



ORANGE COUNTY SANITATION DISTRICT
SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19)
AND ATTENDANCE AT PUBLIC MEETINGS

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020 and March 18, 2020, Governor Newsom issued Executive Order N-25-20 and Executive Order N-29-20, which temporarily suspend portions of the Brown Act which addresses the conduct of public meetings.

The General Manager and the Chairman of the Board of Directors have determined that due to the size of the Orange County Sanitation District's Board of Directors (25), and the health and safety of the members, the Board of Directors will be participating in meetings of the Board telephonically and via Internet accessibility.

PUBLIC PARTICIPATION

Your participation is always welcome. The Legislative and Public Affairs Committee meeting will be available to the public online at:

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

You may submit your comments and questions in writing for the Committee's consideration in advance of the meeting by using the eComment feature available via the webpage above or sending them to OCSanClerk@ocsd.com with the subject line "PUBLIC COMMENT ITEM # (insert the item number relevant to your comment)" or "PUBLIC COMMENT NON-AGENDA ITEM". Submit your written comments by 9:00 a.m. on Monday, March 8, 2021.

You may also submit comments and questions for the Committee's consideration during the meeting by using the eComment feature that will be available via the webpage above for the duration of the meeting.

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

Thank you.

March 1, 2021

NOTICE OF SPECIAL MEETING

**LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE
ORANGE COUNTY SANITATION DISTRICT**

Monday, March 8, 2021 – 4:30 P.M.

ACCESSIBILITY FOR THE GENERAL PUBLIC

Due to the spread of COVID-19, the Orange County Sanitation District will be holding all upcoming Board and Committee meetings by teleconferencing and Internet accessibility. This meeting will be available to the public online at:

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

A special meeting of the Legislative and Public Affairs Committee of the Orange County Sanitation District will be held in the manner indicated herein on Monday, March 8, 2021 at 4:30 p.m.

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

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE MEETING DATES	BOARD MEETING DATES
Monday 03/08/21 4:30 p.m.	03/24/21
Monday 04/12/21 4:00 p.m.	04/28/21
Monday 05/10/21 4:30 p.m.	05/26/21
<i>JUNE – DARK</i>	06/23/21
Monday 07/12/21 4:00 p.m.	07/28/21
<i>AUGUST – DARK</i>	08/25/21
Monday 09/13/21 4:30 p.m.	09/22/21
<i>OCTOBER – DARK</i>	10/27/21
Monday 11/08/21 4:30 p.m.	<i>11/17/21 *</i>
<i>DECEMBER – DARK</i>	<i>12/15/21 *</i>
<i>JANUARY – DARK</i>	01/26/22
Monday 02/07/22 4:30 p.m.	02/23/22

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

ROLL CALL

LEGISLATIVE & PUBLIC AFFAIRS COMMITTEE

Meeting Date: March 8, 2021

Time: 4:30 p.m.

Adjourn: _____

COMMITTEE MEMBERS (7)

Jesus S. Silva, Chair	
Marshall Goodman, Vice-Chair	
Kim Carr, Member-At-Large	
Anthony Kuo, Member-At-Large	
Andrew Nguyen, Member-At-Large	
David Shawver, Board Chair	
John Withers, Board Vice-Chair	

OTHERS

Brad Hogin, General Counsel	

STAFF

Jim Herberg, General Manager	
Rob Thompson, Assistant General Manager	
Lorenzo Tyner, Assistant General Manager	
Celia Chandler, Director of Human Resources	
Kathy Millea, Director of Engineering	
Lan Wiborg, Director of Environmental Services	
Kelly Lore, Clerk of the Board	

ORANGE COUNTY SANITATION DISTRICT
BOARD OF DIRECTORS
Complete Roster

Effective 2/9/2021

AGENCY/CITIES	ACTIVE DIRECTOR	ALTERNATE DIRECTOR
Anaheim	Stephen Faessel	Jose Diaz
Brea	Glenn Parker	Steven Vargas
Buena Park	Art Brown	Connor Traut
Cypress	Stacy Berry	Anne Hertz
Fountain Valley	Patrick Harper	Glenn Grandis
Fullerton	Jesus J. Silva	Nick Dunlap
Garden Grove	Steve Jones	John O'Neill
Huntington Beach	Kim Carr	Dan Kalmick
Irvine	Anthony Kuo	Farrah N. Khan
La Habra	Rose Espinoza	Jose Medrano
La Palma	Marshall Goodman	Nitesh Patel
Los Alamitos	Mark A. Chirco	Ron Bates
Newport Beach	Brad Avery	Joy Brenner
Orange	Kim Nichols	Chip Monaco
Placentia	Chad Wanke	Ward Smith
Santa Ana	Johnathan Ryan Hernandez	Nelida Mendoza
Seal Beach	Sandra Massa-Lavitt	Schelly Sustarsic
Stanton	David Shawver	Carol Warren
Tustin	Ryan Gallagher	Austin Lumbard
Villa Park	Chad Zimmerman	Robert Collacott

Sanitary/Water Districts

Costa Mesa Sanitary District	Bob Ooten	Art Perry
Midway City Sanitary District	Andrew Nguyen	Sergio Contreras
Irvine Ranch Water District	John Withers	Douglas Reinhart
Yorba Linda Water District	Brooke Jones	Phil Hawkins

County Areas

Board of Supervisors	Doug Chaffee	Donald P. Wagner
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LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE

Regular Meeting Agenda

Monday, March 8, 2021 - 4:30 PM

Board Room

Administration Building

10844 Ellis Avenue

Fountain Valley, CA 92708

(714) 593-7433

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 Sanitation District's Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, and on the Sanitation District's website at www.ocsd.com 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 AUDIO: An audio recording of this meeting is available within 24 hours after adjournment of the meeting. Please contact the Clerk of the Board's office at (714) 593-7433 to request the audio file.

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@ocsd.com at least 14 days before the meeting.

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

General Manager: Jim Herberg, jherberg@ocsd.com / (714) 593-7300

Asst. General Manager: Lorenzo Tyner, lttyner@ocsd.com / (714) 593-7550

Asst. General Manager: Rob Thompson, rthompson@ocsd.com / (714) 593-7310

Director of Human Resources: Celia Chandler, cchandler@ocsd.com / (714) 593-7202

Director of Engineering: Kathy Millea, kmillea@ocsd.com / (714) 593-7365

Director of Environmental Services: Lan Wiborg, lwiborg@ocsd.com / (714) 593-7450

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL AND DECLARATION OF QUORUM:

Clerk of the Board

PUBLIC COMMENTS:

Your participation is always welcome. The Legislative and Public Affairs Committee meeting will be available to the public online at: <https://ocsd.legistar.com/Calendar.aspx>.

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You may also submit comments and questions for the Legislative and Public Affairs Committee's consideration during the meeting by using the eComment feature that will be available via the webpage above for the duration of the meeting. All public comments will be provided to the Legislative and Public Affairs Committee and may be read into the record or compiled as part of the record.

REPORTS:

The Committee 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

[2021-1513](#)

RECOMMENDATION:

Approve Minutes of the Special Meeting of the Legislative and Public Affairs Committee held February 8, 2021.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[02-08-2021 LaPA Committee Minutes](#)

NON-CONSENT:

2. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2021 [2021-1502](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the month of February 2021.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Federal Legislative Update - ENS Resources](#)
[Federal Legislative Matrix - ENS Resources](#)
[State Legislative Update - Townsend](#)
[State Legislative Matrix - Townsend](#)
[Grant Tracker 2021-2022](#)

3. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2021 [2021-1508](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the month of February 2021.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Outreach & Media Summary Report January-February 2021](#)

4. LETTER OF SUPPORT FOR THE SOLID WASTE: PREMOISTENED NONWOVEN DISPOSABLE WIPES BILL AB 1818 [2021-1515](#)

RECOMMENDATION:

Approve the Letter of Support for the solid waste: premoistened nonwoven disposable wipes Bill AB 818.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[AB 818 Letter of Support](#)
[AB 818 Bill Text](#)

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:

CLOSED SESSION:

None.

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:

The next Legislative and Public Affairs Committee meeting is scheduled for Monday, April 12, 2021 at 4:00 p.m.



LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE

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

Agenda Report

File #: 2021-1513

Agenda Date: 3/8/2021

Agenda Item No: 1.

FROM: James D. Herberg, General Manager
Originator: Kelly A. Lore, Clerk of the Board

SUBJECT:

APPROVAL OF MINUTES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Approve Minutes of the Special Meeting of the Legislative and Public Affairs Committee held February 8, 2021.

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 21-04

ATTACHMENT

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

- Minutes of the Legislative and Public Affairs Committee meeting held February 8, 2021



CALL TO ORDER

A special meeting of the Legislative and Public Affairs Committee was called to order by Committee Chair Jesus J. Silva on Monday, February 8, 2021 at 4:04 p.m. in the Administration Building of the Orange County Sanitation District. Chair Silva stated that the meeting was being held telephonically and via audio/video teleconferencing in accordance with the Governor's Executive Order No. N-29-20, due to the Coronavirus Pandemic (COVID-19). Vice-Chair Marshall Goodman led the Flag Salute. Chair Silva announced the teleconference meeting guidelines.

ROLL CALL AND DECLARATION OF QUORUM:

Roll call was taken and a quorum was declared present, as follows:

PRESENT: Jesus Silva, Marshall Goodman, Kim Carr, Anthony Kuo, Andrew Nguyen, David Shawver and John Withers
ABSENT: None

STAFF PRESENT: Kelly Lore, Clerk of the Board, and Mortimer Caparas were present in the Board Room. Jim Herberg, General Manager; Rob Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Celia Chandler, Director of Human Resources; Kathy Millea, Director of Engineering; Lan Wiborg, Director of Environmental Services; Jennifer Cabral, Belen Carrillo, Jackie Castro, Tanya Chong, Brian Engeln, Alfredo Garcia, Tina Knapp, Rebecca Long, Joshua Martinez, Gerry Matthews, Kelly Newell, and Thomas Vu were in attendance telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel was present in the Board Room. Eric Sapirstein, ENS Resources; Eric O'Donnell, Townsend Public Affairs (TPA); and Cori Takkinen, Townsend Public Affairs (TPA) were in attendance telephonically.

PUBLIC COMMENTS:

None.

REPORTS:

Chair Silva announced the dates of the Special Meetings of the Board of Directors including the Strategic Plan Workshop on February 17, 2021 at 2:00 p.m. and the Board Orientation Tour on February 18, 2021 at 3:00 p.m.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

[2020-1392](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Legislative and Public Affairs Committee held November 9, 2020.

AYES: Jesus Silva, Marshall Goodman, Anthony Kuo, Andrew Nguyen, David Shawver and John Withers

NOES: None

ABSENT: Kim Carr

ABSTENTIONS: None

NON-CONSENT:

**2. PUBLIC AFFAIRS STRATEGIC PLAN FOR FISCAL YEARS 2020-2022
MIDYEAR UPDATE**

[2021-1450](#)

Originator: Jim Herberg

Director Kim Carr arrived at the meeting at 4:14 p.m.

