



SPECIAL NOTICE
PUBLIC ATTENDANCE & PARTICIPATION AT PUBLIC MEETINGS
Steering Committee Meeting
Wednesday, March 27, 2024
5:00 p.m.

Your participation is always welcome. OC San offers several ways in which to interact during meetings. You will find information as to these opportunities below.

IN-PERSON MEETING ATTENDANCE

You may attend the meeting in-person at the following location:

Orange County Sanitation District
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708

ONLINE MEETING PARTICIPATION

You may join the meeting live via Teams on your computer or similar device or web browser by using the link below:

[Click here to join the meeting](#)

We suggest testing joining a Teams meeting on your device prior to the commencement of the meeting. For recommendations, general guidance on using Teams, and instructions on joining a Teams meeting, [please click here](#).

Please mute yourself upon entry to the meeting. Please raise your hand if you wish to speak during the public comment section of the meeting. The Clerk of the Board will call upon you by using the name you joined with.

Meeting attendees are not provided the ability to make a presentation during the meeting. Please contact the Clerk of the Board at least 48 hours prior to the meeting if you wish to present any items. Additionally, camera feeds may be controlled by the meeting moderator to avoid inappropriate content.

HOW TO PARTICIPATE IN THE MEETING BY TELEPHONE

To join the meeting from your phone: Dial (213) 279-1455
When prompted, enter the Phone Conference ID: 816 216 462#

All meeting participants may be muted during the meeting to alleviate background noise. If you are muted, please use *6 to unmute. You may also mute yourself on your device.

Please raise your hand to speak by use *5, during the public comment section of the meeting. The Clerk of the Board will call upon you by using the last 4 digits of your phone number as identification.

NOTE: All attendees will be disconnected from the meeting at the beginning of Closed Session. If you would like to return to the Open Session portion of the meeting, please login or dial-in to the Teams meeting again and wait in the Lobby for admittance.

WATCH THE MEETING ONLINE

The meeting will be available for online viewing at:

<https://ocsd.legistar.com/Calendar.aspx>

SUBMIT A COMMENT

You may submit your comments and questions in writing for consideration in advance of the meeting by using the eComment feature available online at: <https://ocsd.legistar.com/Calendar.aspx> or sending them to OCSanClerk@ocsan.gov with the subject line "PUBLIC COMMENT ITEM # (insert the item number relevant to your comment)" or "PUBLIC COMMENT NON-AGENDA ITEM".

You may also submit comments and questions for consideration during the meeting by using the eComment feature available online at: <https://ocsd.legistar.com/Calendar.aspx>. The eComment feature will be available for the duration of the meeting.

All written public comments will be provided to the legislative body and may be read into the record or compiled as part of the record.

For any questions and/or concerns, please contact the Clerk of the Board's office at 714-593-7433. Thank you for your interest in OC San!

March 20, 2024

NOTICE OF REGULAR MEETING

**STEERING COMMITTEE
ORANGE COUNTY SANITATION DISTRICT**

Wednesday, March 27, 2024 – 5:00 P.M.

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708

ACCESSIBILITY FOR THE GENERAL PUBLIC

Your participation is always welcome. Specific information as to how to participate in this meeting is detailed on the Special Notice attached to this agenda. In general, OC San offers several ways in which to interact during this meeting: you may participate in person, join the meeting live via Teams on your computer or similar device or web browser, join the meeting live via telephone, view the meeting online, and/or submit comments for consideration before or during the meeting.

The Regular Meeting of the Steering Committee of the Orange County Sanitation District will be held at the above location and in the manner indicated on Wednesday, March 27, 2024 at 5:00 p.m.



Clerk of the Board

- Serving:
- Anaheim
 - Brea
 - Buena Park
 - Cypress
 - Fountain Valley
 - Fullerton
 - Garden Grove
 - Huntington Beach
 - Irvine
 - La Habra
 - La Palma
 - Los Alamitos
 - Newport Beach
 - Orange
 - Placentia
 - Santa Ana
 - Seal Beach
 - Stanton
 - Tustin
 - Villa Park
 - County of Orange
 - Costa Mesa Sanitary District
 - Midway City Sanitary District
 - Irvine Ranch Water District
 - Yorba Linda Water District

STEERING COMMITTEE & BOARD MEETING DATES

April 24, 2024

May 22, 2024

June 26, 2024

July 24, 2024

August 28, 2024

September 25, 2024

October 23, 2024

November 20, 2024 *

December 18, 2024 *

January 22, 2025

February 26, 2025

March 26, 2025

**** Meeting will be held on the third Wednesday of the month***

**ROLL CALL
STEERING COMMITTEE**

Meeting Date: March 27, 2024

Time: 5:00 p.m.

Adjourn: _____

COMMITTEE MEMBERS (7)

Chad Wanke, Board Chair	
Ryan Gallagher, Board Vice-Chair	
Jon Dumitru, Operations Committee Chair	
Christine Marick, Administration Committee Chair	
Pat Burns, Member-At-Large	
Glenn Grandis, Member-At-Large	
John Withers, Member-At-Large	

OTHERS

Brad Hogin, General Counsel	
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STAFF

Rob Thompson, General Manager	
Lorenzo Tyner, Assistant General Manager	
Mike Dorman, Director of Engineering	
Laura Maravilla, Director of Human Resources	
Riaz Moinuddin, Director of Operations & Maintenance	
Wally Ritchie, Director of Finance	
Lan Wiborg, Director of Environmental Services	
Kelly Lore, Clerk of the Board	

ORANGE COUNTY SANITATION DISTRICT
BOARD OF DIRECTORS
Complete Roster

Effective 01/23/2024

AGENCY/CITIES	ACTIVE DIRECTOR	ALTERNATE DIRECTOR
Anaheim	Stephen Faessel	Carlos A. Leon
Brea	Christine Marick	Cecilia Hupp
Buena Park	Joyce Ahn	Art Brown
Cypress	Scott Minikus	Bonnie Peat
Fountain Valley	Glenn Grandis	Ted Bui
Fullerton	Bruce Whitaker	Nick Dunlap
Garden Grove	Stephanie Klopfenstein	John O'Neill
Huntington Beach	Pat Burns	Gracey Van Der Mark
Irvine	Farrah N. Khan	Kathleen Treseder
La Habra	Rose Espinoza	Jose Medrano
La Palma	Debbie Baker	Mark I. Waldman
Los Alamitos	Jordan Nefulda	Shelley Hasselbrink
Newport Beach	Brad Avery	Erik Weigand
Orange	Jon Dumitru	John Gyllenhammer
Placentia	Chad Wanke	Ward Smith
Santa Ana	Johnathan Ryan Hernandez	Benjamin Vazquez
Seal Beach	Schelly Sustarsic	Lisa Landau
Stanton	David Shawver	Carol Warren
Tustin	Ryan Gallagher	Austin Lumbard
Villa Park	Robbie Pitts	Jordan Wu

Sanitary/Water Districts

Costa Mesa Sanitary District	Bob Ooten	Art Perry
Midway City Sanitary District	Andrew Nguyen	Tyler Diep
Irvine Ranch Water District	John Withers	Douglas Reinhart
Yorba Linda Water District	Phil Hawkins	Tom Lindsey

County Areas

Board of Supervisors	Doug Chaffee	Donald P. Wagner
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STEERING COMMITTEE
Regular Meeting Agenda
Wednesday, March 27, 2024 - 5:00 PM
Conference Room A
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

ACCOMMODATIONS FOR THE DISABLED: If you require any special disability related accommodations, please contact the Orange County Sanitation District (OC San) Clerk of the Board's office at (714) 593-7433 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

AGENDA POSTING: In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted outside the main gate of the OC San's Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, and on the OC San's website at www.ocsan.gov not less than 72 hours prior to the meeting date and time above. All public records relating to each agenda item, including any public records distributed less than 72 hours prior to the meeting to all, or a majority of the Board of Directors, are available for public inspection in the office of the Clerk of the Board.

AGENDA DESCRIPTION: The agenda provides a brief general description of each item of business to be considered or discussed. The recommended action does not indicate what action will be taken. The Board of Directors may take any action which is deemed appropriate.

MEETING RECORDING: A recording of this meeting is available within 24 hours after adjournment of the meeting at <https://ocsd.legistar.com/Calendar.aspx> or by contacting the Clerk of the Board at (714) 593-7433.

NOTICE TO DIRECTORS: To place items on the agenda for a Committee or Board Meeting, the item must be submitted in writing to the Clerk of the Board: Kelly A. Lore, MMC, (714) 593-7433 / klore@ocsan.gov at least 14 days before the meeting.

FOR ANY QUESTIONS ON THE AGENDA, BOARD MEMBERS MAY CONTACT STAFF AT:

General Manager: Rob Thompson, rthompson@ocsan.gov / (714) 593-7110
Asst. General Manager: Lorenzo Tyner, ltyner@ocsan.gov / (714) 593-7550
Director of Engineering: Mike Dorman, mdorman@ocsan.gov / (714) 593-7014
Director of Environmental Services: Lan Wiborg, lwiborg@ocsan.gov / (714) 593-7450
Director of Finance: Wally Ritchie, writchie@ocsan.gov / (714) 593-7570
Director of Human Resources: Laura Maravilla, lmavilla@ocsan.gov / (714) 593-7007
Director of Operations & Maintenance: Riaz Moinuddin, rmoinuddin@ocsan.gov / (714) 593-7269

CALL TO ORDER**ROLL CALL AND DECLARATION OF QUORUM:**

Clerk of the Board

PUBLIC COMMENTS:

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REPORTS:

The Board Chairperson and the General Manager may present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.

CONSENT CALENDAR:

Consent Calendar Items are considered to be routine and will be enacted, by the Committee, after one motion, without discussion. Any items withdrawn from the Consent Calendar for separate discussion will be considered in the regular order of business.

1. APPROVAL OF MINUTES**[2024-3515](#)****RECOMMENDATION:**

Approve minutes of the Regular meeting of the Steering Committee held February 28, 2024.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[02-28-2024 Steering Committee Minutes](#)

2. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2024**[2024-3529](#)**

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the month of February 2024.

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[Outreach and Media Report - February 2024](#)

3. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2024 [2024-3530](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the month of February 2024.

Originator: Rob Thompson

Attachments: [Agenda Report](#)
[Federal Legislative Update](#)
[Federal Matrix](#)
[State Legislative Update](#)
[State Matrix](#)
[PFAS under CERCLA Letter of Concern](#)
[SB 1034 Support Letter](#)
[AB 3073 \(Haney\) Bill Text](#)

NON-CONSENT:

None.

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:**CLOSED SESSION:**

During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chairperson may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

CONVENE IN CLOSED SESSION.

CS-1 CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE SECTION 54957.6 [2024-3513](#)

RECOMMENDATION: Convene in Closed Session:

Designated Representatives: General Manager Robert Thompson, Assistant General Manager Lorenzo Tyner, Director of Human Resources Laura Maravilla, and Chief Negotiator Laura Kalty.

Employee Organizations: (3)

International Union of Operating Engineers, Local 501; Orange County Employees Association; and the Supervisory and Professional Management Group.

Attachments: [Agenda Report](#)
[Steering CS Memo re Labor Negotiations Litigation 3-27-24](#)

CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1) [2024-3527](#)

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Gina A. Tetsch, Workers' Compensation Claim, Workers Compensation Appeals Board, Case No. ADJ11373743.

Attachments: [Agenda Report](#)
[Steering CS Memo re Workers Compensation Claim 3-27-24](#)

CS-3 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1) [2024-3514](#)

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Orange County Sanitation District v. Robert M. Jackson, et al., Orange County Superior Court Case No. 30-2024-01379706-CU-OR-CJC.

Attachments: [Agenda Report](#)
[Steering CS Memo re Robert Jackson 3-27-24](#)

CS-4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54957(b)(1)

[2024-3528](#)

RECOMMENDATION: Convene in Closed Session:

Public Employee Performance Evaluation

Number of Employees: 1

- General Counsel

Attachments: [Agenda Report](#)
[Steering CS Memo re General Counsel Evaluation 3-27-24](#)

RECONVENE IN REGULAR SESSION.

CONSIDERATION OF ACTION, IF ANY, ON MATTERS CONSIDERED IN CLOSED SESSION:

OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY:

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

At this time Directors may request staff to place an item on a future agenda.

ADJOURNMENT:

Adjourn the meeting until the Regular Meeting of the Steering Committee on April 24, 2024 at 5:00 p.m.



STEERING COMMITTEE

Agenda Report

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

File #: 2024-3515

Agenda Date: 3/27/2024

Agenda Item No: 1.

FROM: Robert Thompson, General Manager
Originator: Kelly A. Lore, Clerk of the Board

SUBJECT:

APPROVAL OF MINUTES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Approve minutes of the Regular meeting of the Steering Committee held February 28, 2024.

BACKGROUND

In accordance with the Board of Directors Rules of Procedure, an accurate record of each meeting will be provided to the Directors for subsequent approval at the following meeting.

RELEVANT STANDARDS

- Resolution No. OC SAN 22-37

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- February 28, 2024 Steering Committee meeting minutes



CALL TO ORDER

A regular meeting of the Steering Committee of the Orange County Sanitation District was called to order by Board Chairman Chad Wanke on Wednesday, February 28, 2024 at 5:01 p.m. in the Administration Building of the Orange County Sanitation District.

