



BIGHORN-DESERT VIEW WATER AGENCY

Our Mission - "To provide a high quality supply of water and reliable service to all customers at a fair and reasonable rate."

Planning/Legislative/Engineering Grant & Security Standing Committee Meeting Agenda

Committee Members: Vice President Corl-Lorono & Secretary Burkhart

BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CALIFORNIA 92284

October 16, 2018
Time – 9:15 A.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA

Discussion and Action Items - The Board of Directors and Staff will discuss the following items, and the Board will consider taking action, if so inclined.

The Public is invited to comment on any item on the agenda during discussion of that item.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three minutes to provide their public comment.

5. Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee

Committee to participate via teleconference for an update by the State Advocate of Issues at the State Level, as well as an update by the Federal Advocate of Issues at the Federal Level.

6. Prop. 1 Planning Grant for Water System Integration and Interties Update

7. **Consent Items** – The following items are expected to be routine and non-controversial and will be acted on by the Board at one time without discussion, unless a member of the Public or member of the Board requests that the item be held for discussion or further action.

- a. PLEGS Committee Meeting Minutes, **August 21, 2018**

**Recipient of the 2015 Association of California Water Agencies
Clair A. Hill Agency Award for Excellence**

Recommended Action:
Approve as presented (Item a):

8. Public Comment Period

Any person may address the Board on any matter within the Agency's jurisdiction on items not appearing on this agenda.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three minutes to provide their public comment. State Law prohibits the Board of Directors from discussing or taking action on items not included on the agenda.

9. Verbal Reports - Including Reports on Courses/Conferences/Meetings.

1. Committee Members' Comments/Reports
2. General Manager's Report

10. Adjournment

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above.

As a general rule, agenda reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other disclosable public records in connection with an open session agenda item, are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

Internet: Once uploaded, agenda materials can also be viewed at www.bdvwa.org

Public Comments: You may wish to submit your comments in writing to assure that you are able to express yourself adequately. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.

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LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING

AGENDA

**Mojave Water Agency
Board Room
13846 Conference Center Drive
Apple Valley CA 92307**

Teleconference Line 760-946-7044

**October 16, 2018
9:30 a.m.**

NO ACTION WILL BE TAKEN – STUDY SESSION ONLY

1. Approve Agenda
2. Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of September 18, 2018
3. Update by State Advocate of Issues at the State Level (teleconference)
4. Update by Federal Advocate of Issues at the Federal Level (teleconference)
5. Public Information Update
6. General Manager's Report
7. Public Participation
8. Comments/Discussion Items for Next or Future Agendas
9. Adjournment

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting, should be directed to the Agency's General Manager's office at (760) 946-7002 at least 24 hours prior to said meeting.

Committee meetings are now available on conference line 760-946-7044.

NOTE: Be sure to visit our Facebook page at:

<http://www.facebook.com/mojavewater>



LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING

APPROVED MEETING SUMMARY September 18, 2018

CALL TO ORDER:

Chairperson Beverly Lowry called the meeting to order at 9:30 a.m.

ATTENDANCE:

- ✚ Committee – Chairperson Beverly Lowry, Director Richard Hall, and Thurston “Smitty” Smith
- ✚ Absent – None
- ✚ Staff – General Manager Tom McCarthy, Director of Community Outreach and Cultural Relations Yvonne Hester, and Executive Assistant Michelle Doyle
- ✚ Consultants – State Advocate Carolyn Jensen, KP Public Affairs; and Federal Advocates Letitia White, Shavenor Winters, and Drew Tatum, Innovative Federal Strategies LLC joined by teleconference
- ✚ Others – Four guests were in the audience and four were online

1. **Approve Agenda**

The agenda was agreed upon as presented.

2. **Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of August 21, 2018**

The meeting summary was agreed upon as presented.

3. **Update by State Advocate of Issues at the State Level**

Ms. Jensen stated the legislature adjourned its two-year session and are awaiting the Governor’s action on all of the bills that made it to his desk and he has until September 30th to sign or veto the bills. She also gave an update on the Joint Legislative Budget Committee Oversight Hearing on the State Water Project Contract Extension that took place on September 11th and attended by Mr. McCarthy and Ms. Cortner.

Ms. Jensen also updated the Committee on Proposition 5 regarding property tax transfer for seniors, veterans, and those affected by a natural disaster that will be placed on the ballot for the November 6th election.

Discussion ensued by the Committee.

4. **Update by Federal Advocate of Issues at the Federal Level**

Ms. White and Mr. Tatum provided an update on legislation, including several appropriation bills and the second and third minibus legislation, which is on the floor with the Senate at this time. Mr. Tatum also updated the Committee on the Water Resources Development Act.

The advocates concluded with addressing questions from the Committee.

5. **Public Information Update**

Ms. Hester gave a PowerPoint presentation providing an update on upcoming events, including the Agency Mini Tour, Barstow Water-Wise Festival, and High Desert Opportunity all in the month of October. She also mentioned the Innovators High Desert Water Summit, which will be held February 8, 2018 with the essay contest beginning October 22nd. The Curiosity Quest Problem Solver Contest was advertised in the Daily Press on September 7th.

6. **General Manager's Report**

Mr. McCarthy mentioned the busy legislative session and how important our state and federal advocates work on behalf of the Agency.

7. **Public Participation**

None.