Jennifer Cabral, Administration Manager, provided an informative PowerPoint presentation regarding the Public Affairs Mid-Year Update including an overview of the Strategic Plan for FY 2020-2022.

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

Receive and file the Public Affairs Strategic Plan for Fiscal Years 2020 - 2022 Midyear Update.

AYES: Jesus Silva, Marshall Goodman, Kim Carr, Anthony Kuo, Andrew Nguyen, David Shawver and John Withers

NOES: None

ABSENT: None

ABSTENTIONS: None

**3. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF NOVEMBER 2020
THROUGH JANUARY 2021**

[2021-1415](#)

Originator: Jim Herberg

Jennifer Cabral, Administration Manager, provided a brief PowerPoint presentation recapping the Public Affairs three month update including information on new

launches, virtual tours, and awards.

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

Receive and file the Public Affairs Update for the months of November 2020 through January 2021.

AYES: Jesus Silva, Marshall Goodman, Kim Carr, Anthony Kuo, Andrew Nguyen, David Shawver and John Withers

NOES: None

ABSENT: None

ABSTENTIONS: None

4. **LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF NOVEMBER 2020 THROUGH JANUARY 2021** [2021-1412](#)

Originator: Jim Herberg

Eric Sapirstein, ENS Resources, provided a PowerPoint presentation and a brief overview of the federal monthly report which included newly issued Executive Orders, Legislative Committee Assignments, and the Fiscal Year 2022 Budget.

Eric O'Donnell, TPA, provided a PowerPoint presentation that included the Legislative Calendar, a brief overview of the Legislators priorities for 2021, the Governor's January Budget, and emerging Legislation.

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

Receive and file the Legislative Affairs Update for the months of November 2020 through January 2021.

AYES: Jesus Silva, Marshall Goodman, Kim Carr, Anthony Kuo, Andrew Nguyen, David Shawver and John Withers

NOES: None

ABSENT: None

ABSTENTIONS: None

5. **LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE MEETING DATES FOR CALENDAR YEAR 2021** [2021-1458](#)

Originator: Kelly Lore

Kelly Lore, Clerk of the Board, gave a brief overview of the item. It was the consensus of the committee to move the meeting time for regular meetings to 4:30 p.m. and the April and July meetings to be held at 4:00 p.m. to allow GWRS members to attend their 5:00 p.m. meeting.

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:

None.

CLOSED SESSION:

None.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

Chair Silva declared the meeting adjourned at 5:15 p.m. to the next Legislative and Public Affairs Committee meeting, Monday, March 8, 2021 at 4:30 p.m., pending Board of Directors approval.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board

Agenda Report

File #: 2021-1502

Agenda Date: 3/8/2021

Agenda Item No: 2.

FROM: James D. Herberg, General Manager

SUBJECT:

LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2021

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the month of February 2021.

BACKGROUND

The Orange County Sanitation District's (Sanitation District) legislative affairs program includes advocating the Sanitation District's legislative interests; sponsoring legislation (where appropriate); and seeking Local, State, and Federal funding for projects and programs. Staff will provide an update on recent legislative and grant activities.

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 the Sanitation District'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 the Sanitation District's legislative interests. Help to create/monitor legislation and grants that would benefit the Sanitation District, the wastewater industry, and the community as a whole. To assist in our relationship building activities, we will continue to reach out to our elected officials providing facility tours, one-on-one meetings, and trips to Washington D.C. and Sacramento.

TIMING CONCERNS

N/A

RAMIFICATIONS OF NOT TAKING ACTION

If we do not work with Local, State, and Federal elected officials, legislation could be passed that negatively affects the Sanitation District and the wastewater industry as a whole. Additionally, a lack of engagement may result in missed funding opportunities.

ADDITIONAL INFORMATION

- At the direction of an Executive Order, Federal Emergency Management Agency (FEMA) has revised its procedure for reimbursement of expenditures related to the pandemic. Under the new policy, FEMA will consider 100% reimbursement for costs incurred related to the pandemic. This will cover already submitted costs and costs incurred through 2021. Currently, we have applied for approximately \$260,000 based on FEMA eligible items. Staff will continue to actively work on this to ensure the Sanitation District submits for and receives any funding we are eligible for.
- Staff is in the process of sending congratulatory letters, signed by the Board Chairman, to all City Council Members who have been recently elected or re-elected. This will also include Mayors, Mayor Pro Tems, and City Council Members. The letters will also invite them and their staff to take a virtual tour of Plant No. 1.
- Staff is actively engaged with various local agencies, associations, and lobbyists monitoring current and upcoming legislation and the potential impact to the Sanitation District including, but not limited to, AB 377 (Assembly member Rivas and Senator Hertzberg) and SB 273 (Senator Hertzberg). SB 377 intends to make significant changes to the National Pollutant Discharge Elimination System permitting process which would create a new enforcement program. SB 273 authorizes wastewater agencies to voluntarily enter into agreements with stormwater management facilities in order to manage stormwater. At the writing of this report, we are currently in a "Watch" position for both bills.
- The Biden Administration recently released its regulatory rulemaking which stipulated that PFOA and PFOS should be regulated in drinking water. We will continue to keep a close eye on this issue and any others that may arise and affect the wastewater treatment process.
- Dr. Violet Renick, Senior Scientist for the Sanitation District, recently testified at the Assembly Environmental Safety & Toxic Materials Committee - Microplastic Hearing. Dr. Renick presented on microplastics in wastewater, what they are, and what we currently know about them. She was invited to present along with fellow agencies, associations, and peers in the industry.

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENT

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

- Federal Update - ENS Resources
- Federal Legislative Matrix - ENS Resources
- State Update - Townsend Public Affairs
- State Legislative Matrix - Townsend Public Affairs
- Grant Matrix



TO: Rebecca Long

FROM: Eric Sapirstein

DATE: February 16, 2021

SUBJECT: Washington Update

The past month saw Congress and the Administration moving forward decisively on COVID-19 relief. The Democratic Congress succeeded in using the Budget Reconciliation process to begin legislating federal assistance that would be the fifth package of relief in less than a year. This process all but guarantees enactment since it will only require simple majorities in both chambers and avoid the use of the filibuster in the Senate. Of special note, California's newest Senator, Alex Padilla, was appointed to the Senate Committee on Environment and Public Works. This means that California will have a voice at the table as the committee considers water infrastructure legislation.

As Congress continued to organize for the 117th Congress, OC San's newest Members of its delegation, Representatives Michelle Steel and Young Kim were appointed to committees. Steel will sit on the all-important Committee on Transportation & Infrastructure with jurisdiction over the Clean Water Act. Kim will sit on the Committee on Science Space and Technology with jurisdiction over technology and innovation policies. The other members of the delegation will remain on the committees with one change. Representative Katie Porter relinquished her seat on the Committee on Financial Services to sit on the Committee on Natural Resources.

American Rescue Plan

The House and Senate approved an overall spending plan totaling \$1.9 trillion in new spending to combat the health and economic impacts of the pandemic. This occurred on an almost party-line vote in the House and a party-line vote in the Senate. The House and Senate then turned its efforts to developing the legislative provisions to spend the funding approved. The House is scheduled to vote on the package of spending within the next week. The Senate is expected to follow shortly thereafter, leading to expected final passage by the end of March at the latest.

As agreed to in the Houses committees, the following assistance provisions of note for local governments is provided:

- Special Districts currently are not eligible to receive assistance, but efforts are being made to authorize states to use 5 percent of their allocation to support Special Districts
- The state of California would receive approximately \$26 billion
- Orange County would receive approximately \$621 million
- Utility Ratepayer Assistance would be addressed as follows:
 - \$500 million to supplement \$638 million provided in December relief package to help water and wastewater utilities with arrearages (Department of Health and Human Services working to issue program guidance to states in the coming weeks.)
 - \$19 billion in supplemental emergency rental assistance that could be used to support payment of utility services
 - \$10 billion in mortgage assistance to support payment of utility bills and mortgage payments, property taxes and insurance and other housing needs

In addition to these assistance provisions, the final package is also expected to provide increased funding of health-related needs for hospital workers and other essential workers, hazard pay, and mandatory leave credits for public agencies during the pandemic.

FEMA Revise Reimbursement Policy

At the direction of an Executive Order, Federal Emergency Management Agency (FEMA) has revised its reimbursement of expenditures related to the pandemic. Under the new policy, FEMA will consider 100% reimbursement for costs incurred related to the pandemic. This will cover already submitted costs and costs incurred through 2021. The net impact of the action is that the federal government can pay the outstanding 25% of costs that were ineligible prior to the policy change. FEMA is currently developing guidance and it is appropriate to contact CALOES about potential reimbursements of outstanding costs.

Administration Appointments

The Biden White House has made a number of political appointments many of which have direct ties to California and California water issues. Rahdika Fox, who had worked for San Francisco Public Utilities Commission, will serve as the head of the United States Environmental Protection Agency (UEPA) Office of Water. Camille Touton, who most recently served as Professional Staff on Subcommittee on Water Resources for Chairwoman Grace Napolitano, will lead the U.S. Bureau of Reclamation. Tanya Trujillo, who worked on the Senate Energy and Natural Resources Committee as a counsel and most recently was the Executive Director of the Colorado River California Office, will be the lead for the Office of Water and Science. These officials have a deep knowledge of California water issues and specifically Southern California and should be helpful in addressing drought impacts and water quality needs of the region.

The selection of North Carolina's Department of Environment leader, Michael Regan to become the USEPA Administrator is likely to boost the agency's focus on "forever"

chemicals and generally give a higher priority to enforcement. Regan sailed through his confirmation hearing, with bipartisan support, before the Senate Committee on Environment and Public Works and is expected to be confirmed shortly.

Last, Vice President Harris has selected a number of individuals to serve in her office, including Ike Irby. OC San worked with Irby to advance its priorities when he was in the Senate with Harris.

Infrastructure Policymaking

Once Congress completes action on the fifth COVID-19 relief package, it is expected to turn attention of a national infrastructure initiative that would likely merge core infrastructure needs with climate policy priorities. Senate and House infrastructure committee leaders met with the president where he provided strong support for a bold infrastructure initiative in the coming months. The positive outlook for infrastructure is grounded in a sense that a national infrastructure funding program could reverse the COVID-19 created economic challenges and create employment opportunities. The starting point of any package appears to be the Moving Forward Act that the House passed last year. This almost \$2 trillion bill placed a priority on funding the SRF program (\$60 billion) as well as new programs to provide grants (\$500 million) to help water agencies adopt smart water technologies that could modernize the treatment process and conveyance of water supplies. In addition, we anticipate that any broad infrastructure policy will include climate resiliency needs to help address drought, flooding, sea level increase and other impacts upon water agencies.