ROLL CALL AND DECLARATION OF QUORUM:

The Clerk of the Board declared a quorum present as follows:

PRESENT: Chad Wanke, Ryan Gallagher, Pat Burns, Jon Dumitru, Glenn Grandis and Christine Marick
ABSENT: John Withers

STAFF PRESENT: Rob Thompson, General Manager; Lorenzo Tyner, Assistant General Manager; Mike Dorman, Director of Engineering; Laura Maravilla, Director of Human Resources; Riaz Moinuddin, Director of Operations and Maintenance; Wally Ritchie, Director of Finance; Lan Wiborg, Director of Environmental Services; Kelly Lore, Clerk of the Board; Jennifer Cabral; Jackie Castro; Daisy Covarrubias; Raul Cuellar; Rob Michaels; Cindy Murra; Perla Rodriguez; and Ruth Zintzun were present in Conference Room A. Mo Abiodun was present telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel; Gary Weisberg, Associate Counsel; Lindsay Caro, Associate Counsel; Alex Ackerman, Special Counsel, Alston & Bird LLP; and Matt Wickersham, Special Counsel, Alston & Bird LLP were present in Conference Room A. Erik Sapirstein, ENS Resources; and Cori Takkinen, Townsend Public Affairs, were present telephonically.

PUBLIC COMMENTS:

None.

REPORTS:

Chair Wanke and General Manager Rob Thompson did not provide reports.

CONSENT CALENDAR:

1. **APPROVAL OF MINUTES**

[**2024-3456**](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve minutes of the Special meeting of the Steering Committee held January 17, 2024.

AYES: Chad Wanke, Ryan Gallagher, Pat Burns, Jon Dumitru, Glenn Grandis and Christine Marick

NOES: None

ABSENT: John Withers

ABSTENTIONS: None

2. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF JANUARY 2024 [2024-3485](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the month of January 2024.

AYES: Chad Wanke, Ryan Gallagher, Pat Burns, Jon Dumitru, Glenn Grandis and Christine Marick

NOES: None

ABSENT: John Withers

ABSTENTIONS: None

3. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF JANUARY 2024 [2024-3486](#)

Originator: Rob Thompson

MOVED, SECONDED, AND DULY CARRIED TO: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the month of January 2024.

AYES: Chad Wanke, Ryan Gallagher, Pat Burns, Jon Dumitru, Glenn Grandis and Christine Marick

NOES: None

ABSENT: John Withers

ABSTENTIONS: None

NON-CONSENT:

None.

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:

None.

CLOSED SESSION:**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(1), 54956.9(d)(4), and 54957(b)(1).**

The Committee convened in closed session at 5:02 p.m. Confidential minutes of the Closed Sessions have been prepared in accordance with the above Government Code Sections and are maintained by the Clerk of the Board in the Official Book of Confidential Minutes of Board and Committee Closed Session meetings.

**CS-1 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2024-3496](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

CONVENED IN CLOSED SESSION:

Number of Cases: 1

Thomas Solar Energy v. Orange County Sanitation District, Orange County Superior Court Case No. 30-2023-01337224.

**CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2024-3495](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

CONVENED IN CLOSED SESSION:

Number of Cases: 1

Klean Waters, Inc., et al. v. Orange County Sanitation District, United States District Court, Central District of California, Southern Division, Case No. 8:15-cv-00627.

**CS-3 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2024-3497](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 1

Orange County Sanitation District v. Robert M. Jackson, et al., Orange County Superior Court Case No. 30-2024-01379706-CU-OR-CJC.

CS-4 CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(4)[2024-3458](#)

CONVENED IN CLOSED SESSION:

Number of Potential Cases: 1

Potential initiation of litigation regarding Miller-Holder Easement.

CS-5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54957(b)(1)[2024-3457](#)

DID NOT CONVENE IN CLOSED SESSION:

Public Employee Performance Evaluation

Number of Employees: 1

- General Counsel

RECONVENED IN REGULAR SESSION.

The Committee reconvened in regular session at 5:55 p.m.

CONSIDERATION OF ACTION, IF ANY, ON MATTERS CONSIDERED IN CLOSED SESSION:

General Counsel Brad Hogin did not provide a report.

OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY:

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

Chair Wanke declared the meeting adjourned at 5:56 p.m. to the next Regular Steering Committee meeting to be held on Wednesday, March 27, 2024 at 5:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board



STEERING COMMITTEE

Agenda Report

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

File #: 2024-3529

Agenda Date: 3/27/2024

Agenda Item No: 2.

FROM: Robert Thompson, General Manager

SUBJECT:

PUBLIC AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2024

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the month of February 2024.

BACKGROUND

Included in this report are recent activities of interest managed by the Public Affairs Office for the month of February 2024.

RELEVANT STANDARDS

- Maintain influential legislative advocacy and a public outreach program
- Maintain collaborative and cooperative relationships with regulators, stakeholders, and neighboring communities
- Listen to and seriously consider community input on environmental concerns

PROBLEM

The Orange County Sanitation District (OC San) is a distinguished entity in the water/wastewater industry. Despite our industry recognition, there is limited awareness among our customers regarding the pivotal role we play in protecting public health and the environment. The absence of direct communication through a billing method may contribute to this gap in knowledge.

It is our responsibility to ensure that our ratepayers comprehend the vital services we provide. Many customers may not realize that improper waste disposal into the sanitation system can adversely impact our sewer lines, treatment plants, and the quality of water supplied through GWRS. By enhancing communication channels and fostering understanding, we aim to bridge the gap and empower our ratepayers with the knowledge needed to support and appreciate the essential work we undertake for the well-being of our community and the environment.

PROPOSED SOLUTION

By providing tours, community outreach, education, and general communication via OC San's website, social media, and direct mailings, we can share information with the community, local agencies, and businesses on our messaging such as the What2Flush program, energy production, water recycling, biosolids, and our source control program. This, in turn, helps improve the quality of wastewater that is recycled or released to the ocean and the knowledge and understanding of wastewater treatment.

RAMIFICATIONS OF NOT TAKING ACTION

Neglecting to inform the community, local agencies, and area businesses about OC San could lead to insufficient support for our mission, hindering our ability to fulfill our responsibilities effectively.

PRIOR COMMITTEE/BOARD ACTIONS

July 2022 - Public Affairs Strategic Plan for Fiscal Years 2022-2024 approved.

ADDITIONAL INFORMATION

Activities for the month of February 2024:

Outreach Report

An outreach report that includes tours, website, social media posts, construction notifications, speaking engagements, and more is attached to this Agenda Report.

Social Media

OC San messaging, announcements, and program updates were posted across OC San's social media platforms. Our social media handle is @OCSanDistrict.

- Facebook: 17 posts reaching 2.5k people
- X: 9 posts reaching 557 people
- Instagram: 43 posts reaching 5.8k people
- LinkedIn: 2 posts and reaching 1.5k people

Presentations and Industry Coverage

In February, staff participated in eight tours which included Godinez High School, El Modena High School, OCWD staff, new OC San employees, Cybersecurity and Infrastructure Security Agency, Inside the Outdoors, and the Air and Waste Management Association. OC San had a strong presence at the Pretreatment, Pollution, Prevention and Stormwater Conference in Anaheim where our General Manager, Rob Thompson, presented on Building a Culture of Accomplishment at Your Agency, staff presented on Source Control Success Stories and Regional Agency Perspectives, and Administration Manager Jennifer Cabral facilitated a roundtable on Communications & Public Outreach. Staff also presented to the Huntington Beach Christian Elementary School on What2Flush and to the Bay Area Clean Water Agency. At the end of February, Mr. Thompson participated in OCWD's webinar series and spoke on the Supercritical Water Oxidation Project. In total, we reached 1.4k people for the month. Details can be found in the Outreach Report.

Internal Communication

In February, there were 49 posts on the employee intranet -*The San Box*, four weekly emails distributed on relevant topics for the week, and the bi-monthly newsletter, *Pipeline*, was distributed with a new look resembling a multi-page magazine.

Construction Outreach Update

Outreach efforts continue for OC San construction activities throughout the service area. Projects are ongoing in Fountain Valley, Costa Mesa, Buena Park, Anaheim, Newport Beach, and within both of our treatment plants. Website updates, email text alerts, and direct notifications continue to be distributed as the projects progress. Details on each project can be found at www.ocsan.gov/construction.

OC San Celebrates 70 Years of Environmental Excellence with a Community Open House

2024 marks OC San's 70th anniversary. To commemorate this milestone, OC San will celebrate throughout the year by sharing historical information and achievements through online posts, videos, and social media. We are hosting a Community Open House on Saturday, June 8 to celebrate our history and achievements. Our member and sister agencies will be invited to participate in the event to host a booth of their own. Additional details will be sent via email to our member agencies and communicated with the public through our various communication channels.

OC San Launches Video Contest

OC San has launched the 2024 Video Contest for high school and college students in OC San's service area. The theme of the video is "Find Yourself at OC San" which is intended to promote careers within the wastewater field. The videos will be featured on our social media platforms and website with an opportunity to win one of five prizes. Full contest details can be found at www.ocsan.gov/video.

Westminster TET Parade

In February, staff participated in the Westminster TET Parade. Staff walked in the parade with our golf cart and handed out educational items to onlookers who were lining the streets.

OC San Wins Award

OC San and OCWD were awarded the National Environmental Achievement Community Leadership award for the Final Expansion of the GWRS. Mr. Thompson attended the Winter Conference held in Austin, Texas to accept the award on behalf of both agencies.

Inside the Outdoors

In February, OC San worked with Inside the Outdoors and the Anaheim School District to create a video that will be played for middle and high school students. The video aims to showcase OC San, what we do, and provide information on the various career opportunities.

OC San Community Newsletter

OC San's quarterly newsletter, the *OC San Connection*, was distributed electronically in February to our service area. The newsletter is intended to share news of interest to our public. The winter issue included articles on our 70th Anniversary, upcoming construction projects, the video contest, and the Wastewater 101 Citizens Academy.

Upcoming Activities for March:

Employee Appreciation Day

On March 1, OC San celebrated employees by acknowledging their contributions and providing cards of appreciation that could be shared with their colleagues.

March Retirement Celebration

On March 20, OC San will host a celebration for all retiring employees. This will give staff an opportunity to share stories and send off our dedicated employees with a heartfelt goodbye. Retirees from the last couple of years are also invited to attend.

Children's Water Festival

OC San will be participating in OCWD's Children's Water Festival later this month. OC San will host an informational booth along with a relay race game where kids learn about What2Flush. Over the two-day period, OC San will engage with 3rd, 4th, and 5th graders throughout Orange County.

Wastewater 101 Citizens Academy

OC San's Wastewater 101 Citizens Academy began on March 7 with 69 registered participants. The virtual Academy features four workshops over the course of two months and is hosted and presented by OC San staff. The four workshops focus on: Who We Are and What We Do, OC San- the Nuts and Bolts, Capital Improvement Program, and Environmental Services. The program is free to attend.

CEQA

N/A

FINANCIAL CONSIDERATIONS

All items mentioned are included in OC San's FY 2022-2024 Budget.

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Outreach and Media Report - February 2024

Outreach and Media Summary



February 2024

OC San Public Affairs Office

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Outreach Report February 2024

Date	Tours	Attendees	Tour Guide
2/2/24	Godinez High School/Coastkeepers	24	Randa AbuShaban
2/12/24	New Employee Tour	5	Rob Thompson
2/13/24	Orange County Water District Staff	28	Chris Cervellone
2/16/24	Air & Waste Management Association	1	Randa AbuShaban
2/22/24	El Modena High School	19	Eric Halverson
2/26/24	CISA Tour	8	Rob Thompson
2/27/24	Orange County Water District Staff	16	Cindy Murra
2/29/24	Orange County Water District Staff	25	Dickie Fernandez/ Chris Cervellone
Date	Speaking Engagements/Events	Attendees	Presenter
2/5-2/7/24	California Water Environment Association P3S Conference	100	Rob Thompson
2/6/24	Enhanced Source Control Workshop	20	Jennifer Cabral, Rob Thompson, Jonathan Powell, Mark Kawamoto, Jerome Jovenal, Brian Finkelstein, Kira Kaur
2/10/24	Westminster TET Parade	1,000	Kelly Newell, Al Garcia, Enisha Matthews, Hy Oh, Giti Radvar, Lan Wiborg, Gino Villalobos
2/15/24	Bay Area Clean Water Agency	25	Brian Waite
2/21/24	Inside the Outdoors Filming	3	Rebecca Long
2/28/24	Huntington Beach Christian Elementary School on What 2 Flush	20	Eddie Baker
2/29/24	Orange County Water District Webinar on Supercritical Water Oxidation Project	130	Rob Thompson
Project Area	Outreach Notifications	# of People Reached	Website Posts and Text Alerts
Anaheim/ Buena Park	Orange Western Sewer - project update		1 website posts

Costa Mesa	Airway-Airport Loop Sewer Project – update		1 website posts
External Communications	Distribution	# of People Reached	
5 Minutes Per Month	OC San's Wastewater 101 Citizen Academy Starts in March	216	
Board Member Talking Points	One	50	
Website Posts	5 posts	1.1 k views	Website
Facebook	17 posts	2.5 k reached	Social Media
Twitter	9 tweets	557 reached	Social Media
Instagram	43 posts	5.8 k reached	Social Media
LinkedIn	2 posts	1.5 k reached	Social Media