8. **Comments/Discussion Items for Next or Future Agendas**

Director Hall asked if the Agency received the results from the Inland Empire Survey that was conducted recently. Ms. Hester stated a presentation will be given on this item at the Board Meeting on October 11th.

9. **Adjournment**

Chairperson Lowry adjourned the meeting at 10:57 a.m.

Submitted by: _____
Michelle R. Doyle
Executive Assistant

Attachments on-file:

Item No. 5 - Public Information Report – PowerPoint
Sign-in sheet



TO: Legal, Legislative and Public Information Committee
FROM: Ed Manning and Carolyn Jensen
RE: KP Public Affairs Agenda

1. Legislative Calendar

- December 3rd: Legislature Convenes 2019-2020 Session

2. Legislative Update

- SB 998 (Dodd) Water Shut Offs: Urban and Community Water Systems
 - Status: Signed by the Governor

3. California Water Plan Update 2018

10/10/2018

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Comprehensive Government Relations

MEMORANDUM

To: Legal, Legislative, and Public Information Committee

From: Letitia White, Jean Denton, Drew Tatum, Shavenor Winters

Date: September 28, 2018

Re: September Monthly Legislative Update

Congress Passes Appropriations and Continuing Resolution

The House and Senate made significant progress during the month on the fiscal year 2019 appropriations process, sending a total of five of the twelve annual appropriations bills to President Donald Trump in two minibus appropriations packages. Additionally, the agencies not covered by a full year appropriations bill will be funded by a continuing resolution (CR) through December 7, 2018.

On September 12, the Senate passed, by a vote of 92-5, the Conference Report for the first FY19 minibus appropriations package that includes the following appropriations measures: Energy and Water Development; Legislative Branch; and Military Construction-Veterans Affairs (H.R. 5895). The House followed suit on September 13, passing the legislation by a vote of 377-20. The President signed the legislation on Friday, September 21 at a Veterans event in Los Vegas, Nevada. The measure provides slightly more than one-tenth of federal discretionary spending for fiscal year 2019 and includes funding for the Army Corps of Engineers, Bureau of Reclamation, Department of Energy, Department of Veterans Affairs, and Legislative Branch operations.

In addition, the third minibus (H.R. 6157) consisting of the Defense and Labor, Health and Human Services appropriations bills was passed by the House on Wednesday, September 26 by a vote of 361-61 after it passed the Senate on a vote of 93-7 on September 18. The legislation contains a continuing resolution (CR), which runs through December 7, 2018 for the remaining FY19 appropriations bills that have not been enacted, including: Agriculture; Commerce-Justice Science; Financial Services-General Government; Homeland Security; Interior-Environment; State-Foreign Operations; and Transportation-HUD. After the President signed the Defense-Labor bill on September 28, more than 75% of the federal government will be funded by a full year appropriations bill.

Included in the Defense conference report was language expressing concern regarding the Administration's proposed reorganization of the United States Army Corps of Engineers' (USACE) Civil Works Program. Like the Energy and Water Appropriations conference report, this legislation would prohibit the use of funds to implement a memorandum approved by the

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Secretary of Defense identifying specific actions the Army will take in support of the Administration's proposed reorganization of the Civil Works program within the USACE. The reorganization would have included taking the Civil Works program out of the Army Corps of Engineers with navigation going to the Department of Transportation for infrastructure grants and the remaining accounts to the Department of the Interior. Defense appropriation conferees were concerned that the Secretary of the Army failed to provide any notification or engage in any discussion with Members of Congress. The House and Senate Appropriations Committee and the conferees are opposed to the reorganization as it could ultimately have detrimental readiness and operational impacts on Department of Defense functions and activities, to include USACE support to ongoing military operations, international partners, and support to United States military installations around the world.

The package included \$90.5 billion for the Health and Human Services (HHS) and most of the funding increase will go to the National Institutes of Health, which received a \$2 billion bump in funding. The additional funding for the NIH is the latest in a series of funding increases for the agency. The funding is aimed at accelerating treatments for cancer, Alzheimer's disease, and other ailments and at addressing the nation's opioid epidemic. The package also includes \$6.7 billion to combat the opioid crisis and to increase access to mental health services. More than \$1 billion in new federal grants will help states, community health centers and other organizations confront the nation's opioid crisis. Nearly \$1 billion of the money is in the form of grants to the states.

President Trump has expressed continued frustration that Congress has not provided funding for a proposed border wall, tweeting criticism of the appropriations process as recently as the week of September 17. "I want to know, where is the money for the Border Security and the WALL in this ridiculous Spending Bill, and where it will come from after the Midterms? Dems are obstructing Law Enforcement and Border Security," President Trump tweeted, adding "REPUBLICANS MUST FINALLY GET TOUGH!" Despite those tweets, the White House has not issued a veto threat for any specific appropriations bill and has agreed to sign Defense and Labor, Health and Human Services appropriations bills, carrying the CR, and avoid a government shutdown.

While the House and Senate had hoped to pass the second minibus appropriations bill that includes the FY19 Interior-Environment; Financial Services-General Government; Transportation-HUD; and Agriculture Appropriations bills, progress on negotiations have stalled.

On Thursday, September 27 Senate Appropriations Chairman Richard Shelby (R-AL) said that lawmakers had run out of time to finish the spending package this week that carries funds for IRS, EPA and infrastructure programs. Provided an agreement is not reached, those agencies, along with agencies covered by the Commerce-Justice-Science; Homeland Security; and State-Foreign Operations spending bills, would be covered by the continuing resolution in the third minibus appropriations package. Under the pending Defense-Labor-HHS minibus each of those agencies would be funded through December 7 at the FY18 enacted funding level.

