



SPECIAL NOTICE
PUBLIC ATTENDANCE & PARTICIPATION AT PUBLIC MEETINGS
Steering Committee Meeting
Wednesday, April 24, 2024
5:00 p.m.

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

IN-PERSON MEETING ATTENDANCE

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

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

ONLINE MEETING PARTICIPATION

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

[Click here to join the meeting](#)

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

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

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

HOW TO PARTICIPATE IN THE MEETING BY TELEPHONE

To join the meeting from your phone: Dial (213) 279-1455
When prompted, enter the Phone Conference ID: 255 084 402#

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

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

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

WATCH THE MEETING ONLINE

The meeting will be available for online viewing at:

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

SUBMIT A COMMENT

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

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

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

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

April 17, 2024

NOTICE OF REGULAR MEETING

**STEERING COMMITTEE
ORANGE COUNTY SANITATION DISTRICT**

Wednesday, April 24, 2024 – 5:00 P.M.

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708

ACCESSIBILITY FOR THE GENERAL PUBLIC

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

The Regular Meeting of the Steering Committee of the Orange County Sanitation District will be held at the above location and in the manner indicated on Wednesday, April 24, 2024 at 5:00 p.m.



Clerk of the Board

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

STEERING COMMITTEE & BOARD MEETING DATES

May 22, 2024

June 26, 2024

July 24, 2024

August 28, 2024

September 25, 2024

October 23, 2024

November 20, 2024 *

December 18, 2024 *

January 22, 2025

February 26, 2025

March 26, 2025

April 23, 2025

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

**ROLL CALL
STEERING COMMITTEE**

Meeting Date: April 24, 2024

Time: 5:00 p.m.

Adjourn: _____

COMMITTEE MEMBERS (7)

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

OTHERS

Brad Hogin, General Counsel	
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STAFF

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

ORANGE COUNTY SANITATION DISTRICT
BOARD OF DIRECTORS
Complete Roster

Effective 01/23/2024

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

Sanitary/Water Districts

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

County Areas

Board of Supervisors	Doug Chaffee	Donald P. Wagner
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STEERING COMMITTEE
Regular Meeting Agenda
Wednesday, April 24, 2024 - 5:00 PM
Conference Room A
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

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

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

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

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

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

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

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

CALL TO ORDER

ROLL CALL AND DECLARATION OF QUORUM:

Clerk of the Board

PUBLIC COMMENTS:

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REPORTS:

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

CONSENT CALENDAR:

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

1. APPROVAL OF MINUTES [2024-3581](#)

RECOMMENDATION:

Approve minutes of the Regular meeting of the Steering Committee held March 27, 2024.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[03-27-2024 Steering Committee Minutes](#)

2. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF MARCH 2024 [2024-3569](#)

RECOMMENDATION: Recommend to the Board of Directors to:

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

Originator: Rob Thompson

- Attachments:** [Agenda Report](#)
[Federal Legislative Update](#)
[Federal Matrix](#)
[State Legislative Update](#)
[State Matrix](#)
[PFAS Cleanup Under CERCLA Letter of Concern](#)
[SB 1034 Letter of Support](#)
[AB 2626 Letter of Support](#)
[SB 1210 Letter of Oppose](#)
[AB 2515 Letter of Support](#)
[SB 1072 Letter of Support](#)

3. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF MARCH 2024 [2024-3571](#)

RECOMMENDATION: Recommend to the Board of Directors to:

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

Originator: Rob Thompson

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

NON-CONSENT:

4. ORANGE COUNTY SANITATION DISTRICT’S MEMBERSHIPS AND AGREEMENTS [2024-3536](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Orange County Sanitation District’s Memberships and Agreements list.

Originator: Rob Thompson

- Attachments:** [Agenda Report](#)
[OC San Memberships and Agreements](#)

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:

CLOSED SESSION:

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

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

CONVENE IN CLOSED SESSION.**CS-1 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2024-3526](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

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

Attachments: [Agenda Report](#)
[Steering CS Memo re Robert Jackson 4-24-24](#)

CS-2 PUBLIC EMPLOYEE APPOINTMENT 54957(b)(1) [2024-3550](#)

RECOMMENDATION: Convene in Closed Session:

Public Employee Appointment

Number of Employees: 1

- General Counsel

Attachments: [Agenda Report](#)
[Steering CS Memo re General Counsel Appointment 4-24-24](#)

**CS-3 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2024-3588](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)**

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Arlin Blazevic v. Orange County Sanitation District; Natasha Dubrovski; Lorenzo Tyner; and Does 1-100, inclusive, Superior Court of California, County of Orange, Case No. 30-2020-01149812-CU-WT-CJC.

Attachments: [Agenda Report](#)
[Steering CS Memo re Blazevic Litigation 4-24-24](#)

RECONVENE IN REGULAR SESSION.

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

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

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

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

ADJOURNMENT:

Adjourn the meeting until the Special Meeting of the Steering Committee on May 22, 2024 at 2:00 p.m.



STEERING COMMITTEE

Agenda Report

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

File #: 2024-3581

Agenda Date: 4/24/2024

Agenda Item No: 1.

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

SUBJECT:

APPROVAL OF MINUTES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Approve minutes of the Regular meeting of the Steering Committee held March 27, 2024.

BACKGROUND

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

RELEVANT STANDARDS

- Resolution No. OC SAN 22-37

ATTACHMENT

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

- March 27, 2024 Steering Committee meeting minutes



CALL TO ORDER

A regular meeting of the Steering Committee of the Orange County Sanitation District was called to order by Board Chairman Chad Wanke on Wednesday, March 27, 2024 at 5:00 p.m. in the Administration Building of the Orange County Sanitation District.

ROLL CALL AND DECLARATION OF QUORUM:

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

PRESENT: Chad Wanke, Ryan Gallagher, Pat Burns, Jon Dumitru, Glenn Grandis, Christine Marick and John Withers
ABSENT: None

STAFF PRESENT:

Rob Thompson, General Manager; Lorenzo Tyner, Assistant General Manager; Mike Dorman, Director of Engineering; Laura Maravilla, Director of Human Resources; Riaz Moinuddin, Director of Operations and Maintenance; Wally Ritchie, Director of Finance; Lan Wiborg, Director of Environmental Services; Kelly Lore, Clerk of the Board; Jennifer Cabral; Mortimer Caparas; Daisy Covarrubias; Raul Cuellar; Thys DeVries; Martin Dix; Justin Fenton; Al Garcia; Tina Knapp; Perla Rodriguez; and Ruth Zintzun were present in Conference Room A. Rob Michaels was present telephonically.