Post performance - Facebook Pages

Data from 01 Feb, 2024 to 29 Feb, 2024

Sources

Orange County Sanitation District

DATE	POST	ENGAGEMENT RATE	IMPRESSIONS	REACH
Feb 28, 19:28	The OC San Operations Committee Meeting is happening next week on 3/6/24 at 5 p.m. Click here to view the agenda:	1.96%	56	51
Feb 28, 18:43	#WaybackWednesday! Here is a photo of some of our employees out in the ocean during a project on the Ocean Outfall 1964. Just some OC San history for you.	11.25%	254	240
Feb 26, 16:22	(Post with no description)	2.48%	127	121
Feb 24, 16:01	Let's wrap up #EngineersWeek with a bang! Matt used to be an OC San intern, and now he is an OC San Engineer! For more info about our internships and open positions visit ocsan.gov/jobs #CareersInWastewater #OCSanCareer	8.33%	167	156
Feb 23, 00:48	The OC San Steering Committee Meeting (5 pm) and Board of Directors Meeting (6 pm) are happening next Wednesday, Feb. 28. Click here to view the agenda:	2.63%	49	38
Feb 22, 20:02	When some cooking oil accidentally goes down the drain... Accidents happen but if they continue to happen it may cause a clog in your pipe or ours. Fats, Oils, and Grease can harden around the pipe and overtime can create a blockage...	4.66%	414	386
Feb 20, 20:18	(Post with no description)	12.59%	157	143
Feb 20, 20:17	🌟 Let's give it up for our fantastic OC San engineers! 🌟 It's #EngineersWeek, and we're ready to shine a spotlight on these incredible minds who keep our systems running smoothly. Stay tuned as we showcase their alma maters and...	7.09%	136	127
Feb 20, 16:07	(Post with no description)	1.01%	106	99
Feb 15, 20:12	Our internship program dates back to the 60s. We've been sharing our knowledge for many years and continue to do so, visit ocsan.gov to learn more about our current internship program. #ThrowbackThursday #OCSanCareers...	8.93%	189	168
Feb 14, 17:36	(Post with no description)	2.7%	122	111
Feb 10, 16:02	ATTENTION ALL HIGH SCHOOL AND COLLEGE STUDENTS! OC San is now taking video submissions for our video contest, submit a short video and be entered for the chance to win a prize. Visit ocsan.gov/video for full details.	6.15%	157	130
Feb 09, 02:00	Stay Connected! We just released the latest issue of the OC San Connection newsletter visit ocsan.gov to read the full issue.	8.04%	134	112
Feb 07, 19:05	The OC San Administration Committee Meeting is happening on February 14 at 5 pm. Click here to view the agenda:	1.67%	75	60
Feb 07, 15:53	(Post with no description)	2.75%	123	109
Feb 06, 19:37	You heard it here first. Don't shower... until the rain has passed. Or at least postpone it to later in the day.	8.86%	368	350
Feb 06, 19:17	Don't forget, the OC San Operations Committee Meeting is happening tomorrow, Feb. 7 at 5 p.m. Click here to view the agenda:	1.49%	75	67

Post performance - Twitter

Data from 01 Feb, 2024 to 29 Feb, 2024

Sources

@OCSanDistrict

DATE ▼	POST	ENGAGEMENT RATE	ENGAGEMENTS	IMPRESSIONS
@OCSanDistrict Feb 28, 18:43	#WaybackWednesday! Here is a photo of some of our employees out in the ocean during a project on the Ocean Outfall 1964. Just some OC San history for you. https://twitter.com/OCSanDistrict/status/1762911363758747897/photo/1	1.92%	1	52
@OCSanDistrict Feb 24, 16:00	Let's wrap up #EngineersWeek with a bang! Matt used to be an OC San intern, and now he is an OC San Engineer! For more info about our internships and open positions visit http://ocsan.gov/jobs #CareersInWastewater #OCSanCareer ht...	6%	3	50
@OCSanDistrict Feb 22, 20:00	When some cooking oil accidentally goes down the drain... Accidents happen but if they continue to happen it may cause a clog in your pipe or ours. Fats, Oils, and Grease can harden around the pipe and overtime can create a blockage...	1.41%	1	71
@OCSanDistrict Feb 20, 20:19	https://twitter.com/OCSanDistrict/status/1760036363573809608/video/1	12.96%	7	54
@OCSanDistrict Feb 20, 20:17	🌟 Let's give it up for our fantastic OC San engineers! 🌟 It's #EngineersWeek, & we're ready to shine a spotlight on these incredible minds who keep our systems running smoothly. Stay tuned as we showcase their alma maters & th...	6.25%	3	48
@OCSanDistrict Feb 15, 20:12	Our internship program dates back to the 60s. We've been sharing our knowledge for many years and continue to do so, visit http://ocsan.gov to learn more about our current internship program. #ThrowbackThursday...	6.76%	5	74
@OCSanDistrict Feb 10, 16:00	ATTENTION ALL HIGH SCHOOL AND COLLEGE STUDENTS! OC San is now taking video submissions for our video contest, submit a short video and be entered for the chance to win a prize. Visit http://ocsan.gov/video for full details. https://t...	3.28%	2	61
@OCSanDistrict Feb 09, 02:00	Stay Connected! We just released the latest issue of the OC San Connection newsletter. visit http://ocsan.gov to read the full issue. https://twitter.com/OCSanDistrict/status/1755773596079645003/photo/1	0%	0	62
@OCSanDistrict Feb 06, 19:37	You heard it here first. Don't shower... until the rain has passed. Or at least postpone it to later in the day. https://twitter.com/OCSanDistrict/status/1754952451973595594/photo/1	0%	0	85

Post performance - Instagram Business

Data from 01 Feb, 2024 to 29 Feb, 2024

Sources


ocsandistrict





DATE	POST	ENGAGEMENT RATE	IMPRESSIONS	LIKES	REACH
Feb 28, 18:43	#WaybackWednesday! Here is a photo of some of our employees out in the ocean during a project on the Ocean Duffall 1964. Just some OC San History for you.	2.11%	147	3	142
Feb 27, 20:06	Our friends over at @ocwaterdistrict came to visit today! If you're also interested in joining a tour visit	0%	0	0	165
Feb 24, 17:55	(No description)	0%	88	0	87
Feb 24, 15:01	Let's wrap up #EngineersWeek with a bang! Matt used to be an OC San intern, and now he is an OC San Engineer! For more info about our internships and open positions visit ocsan.org/jobs #CareersInWastewater #OCSanCareer	6.15%	0	16	260
Feb 24, 15:40	(No description)	0%	76	0	76
Feb 24, 15:40	(No description)	0%	0	0	84
Feb 24, 15:37	(No description)	0%	0	0	96
Feb 23, 20:23	(No description)	0%	148	0	145
Feb 23, 20:20	(No description)	0%	0	0	152
Feb 22, 23:44	Thanks to @nacwa for the National Environmental Achievement Community Leadership award for the Final Expansion of the Groundwater Replenishment System.	0%	110	0	108
Feb 22, 23:00	(No description)	0%	0	0	105
Feb 22, 18:02	When some cooking oil accidentally goes down the drain... Accidents happen but if they continue to happen it may cause a clog in your pipe or ours. Fats, Oils, and Grease can harden around the pipe and overtime can create a blockage...	3.1%	315	8	290
Feb 22, 18:41	(No description)	0%	0	0	109
Feb 22, 18:39	(No description)	0%	0	0	113
Feb 22, 18:38	(No description)	0%	127	0	125
Feb 21, 17:06	(No description)	0%	98	0	96
Feb 21, 17:04	(No description)	0%	100	0	99
Feb 21, 17:02	(No description)	0%	107	0	107
Feb 20, 21:42	Sneak Peak of the New Building LIT Up 🏡	0%	106	0	97
Feb 20, 20:20	(No description)	0%	135	0	129
Feb 20, 18:17	🎉 Let's give it up for our fantastic OC San engineers! 🌟 It's #EngineersWeek, and we're ready to shine a spotlight on these incredible minds who keep our systems running smoothly. Stay tuned as we showcase their alma maters and...	10.81%	366	27	296
Feb 15, 20:12	Our internship program dates back to the 60s. We've been sharing our knowledge for many years and continue to do so, visit ocsan.org to learn more about our current internship program. #ThrowbackThursday #OCSanCareers...	3.97%	283	9	252
Feb 14, 22:53	(No description)	0%	56	0	56
Feb 14, 22:52	Love when we hear these words 🐦	0%	58	0	58
Feb 14, 22:51	(No description)	0%	59	0	59
Feb 14, 22:50	(No description)	0%	60	0	60
Feb 14, 17:34	Happy Valentines Day From OC San! 🍷	0%	71	0	71
Feb 13, 23:50	Submit your videos before the March deadline! Click post for full info.	0%	111	0	109
Feb 12, 19:37	(No description)	0%	148	0	146
Feb 12, 01:09	(No description)	0%	124	0	120
Feb 10, 18:24	Guess where we are today!	0%	201	0	198
Feb 10, 16:05	ATTENTION ALL HIGH SCHOOL AND COLLEGE STUDENTS! OC San is now taking video submissions for our video contest, submit a short video and be entered for the chance to win a prize. Visit ocsan.org/video for full details.	5.45%	269	5	220
Feb 09, 02:00	Stay Connected! We just released the latest issue of the OC San Connection newsletter, visit ocsan.org to read the full issue.	4.12%	185	7	170
Feb 08, 04:30	Welcome to the OC San Team!	0%	240	0	236
Feb 09, 22:51	(No description)	0%	80	0	80
Feb 06, 19:37	You heard it here first. Don't shower...until the rain has passed. Or at least postpone it to later in the day.	7.5%	516	25	480
Feb 06, 00:08	(No description)	0%	119	0	115
Feb 05, 20:51	The OC San General Manager, Rob Thompson speaking at the @cweamembers conference.	0%	140	0	137
Feb 04, 22:54	The rain is here. So make sure you follow these tips.	0%	121	0	118
Feb 01, 17:01	Ours is to prep for the higher level of wastewater flow we receive during the rain.	0%	73	0	73
Feb 01, 16:55	(No description)	0%	79	0	79
Feb 01, 16:46	(No description)	0%	89	0	89
Feb 01, 00:41	Spread the word! 🗣️	0%	73	0	73

Post performance - LinkedIn Pages

Data from 01 Feb, 2024 to 29 Feb, 2024

Sources

 Orange County Sanitation District

DATE ▼	POST	ENGAGEMENT RATE	IMPRESSIONS	REACTIONS	SHARES
 Orange County Sanitation District Feb 10, 16:02	 <p>ATTENTION ALL HIGH SCHOOL AND COLLEGE STUDENTS! OC San is now taking video submissions for our video contest, submit a short video and be entered for the chance to win a prize. Visit ocsan.gov/video for full details.</p>	8.42%	891	5	1
 Orange County Sanitation District Feb 09, 02:00	 <p>Stay Connected! We just released the latest issue of the OC San Connection newsletter. visit ocsan.gov to read the full issue.</p>	5.24%	573	8	0

Media News Articles

Article	Date	Source	Link
Spark of Love Toy Drive grings joy and more to local children	2/1/2024	Fountain Valley Living	https://www.ocsan.gov/home/showdocument?id=34411&t=638430664527381167
How communities worldwide are working to solve the water crisis	2/2/2024	NPR	https://www.wwno.org/2024-02-02/how-communities-worldwide-are-working-to-solve-the-water-crisis
Building Climate Resiliency Coast to Coast	2/2/2024	Hazen	https://www.hazenandsawyer.com/horizons/building-climate-resiliency-coast-to-coast
Sewage closes ocean in Seal Beach	2/7/2024	Press Telegram	https://www.presstelegram.com/2024/02/07/sewage-spill-closes-ocean-in-seal-beach-rain-advisory-across-the-coast/
Brea City Council Gets a Pay Raise	2/7/2024	Voice of OC	https://voiceofoc.org/2024/02/brea-city-council-gets-a-pay-raise/
Long Beach, San Pedro sewage spills caused by recent storms, LA sanitation says	2/9/2024	FOX 11	https://www.foxla.com/news/long-beach-san-pedro-sewage-spills-la-sanitation
Orange County Sanitation District Wins National Environmental Achievement Award	2/15/2024	OC San Press Release	https://ocsdgov.sharepoint.com/sites/External/140%20PAO%20EXTERNAL/Forms/AllItems.aspx?ct=1708041319978&or=Teams%2DHL&ga=1&LOF=1&id=%2Fsites%2FExternal%2F140%20PAO%20EXTERNAL%2FCheryl%20News%20Article%2FOC%20San%20Wins%20NACWA%20Community%20Leadership%5F2%2E14%2E2024%2Epdf&parent=%2Fsites%2FExternal%2F140%20PAO%20EXTERNAL%2FCheryl%20News%20Article

Beyond the Pipes of the Orange County Sanitation District (OC San)	2/15/2024	UCI Newsletter	https://ocsdgov.sharepoint.com/sites/External/140%20%20PAO%20%20EXTERNAL/Forms/AllItems.aspx?ct=1708040523302&or=Teams%2DHL&ga=1&LOF=1&id=%2Fsites%2FExternal%2F140%20%20PAO%20%20EXTERNAL%2FCheryl%20News%20Article%2FBeyond%20the%20Pipes%20of%20the%20Orange%20County%20Sanitation%20District%2Epdf&parent=%2Fsites%2FExternal%2F140%20%20PAO%20%20EXTERNAL%2FCheryl%20News%20Article
Orange County Sanitation District Wins National Environmental Achievement Award	2/16/2024	Waste 360	https://www.waste360.com/industry-insights/orange-county-sanitation-district-wins-national-environmental-achievement-award
Southern California Achieves Unprecedented Wastewater Recycling Milestone	2/16/2024	BNN	https://bnnbreaking.com/world/us/southern-california-achieves-unprecedented-wastewater-recycling-milestone
Why Policymakers Hold The Key To Catalyzing Regenerative Wastewater Innovation And Adaptation	2/25/2024	City Biz	https://www.citybiz.co/article/524613/why-policymakers-hold-the-key-to-catalyzing-regenerative-wastewater-innovation-and-adaptation/
Moulten Niguel Water Gets FEMA Grant	2/28/2024	OC Register	https://ocsdgov.sharepoint.com/:b:/s/External/EXI7SwF_IzFKhVmq19C_oDIB39mIL5u_6-7diTe4s-8jlg?e=uWGwl8



STEERING COMMITTEE

Agenda Report

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

File #: 2024-3530

Agenda Date: 3/27/2024

Agenda Item No: 3.