The outlines of any infrastructure policy remain to be developed in the coming months. However congressional staff indicate that the latter part of spring could see Congress moving aggressively to pass a bill. To this end, the House Committee on Transportation & Infrastructure has signaled that it plans to conduct a hearing into the Clean Water Act SRF program and its needs later this month. The Senate Committee on Environment and Public Works Chairman Tom Carper (D-DE) has stated that he hopes to have an infrastructure package approved by his committee by late May.



Federal Legislative Report - February 2021

Last Updated: February 23, 2021

Bills by Issue

Recently Updated Bills (0)

No bills to show.

Priority: None (8)

Bill Number	Last Action	Status	Position	Priority
HR 1015	Introduced In House 2021 02 11	In House	Support	None

Title

To establish a grant program for the funding of water recycling and reuse projects, and for other purposes.

Primary Sponsors

Grace Napolitano

Bill Summary: Last edited by Sarah Sapirstein at Feb 16, 2021, 3:28 PM
Increases the authorization level for the Title XVI Program to \$500 million from the current \$50 million and makes it a permanent program. The bill strikes requirement that projects must be in drought or disaster areas and strikes the requirement that the projects need to be designated in an appropriations legislation.

Introduction Date: 2021-02-11

Organizational Notes

Last edited by Sarah Sapirstein at Feb 23, 2021, 4:57 PM
H.R. 1015 would increase the authorization level for the Title XVI Program to \$500 million from the current \$50 million, and make it a permanent program. The program is set to expire this year if Congress does not reauthorize it. The bill would also strikes the requirement that projects must be in drought or disaster area, strikes the requirement that the projects need to be designated in an appropriations legislation, and increases the limitation on the federal share of individual Title XVI projects from the current \$20 million in October 1996 prices to \$30 million in January 2019 prices (does not change the 25% federal cost share). H.R. 1015 is a reintroduction of a bill (H.R. 1162) Napolitano introduced in the 116th Congress. CASA supports. #OCSAN CASA Supports #OCS

Bill Number	Last Action	Status	Position	Priority
S 283	Read Twice And Referred To The Committee On Environment And Public Works 2021 02 08	In Senate	Monitor	None

Title

A bill to establish a National Climate Bank.

Primary Sponsors

Ed Markey

Bill Summary: Last edited by Sarah Sapirstein at Feb 16, 2021, 3:29 PM
Creates a national climate bank to leverage public and private funds to invest in clean energy technologies and infrastructure. Would allow for up to \$884 billion in total investment over 10 years to support financing to eligible regional, state, and local green banks to make investments in the activities and projects that projects that reduce carbon emissions, support workers and communities negatively impacted by climate transition, and provide technical assistance for start up of new green banks.

Introduction Date: 2021-02-08

Organizational Notes

Last edited by Sarah Sapirstein at Feb 23, 2021, 5:02 PM

Legislation is a congressional response to Biden Administration's Executive Order on Tackling the Climate Crisis at Home and Abroad that directs "[federal] investments...be made toward a goal that 40 percent of the overall benefits flow to disadvantaged communities." Executive Order included in Associations/File folder. #OCSAN #CASA

Last edited by Sarah Sapirstein at Feb 16, 2021, 3:29 PM

S. 283 creates a national climate bank to leverage public and private funds to invest in clean energy technologies and infrastructure. By leveraging \$100 billion in public funds, it will allow for up to \$884 billion in total investment over 10 years to support financing to eligible regional, state, and local green banks to make investments in the following types of activities: - projects that reduce carbon emissions - projects that support workers and communities negatively impacted by climate transition - projects that provide technical assistance for start up of new green banks - projects that address climate resiliency measures - projects that address water and energy efficiency, including residential, commercial and industrial efficiency measures Requires that 40% of all investments be directed to disadvantaged communities facing climate impacts. #OCSAN

Bill Number	Last Action	Status	Position	Priority
HR 644	Introduced In House 2021 02 01	In House	None	None

Title

REBUILD Act

Primary Sponsors

Ken Calvert

Bill Summary: Last edited by Sarah Sapirstein at Feb 16, 2021, 3:29 PM
Would allow a State to enter into a Memorandum of Understanding with the designated federal agency with environmental review responsibility under NEPA to assume review responsibilities of that agency.

Introduction Date: 2021-02-01

Organizational Notes

Last edited by Sarah Sapirstein at Feb 16, 2021, 2:07 PM

H.R. 644 aims to reduce the cost and increase the speed of NEPA permitting reviews of infrastructure projects. Specifically, the bill would allow a State to enter into a Memorandum of Understanding with the designated federal agency with environmental review responsibilities under NEPA to assume review responsibilities of that agency. This would allow the State to integrate NEPA compliance into its own project approval process and streamline the process overall. #OCSAN

Bill Number

HR 616

Last Action

Referred To The Committee On Energy And Commerce And In Addition To The Committee On Education And Labor 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 2021 01 28

Status

In House

Position

None

Priority

None

Title

Emergency Water is a Human Right Act

Primary Sponsors

Rashida Tlaib

Bill Summary: Last edited by Sarah Sapirstein at Feb 16, 2021, 3:30 PM Prohibits water shutoffs and ensure water affordability protections for low-income households during COVID-19 national emergency. Provides affordability protections for households with incomes up to 150% of the federal poverty guidelines through authorizing \$1.5 billion in grants to assist such households pay for drinking water and wastewater services.

Introduction Date: 2021-01-28

Organizational Notes

Last edited by Sarah Sapirstein at Feb 16, 2021, 3:31 PM

H.R.616 would prohibit water shutoffs and ensure water affordability protections for low-income households during COVID-19 national emergency. The bill provides affordability protections for households with incomes up to 150% of the federal poverty guidelines through authorizing \$1.5 billion in grants to assist such households pay drinking water and wastewater services, and use LIHEAP to administer assistance. It also directs States that receive assistance grants to enter into agreements with POTWs, municipalities, and nonprofits to identify low-income households, and require service providers to reconnect water services if disconnected. #OCSAN

Bill Number

HR 516

Last Action

Introduced In House 2021 01 28

Status

In House

Position

None

Priority

None

Title

Environmental Justice Mapping and Data Collection Act of 2021

Primary Sponsors

Cori Bush

Bill Summary: Last edited by Sarah Sapirstein at Feb 23, 2021, 7:40 PM Directs interagency collaboration with EJ stakeholders to create and authorize funding for a system that comprehensively identifies demographic factors, environmental burdens, socioeconomic conditions and public health concerns. The data collected would be used to build layered maps that depict what communities experience environmental injustices. The bill supports the initiative from the Biden Administration to direct 40% of federal investments towards EJ communities.

Introduction Date: 2021-01-28

Organizational Notes

Last edited by Sarah Sapirstein at Feb 23, 2021, 7:40 PM

Directs interagency collaboration with EJ stakeholders to create and authorize funding for a system that comprehensively identifies demographic factors, environmental burdens, socioeconomic conditions and public health concerns. The data collected would be used to build layered maps that depict what communities experience environmental injustices. The bill supports the initiative from the Biden Administration to direct 40% of federal investments towards EJ communities. #OCSAN

Bill Number	Last Action	Status	Position	Priority
S 101	Introduced In Senate 2021 01 28	In Senate	None	None
Title Environmental Justice Mapping and Data Collection Act of 2021		Bill Summary: Last edited by Sarah Sapirstein at Feb 23, 2021, 6:22 PM Creates and authorizes funding for a system that comprehensively identifies demographic factors, environmental burdens, socioeconomic conditions and public health concerns. Data collected would be used to build layered maps that depict what communities experience environmental injustices.		
Primary Sponsors Ed Markey		Introduction Date: 2021-01-28		
Organizational Notes Last edited by Sarah Sapirstein at Feb 23, 2021, 7:38 PM S. 101 would direct interagency collaboration with EJ stakeholders to create and authorize funding for a system that comprehensively identifies demographic factors, environmental burdens, socioeconomic conditions and public health concerns. The data collected would be used to build layered maps that depict what communities experience environmental injustices. The bill supports the initiative from the Biden Administration to direct 40% of federal investments towards EJ communities. #OCSAN				

Bill Number	Last Action	Status	Position	Priority
SRES 17	Introduced In Senate 2021 01 27	In Senate	None	None
Title A resolution expressing the sense of the Senate that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.		Introduction Date: 2021-01-27		
Primary Sponsors Joni Ernst				

Bill Number	Last Action	Status	Position	Priority
S 29	Read Twice And Referred To The Committee On Environment And Public Works 2021 01 22	In Senate	None	None
Title Local Water Protection Act		Bill Summary: Last edited by Sarah Sapirstein at Feb 16, 2021, 3:35 PM Reauthorizes U.S. Environmental Protection Agency (USEPA) grant program that provides funding to states to develop and implement programs that manage nonpoint source pollution or pollution diffusing from runoffs from farms, managed forests and urban areas. The legislation would reauthorize USEPA's grant program at \$200 million annually.		
Primary Sponsors Amy Klobuchar		Introduction Date: 2021-01-22		
Organizational Notes Last edited by Sarah Sapirstein at Feb 16, 2021, 3:35 PM S. 29 reauthorizes U.S. Environmental Protection Agency (USEPA) grant program that provides funding to states to develop and implement programs that manage nonpoint source pollution or pollution diffusing from runoffs from farms, managed forests and urban areas. The legislation would reauthorize USEPA's grant program at \$200 million annually and give local and state governments flexibility to make conservation improvements that decrease water pollutants through partnerships with impacted communities. #OCSAN				

M E M O R A N D U M

To: Orange County Sanitation District
From: Townsend Public Affairs
Date: February 16, 2021
Subject: Monthly Legislative Report

State Legislative Update

In February, attention in Sacramento has been solely focused on introducing legislation before the deadline on February 19.

Since the Legislature was sworn in on December 7, there have been approximately 1,200 bills introduced. Several hundred of these bills are empty budget trailer bills or spot bills that do not have substantive language in them. It is expected that the number of bills introduced will increase to approximately 2,700 before the bill introduction deadline on February 19. Once bills have been introduced, they must sit for 30 days before they can be acted on.

The Legislature will move in the next few months to hold policy committee hearings on legislative proposals as well as budget subcommittees to consider the Newsom Administration's January Budget.

Below are the upcoming relevant dates for the Legislature:

February 19 – Bill introduction deadline

March 25 – Spring Recess begins upon adjournment

Governor's COVID-19 Action Summary

Below is a summary of the major COVID-19 actions taken by the State Administration in January:

- **February 3 – Community Vaccination Sites:** Governor Newsom announced a pilot project partnership with the Biden Administration to open mass vaccination sites at the Oakland-Alameda Coliseum and California State University, Los Angeles. The site will be co-run by FEMA and CalOES. These two locations were chosen because of their proximity to diverse and socioeconomically challenges communities.
- **January 27 – Executive Order:** Governor Newsom signed an executive order (N-02-21) that will attempt to bolster the State's efforts to vaccinate as many Californians as possible as quickly as possible. The executive order reconfirms laws that grant health professionals and providers legal liability when responding to state and local emergencies, which is expected to increase the number of individuals administering vaccines.