OTHERS PRESENT: Brad Hogin, General Counsel; Lindsay Caro, Associate Counsel; Gary Weisberg, Associate Counsel; Laura Drottz Kalty, Special Counsel, Liebert Cassidy Whitmore; and Danielle Dychter, Special Counsel, Michael Sullivan & Associates LLP were present in Conference Room A. Eric O'Donnell, Townsend Public Affairs; Cori Takkinen, Townsend Public Affairs; and Erik Sapirstein, ENS Resources were present telephonically.

PUBLIC COMMENTS:

None.

REPORTS:

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

CONSENT CALENDAR:**1. APPROVAL OF MINUTES**[2024-3515](#)**Originator:** Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

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

AYES: Chad Wanke, Ryan Gallagher, Pat Burns, Jon Dumitru, Glenn Grandis, Christine Marick and John Withers**NOES:** None**ABSENT:** None**ABSTENTIONS:** None**2. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2024**[2024-3529](#)**Originator:** Rob Thompson

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

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

AYES: Chad Wanke, Ryan Gallagher, Pat Burns, Jon Dumitru, Glenn Grandis, Christine Marick and John Withers**NOES:** None**ABSENT:** None**ABSTENTIONS:** None**3. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2024**[2024-3530](#)**Originator:** Rob Thompson

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

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

AYES: Chad Wanke, Ryan Gallagher, Pat Burns, Jon Dumitru, Glenn Grandis, Christine Marick and John Withers**NOES:** None**ABSENT:** None**ABSTENTIONS:** None

NON-CONSENT:

None.

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:

None.

CLOSED SESSION:**CONVENED IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 54957.6, 54956.9(d)(1), & 54957(b)(1).**

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

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

Director Jon Dumitru recused himself and left the room during Item No. CS-1.

CONVENED IN CLOSED SESSION:

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

Employee Organizations: (3)

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

**CS-2 CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION - [2024-3527](#)
GOVERNMENT CODE SECTION 54956.9(d)(1)****CONVENED IN CLOSED SESSION:**

Number of Cases: 1

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

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

CONVENED IN CLOSED SESSION:

Number of Cases: 1

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

CS-4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION 54957(b)(1) [2024-3528](#)

CONVENED IN CLOSED SESSION:

Public Employee Performance Evaluation

Number of Employees: 1

- General Counsel

RECONVENED IN REGULAR SESSION.

The Committee reconvened in regular session at 5:45 p.m.

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

General Counsel Brad Hogin stated there was no reportable action.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

Chair Wanke declared the meeting adjourned at 5:46 p.m. to the next Regular Steering Committee meeting to be held on Wednesday, April 24, 2024 at 5:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board



STEERING COMMITTEE

Agenda Report

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

File #: 2024-3569

Agenda Date: 4/24/2024

Agenda Item No: 2.

FROM: Robert Thompson, General Manager

SUBJECT:

LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF MARCH 2024

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

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

BACKGROUND

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

RELEVANT STANDARDS

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

PROBLEM

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

PROPOSED SOLUTION

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

RAMIFICATIONS OF NOT TAKING ACTION

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

ADDITIONAL INFORMATION

Activities in March

- **Federal Update:**

On March 12, OC San staff submitted a letter of concern regarding passive receiver liability for PFAS cleanup under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (attached). The letter was submitted to Senator Tom Carper, Chairman, and Senator Shelley Moore Capito, Ranking Member, for the Committee on Environment and Public Works. The letter requested the Committee to amend CERCLA to ensure agencies such as ours receive protections from frivolous and unwarranted litigation.

- **State Update:**

On March 5, OC San took a support position on Senate Bill (SB) 1034 (attached). This bill adds a clause to the “unusual circumstances” definition pertaining to a request of the California Public Records Act. SB 1034 allows agencies to focus on keeping their communities safe during a state of emergency.

On March 22, OC San took a support position on Assembly (AB) 2626 (attached). This bill addresses near-term challenges for local governments through a 10-year extension for compliance with the Zero-Emission Vehicle mandates. This would allow the industry to improve electric vehicle and battery technologies.

Activities in April

- **Federal Update:**

The US EPA issued its final PFAS rules. The rules establish drinking water standards and designate PFAS chemicals as hazardous substances under CERCLA. OC San’s Federal lobbyist and associations anticipate litigation from the water sector challenging the science relied upon by EPA to set the four parts per trillion level of the standard. There is no immediate or near-term impact to OC San. We continually discuss developments of PFAS regulations with OCWD.

- **State Update:**

On April 8, OC San took an oppose position on Senate Bill (SB) 1210 (attached). This bill would prohibit a connection fee or capacity charge for water, sewer, and electrical services from exceeding one percent of the reported building permit value for that housing unit.

On April 8, OC San took a support position on Assembly Bill (AB) 2515 (attached). This bill seeks to ensure that additional PFAS compounds are kept out of the environment. The bill would also require a manufacturer of a menstrual product to provide persons that offer the

product for sale or distribution in the State with a certificate of compliance stating that the product is compliant with these provisions and does not contain any regulated PFAS compounds.

On April 8, OC San took a support position on Senate Bill (SB) 1072 (attached). This bill would clarify that if a water or wastewater rate or charge results in collecting revenues in excess of the costs of service, the excess revenues would be used to reduce future rates or charges. Ratepayers would not be entitled to any refund; however, ratepayers will retain the right to a refund for billing errors.

ATTACHMENT

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

- Federal Legislative Update
- Federal Matrix
- State Legislative Update
- State Matrix
- PFAS Cleanup Under CERCLA Letter of Concern
- SB 1034 Letter of Support
- AB 2626 Letter of Support
- SB 1210 Letter of Oppose
- AB 2515 Letter of Support
- SB 1072 Letter of Support



TO: Rebecca Long
FROM: Eric Sapirstein
DATE: April 3, 2024
SUBJECT: Washington Update

Congress succeeded in reaching agreement on the outstanding Fiscal Year 2024 appropriations bills, putting in place budgets for all federal agencies, eliminating a partial government shutdown, six months into the fiscal year. Given the delay in finalizing spending bills, Congress now has less than five months to develop and pass Fiscal Year 2025 spending bills. Prospects for final passage by September 30 seem remote. If agreements prove elusive, another Continuing Resolution will be required to avoid a government shutdown in the weeks leading up to the congressional and presidential elections. The following summarizes issues of interest to OC San that arose during the past month.