The status of the twelve annual appropriations bills is included in the table below:

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Bill	Status
First Minibus Appropriations Bill including: <ul style="list-style-type: none"> • Energy and Water • Legislative Branch • Military Construction and Veterans Affairs 	Conference Report passed by the House and Senate; signed by President Trump Friday, September 21.
Second Minibus Appropriations bill including: <ul style="list-style-type: none"> • Interior-Environment • Financial Services / General Govt. • Transportation-HUD • Agriculture 	Conferees met on Thursday, September 13, but no agreement has been reached. If an agreement is not reached, these agencies would be covered by the continuing resolution in the third minibus that runs through December 7, 2018.
Third Minibus Appropriations bill including: <ul style="list-style-type: none"> • Defense • Labor, Health and Human Services • Continuing Resolution through December 7 for all other federal agencies 	Conferees agreed to the Conference Report on Thursday, September 13. The Senate passed the agreement on Tuesday, September 18 and the House followed suit, passing the measure on Wednesday, September 26. The bill was signed by the President on September 28.
Homeland Security Appropriations bill	The House and Senate Appropriations Committees have advanced the legislation out of Committee, but no floor action has been taken in either chamber. The agencies covered by these bills will likely be funded by a Continuing Resolution through December 7 th . We are hearing that the House and Senate hope to package these spending measures together for a fourth minibus appropriations package after the November elections.
Commerce-Justice-Science Appropriations bill	
State-Foreign Operations Appropriations bill	

Pete Aguilar Announces Bid for Democratic Caucus Vice Chair

On Tuesday, September 25 Rep. Pete Aguilar (D-CA) announced he would challenge fellow member Rep. Katherine Clark (D-MA) for Democratic Caucus Vice Chair. That position is currently the fifth ranking position in the House Democratic leadership.

Rep. Aguilar said he will focus on increasing cooperation within the caucus and providing excellent service to members.

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The Democratic caucus will hold leadership elections for the next Congress sometime in December after the midterm elections.

“With a firm belief that the strength of our Caucus lies in our diversity, I believe I can play a role to help the Caucus as we work to enact policies that work for the American people in the 116th Congress,” he said.

Water Resources Bill Sees Movement

A sprawling water policy bill won resounding approval in the House in early September and now awaits final passage in the Senate. Ahead of the House vote, House and Senate Committee leaders had announced a compromise agreement that enjoys broad bipartisan and bicameral support.

The legislation, S. 3021, passed the House on a voice vote on Thursday, September 13. This is the second time this year that the House overwhelmingly passed a water resources bill, with the chamber voting 408-2 earlier this year on a narrower version of this legislation.

The new legislation was drafted in concert with the Senate, where legislation to reauthorize Army Corps activities has stalled. An earlier bill advanced by the Senate Environment and Public Works Committee ran into trouble when the Congressional Budget Office found that it would cause major deficit spending problems.

This bill includes a two-year extension of a new Environmental Protection Agency water loan program, which was created through the Water Infrastructure Finance and Innovation Act, or WIFIA. It provides states and water utilities with highly subsidized financing to construct mega-projects like water treatment plants or to replace lead pipe.

An earlier effort by some senators to expand WIFIA by giving states the authority to set up their own financing programs was essentially gutted, with lawmakers giving this expansion authority to spend only \$5 million throughout the country.

The bill also would have the National Academies study whether the Army Corps of Engineers should continue to be a part of the Department of Defense. Top Republicans in the House, led by Representatives Bill Shuster (R-PA) and Garret Graves (R-LA), have long criticized the slow pace of the Corps and argued that its awkward placement in the Pentagon makes it less nimble. They initially pushed to include language in the bill to begin reorganizing the Corps immediately, but this legislation simply launches a study.

Additionally, the bill reinstates a requirement that all federally funded water infrastructure projects use American-made iron and steel through at least 2023, a top priority for Sen. Tammy Baldwin (D-WI) that President Donald Trump himself endorsed.

To address oxygen-killing algal blooms, a recent concern in Florida and other states, the bill authorizes a five-year, \$3 million annual program for the Army Corps’ Engineer Research and Development Center. The program will identify and develop technology for the large-scale filtration of water, including early detection, prevention, and management of algal blooms.

The bill also includes several provisions aimed at beefing up coastal readiness and responsiveness to severe storms. They include an authorization of \$75 million for a new beach nourishment and shoreline protection pilot program as well as authorizing a new \$100 million

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program to fix storm-damaged drinking water systems and to protect those systems from future storms.

Senator John Barrasso (R-WY), Chairman of the Senate Environment and Public Works Committee, said he has a commitment from the Majority Leader that the chamber will spend as much time as is necessary to break through any objections to the bill and hold a floor vote on the legislation. While there was talk that the Senate would take up the measure during the last week of September, it appears consideration will be pushed into October. The Senate is currently scheduled to be in session into the month of October, as Majority Leader Mitch McConnell (R-KY) has indicated the chamber has work to complete ahead of the midterm elections.

House and Senate Conference on Combating Opioid Relief

House and Senate lawmakers are working to resolve differences between their versions of an authorization bill (H.R. 6) to combat the opioid epidemic.

Some of the key outstanding issues include suspending the Medicaid institution for mental disease (IMD) exclusion, modifying substance use record privacy rules, and addressing medication-assisted treatment patient limits.

