



Meeting: **Joint Reservoir Committee & Authority Board**  
**Agenda Item 2.3**

**February 17, 2023**

Subject: **State and Federal Legislative Priorities**

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**Requested Action:**

Reservoir Committee and Authority Board consider accepting the State and Federal Legislative 2023 priorities.

**Detailed Description/Background:**

The Government Affairs Team has updated our state government affairs/legislative priorities (Attachment A) and federal government affairs/legislative priorities (Attachment B) with the intent to better align our activities with key Amendment 3 milestones and to ensure that our government affairs/legislative activities are implemented in a coordinated manner. This document covers the revised priorities thru December 31, 2023.

**Prior Authority Board Action:**

None.

**Fiscal Impact/Funding Source:**

None.

**Staff Contact:**

Kevin Spesert

**Primary Service Provider:**

Ferguson Group/Natural Resources Results – Federal

Keith Dunn Consulting - State

**Attachments:**

Attachment A – Draft State and Government Affairs/Legislative Priorities

Attachment B – Draft Federal Government Affairs/Legislative Priorities

**TO:** Ad Hoc Legislative & Outreach Committee  
**DATE:** February 1, 2023  
**SUBJECT:** State Government Affairs/Legislative Priorities

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The Government Affairs Team has developed the following state government affairs/legislative priorities to focus our activities to align with key Amendment 3 milestones and align in a coordinated manner with our federal government affairs/legislative activities. This document covers the revised priorities through December 31, 2023.

#### STATE FUNDING

##### **Proposition 1/CWC**

- Continue to advance activities to meet the statutory requirements of WSIP to secure the \$816 million awarded to the project as opportunities arise.
- Continue to secure WSIP Early Funding for the project.
- Evaluate opportunities for additional WSIP benefits if additional dollars are made available.
- Advance discussions with CDFW to ensure flexibility is reflected in the Public Benefit Agreement for the implementation of the public ecosystem benefits.

##### **Other State Appropriations/Bonds/Grants**

- Monitor for opportunities from potential state bond (2024 Climate BOND??) measures to support State's project O&M costs or achieve beneficial financing mechanisms related to climate change adaptation, local community issues, infrastructure development, drought resiliency, water resources and flood control.
- Continue to track and pursue opportunities for state appropriations/grants to offset project costs as appropriate for transportation, economic/workforce development, flood control, infrastructure planning, operations & maintenance, etc.

#### STATE AGENCY COORDINATION

- Complete a DWR/SWP Coordinated Operations Plan.
  - Continue to Monitor activities of Sites/SWP Participants in their efforts to achieve agreement in principle (AIP) with DWR and other SWCs.
- Complete and SUPPORT approvals and permits to achieve the Final Funding Conditions for Prop 1 by **October 2024** for management of WSIP public benefit water produced by the project.
  - All environmental documentation completed, water rights approved, all other federal, state, and local approvals, certifications and agreements required to be completed have been obtained.
- Support the work of the State Strike Team.



## ELECTED OFFICIAL ENGAGEMENT & NGO OUTREACH

- Ongoing engagement with state elected officials and their staff, administration officials and state agency leadership.
- Coordinate an 'in person' legislative tour, Invite the Governor
  - Planning for a State Legislative Day in **March 2023**.
  - State Delegation Coalition letter in **2<sup>nd</sup> Quarter 2023**.
- Ongoing engagement with regional/local elected officials (Supervisors & City Council) and local government agencies.
  - Presentations to regional/local electeds (Counties, Cities, Special Districts).
  - Local Government Coalition letter **2<sup>nd</sup> Quarter 2023**.
- Ongoing engagement with NGOs and Associations. Continued development of a state-wide project coalition.
  - Presentations to NGOs and Association Boards/Membership as available.
  - NGO/Associations Coalition Letter **1st Quarter 2023**.

Other items that do not require legislative/government affairs action but are administrative in nature are listed below. We will need to keep our legislators informed on progress of these items so that they can step in when/if needed to assist in keeping them on the timeline required to support the project schedule.