- ***Fiscal Year 2025 Appropriations***

On March 11, the Administration transmitted its budget request to Congress for fiscal year 2025 that begins on October 1, 2024. The budget, which is traditionally dead on arrival, is notable for a general status quo request. Where reductions in programs were requested, the justification of the request is premised on the fact that the supplemental funding through the Bipartisan Infrastructure Law (BIL) would compensate for the cuts. Where increases in spending were requested, the requests were targeted toward the Administration's climate, enforcement, and environmental justice programs. For example, the U.S. Environmental Protection Agency's (EPA) State Revolving Loan Fund program would be cut by almost \$500 million. The BIL funding of approximately \$1 billion would help to offset the cut. At the same time, EPA's enforcement budget would be boosted to support more robust effort to address impacts to disadvantaged communities. With regard to the regulation of per- and polyfluoroalkyl substances (PFAS), the agency continues to request funding for its PFAS Roadmap priorities including the development of effluent limitation guidelines to support source control efforts and monitoring of wastewater and biosolids for PFAS presence.

Budget Request Impact to OC San

The Administration budget request would not immediately impact OC San because Congress is unlikely to act on a final spending bill before the November elections. This means that the election outcomes will more likely than not dictate how any final budget might be developed. To this end, the most likely impact to OC San might involve funding of programs that would result in the development of new requirements for biosolids management and treatment of PFAS.

- ***Senate PFAS Liability Hearing***

The Senate Committee on Environment and Public Works held a hearing into PFAS Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) liability and the need for liability protections for the wastewater/water sector and other passive receivers. The hearing heard from the Environmental Working Group (EWG), New Mexico's Secretary of Environment, two attorneys representing the wastewater/water and solid waste sectors, and a CERCLA liability expert from the Congressional Research Service (CRS). Of special note, the committee received more than 280 letters from stakeholders, including OC San, calling for a liability exemption for the wastewater/sector and other passive receivers. The hearing was notable for several reasons.

- Claims that United States Environmental Protection Agency (USEPA's) willingness to rely upon its enforcement discretion were demonstrated to be inadequate because such an approach would not protect a passive receiver from third party litigation. Additionally, witnesses documented the legal costs associated with working with USEPA to be provided a shield that fails in the final analysis to protect an agency. The CRS witness concurred with the view that discretionary enforcement essentially failed to provided protections.
- A powerful point was made by the wastewater/water and solid waste sectors witnesses that even if an entity were to seek protection (shield) under USEPA's discretionary approach, it would require becoming part of any settlement agreement. This would ironically define a party as a PRP and allow an entity not party to the agreement to pursue litigation against a utility.
- Claims that the wastewater/water and solid waste sectors were responsible for polluting water and soils and that these entities did nothing to address the threats over decades were effectively proven without merit when the points were made that there are no treatment standards by which to control for PFAS.
- On the process that USEPA relied upon to propose PFAS designation under CERCLA, witnesses, other than EWG, noted that the agency action is unprecedented and that it should have relied on the Resource Conservation and Recovery Act to address clean-ups as the foundation of any response. They further noted that the appropriate process should

have first listed PFAS as a hazardous constituent and then proceed to determine if it is a hazardous waste and then determine if it should be a hazardous substance under CERCLA.

- Committee was also put on notice that should PFAS designation be finalized, it would likely limit management options for disposal as the potential liability in accepting waste such as residuals would become too risky and ultimately lead to disposal of residuals in hazardous waste sites, increasing costs and creating a capacity issue.
- Congressional Research Service validated the concerns from the wastewater/water sector that USEPA had taken a novel approach to listing PFAS under CERCLA, and this seemed to buttress committee members' concerns about how USEPA could justify the listing approach.
- Committee members on a bipartisan basis emphasized that a bipartisan agreement must be reached on the issue before the committee could consider legislation.

Impact of Hearing on OC San Interests

OC San has advocated for liability protections from any PFAS hazardous substance designation under CERCLA, including letters to the committee on the importance of protecting passive receivers like OC San . The hearing vividly illustrate and refuted the assertions of the NGO community that EPA's use of its enforcement authority on a discretionary basis is not a viable solution to avoid innocent parties like OC San from becoming ensnared in the CERCLA liability net. OC San's concerns that CERCLA PFAS designation would lead to the loss of approved biosolids management techniques simply because of potential liability exposure was also forcefully demonstrated. Last, Senators' statements on the need to invest in new destruction technologies through federal assistance would appear to support OC San's commitment to identify and demonstrate such technologies.

In the final analysis, the hearing witnesses delivered a cogent argument that Congress must address the liability protection needs of the wastewater and water sectors.

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

USEPA's finalization of rules establishing drinking water standards and designating PFAS chemicals as hazardous substances under CERCLA continue. It appears that on or about April 15, the drinking water standard (Maximum Contaminant Level) will be published in final. We anticipate litigation from the water sector challenging the science relied upon by EPA to set the 4PPT level of the standard.

The designation of PFAS as a hazardous substance under CERCLA remains under development. However, the EPA is expected to publish a final rule in April unless Congress signals a desire to delay the rule while it works on a legislative fix to passive receivers' concerns.

Last, EPA has issued a request for public comments on a proposal to identify PFAS as hazardous constituents. This effort could lead to EPA formally identifying PFAS as a hazardous waste and subsequently a possible hazardous substance under CERCLA. The logic of this rulemaking lies in the fact that if the current PFAS designation under CERCLA is successfully litigated, due to EPA's failure to first identify PFAS as hazardous constituents and wastes, then a second approach would be in process that could lead to designation.

- ***PFAS Technology Guidance***

EPA is expected to publish new guidance on PFAS destruction technology priorities. Instead of dictating technologies, the agency is anticipated to allow industry to design and develop treatment and destruction technologies that could advance the management of PFAS chemicals.