- **January 25 – Improvements to Vaccine Plan:** Governor Newsom announced a series of improvements to the State's vaccination plan. The new steps in the plan will make it easier for people to know when they are eligible for vaccination and how to make an appointment, accelerate the administration of vaccines on hand and improve the State's ability to track vaccination data.
- **January 21 – Executive Order:** Governor Newsom signed an executive order in response to the COVID-19 pandemic, extending the validity of medical cannabis identification cards that would otherwise have expired.

Priority Legislation

Although the legislative session just began, there are a few bills already introduced that TPA has preliminarily identified as priority bills for the District:

AB 59 (Gabriel) - Mitigation Fee Act: fees: notice and timelines

AB 59 would repeal Section 66022 of the Government Code, which establishes the 120-day statute of limitations for legal challenges to new or increased connection fees or capacity charges. Under current law, any legal challenges for water and sewer connection fee or capacity charge must be commenced within 120 days after a water or sewer agencies adopts or amends a fee. This bill would change the statute of limitations to begin once the agency actually charges the fee to the ratepayer.

AB 59 would also require local agencies that collect fees in excess of the amount needed to provide their specific services to reimburse the ratepayer for that amount as opposed to re-investing that excess into reducing rates.

AB 59 has been double referred to the Assembly Local Government Committee and the Assembly Housing and Community Development Committee.

AB 377 (Rivas) – Water quality: impaired waters

AB 377 would require that by 2050, all surface waters in California be suitable for drinking, swimming, and fishing. Would change enforcement protocols at the SWRCB to make NPDES permits more stringent and would prevent the SWRCB from authorizing NPDES permits that are weaker than previous permits, or that would provide for an exceedance of water quality standards. AB 377 also provides additional enforcement requirements for NPDES permit holders and regional board compliance. AB 377 does not include a funding source for the excess requirements and lacks clarity for definitions of enforcement.

AB 377 has been referred to the Assembly Environmental Safety and Toxic Materials Committee and has not yet been assigned a hearing date.

SB 45 (Portantino) – Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022

SB 45 would establish a \$5.5 billion general obligation bond that would appear on the November 2022 ballot. SB 45 would provide funding for a wide variety of natural resources and climate resilient projects including: wildfire prevention, safe drinking water and water quality, protecting fish, wildlife, and agriculture from Climate risks, and protecting coastal resources.

SB 45 is a re-introduction of SB 45 (Allen, 2018). This proposal and conversations around a climate focused bond were put on hold largely due to the COVID-19 pandemic. It is important to note that Governor Newsom's January budget request did not include a climate/natural resources bond.

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
Proposed Legislation 2021-2022						
High Priority						
AB 59	Gabriel [D]	This bill would increase, for fees and service charges and for fees for specified public facilities, the time for mailing the notice of the time and place of the meeting to at least 45 days before the meeting. This bill would also require that all fees collected in excess of the cost of the service provided be refunded to the ratepayer. This bill would also change the statute of limitations for protests filed for disputes of rates, potentially allowing rate disputes to be filed months or years after adoption.	Referred to the Assembly Local Government Committee and the Assembly Housing and Community Development 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 - NYC ACWA - NYC
AB 339	Lee [D]	Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public. Would also require additional translation services for written material and public comment if the language is spoken by 5% of the jurisdiction's population.	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 361	Rivas [D]	Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.	Referred to the Assembly Local Government 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 - Sponsor ACWA - NYC
AB 377	Rivas [D]	Would require all California surface waters to be fishable, swimmable, and drinkable by January 1, 2050, as prescribed. The bill would prohibit the state board and regional boards from authorizing an NPDES discharge, waste discharge requirement, or waiver of a waste discharge requirement that causes or contributes to an exceedance of a water quality standard, or from authorizing a best management practice permit term to authorize a discharge that causes or contributes to an exceedance of a water quality standard in receiving waters. The bill would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard that was adopted as of January 1, 2021, and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard that is adopted after January 1, 2021, unless specified conditions are met.	Referred to the Assembly Environmental Safety and Toxic Materials Committee	Watch	Guiding Principles: Oppose redundant regulatory and legislative requirements that cause undue constraints on efficient operations	ACC-OC - NYC LOCC - NYC CASA - Oppose CSDA - NYC ACWA - Concerns

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 818	Bloom [D]	Would require, except as provided, certain premoistened nonwoven disposable wipes manufactured on or after July 1, 2022, to be labeled clearly and conspicuously with the phrase “Do Not Flush” and a related symbol, as specified. The bill would prohibit a covered entity, as defined, from making a representation about the flushable attributes, benefits, performance, or efficacy of those premoistened nonwoven disposable wipes, as provided. The bill would establish enforcement provisions, including authorizing a civil penalty not to exceed \$2,500 per day, up to a maximum of \$100,000 per violation, to be imposed on a covered entity who violates those provisions.	Introduced	Watch	Legislative and Regulatory Policies: Source Control - Support legislation that regulates the disposal of flushable wipes.	ACC-OC - NYC LOCC - NYC CASA - Sponsor CSDA - NYC ACWA - NYC
SB 45	Portantino [D]	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program. Includes \$100 million.	Referred to the Senate Natural Resources and Water Committee and the Senate Governance and Finance Committee	Watch	Guiding Principles: Seek funds for OCSD projects through grants, appropriations, or other means	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - NYC ACWA - NYC
SB 230	Portantino [D]	Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel to review and provide recommendations to the state board on CEC for further action, among other duties. The bill would require the state board to provide an annual report to the Legislature on the ongoing work conducted by the panel.	Referred to the Senate Environmental Quality Committee	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 - NYC ACWA - NYC
SB 273	Hertzberg [D]	SB 273 would authorize municipal wastewater agencies to enter into voluntary agreements with entities responsible for stormwater management – including municipal, industrial, and commercial stormwater dischargers – to more effectively manage stormwater and dry weather runoff.	Referred to the Senate Governance and Finance 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 - Co-sponsor CSDA - Watch ACWA - Favor

OC San State Bills of Interest

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 274	Wieckowski [D]	The Ralph M. Brown Act, requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by mail or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.	Referred to the Senate Governance and Finance 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 - NYC ACWA - NYC

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

Name of Grant/Loan	Synopsis of Grant/Loan	Amount of Grant/Loan	Amount Applying for	Applying Y/N	Project/Program	Reason	Match	Deadline	Category	Rcvd Grant/ Financing Y/N
STATE										
Organics Grant Program	The Organics Grant Program is part of California Climate Investments, a statewide program that puts billions of cap-and-trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment - particularly in disadvantaged and/or low-income communities. The Cap-and-Trade program also creates a financial incentive for industries to invest in clean technologies and develop innovative ways to reduce pollution. California Climate Investments projects include affordable housing, renewable energy, public transportation, zero-emission vehicles, environmental restoration, more sustainable agriculture, recycling, and much more. At least 35 percent of these investments are made in disadvantaged and low-income communities.	Application materials for FY 2020–21 will tentatively be available summer 2020.	TBD	Yes	Food-Waste Co-Digestion facility at Plant No.2 in Huntington Beach to accept up to 150 wet tons per day (wtpd) of pre-processed source separated organics.	We will review the possible funding opportunity to determine if it is a fit for the Sanitation District.	TBD	TBD	Energy/Recycling	No
CalOES Grant- Community Power Resiliency Allocation to Special Districts Program	The purpose of the Community Power Resiliency Allocation to Special Districts Program is to support California special districts with additional preparedness measures in response to power outage events. Of the \$50 million overall appropriation for Community Power Resiliency funding, \$20 million has been reserved for special district needs.	\$300,000	\$300,000	No	Portable Generators	We did not meet the requirements of the grant.	NA	10/30/2020	Renewable energy	No
Integrated Regional Water Management (IRWM) Grant Program	The Proposition 1 IRWM Grant Program, administered by DWR, provides funding for projects that help meet the long term water needs of the state, including: Assisting water infrastructure systems adapt to climate change; Providing incentives throughout each watershed to collaborate in managing the region's water resources and setting regional priorities for water infrastructure	TBD	NA	No	NA	TPA and OCSD are monitoring the grant program development from the Santa Ana Watershed Project Authority (SAWPA). Currently, Round 2 has yet to be announced. TPA and OCSD will continue to watch this and other matches.	50%	NA. Will return in 2021 for Round 2	Water	No
FEDERAL										
The Water Infrastructure Improvements Act (WIIN)	The Title XVI Water Reclamation and Reuse Projects funding opportunity allows for sponsors of water reclamation and reuse projects that are congressionally authorized or are eligible under section 4009(c) of the WIIN Act to request cost-shared funding for planning, design and/or construction of those Projects. Water reclamation and reuse projects provide improved efficiency, flexibility during water shortages and diversifies the water supply.	Reclamation is making up to \$20 million available for those projects authorized under the WIIN Act.	\$20 million	Pending FOA	Final Expansion of GWRS Headworks (P2-122)	The Sanitation District developed a proposal for last year that could be used as a basis for a new submittal.	\$20mm or 25% of project costs whichever is less.	6/28/2019	Water/ Infrastructure	Pending FOA
FEMA Funding	The President's Memo changed the federal reimbursement amount for previously approved projects from the beginning of the disaster to January 20, 2021. It did not change the eligibility. All work eligible under FEMA's existing COVID-19 policies, including increasing medical capacity, non-congregate sheltering, and emergency feeding distribution will be reimbursed at 100 percent federal share. For projects that have already been approved, FEMA will amend the existing awards to adjust the federal funding amounts. No action will be required by the applicants.	TBD	\$260,000 (at this time)	Yes	COVID - 19 Funding	We are working with the local agency CAL OES on the funding eligibility.	N/A	TBD	Infrastructure	TBD

