



# 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 SPECIAL Meeting Agenda

Committee Members: President Burkhart & Director Close-Dees

BOARD MEETING OFFICE  
1720 N. CHEROKEE TR.  
LANDERS, CALIFORNIA 92285

August 16, 2022  
Time – 9:15 A.M.

**PUBLIC AND BOARD WISHING TO PARTICIPATE REMOTELY**  
**\*\*TELECONFERENCE LINE THRU ZOOM 669-900-6833\*\***  
**OR**  
**Join Zoom Meeting**

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/89058101851?pwd=R3diYkpEMVhsbVFKZXN0NXVnM1Z6dz09>

Passcode: 461859

Or Dial:

1-669-900-6833

Webinar ID: 890 5810 1851

Passcode: 461859

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF AGENDA**

**Discussion and Action Items** - The Committee will discuss the following items, and the Committee 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.

**1. Review Mojave Water Agency's Legal, Legislative and Community Partners Committee Meeting Held July 26, 2022**

Committee to review portions of prerecorded 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.

- 2. Discuss Modifying Regular PLEGS meeting Schedule to Realign Legislative Updates from Mojave Water Agency's Legislative Committee**
- 3. Status Update Proposition 1 Planning Grant – Verbal Update**
- 4. Status Update Goat Mountain Replacement Well, Destruction of GM Well 2 and Up to Three Additional Borings/Monitoring Wells – Verbal Update**
- 5. Consent Items** – The following items are expected to be routine and non-controversial and will be acted on by the Committee at one time without discussion, unless a member of the Public or member of the Committee requests that the item be held for discussion or further action.
  - a. PLEGS Committee Special Meeting Minutes, June 23, 2022.**

Recommended Action:

Approve as presented (Item a):

## **6. Public Comment Period**

Any person may address the Committee 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 Committee from discussing or taking action on items not included on the agenda.

## **7. Verbal Reports - Including Reports on Courses/Conferences/Meetings**

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

## **8. 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](http://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.



TO: Legal, Legislative and Community Partners Meeting  
FROM: Ed Manning and Carolyn Jensen  
RE: KP Public Affairs Agenda  
DATE: July 19, 2022

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**1. 2022 Legislative Calendar:**

- A. July 1<sup>st</sup> - August 1<sup>st</sup> - Summer Recess
- B. August 1<sup>st</sup> - Legislature reconvenes from Summer Recess
- C. August 12<sup>th</sup> - Fiscal committee deadline
- D. August 15<sup>th</sup>-31<sup>st</sup> - Floor Session only
- E. August 31<sup>st</sup> - Final Recess upon adjournment of Session

**2. Legislative Update:**

- A. Update on Priority Bills (Attachment A)
  - i. AB 195 - Cannabis Budget Trailer Bill
  - ii. AB 2421 (Rubio) Water: Unpermitted cannabis cultivation
  - iii. AB 2728 (Smith) Unlawful cannabis activity: penalties
  - iv. SB 1426 (Caballero) Cannabis: water pollution crimes
  - v. SB 1020 (Laird) Clean Energy, Jobs, and Affordability Act of 2022
  - vi. SB 1157 (Hertzberg) Urban water use objectives: Indoor residential water use

## Mojave Priority Bill List Status Report as of 7/19/2022

**AB 195****(Committee on Budget) Cannabis.****Current Text:** Chaptered: 6/30/2022 [html](#) [pdf](#)**Introduced:** 1/8/2021**Last Amend:** 6/26/2022**Status:** 6/30/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 56, Statutes of 2022.**Location:** 6/30/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. MAUCRSA establishes the Department of Cannabis Control within the Business, Consumer Services, and Housing Agency to administer the act, and requires the department to be under the supervision and control of a director. Current law specifies the annual compensation for various directors of state departments and agencies, including the Director of Transportation and the Director of Fish and Wildlife. This bill would require the annual compensation for the Director of Cannabis Control to be consistent with the directors described above.

**AB 2142****(Gabriel D) Income taxes: exclusion: turf replacement water conservation program.****Current Text:** Amended: 4/6/2022 [html](#) [pdf](#)**Introduced:** 2/15/2022**Last Amend:** 4/6/2022**Status:** 6/27/2022-In committee: Referred to suspense file.**Location:** 6/27/2022-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under the Personal Income Tax Law and the Corporation Tax Law, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program.