Federal Legislative Report - April 2024

Last Updated: April 03, 2024

Bills by Issue

Priority: High (6)

Bill Number	Last Action	Status	Position	Priority
HR 1181	Referred To The Subcommittee On Water Resources And Environment 2023 02 27	In House	Monitor	High
<p>Title To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.</p> <p>Description This bill extends the maximum term for certain permits issued under the National Pollutant Discharge Elimination System (NPDES) program. Specifically, the bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years. Under the program, the Environmental Protection Agency issues permits to discharge pollutants from point sources, such as pipes, into waters of the United States.</p> <p>Primary Sponsors John Garamendi</p>		<p>Bill Summary: Last edited by Sarah Sapirstein at Apr 3, 2024, 6:52 PM H.R. 1181 would provide state permitting authorities to issue ten year NPDES permits to publicly owned wastewater treatment agencies. The authority would not extend to privately owned treatment facilities such as industrial dischargers. The bill was unanimously adopted as an amendment to H.R. 7023 on the House floor. The House passed H.R. 7023 on a vote of 213-205 and it has been referred to the Senate Committee on Environment and Public Works.</p> <p>Introduction Date: 2023-02-24</p>		
HR 2964	Ordered To Be Reported Amended By The Yeas And Nays 42 0 2023 12 06	In House	Monitor	High
<p>Title WIPPES Act</p> <p>Primary Sponsors Lisa McClain</p>		<p>Bill Summary: Last edited by Sarah Sapirstein at Jan 4, 2024, 9:37 PM Directs the Federal Trade Commission, in consultation with the Environmental Protection Agency, Commissioner of Food and Drugs, and the Consumer Product Safety Commission (as appropriate depending on the type of covered product involved) to issue "Do Not Flush" labeling requirements for nonflushable wipes, including baby wipes, household wipes, disinfecting wipes and personal care wipes. The requirements mirror California's labeling law and has the support from the wipes industry, national clean water sector, civil engineers, and environment advocates. Companion Senate bill: S. 1350.</p> <p>Introduction Date: 2023-04-27</p>		

Bill Number
HR 7194

Last Action
**Referred To The Subcommittee On
Environment Manufacturing And
Critical Materials 2024 02 02**

Status
In House

Position
Monitor

Priority
High

Title
PFAS Accountability Act of 2024

Primary Sponsors
Madeleine Dean

Bill Summary: Last edited by Eric Sapirstein at Feb 20, 2024, 5:46 PM

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

Introduction Date: 2024-02-01

Bill Number
S 1350

Last Action
**Read Twice And Referred To The
Committee On Commerce Science And
Transportation 2023 04 27**

Status
In Senate

Position
Monitor

Priority
High

Title
WIPPES Act

Primary Sponsors
Jeff Merkley

Bill Summary: Last edited by Sarah Sapirstein at Jan 4, 2024, 9:38 PM

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

Introduction Date: 2023-04-27

Bill Number
S 1430

Last Action
**Read Twice And Referred To The
Committee On Environment And Public
Works 2023 05 03**

Status
In Senate

Position
None

Priority
High

Title
Water Systems PFAS Liability Protection Act

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

Primary Sponsors
Cynthia Lummis

Bill Summary: Last edited by Eric Sapirstein at Mar 28, 2024, 8:47 PM
S. 1430 would provide a limited CERCLA liability (section 107) exemption for PFAS family of chemicals for water and wastewater agencies. S. 1430 would not exempt an agency from liability in cases of gross negligence.

Introduction Date: 2023-05-03

Bill Number
S 2162

Last Action
**Committee On Energy And Natural
Resources Subcommittee On Water And
Power Hearings Held 2023 07 19**

Status
In Senate

Position
Monitor

Priority
High

Title
STREAM Act

Primary Sponsors
Dianne Feinstein

Bill Summary: Last edited by Eric Sapirstein at Feb 20, 2024, 5:49 PM
S. 2162 renews expiring provisions of the WIIN Act. It would increase funding authorizations for surface and groundwater storage projects, water recycling, desalination, and ecosystem restoration projects. Among the changes that would be authorized would be priorities for water supply projects that include enhanced public benefits (fisheries, wildlife and disadvantage communities drinking water reliability). It would also provide for enhanced water transfers to support temporary fallowing of agriculture lands to support wildlife habitats. (BILL PROVISIONS LIKELY TO INCORPORATED INTO LARGER WESTERN WATER LEGISLATION) No Sponsor at the writing

Introduction Date: 2023-06-22

Priority: Medium (1)

Bill Number
HR 250

Last Action
**Referred To The Subcommittee On
Water Resources And Environment
2023 02 01**

Status
In House

Position
Monitor

Priority
Medium

Title
Clean Water SRF Parity Act

Description
Clean Water SRF Parity Act This bill expands the state revolving fund established under the Clean Water Act, including by allowing low-interest loans to be given to privately owned treatment works to address wastewater. Currently, loans are given to wastewater systems that are publicly owned.

Primary Sponsors
John Garamendi

Bill Summary: Last edited by David French at Jan 23, 2023, 3:54 PM
Amends eligibility provisions for the Federal Water Pollution Control Act's Clean Water State Revolving Fund so that all wastewater customers have the ability to benefit from the program's low-interest loans. Supported by NAWCA Also introduce in 117th Congress - No Action

Introduction Date: 2023-01-10

Priority: Low (2)

Bill Number
HR 1729

Last Action
**Referred To The Subcommittee On
Commodity Markets Digital Assets And
Rural Development 2023 04 25**

Status
In House

Position
Monitor

Priority
Low

Title
Water Affordability, Transparency, Equity, and Reliability Act of 2023

Description
Water Affordability, Transparency, Equity, and Reliability Act of 2023 This bill increases funding for water infrastructure, including funding for several programs related to controlling water pollution or protecting drinking water. Specifically, it establishes a Water Affordability, Transparency, Equity, and Reliability Trust Fund. The fund may be used for specified grant programs. The bill increases the corporate income tax rate to 24.5% to provide revenues for the fund. In addition, the bill revises requirements concerning the clean water state revolving fund (SRF) and the drinking water SRF, including by prohibiting states from providing financial assistance using amounts from the clean water SRF for projects that will provide substantial direct benefits to new communities other than projects for constructing an advanced decentralized wastewater system. It also creates or reauthorizes several grant programs related to water infrastructure, such as grants for removing lead from drinking water.

Primary Sponsors
Bonnie Watson Coleman

Bill Summary: Last edited by Eric Sapirstein at Feb 20, 2024, 5:55 PM
Sponsor: Rep. Bonnie Coleman D-NJ Co-Sponsor: Rep. Katie Porter D-CA

Introduction Date: 2023-03-22

Bill Number
S 938

Last Action
**Read Twice And Referred To The
Committee On Finance 2023 03 22**

Status
In Senate

Position
Monitor

Priority
Low

Title

Water Affordability, Transparency, Equity, and Reliability Act of 2023

Description

Water Affordability, Transparency, Equity, and Reliability Act of 2023 This bill increases funding for water infrastructure to control water pollution or protect drinking water. Specifically, it establishes a Water Affordability, Transparency, Equity, and Reliability Trust Fund. The fund may be used for specified grant programs. The bill increases the corporate income tax rate to 24.5% to provide revenues for the fund. In addition, the bill revises requirements concerning the clean water state revolving fund (SRF) and the drinking water SRF, including by prohibiting states from providing financial assistance using amounts from the clean water SRF for projects that will provide substantial direct benefits to new communities other than projects for constructing an advanced decentralized wastewater system. It also creates or reauthorizes several grant programs related to water infrastructure, such as grants for removing lead from drinking water.

