continue until the end of the session on August 31. Given the ongoing concerns with COVID-19 exposure, the Senate and the Assembly will allow proxy and remote voting to expedite policy committee work except for floor votes.

### Economic Stimulus

A group of legislators led by Senate Majority Leader Hertzberg (D-Van Nuys) and Assembly Budget Committee Chair Ting (D-San Francisco) have unveiled a \$100 billion economic stimulus package for a budget trailer bill. The plan avoids raising taxes by issuing vouchers for pre-payment of future taxes and securitizing future revenue streams such as the gasoline tax and cap-and-trade revenues. While light on details, the plan identified potential investments in clean water delivery and recycling, light- and heavy-duty clean vehicles, energy and water use efficiency, and streamlining CEQA judicial review.

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### Water Resilience Portfolio

The Governor released the final Water Resilience Portfolio on July 28. Fourteen new actions have been added and five removed from the portfolio. The new actions focus on upper watershed health, tribal interests and leadership, cross-border water issues, urban stream restoration, and management of stormwater, flood and salinity. Due to the impacts of the pandemic on the state's fiscal outlook and economic climate, the proposed climate resilience bond was removed from the portfolio.

### CEQA Reform

Assembly Member Friedman (D-Glendale) agreed to amend AB 3279 to improve the CEQA judicial process. The amendments remove a requirement that public agencies concurrently publish the administrative record with the CEQA action, which would have been burdensome for many agencies that may undertake hundreds of CEQA action items annually. Metropolitan now supports the bill.

### Renewable Energy

The State Water Contractor lobbyists met with Assembly Member Carrillo (D-Los Angeles) and members of the Senate Energy, Utilities and Communication Committee to express opposition unless amended to AB 1720 (Carrillo) to explore alternatives to making the Department of Water Resources the central procurement entity for long-duration energy storage. Chair Hueso (D-San Diego) subsequently pulled the bill from the committee agenda due to the lack of support among lawmakers.

## **External Affairs Management Report**

### COVID-19 Messaging

Metropolitan continues to provide strong messaging to the public and other agencies on the safety of its water supply, the challenges met and overcome to its operations, and lessons learned during the COVID-19 pandemic. This includes the most recent collection of social media posts, "What We're Learning from COVID-19," which spotlights the district's flexibility, dedication to employee well-being and value of planning. Like all creative assets, the materials are available to all member agencies and their sub agencies for use and customization.



In addition, Metropolitan participated in an online WaterStart Global Water Utilities conference on "How Water Utilities Are Responding to COVID-19" featuring emergency response, operations, HR, innovation and public affairs teams from agencies in the United States, UK, Australia, Singapore, the Netherlands, Belgium and other nations. This is one of many collaborative efforts underway to understand best practices for utilities to adapt to changing conditions and communicate with employees, customers and the business community.

### Conservation Education and Outreach

As part of its summer educational outreach and programming, External Affairs staff are working with Boy Scout and Girl Scout programs to provide water awareness and conservation-based activities. This includes Metropolitan and Central Basin's Girl Scout Water Protector summer program with more than 450 participants, Zoom workshops for Girl Scout troops in Inglewood, and projects for a scouting online Merit Badge on Soil And Water Conservation.

### Regional Recycled Water Project Support

Metropolitan hosted Executive Director Alex Herrgott of the White House Federal Permitting Improvement Steering Council (FPISC) for a tour and briefing of the Regional Recycled Water Project Advanced Purification

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Center. External Affairs and Engineering staff led the facility tour. The RRWP has been submitted for consideration for federal stimulus funding and the FPISC program.