Name of Grant/Loan	Synopsis of Grant/Loan	Amount of Grant/Loan	Amount Applying for	Applying Y/N	Project/Program	Reason	Match	Deadline	Category	Rcvd Grant/Financing Y/N
WaterSMART Grants: Small-Scale Water Efficiency Projects	Purpose: To support projects that conserve and use water more efficiently; mitigate conflict risk in areas at a high risk of future water conflict; and accomplish other benefits that contribute to water supply reliability in the western United States.	Total Funding Available: \$3 million	NA	No-not qualified	Project Request - Planning Study Plant and Reclaimed Water	They do not fund studies within the parameters of the grant.	Cost-Share: 50% or more of total project costs.	3/15/2021	Water/ Infrastructure	No
Stormwater and CSO Grant Program	In addition, the President's directive allows FEMA to expand the activities eligible for reimbursement for work conducted after Jan. 21, 2021 and until Sept. 30, 2021.	Funding cost-share is not identified in the law	TBD	TBD. We will monitor for possible funding opportunities/A	TBD	FY 2020 - \$28 million	Yes	Anticipate by July 2020	Water/ Infrastructure	USEPA published allocation formula with deadline for public comments 9/3/2020. Expect formal allocation to State within next two months.
The Department of Energy (DOE), USBR and USEPA	The DOE's Office of Energy Efficiency is likely to continue to be funded by Congress to support such efforts as biogas, biosolids and green energy.	Through the WaterSmart program, USBR will issue solicitations for innovative approaches to managing water and water treatment through technology and processes for FY 2020 - \$60 million	TBD	TBD. We will monitor for possible funding opportunities	Project Funding Opportunity: Energy production to reduce costs of recycled water through innovative technologies. Innovative water monitoring technology that can produce efficient real time monitoring and data analysis, Biogas Management and Use Improvements.	We will review the possible funding opportunity to determine if it is a fit for the Sanitation District.	N/A	TBD	Energy/Water/Infrastructure	TBD
USEPA	Climate Resiliency	TBD	TBD	TBD	Anticipate that USEPA will issue FOA's to promote studies and plans to address resiliency needs and strategies	We will review the possible funding opportunity to determine if it is a fit for the Sanitation District.	Unclear	TBD	Climate	TBD
Other										
Community Partnering Program Grant	Metropolitan Water District	The primary focus of the Community Partnering Program (CPP) is sponsorship of water conservation and water-use efficiency programs and activities. Applications must be submitted 30 days prior to the start date of the event or program. Requests for a maximum \$2,000 award will be reviewed year-round and funds are awarded throughout the year. Funds are limited, however, and may be depleted prior to the ending of this fiscal year (June 30).	\$2,000	Yes	For Plant No. 1 Signage	Applied	Match	ongoing	Education	Yes
Mass Timber Competition	CalGovOps	The California Government Operations Agency (GovOps) will award \$500,000 in grants as part of the statewide California Mass Timber Building Competition. Grants will be awarded to selected proponent teams presenting viable and repeatable mass timber solutions for commercial and multi-family projects in California. The competition is being hosted by GovOps and administered by WoodWorks – Wood Products Council.	\$40,000	Yes	Headquarters Building	Applied	No	03/18/19	Environment	Yes

Agenda Report

File #: 2021-1508

Agenda Date: 3/8/2021

Agenda Item No: 3.

FROM: James D. Herberg, General Manager

SUBJECT:

PUBLIC AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2021

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the month of February 2021.

BACKGROUND

Staff will provide an update on recent public affairs activities.

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
- Listen to and seriously consider community input on environmental concerns

PROBLEM

The Orange County Sanitation District (Sanitation District) is well-recognized within the water/wastewater industry; however, as a regional provider without direct access to our customers there is opportunity to always expand knowledge or awareness within our service area of the important work we do to protect public health and the environment and the part they can have to protect our sewer lines, our treatment plants, and the quality of water we supply for the Groundwater Replenishment System.

PROPOSED SOLUTION

By providing tours, community outreach, education, and general communication via the Sanitation District's website, social media outlets, and direct mailings, we have the ability to educate 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.

RAMIFICATIONS OF NOT TAKING ACTION

If we do not actively communicate with the community, local agencies, and area businesses about the Sanitation District, we may not have the support necessary to deliver our mission.

ADDITIONAL INFORMATION

Activities for the month of February 2021:

Virtual Tours

Due to the COVID-19 pandemic, our in-person Plant tours are temporarily suspended. To continue engaging with the community and our stakeholders, staff conducts virtual tours of the Plant which has allowed participants an opportunity to remotely visit the Sanitation District and learn how we protect public health and the environment. For this reporting period, we held 5 virtual tours reaching approximately 130 people.

Presentations

The State College Sewer Construction project team participated in a virtual community meeting for the City of Anaheim to provide a project update. Additionally, staff presented on media relations at the Association of California Cities of Orange County's Public Policy Academy with a general overview of the Sanitation District and the various career options at a virtual career day.

Board Orientation

Staff prepared a virtual Board Orientation and tour to welcome the new Sanitation District Directors and Alternate Directors.

Awards

The Santa Ana River Basin Section, the local section of the California Water Environment Association, recognized those who are making waves in the wastewater industry. The Sanitation District received the following awards:

- **Michael Huls**, Lead Plant Operator, was awarded the Plant Operator of the Year
- **Steve Grande**, Lead Mechanic, was awarded the Collections System Person of the Year
- **Collection System of the Year**- 200-500 miles
- **Gimmicks and Gadgets**- Alkaline Enhanced Iron Odor Control

ATTACHMENTS

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 Summary Report January - February 2021

Outreach and Media Summary



January - February 2021

O C S A N P u b l i c A f f a i r s O f f i c e

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Outreach Report February 2021

Date	Tours	Attendees	Tour Guide
2/8/2021	Oak Park High School Virtual Tour	32	Mike Zedek
2/10/2021	Oak Park High School Virtual Tour	33	Mike Zedek
2/16/2021	El Modena High School Virtual Tour	21	Sam Choi
2/18/2021	New Board Member Virtual Tour	40	EMT
2/25/2021	CSUF Nursing Class Virtual Tour	15*	Cortney Light
Date	Speaking Engagements	Attendees	Presenter
2/2/2021	Career Fair Presentation	173	Kevin Escobar
2/12/2021	ACC- OC Presentation	20	Rebecca Long
2/24/2021	Anaheim District 5 Presentation	30*	Daisy Covarrubias
	*These events have not occurred at time of this report, therefore # of attendees is estimated.		
Project Area	Construction Outreach Notifications	# of People Reached	Website Posts and Text Alerts
Anaheim	3 notifications	8300	3 website posts / 3 text alerts
Westminster	1 notification	260	2 website posts / 1 text alerts
External Communications	Distribution	# of People Reached	
Board Member Talking Points	One	25	
Member Outreach Toolkit	One	25	
Website Posts	2 posts	17 views	
Facebook	27 posts	2.8k people	
Twitter	21 tweets	11.4k people	
Instagram	24 posts	1k people	

Facebook Posts

Jan- Feb 2021

Results from Jan 19, 2021 - Feb 15, 2021

Note: Does not include today's data. Insights activity is reported in the Pacific time zone. Ads activity is reported in the time zone of your ad account.

Organic Paid

Actions on Page

January 19 - February 15

1

Total Actions on Page ▼67%



Page Views

January 19 - February 15

121

Total Page Views ▲21%



Page Previews

January 19 - February 15



We have insufficient data to show for the selected time period.

Page Likes

January 19 - February 15

3

Page Likes ▲0%



Post Reach

January 19 - February 15

901

People Reached ▲47%



Story Reach

January 19 - February 15

Get Story Insights

See stats on how your Page's recent stories have performed.

[Learn More](#)

Recommendations

January 19 - February 15



We have insufficient data to show for the selected time period.

Post Engagement

January 19 - February 15

357

Post Engagement ▲146%



Videos

January 19 - February 15

385

3-Second Video Views ▲41%



Page Followers

January 19 - February 15

3

Page Followers ▲0%



All Posts Published

Reach: Organic / Paid Post Clicks Reactions, Comments &

Published	Post	Type	Targeting	Reach	Engagement
02/15/2021 2:00 PM	 Construction Alert for @city_of_anaheim. Both DAY and			39 	1 1
02/15/2021 7:00 AM	 The OC San Admin offices will be closed today in observance of			107 	1 1
02/14/2021 8:30 AM	 We LOVEEEEEEEEEEEEEEE when someone tells us these 4 sweet			82 	5 6
02/12/2021 8:30 AM	 This is the #YearOfTheOx. The Ox has traits of strength, reliability,			126 	2 5
02/11/2021 2:41 PM	 #WomenInScience are everyday but today we want to give you all an			281 	21 34
02/11/2021 8:30 AM	 REMINDER*** Our Admin offices will be closed tomorrow in			71 	0 2
02/10/2021 2:34 PM	 We will be having a Special Board of Directors Meeting on Wednesday,			59 	2 1
02/09/2021 2:08 PM	 WOOT! WOOT! OC San received 4 Santa Ana River Basin Section			187 	5 10
02/07/2021 8:00 AM	 We wait for Super Bowl Sunday as much as everyone else. Our			132 	4 7
02/06/2021 7:30 AM	 Reminder! Construction Alert for @city_of_anaheim. Northbound			81 	1 1
02/05/2021 12:47 PM	 Street is now open, thank you for your patience.			50 	1 0
02/05/2021 9:09 AM	 Construction Alert in City of Anaheim- Municipal Government.			44 	2 2
02/04/2021 1:05 PM	 Construction Alert for @cityofanaheim. Northbound State			88 	2 0
02/03/2021 1:43 PM	 If you've gone to ocsd.com/jobs and haven't seen the posting for the job			85 	7 2
02/03/2021 12:28 PM	 Make sure to join us next week on Wednesday, Feb. 10 at 5 p.m. Click			33 	1 0
02/02/2021 1:35 PM	 Join us for the Legislative and Public Affairs Committee on Monday, Feb.			65 	0 0

02/02/2021 1:35 PM	 Join us for the Legislative and Public Affairs Committee on Monday, Feb.			65		0 0	
02/02/2021 9:04 AM	 #Nationalgreenweek is here. Remember, every item has its place			91		0 0	
01/28/2021 2:24 PM	 In this weather, you have to stay toasty even when you're inside			116		1 6	
01/28/2021 12:26 PM	 The Operations Committee Meeting is happening on Wednesday, Feb. 3			59		2 1	
01/24/2021 9:00 AM	 Just an inside look at some of the views you see inside a Wastewater			223		14 18	 
01/23/2021 12:09 PM	 Construction Alert in Cityof Fullerton. Starting Monday crews will begin			64		2 2	
01/22/2021 9:00 AM	 Always Safe, Always There. The OC San Team ensures that work gets			160		22 11	 
01/21/2021 11:16 AM	 Join us in congratulating the new OC San Environmental Laboratory			228		48 29	 
01/20/2021 12:10 PM	 The Steering Committee Meeting (5 p.m.) and Board of Directors			67		2 0	
01/20/2021 9:00 AM	 There are many types of gasses, but do you know what biogas is?			102		5 4	 
01/17/2021 9:00 AM	 Word searches on a Sunday morning sounds like a dream to us.			121		1 2	