**AB 2421****(Rubio, Blanca D) Water: unlicensed cannabis cultivation.****Current Text:** Amended: 4/20/2022 [html](#) [pdf](#)**Introduced:** 2/17/2022**Last Amend:** 4/20/2022**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. N.R. & W. on 6/8/2022)**Location:** 7/5/2022-S. DEAD

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law makes it unlawful to deposit, permit to pass, or place where it can pass, specified pollutants into the waters of this state, including any substance or material deleterious to fish, plant life, mammals, or bird life. A violation of this provision is a crime under the Fish and Game Code. Current law also subjects a violation of that provision to a civil penalty of no more than \$25,000 for each violation and an additional civil penalty of no more than \$10 for each gallon or pound of material discharged, and requires the civil action to be brought by the Attorney General upon complaint by the Department of Fish and Wildlife or by the district attorney or city attorney in the name of the people of the State of California. Current law provides that a specified affirmative defense to a violation of the criminal provision does not apply to an action for civil penalties or injunctive relief pursuant to that civil provision. This bill would provide that the specified affirmative defense to a violation of the criminal provision also does not apply in any other civil action that alleges a violation resulting from unlicensed cannabis cultivation.

**AB 2449****(Rubio, Blanca D) Open meetings: local agencies: teleconferences.****Current Text:** Amended: 6/30/2022 [html](#) [pdf](#)**Introduced:** 2/17/2022**Last Amend:** 6/30/2022**Status:** 7/13/2022-In committee: Hearing postponed by committee.

**Location:** 6/29/2022-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. This bill contains other related provisions and other existing laws.

**[AB 2639](#) (Quirk D) San Francisco Bay/Sacramento-San Joaquin Delta Estuary: water quality control plan: water right permits.**

**Current Text:** Amended: 4/19/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amend:** 4/19/2022

**Status:** 5/27/2022-Failed Deadline pursuant to Rule 61(b)(11). (Last location was A. THIRD READING on 5/19/2022)

**Location:** 5/27/2022-A. DEAD

Desk	Policy	Fiscal	Dead	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require the State Water Resources Control Board, on or before December 31, 2023, to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as specified, and to implement the amendments to the plan adopted by the state board pursuant to Resolution No. 2018-0059 on December 12, 2018. The bill would prohibit the state board, on or after January 1, 2024, from approving a new water right permit that would result in new or increased diversions to surface water storage from the Sacramento River/San Joaquin River watershed until and unless the state board has taken those actions.

**[AB 2728](#) (Smith R) Unlawful cannabis activity: penalties.**

**Current Text:** Amended: 4/20/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amend:** 4/20/2022

**Status:** 6/28/2022-VOTE: [First] hearing set for [06-29-2022]: Failed passage in Committee. Reconsideration granted (PASS)

**Location:** 6/20/2022-S. JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Under current law, a person engaging in commercial cannabis activity without a license is subject to a civil penalty of up to 3 times the amount of the license fee for each violation. Under current law, each day of operation without a license is a separate violation. This bill would increase the civil penalty to 4 times the amount of the license fee. The bill would require the Department of Cannabis Control to waive the civil penalty if the unlicensed person, within 10 business days of issuance of the civil penalty, submits payment equal to the original license fee and all accompanying documentation.

**[SB 1020](#) (Laird D) Clean Energy, Jobs, and Affordability Act of 2022.**

**Current Text:** Amended: 5/23/2022 [html](#) [pdf](#)

**Introduced:** 2/14/2022

**Last Amend:** 5/23/2022

**Status:** 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 3.) (June 27). Re-referred to Com. on APPR.

**Location:** 6/27/2022-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:** 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

**Summary:** The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. The act requires the state board to conduct a series of public workshops to give interested parties an opportunity to comment on the plan and requires a portion of those workshops to be conducted in regions of the state that have the most significant exposure to air pollutants, including communities with minority populations, communities with low-income populations, or both. This bill instead would modify, with respect to the provision that a portion of the workshops be conducted in regions of the state that have the most significant exposure to air pollutants, the above-described included communities as additionally being areas designated as federal extreme nonattainment.

