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May 1, 2026

The Honorable Lori D. Wilson
California State Assembly
1021 O Street, Suite 8110
Sacramento, CA 95814

RE: AB 1621 (Wilson): Planning and Zoning Law: Post entitlement Phase Permits: Housing Accountability Act (As Amended on 3/24/2026) Orange County Sanitation District — Notice of Opposition Unless Amended

Dear Assembly Member Wilson:

On behalf of the Orange County Sanitation District (OC San), we respectfully oppose Assembly Bill (AB) 1621 (Wilson) unless it is amended. Currently, AB 1621 proposes changes to the post-entitlement permitting process for housing development projects. The bill would limit building permit plan check reviews to two rounds, modify review timelines and related provisions, and restrict agencies from requiring changes during inspections that deviate from previously approved plans unless specified findings are met. This measure also shortens appeal timelines and expands violations of these requirements to be enforceable under the Housing Accountability Act.

Additionally, OC San is concerned that AB 1621 could limit a sanitation district's ability to prevent legally prohibited connections between storm drain systems and the sanitary sewer system. Under state and federal requirements, these systems must remain separate, and cross-connections are strictly prohibited due to the risk of sewer overflows, treatment disruptions, and water quality violations. However, in practice, sanitation districts occasionally encounter development proposals or constructed conditions that include or result in such prohibited connections.

In these instances, it is essential that sanitation districts retain full authority and flexibility to require corrections, even if those issues are identified later in the plan check or inspection process. The limitations imposed by AB 1621 on plan check cycles and post-approval modifications could constrain an agency's ability to require applicants to make necessary changes to bring projects into compliance with applicable laws and regulations.

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Without clear authority to deny or condition approvals in these circumstances, public agencies may be forced to accept infrastructure that jeopardizes system integrity and exposes ratepayers to significant long-term costs and regulatory risk.

In addition, AB 1621 shifts risk and liability onto public agencies by expanding enforcement under the Housing Accountability Act and limiting the ability to require additional review absent specified findings. As a result, agencies may be forced to act before all infrastructure-related issues are adequately addressed, increasing exposure to legal and financial consequences. Insufficient review at the front end of a project can also lead to costly infrastructure deficiencies after construction, which public agencies must address. This could create challenges for cost recovery and may ultimately result in increased costs to ratepayers to maintain system reliability.

To address these concerns, we respectfully request the following amendments:

- Provide flexibility for additional plan check review cycles where necessary to ensure thorough review of infrastructure impacts and prevent unresolved design deficiencies;
- Clarify that agencies may require additional review and revisions related to wastewater and sewer systems to ensure compliance with applicable laws and long-term system reliability;
- Ensure that public agencies are not penalized or exposed to liability when additional review time is needed to address infrastructure-related issues; and
- Clarify that agencies retain authority to require necessary infrastructure improvements and recover associated costs, consistent with applicable law, to avoid shifting financial burdens to ratepayers.

For these reasons, OC San respectfully opposes AB 1621 (Wilson) unless it is amended. If you have any questions, please contact Jennifer Cabral, Director of Communications, at (714) 593-7581 or via email at JCabral@ocsan.gov.

Sincerely,



Ryan P. Gallagher
Board Chairman