FROM: Robert Thompson, General Manager

SUBJECT:

LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2024

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the month of February 2024.

BACKGROUND

The Orange County Sanitation District's (OC San) legislative affairs program includes advocating for OC San's legislative interests; sponsoring legislation (where appropriate); and seeking Local, State, and Federal funding for projects and programs.

RELEVANT STANDARDS

- Maintain influential legislative advocacy and a public outreach program
- Build brand, trust, and support with policy makers and community leaders
- Maintain collaborative and cooperative relationships with regulators, stakeholders, and neighboring communities

PROBLEM

Without a strong advocacy program, elected officials may not be aware of OC San's mission, programs, and projects and how they could be impacted by proposed legislation.

PROPOSED SOLUTION

Continue to work with Local, State, and Federal officials to advocate for OC San's legislative interests. Help to create/monitor legislation and grants that would benefit OC San, the wastewater industry, and the community. To assist in relationship building efforts, OC San will continue to reach out to elected officials through facility tours, one-on-one meetings, and trips to Washington D.C. and Sacramento.

RAMIFICATIONS OF NOT TAKING ACTION

If OC San does not work with Local, State, and Federal elected officials, legislation could be passed that negatively affects OC San and the wastewater industry. Additionally, a lack of engagement may result in missed funding opportunities.

ADDITIONAL INFORMATION

Activities in February

- At the end of February, OC San staff, Rebecca Long, attended the CASA Washington DC Policy Forum. During this conference, congressional staff, the EPA, and various agencies and associations presented on bills of interest, current policy issues, and a political look ahead for 2024.

Activities in March

- **Federal Update:**
On March 12, OC San staff submitted the attached letter of concern regarding passive receiver liability for PFAS cleanup under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The letter was submitted to Senator Tom Carper, Chairman, and Senator Shelley Moore Capito, Ranking Member, for the Committee on Environment and Public Works. The letter requested the Committee to amend CERCLA to ensure agencies such as ours receive protections from frivolous and unwarranted litigation.
- **State Update:**
On March 5, OC San took a support position on Senate Bill (SB) 1034 (see attached letter). This bill adds a clause to the “unusual circumstances” definition pertaining to a request of the California Public Records Act. SB 1034 allows agencies to focus on keeping their communities safe during a state of emergency. During a state of emergency, agencies may face a surge in demand for their services while simultaneously experiencing resource constraints. These constraints can include shortages in staffing, equipment, and supplies, and immediate safety concerns, making it difficult to promptly respond to public record requests to stay within the compliance period. SB 1034 allows agencies to focus on keeping their communities safe in a state of emergency.
- On March 8, OC San staff and Townsend Affairs attended the CASA State Legislative Committee meeting where current bills and positions were discussed. During the meeting, the attached Assembly Bill 3073 (Haney): Wastewater testing for illicit substances was discussed. OC San staff communicated that this is not a bill that OC San will be supporting and would propose that CASA does not support it as it is not the responsibility of a wastewater treatment plant to monitor drug use in the community. It was communicated that supporting the bill in its current concept could be a slippery slope and lead to further regulations. CASA and its membership took a vote and decided on a Support as Amended position. CASA is suggesting to the author that the bill now becomes voluntary and to be a pilot project.

- Additionally, staff and Townsend Public Affairs are working collaboratively on support positions for two bills:
 - Senate Bill 903 by Senator Skinner. This is a CASA sponsored bill, which would prohibit the distribution, selling, or offering for sale a product that contains intentionally added PFAS unless the California Department of Toxic Substances Control has decided that the use of PFAS in the product is a currently unavoidable use.
 - Assembly Bill 2626 by Assemblymember Dixon will extend the compliance dates for local governments set forth in the Advanced Clean Fleets Regulation by 10 years. This would allow for zero-emission vehicle and battery manufacturers to advance technologies to address issues specific to medium- and heavy-duty fleet vehicles. The bill will also prohibit CARB from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025.

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Federal Legislative Update
- Federal Matrix
- State Legislative Update
- State Matrix
- PFAS Cleanup Under CERCLA Letter of Concern
- SB 1034 Letter of Support
- AB 3073 (Haney) Bill Text



TO: Rebecca Long
FROM: Eric Sapirstein
DATE: March 7, 2024
SUBJECT: Washington Update

Congress continued to finalize spending bills for the Fiscal Year 2024 with passage of the twelve spending bills by the final deadline of March 22. The following summarizes legislative and regulatory activities that directly or indirectly impact OC San.

- ***Fiscal Year 2024 Appropriations***

The House overwhelming approved the first six spending bills by a vote of 339-83, sending the package to the Senate for final passage by Thursday evening, March 7 to allow the president to sign the measure into law by the March 8 deadline. The House vote included approval of the U.S. Environmental Protection Agency's (EPA) budget absent any policy riders. This means that the agency will have year-long funding for all of its programs. But while the threat of a one percent across-the-board spending reduction as mandated under the Fiscal Responsibility Act on April 30 if a final spending bill will not occur, the budget was cut by \$1 billion. The cut was imposed on the Superfund program. Additionally, because of the significant five-year funding of water infrastructure funding in the infrastructure law, water project assistance continues with significant federal spending. Following final votes in the Senate, Congress will then turn its attention to the last six spending bills that must be passed by March 22. These spending bills cover national security funding and are expected to be approved also.

Final Spending Agreements Impact OC San

The approval of spending legislation will not have an immediate direct impact upon OC San. However, the approval of an agency funding bill means that regulatory development efforts on PFAS and other matters will be adequately funded. Additionally, while the agency budget was reduced by \$1 billion, most of the cuts fell on the Superfund program which means that OC San programs of interest including biosolids rulemakings will not be impacted.

- ***Senate PFAS Liability Hearing Scheduled***

The Senate Committee on Environment and Public Works has scheduled a hearing March 20 that will examine the impacts of per- and polyfluoroalkyl substances (PFAS) designation under the Comprehensive Emergency Response, Compensation and Liability Act (CERCLA). Central to the hearing will be the consequences of liability on passive receivers. The hearing appears to have been scheduled because committee staff believe the committee membership needs to hear the diverse views of stakeholders. Staff indicate that the hearing will format will be one panel. There will be five witnesses representing the water, solid waste, environmental non-governmental organization (E-NGO), and State stakeholders. A fifth witness will be a Congressional Research Service CERCLA liability expert. This witness will serve as a neutral witness to clarify any questions raised by other witnesses.

Impact of Hearing on OC San Interests

OC San has advocated for liability protections from any PFAS hazardous substance designation under CERCLA. The hearing is expected to highlight the concerns that OC San has communicated to the Orange County congressional delegation related to liability should USEPA finalize the designation of PFAS as hazardous substances under CERCLA. The hearing will likely include a focus on biosolids and the need for funding assistance to develop technologies to better treat and destroy PFAS such as the OC San pilot project. The hearing will illustrate the worst kept secret; the committee is frozen in its effort to find consensus on how to develop legislation to protect passive receivers, like OC San from CERCLA liability. Because of the vocal opposition to any liability exemptions from the E-NGO community, development of any legislation and committee action is dubious before the November elections.

- ***USEPA Preparing to Issue Final PFAS Rules***

USEPA's finalization of rules establishing drinking water standards and designating PFAS chemicals as hazardous substances under CERCLA continue. The agency is under growing pressure from E-NGO's to issue both rules without further delays. The drinking water standard maximum contaminant level (MCL) of 4 parts per thousand (PPT) is expected in April. Office of Management and Budget review of CERCLA designation of PFAS rules continues with the expectation that USEPA will also issue a final rule in April. Should this schedule be met, it is all but certain that litigation challenging both rulemakings will be pursued. Any challenge to the MCL will be based upon questionable science. Any litigation against PFAS designation will likely target failure of the agency to follow applicable standards and review of identifying a substance as a hazardous substance.

- ***Low Income Household Water Assistance Program***

Senator Alex Padilla (D-CA) introduced the Low-Income Household Water Assistance Establishment Act (S.3830). The legislation would create a permanent program of ratepayer assistance to help ratepayers that have economic hardships pay for water services. The bill does not provide for a specified funding authorization. Instead, the bill provides for “such sums as may be appropriated”, avoiding a challenge of scoring the bill for budget impacts that could preclude legislative debate without funding offsets.

Value to OC San Indirect

The legislation would not directly impact OC San. However, it would support the needs of OC San’s cities.

OC San Policy Update- Mar 07, 2024

FEDERAL LEGISLATIVE UPDATE--SECOND SESSION, 118TH CONGRESS

A summary of key legislation pending before Congress

Support Position Policy

1 Bills, 0 Regulations, 0 Research Documents

US S 1430

Title: Water Systems PFAS Liability Protection Act

Current Status: In Senate

Introduction Date: 2023-05-03

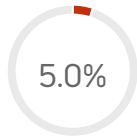
Last Action Date: Read twice and referred to the Committee on Environment and Public Works.. 2023-05-03

Summary: S. 1430 would provide a limited CERCLA liability (section 107) exemption for PFAS family of chemicals for water and wastewater agencies. S. 1430 would not exempt an agency from liability in cases of gross negligence. The legislation is not expected to be approved by the Senate Committee on Environment and Public Works.

Description: Water Systems PFAS Liability Protection Act This bill exempts specified water management entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) for releases of certain perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS. Specifically, the entities covered under the bill are public water systems, publicly or privately owned or operated treatment works, municipalities with a stormwater discharge permit, political subdivisions or special districts of a state that act as a wholesale water agency, and contractors performing the management or disposal activities for such entities. Under the bill, the exemption only applies if a specified entity transports, treats, disposes of, or arranges for the transport, treatment or disposal of PFAS consistent with applicable laws and during and following the conveyance or treatment of water under federal or state law, such as through the management or disposal of biosolids consistent with the Federal Water Pollution Control Act. Liability for damages or costs associated with the release of certain PFAS must not be precluded if an entity acted with gross negligence or willful misconduct.

Location: United States

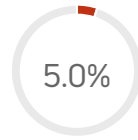
Floor Forecast Scores



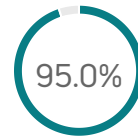
Senate
Pre-Floor Score



Senate
Floor Score



House
Pre-Floor Score



House
Floor Score

Monitor Position Policy 5 Bills, 0 Regulations, 0 Research Documents

US HR 7194

Title: PFAS Accountability Act of 2024

Current Status: In House

Introduction Date: 2024-02-01

Last Action Date: Referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.. 2024-02-01

Summary: H.R. 7194 would create a cause of action under the Toxics Substances Control Act to allow a citizen or class of citizens to litigate against a manufacturer of PFAS that improperly discharged PFAS into the environment and created a public health impact. Companion legislation in the Senate: S. 3725. Sponsor: Rep. Madeline Dean (D-NH)

Location: United States

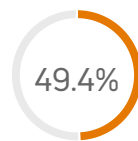
Floor Forecast Scores



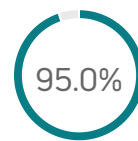
House
Pre-Floor Score



House
Floor Score



Senate
Pre-Floor Score



Senate
Floor Score

US HR 2964

Title: WIPPES Act

Current Status: In House

Introduction Date: 2023-04-27

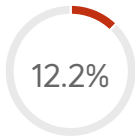
Last Action Date: Ordered to be Reported (Amended) by the Yeas and Nays: 42 - 0.. 2023-12-06

Summary: Directs the Federal Trade Commission, in consultation with the Environmental Protection Agency, Commissioner of Food and Drugs, and the Consumer Product Safety

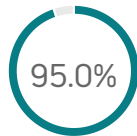
Commission (as appropriate depending on the type of covered product involved) to issue “Do Not Flush” labeling requirements for nonflushable wipes, including baby wipes, household wipes, disinfecting wipes and personal care wipes. The requirements mirror California’s labeling law and has the support from the wipes industry, national clean water sector, civil engineers, and environment advocates. Companion Senate bill: S. 1350.