**SB 1157 (Hertzberg D) Urban water use objectives.**

**Current Text:** Amended: 6/16/2022 [html](#) [pdf](#)

**Introduced:** 2/17/2022

**Last Amend:** 6/16/2022

**Status:** 6/16/2022-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/14/2022-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:** 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

**Summary:** Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Current law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the Department of Water Resources and the State Water Resources Control Board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. Current law requires the board, in coordination with the department, to adopt by regulation variances recommended by the department and guidelines and methodologies pertaining to the calculation of an urban retail water supplier's urban water use objective recommended by the department. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use. The bill would instead require that from January 1, 2025, to January 1, 2030, the standard for indoor residential water use be 47 gallons per capita daily and beginning January 1, 2030, the standard be 42 gallons per capita daily.

**SB 1426 (Caballero D) Cannabis: water pollution crimes.**

**Current Text:** Amended: 5/2/2022 [html](#) [pdf](#)

**Introduced:** 2/18/2022

**Last Amend:** 5/2/2022

**Status:** 5/19/2022-May 19 hearing: Held in committee and under submission.

**Location:** 5/16/2022-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would amend the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA) by making it a misdemeanor or felony to plant, cultivate, harvest, dry, or process more than 50 living cannabis plants, or any part thereof, and where that activity involves unauthorized tapping into a water conveyance or storage infrastructure or digging or extracting groundwater from an unpermitted well. The bill would also clarify that causing substantial environmental harm to public resources includes groundwater. By expanding the scope of a crime, this bill would impose a state-mandated local program.

**Total Measures: 9**

**Total Tracking Forms: 28**

# INNOVATIVE FEDERAL STRATEGIES, LLC

*Comprehensive Government Relations*

## ***Federal Update Newsletter for the week ending July 15, 2022***

Each week, your federal advocacy team at Innovative Federal Strategies will deliver to your inbox the latest information on key events in Washington. If you have questions or would like details on a specific topic, you may contact us at (202) 347-5990 or email us at [lwhite@innofed.com](mailto:lwhite@innofed.com).

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### **On Capitol Hill**

#### **Manchin Thwarts Reconciliation 2.0**

Senator Joe Manchin (D-WV) privately told Majority Leader Chuck Schumer (D-NY) that he would be unable to support a scaled back reconciliation bill that included climate funding before the recess. He indicated to leader Schumer that he wanted to wait until September to pass a large-scale reconciliation bill so he could see the July inflation statistics before agreeing to move forward with the package.

Manchin, who came out in December of 2021 in opposition to the House-passed Build Back Better Act, had been negotiating with the Democratic leadership for months on the contours of a reconciliation package that he could support. Negotiations had centered around a package that would have generated roughly \$1 trillion in revenue through tax increases with the funding being equally split between debt reduction and new spending for climate and healthcare focused initiatives.

Senator Manchin detailed his conversation with Leader Schumer in an interview with West Virginia radio host Hoppy Kercheval. He reiterated his concern with the impact federal spending has had on inflation. "I said, 'Chuck, until we see the July inflation figures, until we see the July, basically, the Federal Reserve interest rate, let's wait until we see that we're going down a path that won't ... add more to inflation,'" Manchin recounted to Kercheval.

Senator Manchin has laid the groundwork for an even more scaled back reconciliation package if the Democratic leadership wants to move reconciliation legislation before the August recess. He said that if Schumer wants to move a reconciliation package this month – the strong preference of many Democrats with the midterm elections looming – he could support a bill that allows Medicare to negotiate prescription drug prices and extend subsidies on premium for Obamacare enrollees.



Manchin's position leaves Democratic leaders with a very difficult choice. They could, theoretically, wait until September to take up this package since the reconciliation instructions expire September 30. But, by then, millions of Affordable Care Act enrollees will have already received notices that their premiums are going to increase dramatically, which would take place just weeks before the election. But if Democrats pass reconciliation now, they end up throwing away many of their priorities, such as climate and tax increases on the wealthy and corporations.

Democrats on both sides of the Capitol have expressed frustration with Senator Manchin. For instance, Sen. Martin Heinrich (D-NM) questioned whether Manchin should remain as chair of the Energy and Natural Resources Committee. "We have an opportunity to address the climate crisis right now. Senator Manchin's refusal to act is infuriating. It makes me question why he's Chair of ENR," Heinrich told reporters.