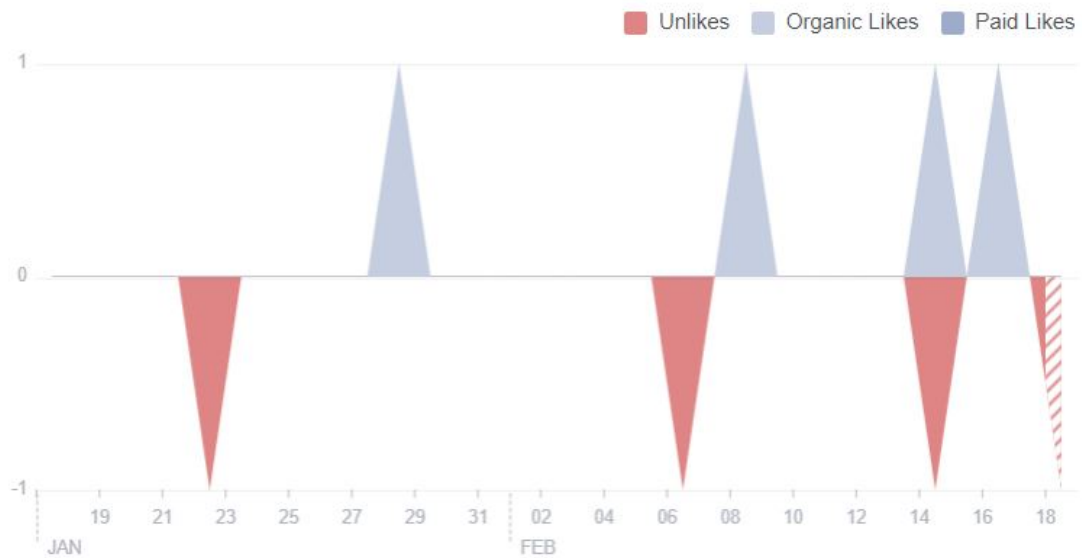
Graphs of Page Likes, Post Reach and Total Views for January- February 2021

Total Page Likes: 974



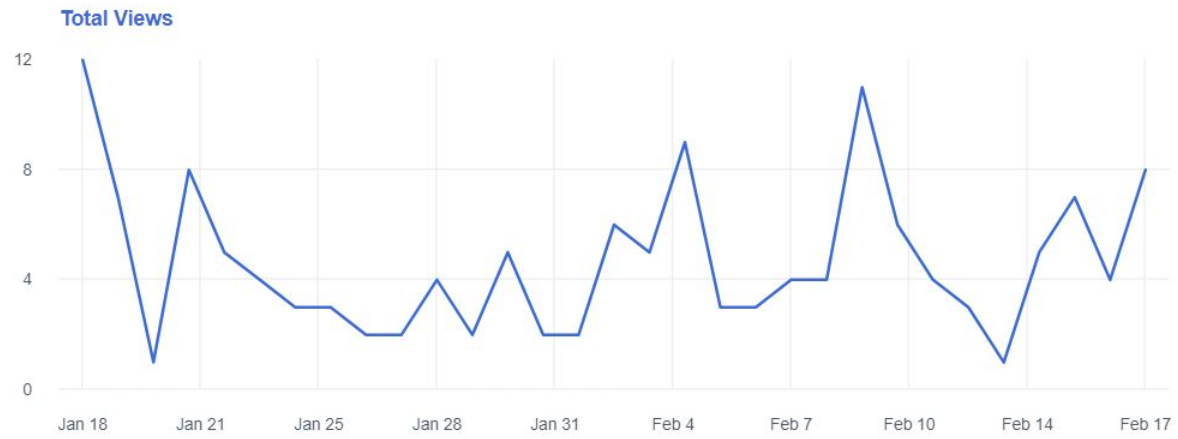
Page Likes

The number of organic Page likes, paid Page likes and unlikes.



Total Views

By Section

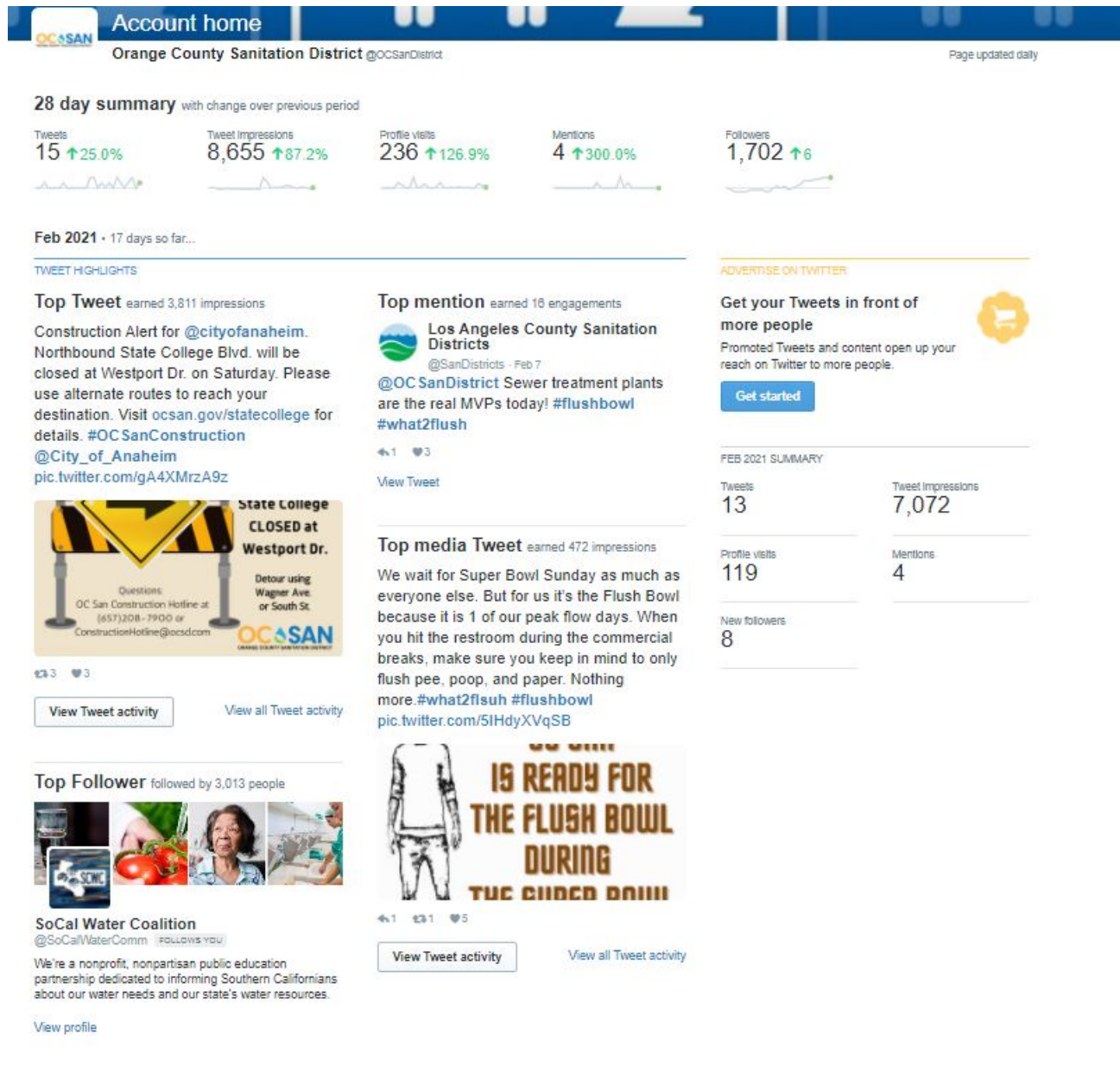


Post Reach

The number of people who saw any of your posts at least once. This metric is estimated.



Twitter Posts Jan- Feb 2021



TWEET HIGHLIGHTS

Top Tweet earned 324 impressions

You should only flush the 3 P's: Pee, Poop, and Toilet Paper. This is the Way. [#3Ps](#)
[#What2Flush](#) [#thisistheway](#)
[pic.twitter.com/JKpINiOLmU](#)



1 retweet 1 like

View Tweet activity

View all Tweet activity

Top media Tweet earned 313 impressions

Happy New Year! We're ready to flow into 2021, we hope you are too!
[pic.twitter.com/vq3J542LO2](#)