**State Permitting** - Ongoing consultation with state agencies to secure required state permits and agreements to advance the project.

**Regional/Local Permitting & Agreements** – Ongoing consultation and coordination with regional and local governmental agencies to advance necessary permits and agreements to advance the project.

**EIR Public Outreach** - Coordinate with appropriate state agencies on any public outreach activities associated with a recirculated EIR. AB 52 engagement with tribes and continued consultation activities. Conduct outreach with local non-English speaking communities in Spring 2023.

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**TO:** Ad Hoc Legislative & Outreach Committee  
**DATE:** February 1, 2023  
**SUBJECT:** Federal Government Affairs/Legislative Priorities

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The Government Affairs Team has developed the following federal government affairs/legislative priorities to focus our activities to align with key Amendment 3 milestones and align in a coordinated manner with our state government affairs/legislative activities. This document covers the revised priorities through December 31, 2023.

#### **RECLAMATION's Project Participation**

- Complete a Coordinated Operations Agreement with Reclamation. This is envisioned to serve two purposes: 1) how the Sites Project and CVP/SWP would coordinate operations to achieve mutual goals and avoid harm to the projects.
- Coordination with Reclamation throughout the Authority's securing of a water right for the project.
- Continuing partnership with Reclamation as the NEPA lead agency in developing the Environmental Impact Statement (EIS) and securing a Record of Decision by the scheduled date.
- Complete a benefits and obligations contract inclusive of Reclamation's participation in the Project and consistent with the PWAs benefits and obligations.
- Complete all of the Reclamation facility contracting necessary to support the project (ie Warren Act, Land licensing, Refuge Water Delivery).

#### **WIIN ACT and IJA Storage Funds**

- Secure WIIN Act storage account funds and Infrastructure Investment and Jobs Act (IIJA) storage funds at a funding level and at times necessary to support Reclamation's investment in the Project reflected in the post feasibility analysis and the Dec 16 2022 letter expressing interest in 16% capacity share in the Project.
- Advocate for continued appropriation of no less than \$134 million to the WIIN Act Storage Account in the regular FY 2024 Energy and Water Development Appropriations bill and in each fiscal year thereafter until the Sites Project is fully funded.
- Monitor and engage on Senator Feinstein's STREAM Act and Congressman Valadao's WATER for California Act and other water or drought legislation expected to be introduced, particularly if additional amendments to WIIN Act are considered or deemed necessary for Sites.



## WIFIA and OTHER FEDERAL FUNDING

- Identify and secure appropriations/grants/loans to support project elements, i.e., broadband, transportation improvements (bridges), flood control, among others.
  - Identify priority alternative sources of funds to support project elements.
  - Build support for same in Congress and among the federal agencies.
- Work with elected officials and USDA to ensure mutually agreeable terms for the Rural Development Community Facilities Loan

## ELECTED OFFICIAL ENGAGEMENT

- Ongoing engagement with federal elected officials and their staff, administration officials and federal agency leadership. Prioritize engagement activities with members/staff who overlap the project participants' service areas, key Senate/House committee chairs, and the California Delegation.
  - Prioritize engagement activities with Senator Padilla, Rep. Huffman, Rep. Thompson and Rep. LaMalfa.
- Conduct an 'in person' Federal Legislative Day in spring **2023**.

Other items that do not require legislative action but are administrative in nature are listed below. We will need to keep our legislators informed on progress of these items so they can step in when/if needed to assist in keeping them on the timeline required to support the project schedule.

**Permitting** - Supportive consultation with federal agencies in securing; USFWS Biological Opinion, NMFS Biological Opinion through Reclamation as the Section 7 Consultation Lead for Construction and Operations, National Historic Preservation Act Section 106 Programmatic Agreement.

**Technical Coordination** –Ongoing technical coordination with Reclamation staff on project engineering and geotechnical activities to advance the project.

**Public Outreach** - Coordinate with appropriate federal agencies on any public outreach activities associated with a recirculated EIS. Support engagement with tribes and continued consultation activities.