Location: United States

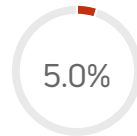
Floor Forecast Scores



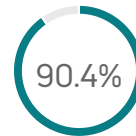
House
Pre-Floor Score



House
Floor Score



Senate
Pre-Floor Score



Senate
Floor Score

US S 1350

Title: WIPPES Act

Current Status: In Senate

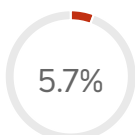
Introduction Date: 2023-04-27

Last Action Date: Read twice and referred to the Committee on Commerce, Science, and Transportation.. 2023-04-27

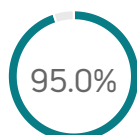
Summary: Directs the Federal Trade Commission, in consultation with the Environmental Protection Agency, Commissioner of Food and Drugs, and the Consumer Product Safety Commission (as appropriate depending on the type of covered product involved) to issue “Do Not Flush” labeling requirements for nonflushable wipes, including baby wipes, household wipes, disinfecting wipes and personal care wipes. The requirements mirror California’s labeling law and has the support from the wipes industry, national clean water sector, civil engineers, and environment advocates. Companion House bill: H.R. 2964.

Location: United States

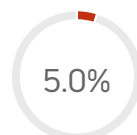
Floor Forecast Scores



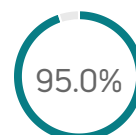
Senate
Pre-Floor Score



Senate
Floor Score



House
Pre-Floor Score



House
Floor Score

US HR 1181

Title: To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.

Current Status: In House

Introduction Date: 2023-02-24

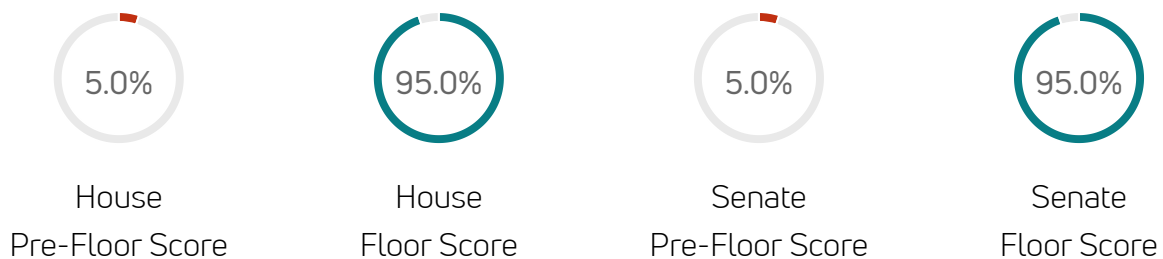
Last Action Date: Referred to the Subcommittee on Water Resources and Environment.. 2023-02-27

Summary: H.R. 1181 would provide state permitting authorities to issue ten year NPDES permits to publicly owned wastewater treatment agencies. The authority would not extend to privately owned treatment facilities such as industrial dischargers.

Description: This bill extends the maximum term for certain permits issued under the National Pollutant Discharge Elimination System (NPDES) program. Specifically, the bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years. Under the program, the Environmental Protection Agency issues permits to discharge pollutants from point sources, such as pipes, into waters of the United States.

Location: United States

Floor Forecast Scores



US S 115

Title: Clean Water Allotment Modernization Act of 2023

Current Status: In Senate

Introduction Date: 2023-01-26

Last Action Date: Read twice and referred to the Committee on Environment and Public Works.. 2023-01-26

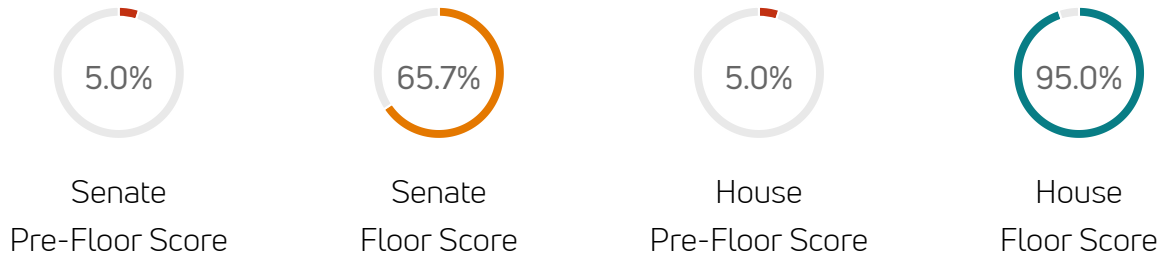
Summary: Provides for a set aside from Clean Water SRF appropriations to conduct Buy America oversight compliance, establishes that each state's allotment must be at the same level as FY 23 during FY 24-28 and additional allotments based on percent of state population to the nation. FY 29 and beyond allotments to be determined by new formula based upon Clean Water Needs Survey.

Description: Clean Water Allotment Modernization Act of 2023 This bill revises the formula the Environmental Protection Agency (EPA) uses to determine how to distribute funds from the Clean Water State Revolving Fund (SRF) program. Under the program, the EPA allocates funding to states for water quality infrastructure projects, such as wastewater systems and stormwater management projects. In FY2024-FY2028, the EPA must provide an initial allotment to each state that is equal to the amount the state received in FY2023. The EPA must also provide an additional allotment to each state that is based on its share of the U.S.

population. In FY2029 and each subsequent fiscal year, the EPA must use an updated allotment formula, which is based on the needs of states as identified in the most recently available clean watersheds needs survey. Beginning in FY2024, the formula must also provide allotments for Indian tribes and territories. In addition, the formula must provide an allotment for EPA's oversight of SRF projects to ensure they use American iron and steel.

Location: United States

Floor Forecast Scores



Oppose Position Policy 0 Bills, 0 Regulations, 0 Research Documents

No Position Selected Policy 6 Bills, 0 Regulations, 0 Research Documents

US HR 7194

Title: PFAS Accountability Act of 2024

Current Status: In House

Introduction Date: 2024-02-01

Last Action Date: Referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.. 2024-02-01

Summary: H.R. 7194 would create a cause of action under the Toxics Substances Control Act to allow a citizen or class of citizens to litigate against a manufacturer of PFAS that improperly discharged PFAS into the environment and created a public health impact. Companion legislation in the Senate: S. 3725. Sponsor: Rep. Madeline Dean (D-NH)

Location: United States

Floor Forecast Scores



House
Pre-Floor Score

House
Floor Score

Senate
Pre-Floor Score

Senate
Floor Score

US HR 2964

Title: WIPPES Act

Current Status: In House

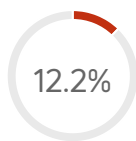
Introduction Date: 2023-04-27

Last Action Date: Ordered to be Reported (Amended) by the Yeas and Nays: 42 - 0.. 2023-12-06

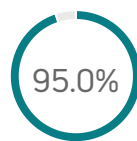
Summary: Directs the Federal Trade Commission, in consultation with the Environmental Protection Agency, Commissioner of Food and Drugs, and the Consumer Product Safety Commission (as appropriate depending on the type of covered product involved) to issue "Do Not Flush" labeling requirements for nonflushable wipes, including baby wipes, household wipes, disinfecting wipes and personal care wipes. The requirements mirror California's labeling law and has the support from the wipes industry, national clean water sector, civil engineers, and environment advocates. Companion Senate bill: S. 1350.

Location: United States

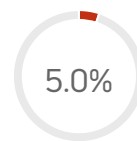
Floor Forecast Scores



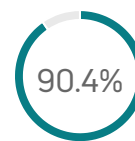
House
Pre-Floor Score



House
Floor Score



Senate
Pre-Floor Score



Senate
Floor Score

US S 1430

Title: Water Systems PFAS Liability Protection Act

Current Status: In Senate

Introduction Date: 2023-05-03

Last Action Date: Read twice and referred to the Committee on Environment and Public Works.. 2023-05-03

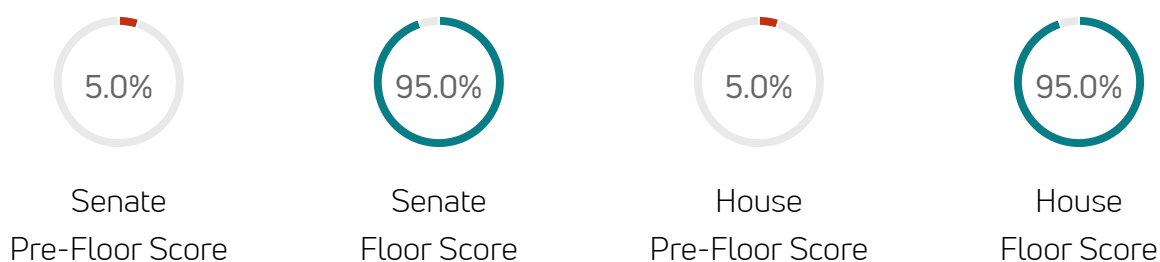
Summary: S. 1430 would provide a limited CERCLA liability (section 107) exemption for PFAS family of chemicals for water and wastewater agencies. S. 1430 would not exempt an agency from liability in cases of gross negligence. The legislation is not expected to be approved by the Senate Committee on Environment and Public Works.

Description: Water Systems PFAS Liability Protection Act This bill exempts specified water management entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) for releases of certain perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS. Specifically, the entities covered

under the bill are public water systems, publicly or privately owned or operated treatment works, municipalities with a stormwater discharge permit, political subdivisions or special districts of a state that act as a wholesale water agency, and contractors performing the management or disposal activities for such entities. Under the bill, the exemption only applies if a specified entity transports, treats, disposes of, or arranges for the transport, treatment or disposal of PFAS consistent with applicable laws and during and following the conveyance or treatment of water under federal or state law, such as through the management or disposal of biosolids consistent with the Federal Water Pollution Control Act. Liability for damages or costs associated with the release of certain PFAS must not be precluded if an entity acted with gross negligence or willful misconduct.

Location: United States

Floor Forecast Scores



US S 1350

Title: WIPPES Act

Current Status: In Senate

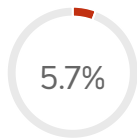
Introduction Date: 2023-04-27

Last Action Date: Read twice and referred to the Committee on Commerce, Science, and Transportation.. 2023-04-27

Summary: Directs the Federal Trade Commission, in consultation with the Environmental Protection Agency, Commissioner of Food and Drugs, and the Consumer Product Safety Commission (as appropriate depending on the type of covered product involved) to issue "Do Not Flush" labeling requirements for nonflushable wipes, including baby wipes, household wipes, disinfecting wipes and personal care wipes. The requirements mirror California's labeling law and has the support from the wipes industry, national clean water sector, civil engineers, and environment advocates. Companion House bill: H.R. 2964.

Location: United States

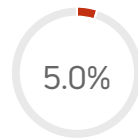
Floor Forecast Scores



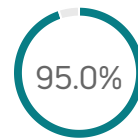
Senate
Pre-Floor Score



Senate
Floor Score



House
Pre-Floor Score



House
Floor Score

US HR 1181

Title: To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.

Current Status: In House

Introduction Date: 2023-02-24

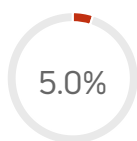
Last Action Date: Referred to the Subcommittee on Water Resources and Environment.. 2023-02-27

Summary: H.R. 1181 would provide state permitting authorities to issue ten year NPDES permits to publicly owned wastewater treatment agencies. The authority would not extend to privately owned treatment facilities such as industrial dischargers.

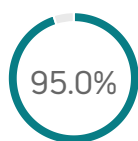
Description: This bill extends the maximum term for certain permits issued under the National Pollutant Discharge Elimination System (NPDES) program. Specifically, the bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years. Under the program, the Environmental Protection Agency issues permits to discharge pollutants from point sources, such as pipes, into waters of the United States.

Location: United States

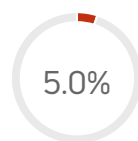
Floor Forecast Scores



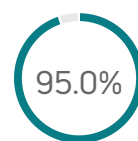
House
Pre-Floor Score



House
Floor Score



Senate
Pre-Floor Score



Senate
Floor Score

US S 115

Title: Clean Water Allotment Modernization Act of 2023

Current Status: In Senate

Introduction Date: 2023-01-26

Last Action Date: Read twice and referred to the Committee on Environment and Public Works.. 2023-01-26

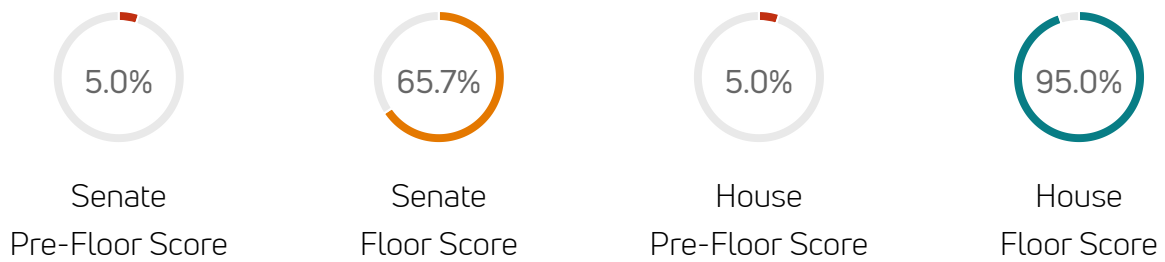
Summary: Provides for a set aside from Clean Water SRF appropriations to conduct Buy America oversight compliance, establishes that each state's allotment must be at the same

level as FY 23 during FY 24-28 and additional allotments based on percent of state population to the nation. FY 29 and beyond allotments to be determined by new formula based upon Clean Water Needs Survey.