2 likes

View Tweet activity

View all Tweet activity

JAN 2021 SUMMARY

Tweets

7

Tweet impressions

4,300

Profile visits

180

Mentions

1

New followers

-1

Top Follower followed by 2,058 people



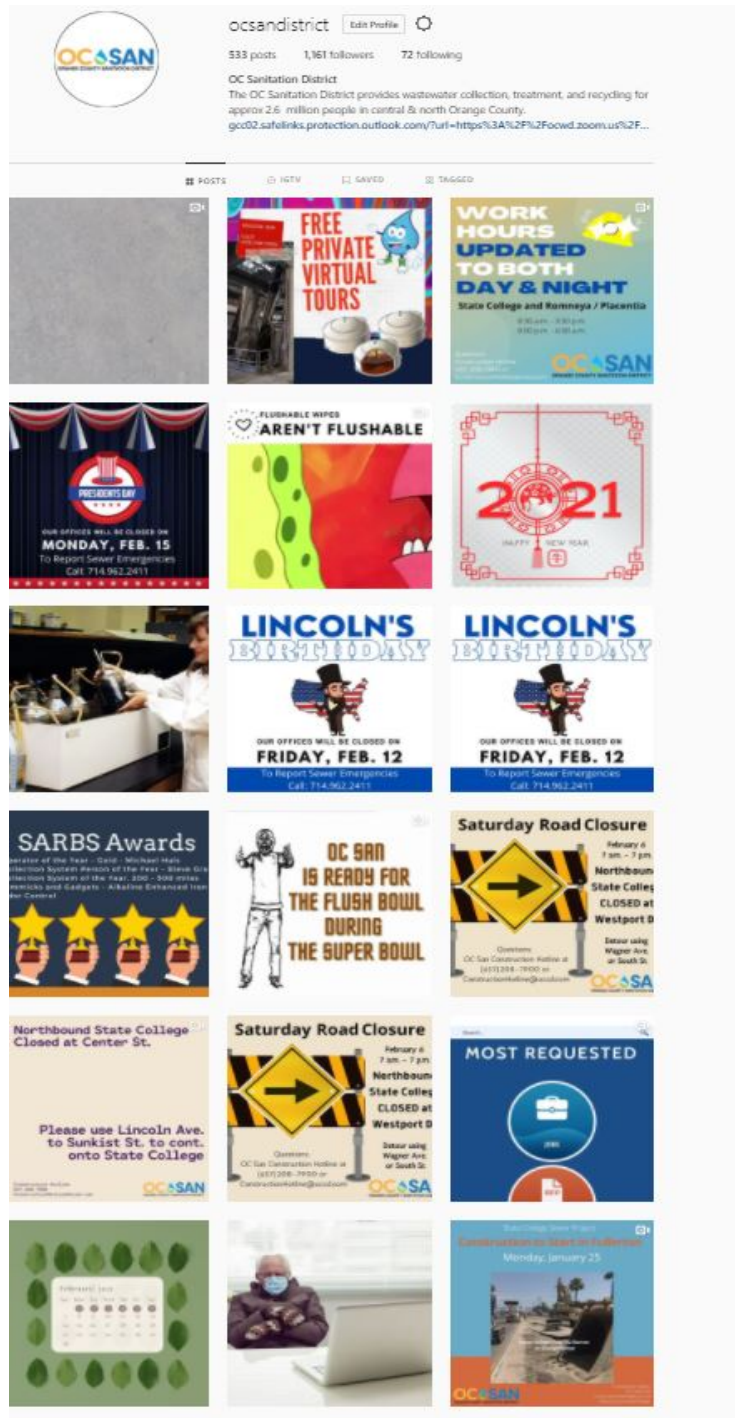
Hannah Fry

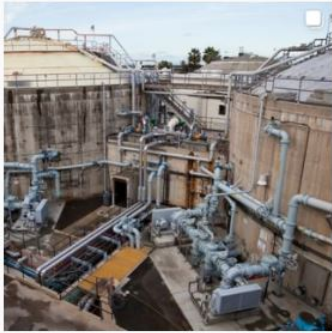
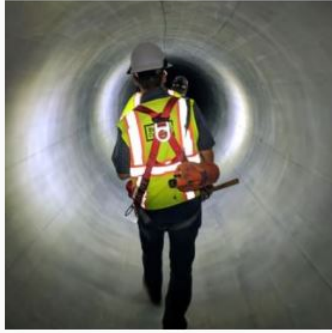
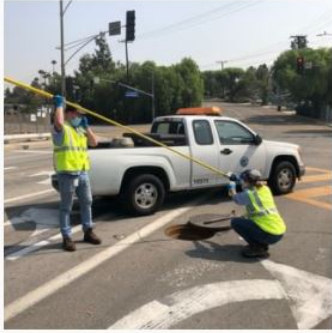
@HannahFry FOLLOWS YOU

Orange County reporter @latimes. Southern California native. Formerly @TheDailyPilot @ocregister Tips? hannah.fry@latimes.com

View profile

Instagram Posts Jan- Feb 2021





E	T	S	E	G	I	D
P	F	A	E	B	T	L
-	M	A	M	I	A	N
	F	I	R	A	L	C
K	Y	A	E	S	H	U
X	W	E	T	S	A	W
Q	C	P	N	W	D	V
J	I	H	S	D	F	I
P	T	E	T	E	S	N
X	V	O	V	D	Y	P

CLA
DIGE
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PIPE
OCS



Agenda Report

File #: 2021-1515

Agenda Date: 3/8/2021

Agenda Item No: 4.

FROM: James D. Herberg, General Manager

SUBJECT:

LETTER OF SUPPORT FOR THE SOLID WASTE: PREMOISTENED NONWOVEN DISPOSABLE WIPES BILL AB 1818

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Approve the Letter of Support for the solid waste: premoistened nonwoven disposable wipes Bill AB 818.

BACKGROUND

In the 2019 - 2020 legislative session, Assembly Member Bloom introduced Assembly Bill AB (AB) 1672, which would require specific labeling of nonwoven disposable wipes manufactured on or after January 1, 2022. The Orange County Sanitation District (Sanitation District) supported AB 1672 by Assembly Member Bloom. Additionally, this Bill was widely accepted by fellow agencies and associations including the bill sponsor, the California Association of Sanitation Agencies (CASA). Unfortunately, the Bill did not pass. Earlier this year, Assembly Member Bloom introduced AB 818, which is a reintroduction of AB 1672. The Bill is co-sponsored by CASA, the National Stewardship Action Council, and the Association of the Nonwoven Fabrics Industry; and requires "Do Not Flush" symbols and phrases on all diaper wipes, personal care wipes, and household cleaning wipes that are made with plastic fibers.

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 proper support of this Bill, it could fail, allowing non-flushable wipes to be inappropriately disposed of which could cause sanitary sewer overflows.

PROPOSED SOLUTION

Staff has drafted a letter of support for AB 818.

TIMING CONCERNS

It is important that the Sanitation District take a position on the letter as soon as possible to ensure that the Sanitation District's position is taken into consideration.

RAMIFICATIONS OF NOT TAKING ACTION

If we do not support this bill it could fail.

ADDITIONAL INFORMATION

N/A

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENT

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

- Letter of Support for AB 818
- AB 818 Bill Text

March 8, 2021

The Honorable Richard Bloom
California State Assembly
State Capitol, Room 2003
Sacramento, CA 95814

RE: Orange County Sanitation District Support for Assembly Bill 818 (Bloom)

Dear Assembly Member Bloom:

The Orange County Sanitation District (OC San) is pleased to support AB 818 (Bloom). OC San provides wastewater collection, treatment, and recycling for approximately 2.6 million people in central and northwest Orange County, CA. OC San's primary mission is to protect public health and the environment through its services. AB 818 is the culmination of several years of stakeholder involvement and industry negotiations that will encourage pollution prevention through clear and consistent consumer information.

AB 818 would establish labeling requirements for wet wipes packaging so that Californians will know how to properly dispose of these popular consumer products. In recent years, wet wipes have become widely available as they're designed for a variety of daily household purposes. Despite voluntary industry labeling guidelines, proper disposal information is inconsistent on wipes product labels, and some wipes are advertised as "flushable," which can lead to confusion about what products can be flushed down the toilet and which are instead intended for the trashcan.

Many wet wipes are made from plastic which makes them not compatible with sewer systems and infrastructure. Improperly flushing these incredibly durable products results in their getting caught in pipes or accumulating with fats, oils, and grease and becoming larger obstructions that cause costly backups and sometimes result in raw sewage overflows. Further down the sewer line, wipes tend to weave together and create giant rags which get stuck in pump systems and motors and damage expensive public infrastructure. Additionally, environmental harm can come from flushing wipes since they shed microplastics into the wastewater system that can ultimately be discharged to the aquatic environment.

AB 818 would ensure wet wipes packaging clearly communicates the appropriate disposal method for the products not intended to be flushed, and further requires wipes manufacturers to conduct education and outreach about the "Do Not Flush" symbol and label notice. This straightforward bill has been mutually agreed to by the wipes manufacturers and wastewater and product stewardship representatives. If enacted, it will establish the strongest wet wipe labeling requirements in the country.

Serving:

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Brea
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Fountain Valley
Fullerton
Garden Grove
Huntington Beach
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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

Page 2

For these reasons, the Orange County Sanitation District is pleased to support AB 818. Please do not hesitate to contact Jennifer Cabral, Administration Manager at (714) 593-7581 or via email at JCabral@ocsd.com should you have any questions.

Sincerely,

David John Shawver
Board Chairman

cc:

Jessica Gauger, California Association of Sanitation Agencies(jgauger@casaweb.org)
Orange County Legislative Delegation
Orange County Sanitation District Board of Directors

ASSEMBLY BILL

No. 818

Introduced by Assembly Member Bloom

February 16, 2021

An act to add Part 9 (commencing with Section 49650) to Division 30 of, and to repeal Section 49652 of, the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 818, as introduced, Bloom. Solid waste: premoistened nonwoven disposable wipes.

The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste.

This bill would require, except as provided, certain premoistened nonwoven disposable wipes manufactured on or after July 1, 2022, to be labeled clearly and conspicuously with the phrase “Do Not Flush” and a related symbol, as specified. The bill would prohibit a covered entity, as defined, from making a representation about the flushable attributes, benefits, performance, or efficacy of those premoistened nonwoven disposable wipes, as provided. The bill would establish enforcement provisions, including authorizing a civil penalty not to exceed \$2,500 per day, up to a maximum of \$100,000 per violation, to be imposed on a covered entity who violates those provisions.

The bill would establish, until January 1, 2027, the California Consumer Education and Outreach Program, under which covered entities would be required, among other things, to participate in a collection study conducted in collaboration with wastewater agencies

for the purpose of gaining understanding of consumer behavior regarding the flushing of premoistened nonwoven disposable wipes and to conduct a comprehensive multimedia education and outreach program in the state. The bill would require covered entities to annually report to specified legislative committees and the State Water Resources Control Board on their activities under the program and would require the state board to post the reports on its internet website.

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

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

1 SECTION 1. It is the intent of the Legislature in enacting this
2 act to create labeling requirements for premoistened nonwoven
3 disposable wipes that will enable consumers to easily identify
4 which premoistened nonwoven disposable wipes are composed of
5 petrochemical-derived fibers and therefore are not safe to dispose
6 of using sanitary sewer systems, in order to protect public health,
7 the environment, water quality, and public infrastructure used for
8 the collection, transport, and treatment of wastewater.

9 SEC. 2. Part 9 (commencing with Section 49650) is added to
10 Division 30 of the Public Resources Code, to read:

11
12 PART 9. PREMOISTENED NONWOVEN DISPOSABLE
13 WIPES

14
15 49650. For purposes of this part, the following definitions
16 apply:

17 (a) "Covered entity" means the manufacturer of a covered
18 product that is sold in the state or offered for sale in the state.
19 "Covered entity" includes a wholesaler, supplier, or retailer that
20 is responsible for the labeling or packaging of a covered product.

21 (b) "Covered product" means a consumer product sold in the
22 state or offered for sale in the state that is either of the following:

23 (1) A premoistened nonwoven disposable wipe marketed as a
24 baby wipe or diapering wipe.

25 (2) A premoistened nonwoven disposable wipe that is both of
26 the following:

27 (A) Composed entirely of or in part of petrochemical-derived
28 fibers.

(B) Likely to be used in a bathroom and has significant potential to be flushed, including baby wipes, bathroom cleaning wipes, toilet cleaning wipes, hard surface cleaning wipes, disinfecting wipes, hand sanitizing wipes, antibacterial wipes, facial and makeup removal wipes, general purpose cleaning wipes, personal care wipes for use on the body, feminine hygiene wipes, adult incontinence wipes, adult hygiene wipes, and body cleansing wipes.

(c) “High contrast” means satisfying both of the following conditions:

(1) Is provided by either a light symbol on a solid dark background or a dark symbol on a solid light background.

(2) Has at least 70 percent contrast between the symbol artwork and background using the following formula:

(A) $(B1 - B2) / B1 * 100 = \text{contrast percentage}$.

(B) B1 = the light reflectance value of the lighter area and B2 = the light reflectance value of the darker area.

(d) (1) “Label notice” means the phrase “Do Not Flush” and the size of the label notice shall be equal to at least 2 percent of the surface area of the principal display panel in size.

(2) For covered products regulated pursuant to the Federal Hazardous Substances Act (15 U.S.C. Sec. 1261 et seq.) by the United States Consumer Product Safety Commission under Section 1500.121 of Title 16 of the Code of Federal Regulations, if the label notice requirements in paragraph (1) would result in a type size larger than first aid instructions pursuant to the Federal Hazardous Substances Act, then the type size for the label notice shall, to the extent permitted by federal law, be equal to or greater than the type size required for the first aid instructions.

