

Topic: **Sites Reservoir Project**

2017 Jan 15

Subject: **Water-centric Legislation, Recent and Pending**

Purpose: Provide an overview of water-related legislative activities.

State: There are three groups discussing the concept of putting another water bond on the November 2018 ballot. Two are currently referred to as SB 5 and AB 18, respectively and the third is being developed under the initiative process. No language is currently available for either of these three concepts.

Recommendation: Work through organizations like NCWA and work with Project's participants to determine what, if any, potential benefit to Sites Reservoir are being proposed.

Federal - 114th Congress:

- **S. 612:** "Water Infrastructure Improvements for the Nation Act."

Approved Dec 16, 2016

Link to Full Text: <https://www.congress.gov/114/bills/s612/BILLS-114s612enr.pdf>

Subtitle J: "California Water" Starts on page 224.

Sites, Potential: Storage (Section 4007) starts on page 236

Synopsis: Within Reclamation states, allows Reclamation to partner with local joint powers authorities and makes \$335,000,000 available for storage projects. For local or state-sponsored project, limits federal participation to no more than 25%. The feasibility of projects has to occur before Jan 01, 2021. Also, extends CALFED from 2017 to 2019.

Sites, Potential: Benefits to Threatened and Endangered Species (Section 4010) starts on page 243.

Synopsis: In California, allows the Secretary of Interior to acquire land and water from willing sellers "for the protection and enhancement of the environment" in a manner that is non-reimbursable.

Recommendation: As law, work with Reclamation to clarify how these provisions could apply to advancing the Sites Reservoir project.

Federal - 115th Congress:

- HR 23: "Gaining Responsibility on Water Act of 2017".

Introduced 01/03/2017.

Sponsor: Valadao [R-CA-21]

13 Co-sponsors: Nunes [R-CA-22], Rohrabacher [R-CA-48], Cook [R-CA-8], Issa [R-CA-49], Royce [R-CA-39], Walters [R-CA-45], Calvert [R-CA-42], Knight [R-CA-25], McCarthy [R-CA-23], Hunter [R-CA-50], LaMalfa [R-CA-1], McClintock[R-CA-4], Costa [D-CA-16].

Link to Full Text: <https://www.congress.gov/115/bills/hr23/BILLS-115hr23ih.pdf>

Sites, Specific: Title II - CALFED Storage Feasibility Studies (starts on page 27)

Synopsis: Revises the completion date for the feasibility study for Sites Reservoir, which was authorized by Congress under Public Law 108-361, section 103(d)(1)(A)(ii)(I).

Currently, the study needs to be completed by November 30, 2017.

The legislation requires a "publicly available draft" occur by Nov 30, 2018 and a final study by Nov 30, 2019.

Sites, Potential: Title VIII – Safety of Dams

Synopsis: Secretary is authorized to develop additional project benefits (e.g. additional conservation storage capacity) through the construction of new or supplementary 1 works. This could potentially apply to expanding Funks reservoir (aka the proposed Holthouse reservoir). Further analysis is warranted.

Other: Title I – Central Valley Project Water Reliability
Title III – Water Storage Protections
Title IV – Miscellaneous
Title VI – Bureau of Reclamation Project Streamlining
Title VII – Accelerated Revenue, Repayment, and surface

Storage enhancement
Title IX – Water Rights Protections

Synopsis: Contain provisions of interest to Project participants and other key stakeholders. Further analysis is warranted to determine what if any potential benefit to Sites Reservoir exists and level of support among the Project's participants.

Recommendation: Further analysis is warranted and seek input from Project's participants and key stakeholders to determine what, if any, potential benefit to Sites Reservoir are being proposed.

- HR 434: "To authorize a pilot project for an innovative water project financing program, and for other purposes."

Introduced 01/11/2017

Sponsor: Denham [R-CA-10]

5 Co-sponsors: LaMalfa [R-CA-1], Newhouse [R-WA-4], Calvert [R-CA-42], Costa [D-CA-16], Garamendi [D-CA-3].

Link to Full Text: As of 01/18/2017, text has not been received at GPO.

Sites, Potential: Create a program to allow low interest rate financing to be available for projects like Sites.

Synopsis: This is a re-introduction of the concepts developed under the Reclamation Infrastructure Finance and Innovation Act (RIFIA) of 2013. One expected change is to allow projects that have previously received federal funding to be eligible for financing under RIFIA.

Recommendation: Once the proposed text becomes publicly available, analyze its contents and seek input from Project's participants and key stakeholders to determine what, if any, potential benefit to Sites Reservoir are being proposed.