Description: Clean Water Allotment Modernization Act of 2023 This bill revises the formula the Environmental Protection Agency (EPA) uses to determine how to distribute funds from the Clean Water State Revolving Fund (SRF) program. Under the program, the EPA allocates funding to states for water quality infrastructure projects, such as wastewater systems and stormwater management projects. In FY2024-FY2028, the EPA must provide an initial allotment to each state that is equal to the amount the state received in FY2023. The EPA must also provide an additional allotment to each state that is based on its share of the U.S. population. In FY2029 and each subsequent fiscal year, the EPA must use an updated allotment formula, which is based on the needs of states as identified in the most recently available clean watersheds needs survey. Beginning in FY2024, the formula must also provide allotments for Indian tribes and territories. In addition, the formula must provide an allotment for EPA's oversight of SRF projects to ensure they use American iron and steel.

Location: United States

Floor Forecast Scores



MEMORANDUM

To: Orange County Sanitation District
From: Townsend Public Affairs
Date: March 6, 2024
Subject: State Legislative Monthly Report

STATE LEGISLATIVE UPDATES

The month of February included the Legislature's bill introduction deadline on February 16, featuring the introduction of over 1,500 new bill vehicles, and gave new insight into legislative trends for the 2024 Legislative Session.

The February bill introduction deadline also signaled a change in legislative action, with the beginning of legislative policy committee hearings to kickstart the bill deliberation process. It is anticipated that hundreds of bills will begin to be heard in their respective policy and fiscal committees in the next couple of weeks. Below is an overview of pertinent State actions from February.

LAO Releases Revenue Update as Budget Deficit Grows

On February 20, the Legislative Analyst's Office (LAO) [released an update](#) on State Revenues in relation to the State Budget. Previously, the LAO estimated that the State is facing a budget deficit of about \$58 billion, under the Governor's Proposed Budget released on January 10. The LAO estimates that the deficit is about \$24 billion below the Governor's Budget across 2022-23 to 2024-25. Under the LAO's estimates, this increases the previously estimated \$58 billion deficit to **\$73 billion**. Deficits in the State Budget directly impact OC San through the reduction of programs that OC San is eligible for, including funds for water recycling and infrastructure.

As a few possible solutions to the budget deficit the LAO recommends both revenue increases and spending reductions (on both a one-time and ongoing basis), as well as other tools, like utilizing reserves and cost shifts. Additionally, the LAO recommends that Legislators evaluate whether recent augmentations designated for one-time and temporary expenditures could be retracted or minimized, by using two rationales. Firstly, to consider that when the allocations for one-time and temporary expenditures were approved, it was under the understanding that they would serve as a buffer for future budgetary challenges. For instance, the Administration frequently projected "operating surpluses" in its multi-year forecasts, excluding such expenditures, indicating an acknowledgment that the State's resources could not cover all projected commitments. However, they could accommodate ongoing budgetary requirements. Secondly, as the Legislature diminishes one-time and temporary expenditures in 2024-25, it preserves a greater array of tools for addressing future budgetary challenges. The reduction of such spending constitutes a "use or lose" mechanism in tackling budgetary issues—once funds are allocated to recipients, retracting them becomes exceedingly impractical.

Looking forward, Legislators will be in ongoing negotiations with the Administration to pass the Budget Bill by the June 15 constitutional deadline to pass the State Budget.

Senate Leadership and Committee Changes

On February 5, Senator Mike McGuire was sworn in as Senate Pro Tem on the Senate Floor by California Supreme Court Chief Justice Patricia Guerrero. Later in the week, on February 8, Senate Pro Tem McGuire announced new Senate and Committee assignments. Leadership changes include the appointment of Senator Lena Gonzalez as the Majority Leader, and Senators Angelique Ashby and Aisha Wahab as co-Assistant Majority Leaders. These members will be instrumental in leading the House and the Democratic Caucus' policy decisions and priorities for the next few years.

Notable committee changes include the following:

- Senator Scott Wiener replaces Senator Nancy Skinner as the new Budget Chair
- The Senate Governance and Finance Committee has returned to its pre-redevelopment dissolution roots and has split into two committees that mirror the Assembly: The Senate Local Government Committee, whose chair will be Senator Maria Elena Durazo, and the Senate Revenue and Taxation Committee, whose chair will be Senator Steve Glazer.

A full list of leadership changes and committee membership changes can be found [here](#). Committee memberships and Chairs are critical to the direction of the Committee. Of most interest to OC San is the appointment of Senator Maria Elena Durazo (D-Los Angeles) as the chair of the Senate Local Government Committee, which will oversee certain legislation affecting OC San. Senator Durazo represents a highly urban and dense community in Los Angeles, giving her an understanding of large urban wastewater issues.

Cap-and-Trade Rulemaking Oversight Hearing

On February 13 the Senate Environmental Quality Committee, the Senate Budget and Fiscal Review Subcommittee No. 2 On Resources, Environmental Protection, and Energy Committee held a joint oversight hearing on Cap-and-Trade rulemaking. Cap-and-Trade is a market-based emissions trading program administered by the California Air Resources Board (CARB) that covers roughly 80 percent of California's Greenhouse gases (GHG) emissions and aims to reduce them. The program imposes a declining, aggregate cap on the amount of GHGs allowed to be emitted in the State each year and has been run by CARB for the past ten years. In running the program, CARB has held workshops and solicited feedback on the changes they are considering.

Cap-and-Trade is a sustainable funding source that funds programs that OC San has historically applied for, including the Organic Grant Program for co-digestion enhancements. It is likely that the Cap-and-Trade program continues to fund climate-based programs of interest to OC San.

The hearing gave legislators an opportunity to learn about how the changes being considered at CARB will affect the nature of the State's climate policy. Panelists included:

- Liane Randolph, Chair, CARB
- Sarah Cornett, Fiscal and Policy Analyst, Legislative Analyst's Office (LAO)
- Katelyn Roedner Sutter, Assembly Appointee, Independent Emissions Market Advisory Committee
- Catherine Garoupa, Chair, CARB Environmental Justice Advisory Committee
- Danny Cullenward, Vice Chair and Senate Appointee, Independent Emissions Market Advisory Committee
- Matthew Botill, Chief, Industrial Strategies Division, CARB

The panelists discussed the current state in the State's Cap-and-Trade rulemaking and presented what is next for the State's program. The LAO had many legislative considerations, including discussing the State balancing pursuing emissions reductions with potential cost impacts, and asking if the Legislature wants to expand the program beyond 2030. One major concern mentioned by the Committee and many panelists was regarding whether underserved communities are truly benefiting from the program dollars.

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
Proposed Legislation 2024						
High Priority						
AB 234	Bauer-Kahan [D]	The Microbeads Nuisance Prevention Law prohibits a person from selling or offering for promotional purposes in the state any personal care products containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, including, but not limited to, toothpaste. This bill would express the intent of the Legislature to enact subsequent legislation that would prohibit the sale in this state of rinse-off cosmetics, detergents, waxes, and polishes that contain intentionally added synthetic polymer microparticles, including products identified in the synthetic polymer microparticle Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) restrictions adopted by the European Union (EU).	Two Year Bill	Support	State Priorities: Support legislation or regulations that restrict the use of microplastics and chemicals of emerging concern in any product that is disposed of through the sewer system.	ACC-OC - NYC LOCC - NYC CASA - Support in Concept CSDA - Watch ACWA - NYC
AB 340	Fong [R]	The California Environmental Quality Act (CEQA) prohibits an action or proceeding from being brought in a court to challenge the approval of a project by a public agency unless the alleged grounds for noncompliance are presented to the public agency orally or in writing by a person during the public comment period provided by CEQA or before the close of the public hearing on the project before the issuance of the notice of determination. This bill would require the alleged grounds for noncompliance with CEQA presented to the public agency in writing be presented at least 10 days before the public hearing on the project before the issuance of the notice of determination. The bill would prohibit the inclusion of written comments presented to the public agency after that time period in the record of proceedings and would prohibit those documents from serving as basis on which an action or proceeding may be brought.	Two Year Bill	Watch	Legislative and Regulatory Policies: Environment/Climate Resiliency - Support efforts to reform the California Environmental Quality Act (CEQA) to streamline current procedures and regulations for projects to refurbish or replace existing infrastructure facilities.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC
AB 805	Arambula [D]	Authorizes the State Water Resources Control Board (State Water Board) to require a sewer service provider—for a sewer system that has the reasonable potential to cause a violation of water quality objectives; impair present or future beneficial uses of water; or cause pollution, nuisance, or contamination of waters of the state—to contract with an administrator designated or approved by the State Water Board.	Currently in the Senate Rules Committee	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Oppose ACWA - Not Favor
AB 1152	Patterson [R]	Would exempt from the California Environmental Quality Act (CEQA) a project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions for which a state of emergency was proclaimed by the Governor if the project meets specified criteria. Because a lead agency would be required to determine if a project qualifies for this exemption, this bill would impose a state-mandated local program. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.	Two Year Bill	Watch	Legislative and Regulatory Policies: Environment/Climate Resiliency - Support efforts to reform the California Environmental Quality Act (CEQA) to streamline current procedures and regulations for projects to refurbish or replace existing infrastructure facilities.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 1196	Villapadua [D]	The Water Quality, Supply, and Infrastructure Improvement Act of 2014, a bond act approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds to finance a water quality, supply, and infrastructure improvement program, as specified. Under the bond act, \$520,000,000 is available, upon appropriation by the Legislature, for expenditures, grants, and loans for projects that improve water quality or help provide clean, safe, and reliable drinking water to all Californians. Current law requires projects eligible for this funding to help improve water quality for a beneficial use. This bill would make a nonsubstantive change to the latter provision.	Two Year Bill	Watch	Guiding Priorities: Obtain financial assistance for OC San projects through grants, loans, and legislative directed funding.	ACC-OC - NYC LOCC - NYC CASA - Support if Amended CSDA - Watch ACWA - NYC
AB 1567	E. Garcia [D]	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.	Referred to the Senate Natural Resources and Water Committee and the Senate Governance and Finance Committee	Watch	Guiding Priorities: Obtain financial assistance for OC San projects through grants, loans, and legislative directed funding.	ACC-OC - NYC LOCC - Support if Amended CASA - Support if Amended CSDA - Support if Amended ACWA - Support if Amended
AB 1660	Ta [R]	Existing law requires the State Air Resources Board to adopt regulations to achieve the maximum feasible reduction in volatile organic compounds emitted by consumer products, as defined, if the state board determines adequate data exist to establish the regulations are necessary to attain state and federal ambient air quality standards and the regulations are commercially and technologically feasible and necessary. This bill would authorize the state board to exempt an intentionally added PFAS from that prohibition if the state board determines that the intentionally added PFAS has characteristics that are beneficial for the environmental goals of the State of California and is not identified as persistent, bioaccumulative, and toxic to the environment. This bill contains other existing laws.	Two Year Bill	Watch	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACC-OC - NYC LOCC - NYC CASA - Oppose CSDA - Watch ACWA - NYC
AB 2257	Wilson [D]	This bill would prohibit, if a local agency complies with specified procedures, a person or entity from bringing a judicial action or proceeding alleging noncompliance with the constitutional provisions for any new, increased, or extended fee or assessment, as defined, unless that person or entity has timely submitted to the local agency a written objection to that fee or assessment that specifies the grounds for alleging noncompliance, as specified. This bill would provide that local agency responses to the timely submitted written objections shall go to the weight of the evidence supporting the agency's compliance with the substantive limitations on fees and assessments imposed by the constitutional provisions.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - NYC ACWA - Sponsor