(3) For covered products required to be registered by the United States Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136 et seq.), if the label notice requirements in paragraph (1) would result in a type size on the principal display panel larger than a warning pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, then the type size for the label notice shall, to the extent permitted by federal law, be equal to or greater than the type size required for the “keep out of reach of children” statement under the Federal Insecticide, Fungicide, and Rodenticide Act.

1 (e) (1) “Principal display panel” means the side of the product
2 package that is most likely to be displayed, presented, or shown
3 under customary conditions of display for retail sale.

4 (2) In the case of a cylindrical or nearly cylindrical package,
5 the surface area of the principal display panel constitutes 40 percent
6 of the product package as measured by multiplying the height of
7 the container by the circumference.

8 (3) In the case of a flexible film package in which a rectangular
9 prism or nearly rectangular prism stack of wipes is housed within
10 the film, the surface area of the principal display panel is measured
11 by multiplying the length by the width of the side of the package
12 when the flexible packaging film is pressed flat against the stack
13 of wipes on all sides of the stack.

14 (f) “Symbol” means the “Do Not Flush” symbol, or a gender
15 equivalent thereof, as depicted in the INDA/EDANA Code of
16 Practice Second Edition and published within “Guidelines for
17 Assessing the Flushability of Disposable Nonwoven Products,”
18 Edition 4, May 2018. The symbol shall be sized equal to at least
19 2 percent of the surface area of the principal display panel, except
20 as specified in clause (iii) of subparagraph (B) of paragraph (1) of
21 subdivision (a) of Section 49651.

22 49651. (a) Except as provided in subdivisions (b), (c), (d), and
23 (f), a covered product manufactured on or after July 1, 2022, shall
24 be labeled clearly and conspicuously in adherence with the
25 following labeling requirements:

26 (1) In the case of cylindrical or near cylindrical packaging
27 intended to dispense individual wipes, a covered entity shall
28 comply with one of the following options:

29 (A) Place the symbol and label notice on the principal display
30 panel in a location reasonably viewable each time a wipe is
31 dispensed.

32 (B) Place the symbol on the principal display panel, and either
33 the symbol or label notice, or the symbol and label notice in
34 combination, on the flip lid, subject to the following:

35 (i) If the label notice does not appear on the flip lid, the label
36 notice shall be placed on the principal display panel.

37 (ii) The symbol or label notice, or the symbol and label notice
38 in combination, on the flip lid may be embossed, and in that case
39 are not required to comply with paragraph (6).

1 (iii) The symbol or label notice, or the symbol and label notice
2 in combination, on the flip lid shall cover a minimum of 8 percent
3 of the surface area of the flip lid.

4 (2) In the case of flexible film packaging intended to dispense
5 individual wipes, a covered entity shall place the symbol on the
6 principal display panel and dispensing side panel and place the
7 label notice on either the principal display panel or dispensing side
8 panel in a prominent location reasonably visible to the user each
9 time a wipe is dispensed. If the principal display panel is on the
10 dispensing side of the package, two symbols are not required.

11 (3) In the case of refillable tubs or other rigid packaging intended
12 to dispense individual wipes and be reused by the consumer for
13 that purpose, a covered entity shall place the symbol and label
14 notice on the principal display panel in a prominent location
15 reasonably visible to the user each time a wipe is dispensed.

16 (4) In the case of packaging not intended to dispense individual
17 wipes, a covered entity shall place the symbol and label notice on
18 the principal display panel in a prominent and reasonably visible
19 location.

20 (5) A covered entity shall ensure the packaging seams, folds,
21 or other package design elements do not obscure the symbol or
22 the label notice.

23 (6) A covered entity shall ensure the symbol and label notice
24 have sufficiently high contrast with the immediate background of
25 the packaging to render it likely to be seen and read by the ordinary
26 individual under customary conditions of purchase and use.

27 (b) For covered products sold in bulk at retail, both the outer
28 package visible at retail and the individual packages contained
29 within shall comply with the labeling requirements in subdivision
30 (a) applicable to the particular packaging types, except the
31 following:

32 (1) Individual packages contained within the outer package that
33 are not intended to dispense individual wipes and contain no retail
34 labeling.

35 (2) Outer packages that do not obscure the symbol and label
36 notice on individual packages contained within.

37 (c) If a covered product is provided within the same packaging
38 as another consumer product for use in combination with the other
39 product, the outside retail packaging of the other consumer product

1 does not need to comply with the labeling requirements of
2 subdivision (a).

3 (d) If a covered product is provided within the same package
4 as another consumer product for use in combination with the other
5 product and is in a package smaller than three inches by three
6 inches, the covered entity may comply with the requirements of
7 subdivision (a) by placing the symbol and label notice in a
8 prominent location reasonably visible to the user of the covered
9 product.

10 (e) A covered entity, directly or through a corporation,
11 partnership, subsidiary, division, trade name, or association in
12 connection to the manufacturing, labeling, packaging, advertising,
13 promotion, offering for sale, sale, or distribution of a covered
14 product, shall not make any representation, in any manner,
15 expressly or by implication, including through the use of a product
16 name, endorsement, depiction, illustration, trademark, or trade
17 name, about the flushable attributes, flushable benefits, flushable
18 performance, or flushable efficacy of a covered product.

19 (f) (1) If a covered product is required to be registered by the
20 United States Environmental Protection Agency under the Federal
21 Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136 et
22 seq.) and the Department of Pesticide Regulation under Division
23 6 (commencing with Section 11401) of the Food and Agricultural
24 Code, then the covered entity shall submit a label compliant with
25 the labeling requirements of subdivision (a) no later than January
26 1, 2023, to the United States Environmental Protection Agency,
27 and upon its approval, to the Department of Pesticide Regulation.

28 (2) If the United States Environmental Protection Agency or
29 the Department of Pesticide Regulation does not approve a product
30 label that otherwise complies with the labeling requirements of
31 subdivision (a), the covered entity shall use a label with as many
32 of the requirements of this section as the relevant agency has
33 approved.

34 (g) A covered entity may include on a covered product words
35 or phrases in addition to those required for the label notice if the
36 words or phrases are consistent with the purposes of this part.

37 49652. (a) The California Consumer Education and Outreach
38 Program is hereby established. As part of the program, covered
39 entities, in collaboration with other covered entities, shall do all
40 of the following:

1 (1) Participate in a collection study conducted in collaboration
2 with wastewater agencies for the purpose of gaining understanding
3 of consumer behavior regarding the flushing of covered products
4 as a key input into the design of a consumer education and outreach
5 program. The collection study shall be jointly coordinated by the
6 California Association of Sanitation Agencies and a group of
7 covered entities.

8 (2) Conduct a consumer opinion survey to identify baseline
9 consumer behavior and awareness regarding the flushing or other
10 disposal of covered products.

11 (3) Measure effectiveness of the consumer education program
12 on consumer awareness of the symbol and label notice and
13 consumer attitudes about disposal of covered products by
14 conducting a subsequent consumer awareness survey comparing
15 the baseline data provided by the 2022 survey with survey data
16 from subsequent years. The surveys to determine the effectiveness
17 and ongoing success of the consumer education program shall take
18 place annually until December 31, 2026.

19 (b) Covered entities, either independently or in collaboration
20 with other covered entities or other organizations, shall conduct a
21 comprehensive multimedia education and outreach program in the
22 state. At a minimum, the education and outreach program shall do
23 both of the following:

24 (1) Promote consumer awareness and understanding of and
25 compliance with the symbol and label notice requirements. Covered
26 entities shall provide wastewater agencies with the consumer
27 education messaging for the symbol and the label notice. The
28 wastewater agencies may include the messaging as part of their
29 routine communications with customers within their service area.

30 (2) Provide education and outreach in Spanish and English.

31 (c) Covered entities shall take reasonable steps to ensure that
32 they do not promote products outside of the scope of this part as
33 part of the education and outreach program.

34 (d) Covered entities shall take reasonable steps to ensure that
35 their education and outreach program does not conflict with the
36 programs of other covered entities or groups of covered entities.

37 (e) Covered entities, either independently or in collaboration
38 with other covered entities, shall report to the Senate Committee
39 on Environmental Quality, the Assembly Committee on
40 Environmental Safety and Toxic Materials, and the State Water

1 Resources Control Board on their activities under this section on
2 an annual basis. The State Water Resources Control Board shall
3 post the reports on its internet website.

4 (f) The California Consumer Education and Outreach Program
5 shall conclude on December 31, 2026.

6 (g) This section shall remain in effect only until January 1, 2027,
7 and as of that date is repealed.

8 49653. (a) A person who violates Section 49651 may be
9 enjoined in any court of competent jurisdiction.

10 (b) (1) A covered entity who violates Section 49651 may be
11 liable for a civil penalty not to exceed two thousand five hundred
12 dollars (\$2,500) per day, up to a maximum of one hundred
13 thousand dollars (\$100,000) for each violation. That civil penalty
14 may be assessed and recovered in a civil action brought in any
15 court of competent jurisdiction.

16 (2) In assessing the amount of a civil penalty for a violation of
17 Section 49651, the court shall consider all of the following:

18 (A) The nature, circumstances, extent, and gravity of the
19 violation.

20 (B) The violator's past and present efforts to prevent, abate, or
21 clean up conditions posing a threat to the public health or safety
22 or the environment.

23 (C) The violator's ability to pay the proposed penalty.

24 (D) The effect that the proposed penalty would have on the
25 violator and the community as a whole.

26 (E) Whether the violator took good faith measures to comply
27 with this part and when these measures were taken.

28 (F) The deterrent effect that the imposition of the penalty would
29 have on both the violator and the regulated community as a whole.

30 (G) Any other factor that justice may require.

31 (c) Actions may be brought pursuant to this section by the
32 Attorney General in the name of the people of the state, by a district
33 attorney, by a city attorney, by a county counsel, or by a city
34 prosecutor in a city or city and county having a full-time city
35 prosecutor.

36 (d) (1) Civil penalties collected pursuant to this section shall
37 be paid to the office of the city attorney, county counsel, city
38 prosecutor, district attorney, or Attorney General, whichever office
39 brought the action.

1 (2) Moneys collected by the Attorney General pursuant to this
2 subdivision shall be deposited into the Unfair Competition Law
3 Fund established pursuant to Section 17206 of the Business and
4 Professions Code.

5 49654. (a) The provisions of this part are severable. If any
6 provision of this part or its application is held invalid, that
7 invalidity shall not affect other provisions or applications that can
8 be given effect without the invalid provision or application.

9 (b) The Legislature finds and declares that this part addresses
10 a matter of statewide concern rather than a municipal affair as that
11 term is used in Section 5 of Article XI of the California
12 Constitution. Therefore, this part applies to all cities, including
13 charter cities. This part supersedes and preempts all rules,
14 regulations, codes, ordinances, and other laws adopted by a city,
15 county, city and county, municipality, or local agency regarding
16 the labeling of covered products.

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.

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

PERFLUOROOCTANESULFONIC 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.