Both measures cover Medicare and Medicaid policies, Food and Drug Administration authorities, and a variety of grant programs to address treatment and prevention. They also include provisions designed to curb fentanyl shipments.

The House passed H.R. 6 by a vote of 396-14 on June 22, incorporating several other stand-alone bills. The Senate amended and passed the bill by a vote of 99-1 on Monday, September 17. On Friday, September 28 the House passed an amended version of the legislation as a message to the Senate. The new legislation would expand Medicaid funding for treatment, spur the development of nonaddictive painkillers and empower inspectors to root out deadly fentanyl from overseas. If the Senate agrees to the House changes and acts during the month of October, the legislation could be sent to the White House for President Trump's signature.

FAA Bill

On Wednesday, September 26, the House passed the full reauthorization as well as a short-term extension of aviation programs which would extend through Sunday, October 7. The Senate is likely to pass the short-term extension by unanimous consent, as the remainder of time on the Senate calendar has been dedicated to Supreme Court Justice nominee Brett Kavanaugh.

The bill (H.R. 302) also includes the Disaster Recovery Reform Act, the National Transportation Safety Board Reauthorization Act and the Transportation Security Administration reauthorization, among other non-aviation provisions

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House Holds Hearing on Wildfires

The House Committee on Energy and Commerce Subcommittee on Environment held a hearing to examine air quality impacts of wildfires and mitigation and management strategies from stakeholders. The hearing also explored the available tools and best practices to reduce and manage the air quality impacts of wildfires.

Wildfires are a significant source of emissions, especially particulate matter, and often cause the worst air quality days of the year in smoke impacted communities. Researchers have found that wildfires can cause air quality to be 5 to 15 times worse than the air quality on an average day. Moreover, severe wildfire seasons can result in communities experiencing continuous unhealthy air quality conditions for weeks at a time.

Witnesses on the panel presenting before the Subcommittee included Mary Anderson, Mobile and Area Source Program Manager, Air Quality Division, Idaho Department of Environmental Quality; the Honorable Herman E. Baertschiger, Jr., Senator, Oregon State Senate; Tom Boggus, State Forester and Director, Texas A&M Forest Service, on behalf of National Association of State Foresters; Sonya Germann, State Forester, Montana Department of Natural Resources and Conservation, Forestry Division, on behalf of National Association of State Foresters; and Collin O'Mara, President and CEO, National Wildlife Federation (NWF).

The panel provided suggestions to mitigate wildfires and therefore reduce risk of hazardous air quality emissions, including:

- Proscribed burns/control burns mitigate intensity and impact;
- Immediate suppression of wildfires would alleviate impact;
- Smoke management plans, (some states have implemented these);
- Innovative solutions could come from working with all stakeholders – having an open and honest dialogue based on facts and science (such as environmental quality folks, regulators, lawmakers, and landowners).

Collin O'Mara, NWF President, requested Congress examine the FY2018 Omnibus, in which a last-minute change was implemented delaying necessary wildfire mitigation and reconstruction funding from 2018 to 2020. Mr. O'Mara stressed the need for reconstruction from these wildfires sooner than 2020. Additionally, Mr. O'Mara highlighted the provisions in the 2018 Farm Bill, including the collaborative forest landscape program.

Leader McConnell Plans to Keep Senate Working in October

Senate Majority Leader Mitch McConnell told reporters that he plans to keep the Senate in session for a large part of October, if not four entire weeks. The move would mean that vulnerable Democratic Senators would not get as many traditional days off to campaign ahead of the fall midterm elections.

On September 28 the House adjourned for the entire month of October through the November elections.

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FCC Chairman Ajit Pai Challenges California

The Federal Communications Commission (FCC) last year scrapped Obama-era net neutrality protections that were enacted in 2015. It asserted in its order that it has the authority to preempt states from adopting their own internet regulations.

Lawmakers in California and 29 other states have introduced bills to adopt net neutrality principles.

FCC Chairman Ajit Pai has blasted a California net neutrality bill as “illegal,” signaling possible agency action if the state’s governor signs the measure into law.

“California is the most ‘egregious example’ of a state passing net neutrality rules that defy federal internet policies,” Pai said. The bill would ban internet service providers from blocking or slowing legal traffic on their networks, as well as charging customers for faster internet lanes.

The California measure would impose among the strictest regulations in the country. It would also ban “zero rating,” which is the practice of ISPs allowing consumers to stream certain content, often their own, without it being counted toward monthly data caps.

California State Sen. Scott Wiener (D), who authored the legislation, said the FCC exceeded its authority to regulate ISPs’ conduct when it rolled back net neutrality rules.

The California measure, if signed into law, would be the fourth new state net neutrality law since Pai’s FCC eliminated its rules. California Gov. Jerry Brown has not said whether he will sign the bill.

Tax Reform 2.0 Revisited

This month has highlighted the ongoing uncertainty for Tax Reform 2.0 efforts, with one-week casting doubt, and the next with House Ways and Means Committee Chairman Kevin Brady (R-TX) spotlighting the introduction of three bills that he says collectively build on the growing economic success of the Tax Cuts and Jobs Act passed by Congress in 2017. These bills make up the Republican Tax Reform 2.0 package that will lock in the individual and small business tax cuts made law in the Tax Cuts and Jobs Act, reform the way families and small business are able to save for retirement, and aim to boost innovative by growing startup businesses.