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 2515	Papan [D]	This bill would similarly prohibit any person from selling in the state any menstrual products that contain regulated PFAS, as defined. The bill would require, no later than January 1, 2027, the Department of Toxic Substances Control (DTSC), in consultation with the State Department of Public Health, to identify and assess the hazards of chemicals or chemical classes that can provide the same or similar function in menstrual products as regulated PFAS and that can impact vulnerable populations and to make this information publicly available on the DTSC's internet website.	Introduced	Watch	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC
AB 2626	Dixon [D]	This bill would extend the compliance dates for local government set forth in the Advanced Clean Fleets Regulation by 10 years. The bill would prohibit the state board from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - NYC ACWA - NYC
AB 2735	Rubio [D]	This bill would authorize a public utility, as defined, to enter into a joint powers agreement with a public agency for the purpose of jointly exercising any power common to the contracting parties. The bill would also authorize a public utility and one or more public agencies to provide insurance, as specified, by a joint powers agreement. The bill would also authorize a public utility and one or more public agencies to enter into a joint powers agreement for the purposes of risk-pooling, as specified.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - NYC ACWA - NYC
AB 2761	Hart [D]	This bill would enact the Reducing Toxics in Packaging Act, which would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state plastic packaging that contains certain chemicals, as specified. The bill would exclude from that prohibition packaging used for certain medical, drug, and federally regulated products. The bill would authorize the imposition of a civil penalty for a violation of that prohibition, as specified.	Introduced	Watch	State Priorities: Support legislation or regulations that restrict the use of microplastics and chemicals of emerging concern in any product that is disposed of through the sewer system.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 2894	Gallagher [D]	Spot Bill related to Indoor Residential Water Use. More information to come.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - NYC ACWA - NYC
AB 3073	Haney [D]	This bill would require the state board to create a program to test for illicit substances, including, but not limited to, cocaine, fentanyl, methamphetamine, and morphine, in wastewater, as provided. The bill would require local sanitation agencies to collect wastewater sample for testing by the state board. By imposing additional duties on local agencies, this bill would impose a state-mandated local program. The bill would require the state board to transmit the results of its wastewater testing to the State Department of Public Health for the department to post on its internet website.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Oppose ACWA - NYC
ACA 2	Alanis [R]	Would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that 50% of the moneys in the fund be used for water projects, as specified, and that the other 50% of the moneys in the fund be used for forest maintenance and health projects, as specified.	Referred to the Assembly Water, Parks, and Wildlife Committee and the Assembly Natural Resources Committee	Watch	Guiding Priorities: Obtain financial assistance for OC San projects through grants, loans, and legislative directed funding.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC
SB 23	Caballero [D]	This bill would require, if an applicant requests a preapplication consultation, the state board or regional boards to adhere to specified procedures and timelines in reviewing the application before issuing project certification. The bill would authorize a project proponent to petition the state board to reconsider its determination of application completeness, or to appeal to the state board any regional board's determination of application completeness. This bill would authorize a state agency, defined to mean any agency, board, or commission, including the state board or the regional boards, with the power to issue a permit that would authorize a water supply project or authorize a flood risk reduction project, to take specified actions in order to complete permit review and approval in an expeditious manner. The bill would make findings and declarations related to the need to expedite water supply projects and flood risk reduction projects to better address climate change impacts while protecting the environment.	Two Year Bill	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Support ACWA - Sponsor

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 867	Allen [D]	Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.	Currently in the Assembly Natural Resources Committee	Watch	Guiding Priorities: Obtain financial assistance for OC San projects through grants, loans, and legislative directed funding.	ACC-OC - NYC LOCC - Support if Amended CASA - Support if Amended CSDA - Support if Amended ACWA - Support if Amended
SB 903	Skinner [D]	This bill would, beginning January 1, 2030, prohibit a person from distributing, selling, or offering for sale a product that contains intentionally added PFAS, as defined, unless the Department of Toxic Substances Control has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is used. The bill would specify the criteria and procedures for determining whether the use of PFAS in a product is a currently unavoidable use, for renewing that determination, and for revoking that determination. The bill would require the department to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition. The bill would impose a civil penalty for a violation of the prohibition, as specified.	Introduced	Support	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACC-OC - NYC LOCC - NYC CASA - Sponsor CSDA - Watch ACWA - NYC
SB 1034	Seyarto [R]	This bill would revise the unusual circumstances under which the time limit may be extended to include the need to search for, collect, appropriately examine, and copy records during a state of emergency proclaimed by the Governor when the state of emergency has affected the agency's ability to timely respond to requests due to decreased staffing or closure of the agency's facilities.	Introduced	Support	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - NYC ACWA - NYC
SB 1072	Padilla [D]	This bill would require, if a property-related fee or charge creates revenues in excess of the local government's reasonable cost of providing the specific benefit or specific government service, that the excess revenues be used only to reduce the subsequently adopted and following property-related fee or charge. The bill would declare that this provision is declaratory of existing law.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - Favor

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 1210	Skinner [D]	This bill would, for new housing construction, prohibit a connection, capacity, or other point of connection charge from a public utility, as defined, or a special district, as defined, for electrical, gas, sewer, or water service from exceeding 1% of the reported building permit value of that housing unit. The bill would require a public utility or special district to issue an above-described charge over a period of at least 10 years commencing on the date when the housing unit is first occupied, as specified. The bill would require a public utility to publicly report on its internet website the amount of any charge issued each year pursuant the above-described provision by the housing unit's address. The bill would also require a public utility to prioritize the processing, approval, scheduling, and completion of electrical, gas, sewer, and water service connections to new housing construction over the processing, approval, scheduling, and completion of service connections to all other structures.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Oppose ACWA - Oppose
SB 1266	Limon [D]	Existing law prohibits the manufacture, sale, or distribution in commerce of any bottle or cup that contains bisphenol A, as specified, if the bottle or cup is designed or intended to be filled with any liquid, food, or beverage intended primarily for consumption by children 3 years of age or younger. This bill would apply the above prohibitions and requirements to all forms of bisphenol and to perfluoroalkyl and polyfluoroalkyl substances, as defined, unless they are temporarily essential chemicals, as defined. The bill would authorize the department to establish standards for the children's products above that are more protective of public health, sensitive populations, or the environment than the standards established by the bill.	Introduced	Watch	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC
SB 1393	Niello [R]	This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified state agencies, other state and local government representatives, and representatives of private fleet owners, the electric vehicle manufacturing industry, and electrical corporations, as provided. The bill would require the committee to meet monthly and would require recordings of its meetings to be made publicly available on the state board's internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - NYC ACWA - NYC

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
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Legend:

ACC-OC - Association of California Cities, Orange County

LOCC - League of California Cities

NYC - Not Yet Considered

CASA - California Association of Sanitation Agencies

ACWA - Association of California Water Agencies

CSDA - California Special Districts Association



10844 Ellis Avenue
 Fountain Valley, CA 92708
 714.962.2411
 www.ocsan.gov

March 12, 2024

The Honorable Tom Carper, Chairman
 The Honorable Shelley Moore Capito, Ranking Member
 Committee on Environment and Public Works
 United States Senate
 Washington, DC 20510

Dear Chairman Carper and Ranking Member Capito:

As the Committee on Environment and Public Works considers the critical need to address passive receiver liability for per- and polyfluoroalkyl substances (PFAS) cleanup under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Orange County Sanitation District (OC San) believes the committee must amend CERCLA. This will ensure clean water agencies like OC San are provided protections from frivolous and unwarranted litigation. Our request is consistent with past congressional actions that delivered such protections to preclude the use of CERCLA liability to cast a net of liability over innocent, passive receivers.

We generally support USEPA’s efforts to eliminate and clean-up sites contaminated by perfluorooctanoic acid (PFOA), perfluorooctane Sulfonate (PFOS), and other PFAS. However, such efforts must recognize that utilities do not use, manufacture, or sell these compounds. Rather, chemical and product manufacturers create and sell these compounds that result in discharges to clean water systems. As part of our role in protecting public health and the environment through treatment of wastewater influent, PFAS and other constituents are concentrated, and then appropriately disposed of via wastewater effluent and/or biosolids. This process is accomplished consistent with all applicable laws, including the Clean Water Act.

The USEPA has signaled that it intends to employ “enforcement discretion” and not pursue CERCLA cleanup liability against drinking water and wastewater systems related to PFAS. However, this does not protect water and wastewater systems against CERCLA claims filed by third parties, nor does it prevent polluters from entangling local agencies in CERCLA litigation or actions by employing the “joint and several” CERCLA liability regime to attempt to offload their cleanup responsibility onto our ratepayers. Without guardrails to protect water and wastewater agencies (and by extension, the public ratepayers we serve), the CERCLA hazardous substances designation would divert limited public resources to defend against such litigation.

Serving:

- Anaheim
- Brea
- Buena Park
- Cypress
- Fountain Valley
- Fullerton
- Garden Grove
- Huntington Beach
- Irvine
- La Habra
- La Palma
- Los Alamitos
- Newport Beach
- Orange
- Placentia
- Santa Ana
- Seal Beach
- Stanton
- Tustin
- Villa Park
- County of Orange
- Costa Mesa Sanitary District
- Midway City Sanitary District
- Irvine Ranch Water District
- Yorba Linda Water District

Our Mission: To protect public health and the environment by providing effective wastewater collection, treatment, and recycling.

Moreover, subjecting ratepayers to polluter and third-party initiated CERCLA litigation directly conflicts with the “polluter pays” principle at the core of CERCLA. Ultimately, without a passive receiver’s exemption, CERCLA designation will result in increased water and wastewater rates nationwide, and financially burden local governments that were not responsible for the manufacture and sale of these chemicals. Congress must develop and pass liability protections to protect water systems and their ratepayers against these claims.

On behalf of OC San, we urge you to protect water and wastewater system ratepayers nationwide by providing clear and targeted liability protections for passive receivers that appropriately handle and dispose of PFAS.

If you have any questions, please do not hesitate to contact Jennifer Cabral, OC San Administration Manager, at (714) 593-7581 or via mail at JCabral@ocsan.gov.

Sincerely,



Chad P. Wanke
Board Chairman

March 5, 2024

The Honorable Kelly Seyarto
California State Senate
1021 O Street, Suite 7120
Sacramento, CA 95814

RE: SB 1034 (Seyarto): California Public Records Act: State of Emergency
Orange County Sanitation District – Support

Dear Senator Seyarto,

On behalf of the Orange County Sanitation District (OC San), I am writing today to support Senate Bill (SB) 1034. This bill adds a clause to the “unusual circumstances” definition pertaining to a request of the California Public Records Act (CPRA). If the Governor proclaims a state of emergency, this qualifies as an “unusual circumstance” as defined in SB 1034, which extends the response time for a public records request to no more than 14 additional days.

A state of emergency can affect state and local agencies’ ability to timely respond to CPRA requests due to decreased staffing or closure of the agency’s facilities. Additionally, difficulties can include a combination of resource constraints, logistical hurdles, safety concerns, and the need to prioritize immediate needs. SB 1034 allows for an extension to the existing law which requires agencies to respond within 10 days of receiving the request, as the state of emergency proclaimed by the Governor falls under an “unusual circumstance”. The agency would now have an extension of not more than 14 days to respond. With an extension during a state of emergency, this will allow agencies to prioritize urgent and life-threatening situations, instead of allocating resources to stay within CPRA compliance.

SB 1034 allows agencies to focus on keeping their communities safe during a state of emergency. During a state of emergency, agencies may face a surge in demand for their services while simultaneously experiencing resource constraints. These constraints can include shortages in staffing, equipment, and supplies, and immediate safety concerns, making it difficult to promptly respond to public record requests to stay within the compliance period. SB 1034 allows agencies to focus on keeping their communities safe in a state of emergency.

OC San applauds your leadership on this issue and is honored to support SB 1034. If you have any questions, please do not hesitate to contact Jennifer Cabral, Administration Manager, at (714) 593-7581 or via mail at JCabral@ocsan.gov.

Sincerely,



Chad P. Wanke
Board Chairman

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Villa Park
County of Orange
Costa Mesa
Sanitary District
Midway City
Sanitary District
Irvine Ranch
Water District
Yorba Linda
Water District

ASSEMBLY BILL

No. 3073

Introduced by Assembly Member Haney

February 16, 2024

An act to add Section 13192 to the Water Code, relating to wastewater.

LEGISLATIVE COUNSEL'S DIGEST

AB 3073, as introduced, Haney. Wastewater testing: illicit substances.

Existing law requires the State Water Resources Control Board to classify types of wastewater treatment plants, as defined, for the purpose of determining the levels of competence necessary to operate them. Existing law requires a person who operates a nonexempt wastewater treatment plant to possess a valid, unexpired wastewater certificate of the appropriate grade.

This bill would require the state board to create a program to test for illicit substances, including, but not limited to, cocaine, fentanyl, methamphetamine, and morphine, in wastewater, as provided. The bill would require local sanitation agencies to collect wastewater sample for testing by the state board. By imposing additional duties on local agencies, this bill would impose a state-mandated local program. The bill would require the state board to transmit the results of its wastewater testing to the State Department of Public Health for the department to post on its internet website.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13192 is added to the Water Code, to
- 2 read:
- 3 13192. (a) (1) The state board shall create a program to test
- 4 for illicit substances in wastewater.
- 5 (2) The State Department of Public Health shall advise the state
- 6 board on what illicit substances to test for, including, but not
- 7 limited to, cocaine, fentanyl, methamphetamine, and morphine.
- 8 (b) The state board, in consultation with other jurisdictions
- 9 operating wastewater drug testing programs in the United States
- 10 and abroad, shall develop uniform standards for testing.
- 11 (c) Local sanitation agencies shall collect wastewater samples
- 12 for testing by the state board.
- 13 (d) Testing may include testing for the substances, their
- 14 metabolites, or other markers.
- 15 (e) Testing shall occur twice a week, with one test on a weekday
- 16 and one on a weekend, or more frequently, as determined by the
- 17 state board in consultation with the State Department of Public
- 18 Health.
- 19 (f) The state board shall transmit the results of its wastewater
- 20 testing to the State Department of Public Health which shall post
- 21 the results on its internet website.
- 22 SEC. 2. If the Commission on State Mandates determines that
- 23 this act contains costs mandated by the state, reimbursement to
- 24 local agencies and school districts for those costs shall be made
- 25 pursuant to Part 7 (commencing with Section 17500) of Division
- 26 4 of Title 2 of the Government Code.