House Democrats have also expressed frustration. "We're gonna have to elect two more, one or two more, real Democrats who will not put us in this situation again, and who will fight for working people and for the planet," House Progressive Caucus Chair Pramila Jayapal (D-WA) said after Manchin's announcement. "They told us if we passed the infrastructure bill, and they told the president, they told their own leader, that they were going to vote for Build Back Better if we pass the infrastructure bill," she added.

Rep. Mark Pocan (D-WI) said, "Right now, I have the same confidence in the Loch Ness Monster sighting as I do in a reconciliation bill sighting."

But House Majority Leader Steny Hoyer (D-MD) is one lawmaker who seems somewhat comfortable with Manchin's demands. Leader Hoyer said, "I think that's progress, as opposed to nothing. Those are all ... things we ought to do."

### **House Republicans Cite 'Unchecked' Inflation's Impact on Infrastructure Law**

House Republicans overseeing transportation are increasingly using the Biden administration's infrastructure spending — long heralded as a signature success — as a political weapon against the president.

Construction and gasoline price increases have driven up the cost and delayed the start of some infrastructure projects across the country. Transportation and other industry groups, at a roundtable hosted by GOP lawmakers on the Transportation and Infrastructure Committee Thursday, cited the rising costs as data this week showed the consumer price index jumped 9.1% from a year earlier, the largest gain in four decades.

Republicans, seeking to wrest control of the House from Democrats in the November midterm elections, have stepped up their criticism of President Joe Biden's handling of inflation. Transportation Secretary Pete Buttigieg will have a chance to defend the administration's performance on infrastructure programs when he appears before the House committee during the week of July 18.

"It's possible and even likely that the bad economic news is going to get worse," the panel's Ranking Member, Sam Graves (R-Mo.) said. "The Biden administration has left inflation completely unchecked."

The new CPI data doesn't reflect the last 30 days of decreases in gas prices, Biden said in a statement Wednesday. He called inflation his "top priority" and urged Congress to move this month on legislation to reduce the costs.

Republicans see streamlining regulations and increasing domestic energy production as solutions. They say they're limited in what they can do now to rein in the inflation eating away at the increases the infrastructure law.

"The administration refuses to acknowledge how bad inflation is," Graves told reporters. "Hopefully, we'll be in a position after November, come next January, to be able to do something about it."

If the Democrats lose control of the House, Graves is in line to become the panel's leader.

Only 13 House Republicans voted to pass the infrastructure law, enacted in November after months of negotiation. House Transportation and Infrastructure Committee Chair Peter DeFazio (D-OR) said that if the majority of House Republicans "had gotten their way, we would still be waiting for dollar number one to rebuild our crumbling roads and bridges, make long overdue investments in rail, transit and our supply chain, or jump-start stalled projects in communities around America."

"When Republicans were in power all they did was talk about infrastructure—Democrats delivered and will keep delivering as these long-overdue funds flow out all across the country," DeFazio said in a statement.

Construction input prices increased 1.9% in June compared with the month before and are up 20.1% from a year ago, according to an Associated Builders and Contractors analysis released Thursday.

### **House Passes Bills to Protect Abortion Access Following Roe Reversal**

The House on Friday passed two bills aimed at protecting access to abortion, marking the chamber's first legislative attempts at safeguarding the procedure after the Supreme Court overturned *Roe v. Wade* last month.

The first bill — the Women's Health Protection Act — passed in a 219-210 vote, clearing the House for a second time in the past year. The lower chamber previously approved the measure in September, but it was twice blocked in the Senate.

Texas Rep. Henry Cuellar was the only Democrat to vote against the bill, which all Republicans present opposed as well. He also opposed the measure when it was brought up for a vote in September.

The legislation seeks to ensure that people have access to abortion nationwide by codifying the right to the medical procedure into federal law.

The measure, however, will likely face headwinds in the Senate. Senate Republicans and Democratic Sen. Joe Manchin (WV) blocked the bill in February and May when it was brought up for consideration.

Sixty votes are needed to overcome a legislative filibuster.

The House passed the second bill — titled the Ensuring Access to Abortion Act — in a 223-205 vote.

Three GOP lawmakers supported the measure, including Reps. Adam Kinzinger (R-IL), Brian Fitzpatrick (R-PA) and Fred Upton (R-MI). Cuellar also voted in favor of the measure.