On Thursday, September 27 and Friday, September 28, the House passed the three pieces of legislation. Since they would require a filibuster proof majority in the Senate, the prospect of any of the legislation advancing is unlikely.

The three-bill package consists of the following measures:

- H.R. 6760, the Protecting Family and Small Business Tax Cuts Act of 2018, sponsored by Rep. Rodney Davis (R-IL), and cosponsored by Rep. Mark Meadows (R-NC), Rep.

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Mark Walker (R-NC), House Ways and Means Committee Chairman Kevin Brady (R-TX), and all other Ways and Means Committee Republicans.

- H.R. 6757, the Family Savings Act of 2018, sponsored by Rep. Mike Kelly (R-PA), and cosponsored by Rep. Paul Mitchell (R-MI), House Ways and Means Committee Chairman Kevin Brady (R-TX), and all other Ways and Means Committee Republicans.
- H.R. 6756, the American Innovation Act of 2018, sponsored by Tax Policy Subcommittee Chairman Vern Buchanan (R-FL), and cosponsored by House Ways and Means Committee Chairman Kevin Brady (R-TX) and all other Ways and Means Committee Republicans.

Trade Talks Stall

The North America Free Trade Agreement (NAFTA) talks have missed the latest in a string of deadlines, leaving all eyes on the U.S. over what will happen next.

U.S. Trade Representative Robert Lighthizer and Canadian Foreign Minister Chrystia Freeland met twice Wednesday, September 19 in two sessions totaling nearly four hours after staff had worked through the night.

The talks Wednesday focused largely on tariffs and dispute panels, according to a major stakeholder, Canadian Labor Leader Jerry Dias. Those subjects are two of the biggest sticking points, but time is rapidly running out for a breakthrough. The path forward, for now, remains unclear.

A deal needed to be reached within days to meet a deadline that would allow it to be signed by Mexico's outgoing president. The pressure to secure an agreement quickly is meant to allow time to publish the text of an agreement by Sunday, September 30. The sides were aiming to do that to meet U.S. trade law timelines and allow the deal to be signed before December, when Mexican President-elect Andres Manuel Lopez Obrador takes office.

If the deadline is missed, President Donald Trump has threatened to proceed with Mexico only, potentially quitting the existing NAFTA pact.

U.S. Trade Representative Robert Lighthizer, in a briefing to House Ways and Means Committee members on Thursday, September 27, said he sees March 2019 as the earliest that Congress could vote to approve the revamped North American Free Trade Agreement.

President Trump continued to hit at China the week of September 17, days after announcing another round of tariffs, and consequently signaling the trade war will not end any time soon. His biggest strike yet in a growing trade fight between the world's biggest economies will see a 10 percent duty applied to \$200 billion of Chinese imports, which could rise to 25 percent next year. He's threatened duties on a further \$267 billion of made-in-China goods, which would hit nearly all other consumer products including mobile phones, shoes and clothes.

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The decision is likely to put additional pressure on American companies that say Trump's trade dispute with Beijing is increasing uncertainty and boosting costs. Industry groups including the National Retail Federation have been pushing the administration to spare firms and consumers from import tariffs. While the Administration argues that tariffs give the country leverage as it pushes China to reduce trade barriers and protect American firms from unfair practices, such as theft of intellectual property.

Government Reorganization Bill Approved by Senate Committee

Earlier this year, the Office of Management and Budget released a sweeping reorganization plan that included proposals to merge the Education and Labor departments, consolidate welfare programs and privatize the Postal Service and the Federal Aviation Administration. As you will recall, various appropriations bills included language to reject these proposals for departmental and agency reorganization without Congressional approval.

However, Senate Homeland Security and Governmental Affairs Committee Ron Johnson (R-WI) introduced a bill that would give President Donald Trump the ability to consolidate government agencies under a fast-track congressional procedure. The bill was approved on Wednesday, September 26 by the Senate Homeland Security and Governmental Affairs Committee.

The Reforming Government Act (S. 3137) was approved by voice vote after a compromise amendment drafted by Sen. Heidi Heitkamp (D-N.D.) was adopted. The sticking point for Democrats had been that the bill would guarantee a simple majority vote for passage of a reorganization plan, which they said could be abused by the party in power and produce partisan results.

The amendment would provide a choice: either a reorganization bill would have to get 60 votes to overcome a traditional Senate filibuster, or the bill could have sponsorship by five majority and five minority-party senators and be subject to a simple, 51-vote threshold.

Outlook for the Coming Month

While the Senate is poised to work through some, if not the majority, of October the House is expected to recess by Friday, September 28 through Tuesday, November 13, which is after the midterm elections.

The immediate focus of the Senate will continue to be the confirmation of Supreme Court nominee Brett Kavanaugh and other nominees as the Senate works through its tranche of remaining bills and nominees in October. The Senate will also likely vote on the 5-year FAA bill during the first week of the month, provided an agreement is not reached by the end of Friday, September 28 or over the weekend for expedited consideration. The Senate may also consider water resources legislation.