O



STEERING COMMITTEE

Agenda Report

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

File #: 2024-3513

Agenda Date: 3/27/2024

Agenda Item No: CS-1

FROM: Robert Thompson, General Manager

SUBJECT:

CONFERENCE WITH LABOR NEGOTIATORS - GOVERNMENT CODE SECTION 54957.6

RECOMMENDATION: Convene in Closed Session:

Designated Representatives: General Manager Robert Thompson, Assistant General Manager Lorenzo Tyner, Director of Human Resources Laura Maravilla, and Chief Negotiator Laura Kalty.

Employee Organizations: (3)

International Union of Operating Engineers, Local 501; Orange County Employees Association; and the Supervisory and Professional Management Group.

BACKGROUND

During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chairperson may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

RELEVANT STANDARDS

- Government Code Sections 54956.8, 54956.9, 54957, or 54957.6, as noted

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Memorandum from General Counsel

WOODRUFF

Woodruff & Smart
A Professional Corporation

MEMORANDUM

TO: Hon. Chair and Members of the Orange County Sanitation District Steering Committee

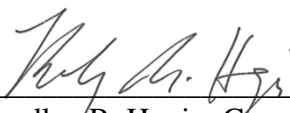
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: March 19, 2024

RE: Closed Session Items

The Steering Committee will hold a closed session on March 27, 2024 for the purpose of conferring with its labor negotiators to discuss negotiations with the International Union of Operating Engineers, Local 501; Orange County Employees Association; and the Supervisory and Professional Management Group. The Agency Designated Representatives are Robert Thompson, Lorenzo Tyner, Laura Maravilla and Chief Negotiator Laura Kalty. The closed session will be held pursuant to authority of California Government Code Section 54957.6.

Respectfully submitted,

By  _____
Bradley R. Hogin, General Counsel



STEERING COMMITTEE

Agenda Report

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

File #: 2024-3527

Agenda Date: 3/27/2024

Agenda Item No: CS-2

FROM: Robert Thompson, General Manager

SUBJECT:

CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(D)(1)

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Gina A. Tetsch, Workers' Compensation Claim, Workers Compensation Appeals Board, Case No. ADJ11373743.

BACKGROUND

During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chairperson may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

RELEVANT STANDARDS

- Government Code Sections 54956.8, 54956.9, 54957, or 54957.6, as noted

ATTACHMENT

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MEMORANDUM

TO: Hon. Chair and Members of the Orange County Sanitation District Steering Committee

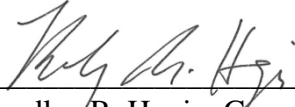
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: March 19, 2024

RE: Closed Session Items

The Steering Committee desires to hold a closed session on March 27, 2024 for the purpose of conferring with its legal counsel regarding existing litigation to which the District is a party. The title of the case is Gina A. Tetsch, Workers' Compensation Claim, Workers Compensation Appeals Board, Case No. ADJ11373743. The closed session will be held pursuant to the authority of California Government Code Section 54956.9(d)(1).

Respectfully submitted,

By  _____
Bradley R. Hogin, General Counsel



STEERING COMMITTEE

Agenda Report

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

File #: 2024-3514

Agenda Date: 3/27/2024

Agenda Item No: CS-3

FROM: Robert Thompson, General Manager

SUBJECT:

CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9(d)(1)

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Orange County Sanitation District v. Robert M. Jackson, et al., Orange County Superior Court Case No. 30-2024-01379706-CU-OR-CJC.

BACKGROUND

During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chairperson may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

RELEVANT STANDARDS

- Government Code Sections 54956.8, 54956.9, 54957, or 54957.6, as noted

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MEMORANDUM

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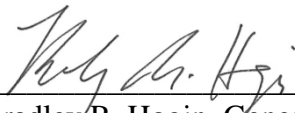
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: March 19, 2024

RE: Closed Session Items

The Steering Committee desires to hold a closed session on March 27, 2024 for the purpose of conferring with its legal counsel regarding existing litigation to which the District is a party. The title of the case is *Orange County Sanitation District v. Robert M. Jackson, et. al.*, Orange County Superior Court Case No. 30-2024-01379706-CU-OR-CJC. The closed session will be held pursuant to the authority of California Government Code Section 54956.9(d)(1).

Respectfully submitted,

By 
Bradley R. Hogin, General Counsel



STEERING COMMITTEE

Agenda Report

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

File #: 2024-3528

Agenda Date: 3/27/2024

Agenda Item No: CS-4

FROM: Robert Thompson, General Manager

SUBJECT:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54957(B)(1)

RECOMMENDATION: Convene in Closed Session:

Public Employee Performance Evaluation

Number of Employees: 1

- General Counsel

BACKGROUND

During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chairperson may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

RELEVANT STANDARDS

- Government Code Sections 54956.8, 54956.9, 54957, or 54957.6, as noted

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MEMORANDUM

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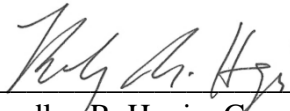
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: March 19, 2024

RE: Closed Session Items

The Steering Committee desires to hold a closed session on March 27, 2024 for the purpose of conferring for the evaluation of the District's General Counsel. Said closed session will be held pursuant to authority of California Government Code Section 54957(b)(1).

Respectfully submitted,

By  _____
Bradley R. Hogin, General Counsel

ORANGE COUNTY SANITATION DISTRICT COMMON ACRONYMS

ACWA	Association of California Water Agencies	LOS	Level Of Service	RFP	Request For Proposal
APWA	American Public Works Association	MGD	Million Gallons Per Day	RWQCB	Regional Water Quality Control Board
AQMD	Air Quality Management District	MOU	Memorandum of Understanding	SARFPA	Santa Ana River Flood Protection Agency
ASCE	American Society of Civil Engineers	NACWA	National Association of Clean Water Agencies	SARI	Santa Ana River Interceptor
BOD	Biochemical Oxygen Demand	NEPA	National Environmental Policy Act	SARWQCB	Santa Ana Regional Water Quality Control Board
CARB	California Air Resources Board	NGOs	Non-Governmental Organizations	SAWPA	Santa Ana Watershed Project Authority
CASA	California Association of Sanitation Agencies	NPDES	National Pollutant Discharge Elimination System	SCADA	Supervisory Control And Data Acquisition
CCTV	Closed Circuit Television	NWRI	National Water Research Institute	SCAP	Southern California Alliance of Publicly Owned Treatment Works
CEQA	California Environmental Quality Act	O & M	Operations & Maintenance	SCAQMD	South Coast Air Quality Management District
CIP	Capital Improvement Program	OCCOG	Orange County Council of Governments	SOCWA	South Orange County Wastewater Authority
CRWQCB	California Regional Water Quality Control Board	OCHCA	Orange County Health Care Agency	SRF	Clean Water State Revolving Fund
CWA	Clean Water Act	OCSD	Orange County Sanitation District	SSMP	Sewer System Management Plan
CWEA	California Water Environment Association	OCWD	Orange County Water District	SSO	Sanitary Sewer Overflow
EIR	Environmental Impact Report	OOBS	Ocean Outfall Booster Station	SWRCB	State Water Resources Control Board
EMT	Executive Management Team	OSHA	Occupational Safety and Health Administration	TDS	Total Dissolved Solids
EPA	US Environmental Protection Agency	PCSA	Professional Consultant/Construction Services Agreement	TMDL	Total Maximum Daily Load
FOG	Fats, Oils, and Grease	PDSA	Professional Design Services Agreement	TSS	Total Suspended Solids
gpd	gallons per day	PFAS	Per- and Polyfluoroalkyl Substances	WDR	Waste Discharge Requirements
GWRS	Groundwater Replenishment System	PFOA	Perfluorooctanoic Acid	WEF	Water Environment Federation
ICS	Incident Command System	PFOS	Perfluorooctanesulfonic Acid	WERF	Water Environment & Reuse Foundation
IERP	Integrated Emergency Response Plan	POTW	Publicly Owned Treatment Works	WIFIA	Water Infrastructure Finance and Innovation Act
JPA	Joint Powers Authority	ppm	parts per million	WIIN	Water Infrastructure Improvements for the Nation Act
LAFCO	Local Agency Formation Commission	PSA	Professional Services Agreement	WRDA	Water Resources Development Act

ORANGE COUNTY SANITATION DISTRICT GLOSSARY OF TERMS

ACTIVATED SLUDGE PROCESS – A secondary biological wastewater treatment process where bacteria reproduce at a high rate with the introduction of excess air or oxygen and consume dissolved nutrients in the wastewater.

BENTHOS – The community of organisms, such as sea stars, worms, and shrimp, which live on, in, or near the seabed, also known as the benthic zone.

BIOCHEMICAL OXYGEN DEMAND (BOD) – The amount of oxygen used when organic matter undergoes decomposition by microorganisms. Testing for BOD is done to assess the amount of organic matter in water.

BIOGAS – A gas that is produced by the action of anaerobic bacteria on organic waste matter in a digester tank that can be used as a fuel.

BIOSOLIDS – Biosolids are nutrient rich organic and highly treated solid materials produced by the wastewater treatment process. This high-quality product can be recycled as a soil amendment on farmland or further processed as an earth-like product for commercial and home gardens to improve and maintain fertile soil and stimulate plant growth.

CAPITAL IMPROVEMENT PROGRAM (CIP) – Projects for repair, rehabilitation, and replacement of assets. Also includes treatment improvements, additional capacity, and projects for the support facilities.

COLIFORM BACTERIA – A group of bacteria found in the intestines of humans and other animals, but also occasionally found elsewhere, used as indicators of sewage pollution. E. coli are the most common bacteria in wastewater.

COLLECTIONS SYSTEM – In wastewater, it is the system of typically underground pipes that receive and convey sanitary wastewater or storm water.

CERTIFICATE OF PARTICIPATION (COP) – A type of financing where an investor purchases a share of the lease revenues of a program rather than the bond being secured by those revenues.

CONTAMINANTS OF POTENTIAL CONCERN (CPC) – Pharmaceuticals, hormones, and other organic wastewater contaminants.

DILUTION TO THRESHOLD (D/T) – The dilution at which the majority of people detect the odor becomes the D/T for that air sample.

GREENHOUSE GASES (GHG) – In the order of relative abundance water vapor, carbon dioxide, methane, nitrous oxide, and ozone gases that are considered the cause of global warming (“greenhouse effect”).

GROUNDWATER REPLENISHMENT SYSTEM (GWRS) – A joint water reclamation project that proactively responds to Southern California’s current and future water needs. This joint project between the Orange County Water District and OCSD provides 70 million gallons per day of drinking quality water to replenish the local groundwater supply.

LEVEL OF SERVICE (LOS) – Goals to support environmental and public expectations for performance.

N-NITROSODIMETHYLAMINE (NDMA) – A N-nitrosamine suspected cancer-causing agent. It has been found in the GWRS process and is eliminated using hydrogen peroxide with extra ultra-violet treatment.

NATIONAL BIOSOLIDS PARTNERSHIP (NBP) – An alliance of the NACWA and WEF, with advisory support from the EPA. NBP is committed to developing and advancing environmentally sound and sustainable biosolids management practices that go beyond regulatory compliance and promote public participation to enhance the credibility of local agency biosolids programs and improved communications that lead to public acceptance.

PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS) – A large group (over 6,000) of human-made compounds that are resistant to heat, water, and oil and used for a variety of applications including firefighting foam, stain and water-resistant clothing, cosmetics, and food packaging. Two PFAS compounds, perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) have been the focus of increasing regulatory scrutiny in drinking water and may result in adverse health effects including developmental effects to fetuses during pregnancy, cancer, liver damage, immunosuppression, thyroid effects, and other effects.

PERFLUOROCTANOIC ACID (PFOA) – An ingredient for several industrial applications including carpeting, upholstery, apparel, floor wax, textiles, sealants, food packaging, and cookware (Teflon).

PERFLUOROCTANESULFONIC ACID (PFOS) – A key ingredient in Scotchgard, a fabric protector made by 3M, and used in numerous stain repellents.

PLUME – A visible or measurable concentration of discharge from a stationary source or fixed facility.

PUBLICLY OWNED TREATMENT WORKS (POTW) – A municipal wastewater treatment plant.

SANTA ANA RIVER INTERCEPTOR (SARI) LINE – A regional brine line designed to convey 30 million gallons per day of non-reclaimable wastewater from the upper Santa Ana River basin to the ocean for disposal, after treatment.

SANITARY SEWER – Separate sewer systems specifically for the carrying of domestic and industrial wastewater.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) – Regional regulatory agency that develops plans and regulations designed to achieve public health standards by reducing emissions from business and industry.

SECONDARY TREATMENT – Biological wastewater treatment, particularly the activated sludge process, where bacteria and other microorganisms consume dissolved nutrients in wastewater.

SLUDGE – Untreated solid material created by the treatment of wastewater.

TOTAL SUSPENDED SOLIDS (TSS) – The amount of solids floating and in suspension in wastewater.

ORANGE COUNTY SANITATION DISTRICT GLOSSARY OF TERMS

TRICKLING FILTER – A biological secondary treatment process in which bacteria and other microorganisms, growing as slime on the surface of rocks or plastic media, consume nutrients in wastewater as it trickles over them.

URBAN RUNOFF – Water from city streets and domestic properties that carry pollutants into the storm drains, rivers, lakes, and oceans.

WASTEWATER – Any water that enters the sanitary sewer.

WATERSHED – A land area from which water drains to a particular water body. OCSD's service area is in the Santa Ana River Watershed.