The legislation protects women who travel to another state to receive an abortion if their home state prohibits the medical procedure. And in states where abortion is lawful, the bill seeks to make it illegal for facilities to limit access to the medical procedure for individuals who arrived from out of state.

Additionally, the measure includes a provision to protect people who assist others in receiving an abortion in a state where they do not reside. It also shields the state-to-state transportation of abortion drugs that have received approval from the Food and Drug Administration.

Republican leadership recommended that members of the GOP conference vote against both bills, according to a GOP congressional aide.

The House passed the pair of pro-abortion rights bills exactly three weeks after the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization* overturned the nearly 50-year precedent that protected access to the medical procedure.

During debate on the House floor Friday, Rep. Judy Chu (D-CA) said the Women's Health Protection Act, which she sponsored, will help preserve protections in *Roe*.

During her weekly press conference on Thursday, Speaker Nancy Pelosi (D-CA) said Democratic lawmakers had other bills in the works in the aftermath of *Roe's* reversal.

On Friday, House Majority Leader Steny Hoyer (D-MD) announced the House next week will vote on the Right to Contraception Act, which seeks to protect access to contraceptives. He pointed to a concurrent opinion in the June ruling penned by Justice Clarence Thomas arguing the court should also "reconsider" its rulings on access to contraceptives and same-sex marriage.

### **House Passes Bill Expanding Care for Vets Exposed to Toxins**

The House passed much-anticipated legislation Wednesday to expand benefits for veterans who suffer illnesses from toxic exposures during their military service.

The Sgt. First Class Heath Robinson Honoring Our PACT Act largely aims to expand access to care from the Department of Veterans Affairs (VA) to 3.5 million veterans who served after the Sept. 11, 2001, terrorist attack and were exposed to toxic burn pits.

The measure passed by a bipartisan vote of 342-88, a much wider margin than when the lower chamber initially passed the bill in March. The bill gained much more Republican support, with 123 joining Democrats in advancing the measure.

The Senate later passed the bill in June by a vote of 84-14. The revised legislation heads back to the upper chamber, with technical drafting error corrections to the measure passed last month. The Senate's legislation included a tax provision that, under the Constitution, needed to originate in the House.

Rep. Mark Takano (D-CA), chairman of the House Veterans' Affairs Committee, said in floor remarks that Congress was "setting a new standard with the PACT Act."

"We're telling our veterans the burden of proof is not on you," Takano said. "Because of your sacrifice to our country, this Congress and the American people are giving you the benefit of the doubt you have earned."

The legislation also expands presumptions related to Agent Orange — used largely during the Vietnam War — to veterans who served in Thailand, Cambodia, Laos and Guam.

Burn pits were used in the post-9/11 era for open-air combustion of medical waste, human waste and anything else that needed to be disposed of. Over time, exposure to the toxins can lead to illnesses such as asthma, rhinitis and cancer, some of which can take years after exposure to develop.

In April, the VA added nine rare respiratory cancers that are presumed service-connected due to exposures, including five different lung cancers.

The Honoring Our PACT Act also creates a framework for the VA to establish presumptive service connections related to toxic exposures and adds 23 burn pit and toxic exposure-related conditions to the agency's list of presumptive service connections.

## **The Administration**

### **Biden to Senate: Pass Health Bill and I'll Tackle Climate Through Executive Action**

President Biden on Friday told Senators to move forward with a slimmed-down, health care-only reconciliation package before their August recess after Sen. Joe Manchin (D-WV) struck a blow to his agenda over its tax and climate provisions, which Biden said he will address through executive action.

"After decades of fierce opposition from powerful special interests, Democrats have come together, beaten back the pharmaceutical industry and are prepared to give Medicare the power to negotiate lower drug prices and to prevent an increase in health insurance premiums for millions of families with coverage under the Affordable Care Act," Biden said in a statement.

The Senate should move forward, pass it before the August recess, and get it to my desk so I can sign it," he said.

Biden said he will move on his climate agenda through executive action.

"Action on climate change and clean energy remains more urgent than ever," he said. "So let me be clear: if the Senate will not move to tackle the climate crisis and strengthen our domestic clean energy industry, I will take strong executive action to meet this moment."

Biden said his actions to address climate change would "protect us from oil and gas price hikes in the future."

Schumer is pushing to move the reconciliation package to the floor before September, to align with when states plan to announce premium increases under the Affordable Care Act next month.