Federal Legislation of Significance

Bill Number	Sponsor	Title and/or Summary	Summary/Status
H.R. 8/ S.2800 (subsequently replaced by S.3021)	Rep. Bill Shuster(R-PA)/ Sen. John Barrasso (R-WY)	Water Resources Development Act/ America's Water Infrastructure Act of 2018 (America's Water Infrastructure Act of 2018)	<p>The bill authorizes proposed U.S. Army Corps of Engineers civil works activities and provides reforms to the Corps. WARDAs authorizes locally driven, but nationally vital, investments in the Nation's water resources infrastructure. It strengthens economic growth and competitiveness, helps move goods throughout the country and abroad, and protects our communities. The legislation passed the House on June 6, 2018 by a vote of 408 to 2. It was received in the Senate and placed on the Senate Legislative Calendar under General Orders.</p> <p>The Senate version of the bill, America's Water Infrastructure Act of 2018 was introduced in May 8, 2018. The legislation was marked and reported favorably out of committee on Tuesday, May 22, 2018. Senator Barrasso filed a written report to accompany the bill on July 10, 2018.</p> <p>Since the Senate was unable to pass its own legislation, the House and Senate pre-conferenced legislation in a bipartisan manner, which was passed the House as a substitute amendment to S. 3021. The Senate is expected to have the votes to pass the legislation, though the timeline for floor consideration is unclear.</p>
H.R.5895	Rep. Mike Simpson (R-ID)	Fiscal 2019 Energy and Water Development, Legislative Branch, and MilCon-VA Appropriations "Mimibus"	<p>Provides FY2019 appropriations for U.S. Army Corps of Engineers civil works projects, the Department of the Interior's Bureau of Reclamation, the Department of Energy (DOE), and independent agencies such as the Nuclear Regulatory Commission. The legislative branch section, would provide additional funds for the Office of Compliance for training and higher caseloads. The office handles workplace protection complaints for the legislative branch. It also would block the automatic cost-of-living increase for members of Congress. The legislation would also appropriate funding for military construction and the Department of Veteran's Affairs.</p> <p>The legislation was passed in both the House and the Senate and was conferenced to reconcile discrepancies. It became Public Law (PL-115-244) on September 21, 2018.</p> <p>The legislation includes funding for the Department of the Interior, the Environmental Protection Agency (EPA), the Forest Service, the Indian Health Service, and various independent and related agencies. These funds are targeted to</p>

	Appropriations "Minibus"	<p>important investments in the nation's natural resources, including \$3.4 billion for the Department of the Interior and U.S. Forest Service to prevent and combat devastating wildfires.</p> <p>The legislation also contains several policy provisions Republicans say will "rein in unnecessary regulations at the EPA and other agencies." The Financial Services bill would provide funding for the United States Department of the Treasury, as well as the United States federal courts, the Executive Office of the President of the United States,</p> <p>The legislation was passed in both the House and Senate and both chambers are conferring together in order to reconcile discrepancies between each chamber's version. Since the final conference report has not been finalized. The agencies funded by the legislation will be funded under a continuing resolution through December 7, 2018.</p> <p>The legislation would establish a trust fund to provide for adequate funding for water and sewer infrastructure, and for other purposes.</p> <p>The bill was referred to the Subcommittee on Commodity Exchanges, Energy, and Credit on Tuesday, May 22, 2018 and no further action has been taken.</p> <p>The legislation was referred to the House Committee on Ways and Means on Tuesday, February 13, 2018 and no further action has been taken.</p> <p>The legislation would amend the Water Infrastructure Finance and Innovation Act of 2014 to provide to State infrastructure financing authorities additional opportunities to receive loans under that Act to support drinking water and clean water State revolving funds to deliver water infrastructure to communities across the United States.</p> <p>The bill was referred to the Subcommittee on Water Resources and Environment on January 31, 2018, and the Subcommittee on Environment on February 2, 2018. No further action has been taken.</p> <p>The Senate version of the bill, which would amend WFIA in the same manner, was introduced on Tuesday, January 30, 2018 and was referred to the Committee on Environment and Public Works.</p>
H.R. 5609	Rep. Keith Ellison (D-MN)	Water Affordability, Transparency, Equity, and Reliability Act of 2018
H.R. 5003	Rep. Randy Hultgren (R-IL)	To amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds
H.R. 4902/ S. 2364	Rep. John Katko (R-NY)/ Sen. John Boozman (R-WY)	Securing Required Funding for Water Infrastructure Now Act

S.2329	Sen. John Hoeven (R-ND)	Water Infrastructure Finance and Innovation Reauthorization Act of 2018	<p>This measure is designed to spur investments in water project development across the nation by supplementing federal funding of water infrastructure projects — including wastewater treatment, flood control and storm water management — with long-term, low-cost loans and loan guarantees, reauthorize and amend the Water Infrastructure Finance and Innovation Act of 2014, and double the Environmental Protection Agency’s fiscal year 19 WIFIA authorization to \$90 million and extend the program for five years, through 2024.</p> <p>The legislation was introduced Tuesday, January 23, 2018 was referred to the Committee on Environment and Public Works</p>
H.R.4492	Rep. Brian Mast (R-FL)	Water Infrastructure Finance and Innovation Reauthorization Act of 2017	<p>H.R. 4492 is a companion bill to S.2329 and would spur investments in water project development across the nation by supplementing federal funding of water infrastructure projects.</p> <p>This bill was introduced Thursday, November 30, 2017, and was referred to the Subcommittee on Water Resources and Environment, and the Subcommittee on the Environment.</p>
H.R. 5127	Rep. Grace Napolitano (D-CA)	Water Recycling Investment and Improvement Act	<p>The legislation would assist water agencies with the expansion, planning, designing, and building of water recycling plants and modernizing water infrastructure by making changes to the WIIN Act Title XVI water recycling and reuse program by removing the requirement of funding projects that are in drought or disaster areas, increasing the authorization from \$50 million to \$500 million, making the program permanent rather than sun-setting in 2021, and taking away the requirement that the projects need to be designated in an appropriations legislation.</p> <p>The bill was introduced on Tuesday, February 27, 2018, and was referred to the Subcommittee on Water Resources and Environment, and the Subcommittee on Water, Power, and Oceans.</p>
H.R. 3711	Reps. Lamar Smith (R-TX)/Ken Calvert (R-CA) /Bob Goodlatte (R-VA)	Legal Workforce Act	<p>A bill that would require all U.S. employers to use the E-Verify electronic employment verification system. The requirement would be phased over a two-year period, starting with the largest employers. The agriculture industry would have an additional six months (or 30 months total) to come into compliance.</p> <p>H.R. 3711 was referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Education and the Workforce on Friday, September 8th. On Wednesday, September 27th, H.R.3711 was referred to Judiciary Subcommittee on Immigration and Border Security. Judiciary Committee Consideration and Mark-up Session was held on Wednesday, October 25th. H.R.</p>