Primary Sponsors

Bernie Sanders

Bill Summary: Last edited by Eric Sapirstein at Feb 20, 2024, 5:56 PM

S. 938 would establish a \$35 billion trust fund to support the construction of water and wastewater treatment systems. Funding would be derived from an increase in the corporate tax rate. The bill also imposes requirements for Department of Justice and USEPA to carryout activities to determine whether water and wastewater operators discriminate in the provision of services. USEPA must also investigate the impact of rates on service cut-offs. Additional provisions would address use of assistance to promote regionalization of systems and limitations on the use of federal assistance to support projects that address growth. The bill enjoys 500 NGO organizational support. It has five cosponsors. Sponsor: Sen. Bernie Sanders I-VT

Introduction Date: 2023-03-22

Priority: None (2)

Bill Number
HR 1837

Last Action
**Referred To The House Committee On
Ways And Means 2023 03 28**

Status
In House

Position
None

Priority
None

Title

Investing in Our Communities Act

Description

Investing in Our Communities Act This bill reinstates the exclusion from gross income for interest on certain bonds issued to advance the refunding of a prior bond issue. The exclusion was repealed for bonds issued after 2017.

Primary Sponsors

David Kustoff

Bill Summary: Last edited by Sarah Sapirstein at Apr 5, 2023, 4:08 PM

Legislation restores tax-exempt advance refunding for municipal bonds to allow states and local governments to more efficiently invest in projects.

Introduction Date: 2023-03-28

Bill Number
S 115

Last Action
**Read Twice And Referred To The
Committee On Environment And Public
Works 2023 01 26**

Status
In Senate

Position
Monitor

Priority
None

Title

Clean Water Allotment Modernization Act of 2023

Description

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

Primary Sponsors

Marco Rubio

Bill Summary: Last edited by Eric Sapirstein at Apr 29, 2023, 9:02 PM

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

Introduction Date: 2023-01-26

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FiscalNote

MEMORANDUM

To: Orange County Sanitation District
From: Townsend Public Affairs
Date: April 4, 2024
Subject: State Legislative Monthly Report

STATE LEGISLATIVE UPDATES

The month of March continued with the Legislature’s quick pace of considering and amending legislation to ensure bills progressed through their first house. In addition to the growing momentum of legislative progress within the Legislature, March featured numerous developments related to addressing priority issues such as the State Budget, retail theft, and affordability in the utility sector. The Legislature also observed its Spring Recess from March 22 – March 29 and returned to Sacramento on April 1.

March featured numerous policy committees and robust agendas for bill considerations. This pace will continue through April and May before bills cross over to their second house by the May 24 legislative deadline. The Legislature will shift its focus once again to the budget process in May, which marks the release of the Governor’s “May Revision” of the January budget proposal, followed by the constitutional deadline of July 1 wherein the Governor must sign a budget bill into law.

In addition to policy committee events, March saw several bill amendments. With the bill introduction deadline on February 16, the Legislature introduced 1,520 Assembly Bills and 639 Senate Bills, for a total of 2,159 bills. In addition, there are 397 combined Assembly and Senate “2-year bills” that were introduced in 2023, which have been able to resume the legislative process since January 2024.

State Budget Update—Senate Releases Early Action Plan

On March 14, the Senate released its [budget priorities](#) document, which overviews their proposed amendments to the Governor’s January budget proposal. The priority document is titled “Protect our Progress,” and serves as an important benchmark for the negotiations between the Governor’s Administration, the Assembly, and the Senate on how each stakeholder would like to see the State’s spending plan for the fiscal year implemented. Since the release of the Governor’s January Budget proposal, which outlined a \$38 billion projected shortfall, the Legislative Analyst Office (LAO) has reported the problem could grow by an additional \$15 billion, which would take the shortfall to \$53 billion. The May Revision of the January Budget Proposal which will incorporate April tax receipts and revenue returns data will provide a more precise number, which could range from lower than \$38 billion to higher than \$53 billion.

These conversations and budget negotiations are particularly **relevant to OC San** because of the impacts they can have on priority pots of funding from the State or on the likelihood of Member directed spending from the Budget.

The Senate report suggests that the Legislature could enhance the management of the shortfall by promptly implementing several billion dollars' worth of proposed solutions. To be precise, the adoption of \$17.1 billion in solutions, aligned with the Governor's proposal for a partial utilization of the Rainy-Day Fund, constitutes Step 1 of the Senate's Protect Our Progress 2024 budget plan, achieving the following objectives:

- “Shrinks the Shortfall” from a projected \$38-\$53 billion to a more manageable \$9-24 billion.
- Positions the Legislature and the Governor to best protect progress by maximizing the time and energy spent focusing on the most challenging solutions to close the remaining budget shortfall during the critical time leading up to the June 15 constitutional deadline for the Legislature to pass the Budget Bill.

Step 2 of the Senate’s Protect Our Progress 2024 budget plan, is anticipated to be released later in the Spring and will provide a comprehensive proposal for a balanced, responsible budget that protects core programs and services. The release of the priority outline document will soon be complemented by the Assembly’s priorities, which will eventually be incorporated into the Legislature’s official budget proposal bill following negotiations between both houses.

On March 20, Governor Newsom and Senate Pro Tem McGuire reached a tentative compromise to help close the current budget shortfall. Currently, no official language has been released, however, a compromise is anticipated to address the current shortfall with cost savings of between \$12-18 billion.

California Water Supply Conditions

In recent years, Spring has generally marked the end of California's rainy season. Spring also marks a pivotal time of year for water managers in the State to record snow levels in the Sierra Nevada. This year, water reservoirs are marginally surpassing the average levels at the Sierra Nevada and the Colorado River Basin, which are pivotal reservoirs of water.

Additionally, this year marks an anomaly; despite prolonged drought and occasional heavy floods during the winter, the Sierra snowpack is currently reporting average levels. By comparison, this time last year Sierra snowpack hovered around 230 percent of average, replacing a dismal year of just 35 percent the year before.