## **Energy Department to Fund Initiatives Focused on ‘Barriers’ to Clean Energy Tech**

The Energy Department on Thursday is announcing that it will put money toward addressing challenges of the deployment of clean energy technologies.

These projects, funded through a \$18.4 million commercialization fund, aim to address “barriers, gaps, and root causes” of commercializing these technologies.

While the department selects Technology Commercialization Fund projects each year, the department was taking a “new approach” that doesn’t target specific kinds of energy like wind or solar, but rather takes on issues that span different types of energy.

These include projects that target manufacturing, startups, the semiconductor sector and cultivating talent and connections, through the nation’s national laboratories.

Energy Secretary Jennifer Granholm said in a statement that bolstering these kinds of technologies will help the government combat climate change.

“Accelerating how quickly we get novel technologies to the marketplace will allow us to deploy the clean energy sources needed to combat climate change, lower energy costs, and keep us on course to reaching President Biden’s decarbonization goals,” she said.

This “new approach” was enabled by language in major energy legislation that became law in 2020.

## **Grants**

FY22 Railroad Crossing Elimination Grant Program

Department of Transportation

DOT - Federal Railroad Administration

<https://www.grants.gov/web/grants/view-opportunity.html?oppId=342146>

OJJDP FY 2022 Youth Violence Prevention Program

Department of Justice

Office of Juvenile Justice Delinquency Prevention

<https://www.grants.gov/web/grants/view-opportunity.html?oppId=342207>

BJA FY 22 BJA Missing and Unidentified Human Remains Program

Department of Justice

Bureau of Justice Assistance

<https://www.grants.gov/web/grants/view-opportunity.html?oppId=342445>

Strengthening Resilience of Food Systems Against Shocks from Food and Fertilizer Price Hikes

Department of Agriculture

Foreign Agricultural Service

<https://www.grants.gov/web/grants/view-opportunity.html?oppId=342303>

## **Outlook for the Coming Week**

The House is scheduled to meet Monday – Thursday. During the week, the House is scheduled to consider up to 10 bills under a Suspension of the Rules. Additionally, the House is scheduled to take up two bills subject to a Rule, including the first fiscal year 2023 minibuss appropriations package (H.R.8294) consisting of the Transportation-HUD, Agriculture, Energy and Water, Financial Services, Interior-Environment, and Military Construction-VA Appropriations bills.

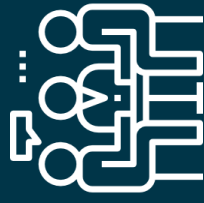
The House will also take up the Right to Contraception Act subject to a rule. Democrats have introduced this legislation in response to a concurring opinion from Supreme Court Associate Justice Clarence Thomas calling into question the foundation of the *Griswold v. Connecticut* decision which protects the rights of married couples to buy and use contraceptives without government restriction. No other justices signed the Thomas opinion.

Finally, pending action in the Senate, the House may take up legislation related to investing in domestic semiconductor supply.

The Senate will convene at 3:00pm on Monday and proceed to executive session to resume consideration of the nomination of Nina Nin-Yuen Wang, of Colorado to be United States District Judge for the District of Colorado. Senators this week are also expected to vote to confirm Michelle Childs as an appellate judge on the District of Columbia Circuit Court of Appeals. Senators voted 58-33 last week to limit debate on the former Supreme Court short lister's nomination.

Senate Majority Whip Dick Durbin (D-IL) also filed for cloture on Nancy Maldonado's nomination to be a judge for the US district court in Illinois. Also awaiting confirmation: Bernadette Meehan to be ambassador to Chile and Cathy Harris to chair the Merit Systems Protection Board.

Legislatively, the Senate is expected to consider legislation related to investing in domestic semiconductor supply. The House and Senate have been working to conference legislation aimed at bolstering competition with China, which includes the semiconductor funding. Because the broader package has stalled, Senate Majority Leader Chuck Schumer (D-NY) has announced that the chamber will take up the semiconductor funding legislation separately.



**LEGAL, LEGISLATIVE, AND COMMUNITY PARTNERS COMMITTEE**

**July 26, 2022**

# Legislative and Regulatory Report

SECURING WATER FOR TODAY AND TOMORROW ...