H.R. 23	Rep. David Valadao (R-CA)	Gaining Responsibility on Water Act of 2017	<p>3711 was ordered and reported (amended) by the yeas and nays: 20-10 on October 25, 2017.</p> <p>Among other things the legislation would require regulators to comply with the Bay-Delta Accord and make changes to the state's Central Valley and State Water projects and streamline permitting processes. The bill included provisions from multiple other bills previously passed by the House that sought to increase the flow of water to areas of California that have experienced drought over the past five years. The measure was referred to the House Committee on Natural Resources and the Committee on Agriculture.</p> <p>By a vote of 230-190, the House passed H.R. 23, as amended, on July 12, 2017. H.R. 23 was received in Senate, read twice and referred to the Committee on Energy and Natural Resources on July 18, 2017.</p>
H.R. 4/ S.1405 (replaced by H.R.302)	Rep. Bill Shuster (R-PA)/ Sen. John Thune (R-SD)	FAA Reauthorization Act of 2018/ Federal Aviation Administration Reauthorization Act of 2017	<p>Among other issues this legislation would reauthorize the Federal Aviation Administration for five years. Among other things the FAA reauthorization funds aviation programs, Airport Planning and Development and Noise Compatibility Planning and Programs and authorizes FAA's Airport Improvement Program (AIP) account at \$3.350 billion annually for each of fiscal years 2018-2023.</p> <p>By a vote of 393 - 13, the House passed H.R.4. The Senate has received the bill and placed it on the Senate Legislative Calendar under General Orders but will likely vote to maintain the legislation through a short-term extension through October 7.</p> <p>The Senate version of the bill was favorably reported out of the Committee on Commerce, Science, and Transportation on May 5, 2018 and was then placed on the Senate Legislative Calendar.</p> <p>Since the Senate was unable to pass its own legislation, the House and Senate pre-conferenced legislation in a bipartisan manner, which was passed the House as a message / substitute amendment to H.R. 302. The Senate is expected to have the votes to pass the legislation, though the timeline for consideration is unclear. The Senate is likely to pass a short term reauthorization that was passed by the House to give themselves an additional week to pass the 5-year authorization.</p>

H.R. 1663	Rep. Grace Napolitano (D-CA) / Rep. Rob Wittman (R-VA)	Water Resources Research Amendments Act	<p>This legislation would extend a Federal-State partnership aimed at addressing state and regional water problems, promoting distribution and application of research results, and providing training and practical experience for water-related scientists and engineers. H.R. 1663 would authorize \$9,000,000 annually over five years for grants to water resources research institutes and require two-to-one matching with non-federal funds. It would also promote exploration of new ideas, expand research to reduce energy consumption, and bolster reporting and accountability requirements.</p> <p>The bill has been introduced in the House Committee on Natural Resources and referred to the Subcommittee on Water, Power and Oceans on March 27, 2017.</p>
H.R. 497/ S.357	Rep. Paul Cook (R-CA)/ Sen. Dianne Feinstein (D-CA)	Santa Ana River Wash Plan Land Exchange Act	<p>This bill directs the Department of the Interior: (1) to quitclaim to the San Bernardino Valley Water Conservation District in California approximately 327 acres of identified federal land administered by the Bureau of Land Management, and (2) in exchange for such land, to accept from the Conservation District a conveyance of approximately 310 acres of its land.</p> <p>On April 27th H.R. 497 passed through the House Natural Resources Committee by unanimous consent and was scheduled for the House Floor Consideration on June 2nd.</p> <p>This bill was passed by the House on June 27th by a vote of 424-0. The bill was referred to the Senate Committee on Energy and Natural Resources on June 28th and no further action has been taken.</p> <p>The Senate Environment and Public Works Committee held a hearing on S. 357 on July 26, 2017.</p> <p>On May 15, 2018 the Senate Committee on Energy and Natural Resources ordered H.R. 497 to be reported without amendment favorably.</p> <p>On August 15, 2018 Senator Murkowski from the Senate Committee on Energy and Natural Resources filed a written report to accompany H.R. 497.</p>
S. 32 / H.R. 857	Sen. Dianne Feinstein (D-CA) / Rep. Paul Cook (R-CA)	California Desert Protection and Recreation Act / California Off-Road	<p>This bill would designate important wilderness in the California desert and protect lands for recreation, wildlife and tourism. Aspects of the bill include:</p> <ul style="list-style-type: none"> • Mandate study and protection of Native American cultural trails along the Colorado River.