The National Weather Service has issued a winter storm warning for the Sierra for early April, forecasting approximately one to two feet of snow. A relatively normal snowpack is a good sign and helps water managers plan effectively for water deliveries in the upcoming year. **Particularly of an interest to OC San**, a strong snowpack likely suggests more water deliveries to Southern California and a decreased likelihood of mandatory reductions or conservations orders that can impact OC San operations.

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
Proposed Legislation 2024						
High Priority						
AB 805	Arambula [D]	Authorizes the State Water Resources Control Board (State Water Board) to require a sewer service provider—for a sewer system that has the reasonable potential to cause a violation of water quality objectives; impair present or future beneficial uses of water; or cause pollution, nuisance, or contamination of waters of the state—to contract with an administrator designated or approved by the State Water Board.	Currently in the Senate Rules Committee	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - Work With Author CSDA - Oppose ACWA - Not Favor
AB 1567	E. Garcia [D]	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.	Referred to the Senate Natural Resources and Water Committee and the Senate Governance and Finance Committee	Watch	Guiding Priorities: Obtain financial assistance for OC San projects through grants, loans, and legislative directed funding.	ACC-OC - NYC LOCC - Support if Amended CASA - Support if Amended CSDA - Support if Amended ACWA - Support if Amended
AB 1820	Schiavo [D]	Current law requires a housing development project be subject only to the ordinances, policies, and standards adopted and in effect when the preliminary application was submitted. This bill would authorize a development proponent that submits a preliminary application for a housing development project to request a preliminary fee and exaction estimate, as defined, and would require the local agency to provide the estimate within 20 business days of the submission of the preliminary application. For development fees imposed by an agency other than a city or county, the bill would require the development proponent to request the preliminary fee and exaction estimate from the agency that imposes the fee.	Will be heard in the Assembly Housing and Community Development Committee on April 10	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Oppose ACWA - Oppose Unless Amended
AB 2257	Wilson [D]	This bill would prohibit, if a local agency complies with specified procedures, a person or entity from bringing a judicial action or proceeding alleging noncompliance with the constitutional provisions for any new, increased, or extended fee or assessment, as defined, unless that person or entity has timely submitted to the local agency a written objection to that fee or assessment that specifies the grounds for alleging noncompliance, as specified. This bill would provide that local agency responses to the timely submitted written objections shall go to the weight of the evidence supporting the agency's compliance with the substantive limitations on fees and assessments imposed by the constitutional provisions.	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - Support CSDA - Support ACWA - Sponsor

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 2515	Papan [D]	This bill would similarly prohibit any person from selling in the state any menstrual products that contain regulated PFAS, as defined. The bill would require, no later than January 1, 2027, the Department of Toxic Substances Control (DTSC), in consultation with the State Department of Public Health, to identify and assess the hazards of chemicals or chemical classes that can provide the same or similar function in menstrual products as regulated PFAS and that can impact vulnerable populations and to make this information publicly available on the DTSC's internet website.	Introduced	Support	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACC-OC - NYC LOCC - NYC CASA - Support CSDA - Watch ACWA - NYC
AB 2626	Dixon [D]	This bill would extend the compliance dates for local government set forth in the Advanced Clean Fleets Regulation by 10 years. The bill would prohibit the state board from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025.	Referred to the Assembly Transportation Committee and the Assembly Natural Resources 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 - Support ACWA - NYC
AB 2735	Rubio [D]	This bill would authorize a public utility, as defined, to enter into a joint powers agreement with a public agency for the purpose of jointly exercising any power common to the contracting parties. The bill would also authorize a public utility and one or more public agencies to provide insurance, as specified, by a joint powers agreement. The bill would also authorize a public utility and one or more public agencies to enter into a joint powers agreement for the purposes of risk-pooling, as specified.	Will be heard in the Assembly Insurance Committee on April 17	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 - Watch
AB 2761	Hart [D]	This bill would enact the Reducing Toxics in Packaging Act, which would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state plastic packaging that contains certain chemicals, as specified. The bill would exclude from that prohibition packaging used for certain medical, drug, and federally regulated products. The bill would authorize the imposition of a civil penalty for a violation of that prohibition, as specified.	Will be heard in the Assembly Environmental Safety and Toxic Materials Committee on April 9	Watch	State Priorities: Support legislation or regulations that restrict the use of microplastics and chemicals of emerging concern in any product that is disposed of through the sewer system.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC
AB 2894	Gallagher [D]	Spot Bill related to Indoor Residential Water Use	Introduced	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 3073	Haney [D]	Would require the State Department of Public Health, in consultation with participating wastewater treatment facilities, local public health agencies, and other subject matter experts, to create a pilot program to test for high-risk substances and related treatment medications in wastewater. Under the bill, the goal of the program would be to determine how wastewater data can be used by state and local public health programs to address substance abuse in California. The bill would require the department to develop a list of target substances to be analyzed during the program that may include cocaine, fentanyl, methamphetamine, xylazine, methadone, buprenorphine, and naloxone. The bill would require the department, on or before July 1, 2025, to solicit voluntary participation from local public health agencies and wastewater treatment facilities, as specified. The bill would require the department to work with the participating agencies and facilities to collect samples and to arrange for those samples to be tested by qualified laboratories. The bill would require the department, in consultation with public health agencies and subject matter experts, to analyze test results to determine possible public health interventions.	Will be heard in the Assembly Environmental Safety and Toxic Materials Committee on April 9	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 - Support, if amended CSDA - Oppose Unless Amended ACWA - Watch
ACA 2	Alanis [R]	Would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that 50% of the moneys in the fund be used for water projects, as specified, and that the other 50% of the moneys in the fund be used for forest maintenance and health projects, as specified.	Referred to the Assembly Water, Parks, and Wildlife Committee and the Assembly Natural Resources Committee	Watch	Guiding Priorities: Obtain financial assistance for OC San projects through grants, loans, and legislative directed funding.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Watch ACWA - NYC
SB 867	Allen [D]	Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.	Currently in the Assembly Natural Resources Committee	Watch	Guiding Priorities: Obtain financial assistance for OC San projects through grants, loans, and legislative directed funding.	ACC-OC - NYC LOCC - Support if Amended CASA - Support if Amended CSDA - Support if Amended ACWA - Support if Amended