# Legislative Updates... Cannabis

## **AB 2728: Unlawful cannabis activity: penalties.**

- **Author: Smith Co-Author: Mathis**
- This bill would impose an additional civil penalty on an unlicensed person engaging in commercial activity involving various cannabis products, including cannabis plants in excess of 6 plants, cannabis product, cannabis concentrate, cannabis biomass, and cannabis flower, as specified.
  - Fines would increase for each additional incident.

- **ACWA Position – Favor**
- **Mojave has submitted a letter to the author**
- **In Policy Committee**



# Legislative Updates... Cannabis

## **AB 2421: Water: unpermitted cannabis cultivation.**

- **Author: Blanca Rubio Co-Author: Wilk, and Lackey**
- This bill would provide that the specified affirmative defense to a violation of the criminal provision also does not apply in any other civil action that alleges a violation resulting from unpermitted cannabis cultivation.
- This bill would additionally authorize expenditures from the fish and wildlife propagation fund of a county for costs incurred by a county counsel in investigating and prosecuting the civil actions

- **ACWA Position – Favor**
- **Mojave has submitted a letter to the author**
- **Dead**

## **SB 1157: Urban water use objectives: indoor residential water use**

- **Author: Hertzberg**
- This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use.
- The bill would instead require that from January 1, 2025, to January 1, 2030, the standard for indoor residential water use be 47 gallons per capita daily and beginning January 1, 2030, the standard be 42 gallons per capita daily.
- **ACWA Position: Oppose Unless Amended**
- **Mojave has submitted a letter to the author**
- **In Fiscal Committee. Have been working on amendments.**

## **AB 2142: Income taxes: exclusion: turf replacement water conservation program.**

- **Author: Gabriel**
- This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program.
- **ACWA Position: Sponsor**
- **In Fiscal Committee**

# Legislative Updates...Public Meetings

## **AB 1944: Local government: open and public meetings.**

- **Author: Lee and Garcia**
  - This bill would specify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessed to the public when the legislative body has elected to allow members to participate via teleconferencing.
- **ACWA Position – Watch**
  - **In Committee**

# Legislative Updates... Public Meetings

## **AB 2449: Open meetings: local agencies: teleconferences.**

- **Author: Blanca Rubio**
- This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participated in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.
- **ACWA Position: Sponsor**
- **In Fiscal Committee**

# Federal Affairs Conference

- Was able to attend the ACWA federal affairs conference in Washington DC. This conference was a great opportunity to meet with committee staff and hear from different federal agency staff as well.
- Senator Padilla was present and gave the keynote address.



# Grant Updates

## **Federal Funding Updates**

- Appropriation funding – Community Based Funding.
  - White Road recharge project.
  - Applied for \$1M from both Congress and the Senate.
- Applied for \$5M from the USBR Drought Resiliency Program.
  - White Road and the traveling screen.

# Grant Updates

- ## **State Funding Updates**
- PSP just released for IRWM Prop 1 Round 2 grant funding
    - Will be submitting by August 19<sup>th</sup>
  - Identified the projects for both Lahontan and Colorado funding regions.
    - Lahontan Region
      - Barstow Cemetery - \$500,000
        - Water conservation
      - City of Adelanto - \$600,000
    - Colorado Region
      - Bighorn Desert View Water Agency - \$750,0003
        - Interconnection
      - Hi Desert Water District - \$750,000
        - Booster Pump upgrade
      - Center Water District and Jubilee Water Company - \$500,000
        - Metering project
      - Mojave Water Agency - \$500,000
        - Lucerne Valley recharge project.



# Grant Updates

- ## **State Funding Updates**
- Drought Funding
    - Lahontan Region - \$2,090,000
    - Mojave Water Agency - \$2,090,000
      - White Road Recharge Project and traveling screen