		Recreation and Conservation Act	<ul style="list-style-type: none"> • Designate 230,000 acres of additional wilderness area between the Avawatz Mountains near Death Valley to Imperial County's Milpitas Wash. • Add 43,000 acres to Death Valley and Joshua Tree national parks. • Create a 75,000-plus acre special management area at Imperial County's Vinagre Wash. • Designate Inyo County's Alabama Hills as a National Scenic Area. • Prohibit new mining claims on 10,000 acres in Imperial County considered sacred by the Quechan Tribe. <p>Additionally, the bill protects 140,000 acres of existing off-road vehicle riding areas from mining, energy development, military base expansion or other decisions that would close them to vehicle use.</p> <p>The Senate Environment and Public Works Committee held a hearing on S.32 on July 26, 2017.</p> <p>H.R. 857, California Off-Road Recreation and Conservation Act, is a similar bill and largely aims to address similar issues. As the House has passed Congressman Cook's bill, staff from the House and Senate are attempting to work on a path forward.</p>
H.R. 2510	Rep. Peter DeFazio (D-OR)	Water Quality Protection and Job Creation Act of 2017	<p>This bill would amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds.</p> <p>This bill was introduced on May 19, 2017 and was referred to the Subcommittee on Water Resources and Environment.</p>
H.R. 1654	Rep. Tom McClintock (R-CA)	Water Supply Permitting Coordination Act	<p>This bill would allow water project sponsors the opportunity to use an expedited permitting process for new or expanded surface non-federal storage facilities through the Bureau of Reclamation, which would be the lead and central agency coordinating the review process.</p> <p>The House Natural Resources Committee approved the bill by a vote of 24-16 on April 27. The House Rules Committee on June 20th dictated final amendments for passage on the House Floor; this bill passed the House on June 22 by a vote of 233-180. H.R. 1654 was referred to the Senate Committee on Energy and Natural Resources on June 26 and no further action has been taken.</p>
H.R. 6084	Rep. Brian Babin (R-TX)/ Rep. Terri Sewell (D-AL)	Onsite Wastewater Recycling Efficiency Act	<p>This bill would allow for the provision of information and resources to fully use decentralized wastewater systems in the United States to provide affordable wastewater recycling and treatment.</p>

			<p>This bill was introduced on September 13, 2018 and referred to the Subcommittee on Water Resources and Environment on September 14, 2018.</p>
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Consent Items (A)

Bighorn-Desert View Water Agency



Board of Directors

Michael McBride, President
Judy Corl-Lorono, Vice President
Terry Burkhart, Secretary
J. Larry Coulombe, Director
J. Dennis Staley, Director

Marina D West, P.G., General Manager

Agency Office

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A Public Agency

www.bdvwa.org

Planning/Legislative/Engineering Grant & Security Committee Regular Meeting Report

Board Meeting Office
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, August 21, 2018 - 9:15 a.m.

Committee Members: Director Corl-Lorono & Director Burkhart

Call to Order

Director Corl-Lorono called the meeting to order at 9:20 a.m.

Pledge of Allegiance

Led by Dave Chapman

Roll Call

Directors: Judy Corl-Lorono
Terry Burkhart

Staff: Marina West
Seth Kish

Approval of the Agenda

Director Corl-Lorono and Director Burkhart approved the agenda as presented.

Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee

Committee participated via teleconference for an update by the State Advocate of Issues at the State Level, as well as an update by the Federal Advocate of Issues at the Federal Level.

Public comment: None

Recess Called at 10:27AM

Back from Recess at 10:40AM

Prop. 1 Planning Grant for Water System Integration and Interties Update

General Manager West gave a brief update on the Prop. 1 Planning Grant. The Agency submitted a package for up to \$6,000,000.00 in improvements for the Agency but the Prop.1 Grant Ranking System has given the Agency a low ranking. General Manager West explained that since this package was denied, the Agency is going to focus on the Goat Mountain area and how much well capacity it has available. Also, if that capacity is able to provide the maximum day demand. If not, the Agency will be able to get a higher ranking for funding approval. In the meantime, the Agency will use the planning grant money it received to proceed with the planning activities: Property acquisition, CEQA and NEPA. This would prepare the Agency should funding be made available. Another funding source that the Agency has been waiting on is the Colorado Regional Water Quality Control Boards Disadvantage Community Grant. The Agency was slated for \$50,000.00 to study uranium. General Manager West explained that the lab that does the testing for the uranium had recently changed methods. Due to this change in testing, the Agency's uranium values are now under the State maximum allowable uranium level of 20 Pico Curies/Liter (pCi/L). Vice President Corl-Lorono asked if the Agency is able to turn Well 4 back online. General Manager West said that it is a possibility if we can demonstrate a 4 quarter average below 20pCi/L.

Public Comment: No public comments

Consent Items

- a. Regular PLEGS Meeting Minutes for **June 19, 2018**

Director Corl-Lorono & Director Burkhart approved the report.

Public comment: None

Public Comment Period

No public comments

Verbal Reports

Committee Members' comments/reports - None

General Manager's report - None

Adjournment – Director Corl-Lorono adjourned the meeting at 10:55 A.M.

Approved by:

Judy Corl-Lorono, Vice President