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 903	Skinner [D]	This bill would, beginning January 1, 2030, prohibit a person from distributing, selling, or offering for sale a product that contains intentionally added PFAS, as defined, unless the Department of Toxic Substances Control has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is used. The bill would specify the criteria and procedures for determining whether the use of PFAS in a product is a currently unavoidable use, for renewing that determination, and for revoking that determination. The bill would require the department to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition. The bill would impose a civil penalty for a violation of the prohibition, as specified.	Passed the Senate Environmental Quality Committee and will be heard in the Senate Judiciary Committee	Support	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACC-OC - NYC LOCC - Support CASA - Sponsor CSDA - Watch ACWA - Favor
SB 937	Wiener [D]	The Planning and Zoning Law requires each county and each city to adopt a comprehensive, long-term general plan for its physical development, and the development of specified land outside its boundaries, that includes, among other mandatory elements, a housing element. Existing law extended by 18 months the period for the expiration, effectuation, or utilization of a housing entitlement, as defined, that was issued before, and was in effect on, March 4, 2020, and that would expire before December 31, 2021, except as specified. Existing law provides that if the state or a local agency extended the otherwise applicable time for the expiration, effectuation, or utilization of a housing entitlement for not less than 18 months, as specified, that housing entitlement would not be extended an additional 18 months pursuant to these provisions. This bill would extend by 24 months the period for the expiration, effectuation, or utilization of a housing entitlement, as defined, that was issued before January 1, 2024, and that will expire before December 31, 2025, except as specified. The bill would toll this 24-month extension during any time that the housing entitlement is the subject of a legal challenge.	Referred to the Senate Housing Committee	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - NYC CSDA - Oppose Unless Amended ACWA - Oppose Unless Amended
SB 1034	Seyarto [R]	This bill would revise the unusual circumstances under which the time limit may be extended to include the need to search for, collect, appropriately examine, and copy records during a state of emergency proclaimed by the Governor when the state of emergency has affected the agency's ability to timely respond to requests due to decreased staffing or closure of the agency's facilities.	Passed the Senate Judiciary Committee and will be heard in the Senate Appropriations Committee	Support	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - Support CASA - Watch CSDA - Support ACWA - Favor

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 1072	Padilla [D]	This bill would require, if a property-related fee or charge creates revenues in excess of the local government's reasonable cost of providing the specific benefit or specific government service, that the excess revenues be used only to reduce the subsequently adopted and following property-related fee or charge. The bill would declare that this provision is declaratory of existing law.	Introduced	Support	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACC-OC - NYC LOCC - NYC CASA - Support CSDA - Support ACWA - Favor
SB 1147	Portantino [D]	Would require, among other things, the Office of Environmental Health Hazard Assessment (OEHHA) to study the health impacts of microplastics in drinking water, including bottled water, in order to evaluate and identify safe and unsafe levels of microplastics in those types of water, and, on or before January 1, 2026, to develop and deliver to the State Water Resources Control Board, among other things, public health standards and goals for a safe level of microplastics in those waters. The bill would require the state board, on or before January 1, 2028, to adopt and implement those public health standards and goals developed and delivered by OEHHA, and to provide those public health standards and goals to local water agencies, along with other specified information provided by OEHHA. The bill would also require the state board to establish testing and reporting requirements for an annual testing of microplastics in bottled water sold in or into this state, as specified.	Will be heard in the Senate Environmental Quality Committee on April 17	Watch	Legislative and Regulatory Policies: Source Control - Support legislation and/or regulations that restrict the use of microplastics and chemicals of emerging concern in any product that is disposed of through the sanitary sewer system.	ACC-OC - NYC LOCC - NYC CASA - Oppose Unless Amended CSDA - Oppose Unless Amended ACWA - Oppose Unless Amended
SB 1210	Skinner [D]	The California Constitution establishes the Public Utilities Commission, with jurisdiction over all public utilities. Current law defines the term "public utility" for certain purposes to include, among other corporations, every gas corporation, electrical corporation, water corporation, and sewer system corporation, where the service is performed for, or the commodity is delivered to, the public or any portion thereof. This bill would, for new housing construction, prohibit a connection, capacity, or other point of connection charge from a public utility, as defined, or a special district, including a municipal utility district, for electrical, gas, sewer, or water service from exceeding 1% of the reported building permit value of that housing unit. The bill would require a public utility or special district to issue an above-described charge over a period of at least 10 years commencing on the date when the housing unit is first occupied, as specified. The bill would require a public utility or special district to publicly report on its internet website the amount of any charge issued each year pursuant the above-described provision by the housing unit's address.	Passed the Senate Energy Utilities and Communications Committee, will be heard next in the Senate Local Government Committee	Oppose	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 - Oppose CSDA - Oppose ACWA - Oppose
SB 1266	Limon [D]	Prohibits, commencing January 1, 2025, a person from manufacturing, selling, or distributing in commerce, any children's feeding product, children's sucking product, or children's teething product that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS) or any form of bisphenol unless the use is a temporarily essential chemical, as defined.	Passed the Senate Environmental Quality Committee and will be heard in the Senate Health 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 - Watch CSDA - NYC ACWA - NYC

**OC San
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OC SAN POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 1393	Niello [R]	This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified state agencies, other state and local government representatives, and representatives of private fleet owners, the electric vehicle manufacturing industry, and electrical corporations, as provided. The bill would require the committee to meet monthly and would require recordings of its meetings to be made publicly available on the state board's internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made.	Failed to pass Senate Environmental Quality 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 - Support CASA - NYC CSDA - Support 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



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March 12, 2024

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

Dear Chairman Carper and Ranking Member Capito:

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

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

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

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- Costa Mesa Sanitary District
- Midway City Sanitary District
- Irvine Ranch Water District
- Yorba Linda Water District

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

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

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

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

Sincerely,



Chad P. Wanke
Board Chairman

March 5, 2024

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

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

Dear Senator Seyarto,

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

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

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

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

Sincerely,



Chad P. Wanke
Board Chairman

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March 22, 2024

Chairperson Isaac Bryan
 Assembly Committee on Natural Resources
 1020 N Street, Room 164
 Sacramento, CA 95814
 (916) 319-2092

Re: AB 2626 Advanced Clean Fleets regulations: local governments (Dixon) – SUPPORT

Dear Chairperson Bryan:

The Orange County Sanitation District (OC San) supports Assembly Bill (AB) 2626. As you know California’s local governments are facing challenges in attempts to meet the propagated California Air Resources Board (CARB) compliance standards and dates associated with State mandates to convert fleets to zero-emission vehicles (ZEV). Generally, local governments support the State’s goal of making efforts to mitigate climate change.

If passed, AB 2626 will address near-term challenges for local governments through a 10-year extension for compliance with the ZEV mandates. This would allow the industry to improve electric vehicle and battery technologies along with manufacturing the volume of vehicles necessary to outfit the fleets of nearly 500 cities, 58 counties, and thousands of special districts in California.