# Upcoming Meetings

## **Upcoming WIFIA Funding Opportunities**

July 20<sup>th</sup>

## **Roundtable of Regions**

July 20<sup>th</sup>

## **SCWC Legislative Task Force Meeting**

July 25<sup>th</sup>

## **ACWA Quarterly Committee Forum**

July 26 thru 28<sup>th</sup>

## **CWSA Policy Committee**

July 27<sup>th</sup>

## **California Groundwater Coalition**

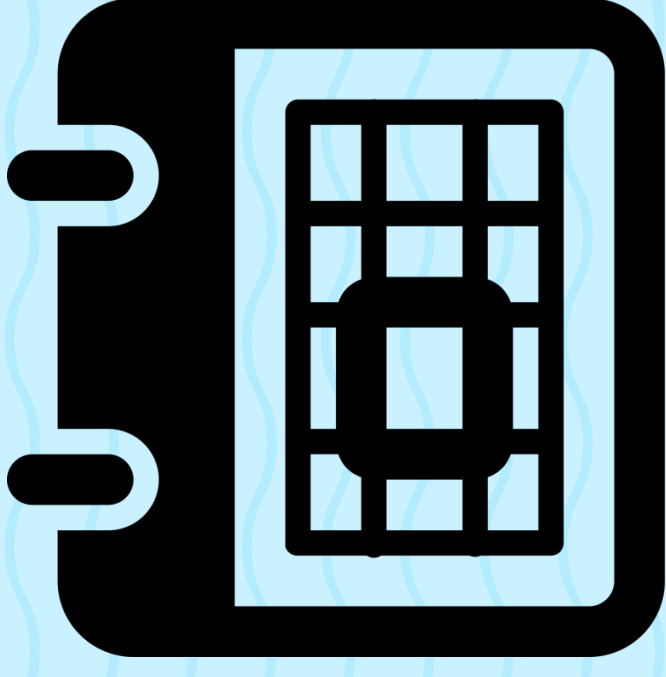
August 2<sup>nd</sup>

## **ACWA Legislative Committee**

August 5<sup>th</sup>

## **CMUA Legislative and Regulatory Committee**

August 11<sup>th</sup>



# 2022 Board of Directors' Calendar

January						
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L/O 10/30 BILL DUE 11/19

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L/O 11/30 BILL DUE 12/19

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L/O 12/30 BILL DUE 1/19

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L/O 1/30 BILL DUE 2/19

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L/O 2/28 BILL DUE 3/19

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L/O 3/30 BILL DUE 4/19

July						
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L/O 4/30 BILL DUE 5/19

August						
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L/O 5/30 BILL DUE 6/19

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L/O 6/30 BILL DUE 7/19

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L/O 7/30 BILL DUE 8/19








November						
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L/O 8/30 BILL DUE 9/19

December						
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L/O 9/30 BILL DUE 10/19

Rev. 03/22/2022

	BOD Meeting - 6 pm		Holiday - Closed
	PLEGS Meeting - 9:15 am		FPREP Meeting - 4 pm
	TAC - 10 am		Morongo Pipeline - 2 pm
		PayDay	
*** TAC and Morongo Basin Pipeline Commission Meetings SUBJECT TO CHANGE			

# 2022 Customer Service Calendar

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L/O 10/30 BILL DUE 11/19

February						
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L/O 11/30 BILL DUE 12/19

March						
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L/O 12/30 BILL DUE 1/19

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L/O 1/30 BILL DUE 2/19

May						
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L/O 2/28 BILL DUE 3/19

June						
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L/O 3/30 BILL DUE 4/19

July						
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L/O 4/30 BILL DUE 5/19

August						
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L/O 5/30 BILL DUE 6/19

September						
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L/O 6/30 BILL DUE 7/19

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L/O 7/30 BILL DUE 8/19

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L/O 8/30 BILL DUE 9/19

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L/O 9/30 BILL DUE 10/19

<span style="background-color: blue; color: white;"> </span>	Last day to pay DQ	<span style="background-color: purple; color: white;"> </span>	Regular Bills Due	<span style="background-color: red; color: white;"> </span>	Holiday Office Closed
<span style="background-color: orange; color: white;"> </span>	Mail out L/O Notices	<span style="background-color: yellow; color: white;"> </span>	Meter Reading	<span style="background-color: lightblue; color: white;"> </span>	Phone Calls
<span style="background-color: peachpuff; color: white;"> </span>	Lock Off Day	<span style="background-color: gray; color: white;"> </span>	ReReads	<span style="background-color: green; color: white;"> </span>	Hand Deliver notice
<span style="background-color: pink; color: white;"> </span>	Delinquents (20th)	<span style="background-color: red; color: white;"> </span>	Bill Print	<span style="background-color: olive; color: white;"> </span>	L/O Day Prep
<span style="background-color: cyan; color: white;"> </span>	L/O Notice Prep	<span style="background-color: teal; color: white;"> </span>	L/O Last Day to Pay		