AB 2626 seeks a more practical approach to compliance with the current ZEV regulations established by CARB to provide time for local governments to partner with private industry to address the issues of availability, cost, and operational impacts.

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

Sincerely,

Chad P. Wanke
 Board Chairman

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April 8, 2024

The Honorable Nancy Skinner
California State Senate
1021 O Street, Room 8630
Sacramento, CA 95814

Re: Senate Bill (SB) 1210 (Skinner) - Oppose

Dear Senator Skinner:

On behalf of the Orange County Sanitation District (OC San), that provides wastewater collection, treatment, and recycling for approximately 2.6 million people in central and northwest Orange County, I write to express our opposition to SB 1210.

As you are aware, SB 1210 would prohibit a connection fee or capacity charge for water, sewer, and electrical services from exceeding one percent of the reported building permit value for that housing unit. Capacity charges are assessed on the customer to cover the cost of maintaining or constructing infrastructure necessary to meet the additional sewer demand from connections, such as constructing a new wastewater treatment facility.

Capacity charges also fund the costs of developing new supply necessary to service additional demand. These fees are highly regulated under Proposition 26 and the Mitigation Fee Act. These laws require fees to be justified, reasonable, and proportionate to the services provided, and they mandate transparency, accountability, and public participation in the fee-setting process.

In its current state, this bill would result in a significant underfunding of infrastructure to provide essential sewer services for new homes in Orange County, and throughout the state. Additionally, this bill would result in higher sewer rates for existing customers who would be forced to subsidize the infrastructure needed to support new developments.

For the above reasons, we must respectfully oppose SB 1210, unless it is amended to address our concerns. We look forward to continuing our dialogue with your office and seeking amendments to resolve our concerns.

If you have any questions, please contact Jennifer Cabral, OC San Administration Manager, at (714) 593-7581 or via email at JCabral@ocsan.gov.

Sincerely,

Chad P. Wanke
Board Chairman

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April 8, 2024

The Honorable Diane Papan
 California State Assembly
 1021 O Street, Suite 4220
 Sacramento, CA 95814

RE: Assembly Bill (AB) 2515 (Papan) – Support

Dear Assembly Member Papan:

On behalf of Orange County Sanitation District (OC San) I write in support of your bill AB 2515, which seeks to ensure that additional perfluoroalkyl and polyfluoroalkyl substances (PFAS) are kept out of our environment. OC San’s primary mission is to protect public health and the environment. As a clean water agency, we provide wastewater collection, treatment, and recycling for approximately 2.6 million people in central and northwest Orange County, CA.

In recent years, California has led the nation in source control legislation aimed at preventing additional PFAS substances from entering our environment. Specifically, your bill would prohibit any person from manufacturing, distributing, selling, or offering for sale any menstrual products that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in menstrual products to comply with these provisions.

The bill would also require a manufacturer of a menstrual product to provide persons that offer the product for sale or distribution in the State with a certificate of compliance stating that the product is compliant with these provisions and does not contain any regulated PFAS.

We appreciate your support on this critical source control bill and look forward to working with you in the future. For the reasons above, OC San strongly supports AB 2515. If you have any questions, please contact Jennifer Cabral, OC San Administration Manager, at (714) 593-7581 or via email at JCabral@ocsan.gov.

Sincerely,

Chad P. Wanke
 Board Chairman

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April 8, 2024

The Honorable Stephen Padilla
California State Senate
1021 O Street, Room 6640
Sacramento, CA 95814

RE: Senate Bill (SB) 1072 (Padilla) - Support

Dear Senator Padilla:

The Orange County Sanitation District (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. As such, on behalf of OC San, I write to express our strong support for SB 1072.

This bill requires if a property related fee or charge creates revenues in excess of the local government’s reasonable cost, that the excess revenues be used only to reduce the property-related fee or charge. SB 1072 declares that this provision is declaratory of existing law.

SB 1072 would clarify that if a water or wastewater rate or charge results in collecting revenues in excess of the costs of service, the excess revenues would be used to reduce future rates or charges. Ratepayers would not be entitled to any refund; however, ratepayers will retain the right to a refund for billing errors.

Additionally, SB 1072 would aid in ongoing Proposition 218 litigation and future challenges, by clarifying that a refund is not an appropriate remedy if fees or charges are determined to not be proportional to the cost of service. Without this clarification, refund remedies in Proposition 218 litigation could expose water/wastewater agencies to liability as rates would need to be increased for all ratepayers to cover the refund costs.

For these reasons, the Orange County Sanitation District supports SB 1072. If you have any questions, please contact Jennifer Cabral, OC San Administration Manager, at (714) 593-7581 or via email at JCabral@ocsan.gov.

Sincerely,

Chad P. Wanke
Board Chairman

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STEERING COMMITTEE

Agenda Report

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

File #: 2024-3571

Agenda Date: 4/24/2024

Agenda Item No: 3.

FROM: Robert Thompson, General Manager

SUBJECT:

PUBLIC AFFAIRS UPDATE FOR THE MONTH OF MARCH 2024

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

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

BACKGROUND

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

RELEVANT STANDARDS

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

PROBLEM

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

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

PROPOSED SOLUTION

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

RAMIFICATIONS OF NOT TAKING ACTION

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

PRIOR COMMITTEE/BOARD ACTIONS

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

ADDITIONAL INFORMATION

Activities in March:

Outreach Report

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

Social Media

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

- Facebook: 15 posts reaching 2.8k people
- X: 11 posts reaching 705 people
- Instagram: 25 posts reaching 4.1k people
- LinkedIn: 5 posts and reaching 2.9k people

Presentations and Industry Coverage

In March, staff participated in 15 tours which included Cypress College; Santiago Canyon College; Anaheim Hills Elementary; Spirit Christian Academy; University of California, Irvine; Yucaipa Valley Water; SCAQMD; and Bassett Adult School. Staff also participated as judges in the Orange County Science and Engineering Fair, held two Wastewater 101 Citizens Academy classes, and participated in the two-day OCWD Children's Water Festival where staff engaged with over 300 students. Staff also participated in career days at Villa Park Middle School, Carver Elementary School in Long Beach, and Monte Vista Elementary School. In total, we reached 800 people for the month. Details can be found in the Outreach Report.

Internal Communication

In March, there were 61 posts on the employee intranet - *The San Box* and four weekly emails were distributed on relevant topics for the week.

Construction Outreach Update

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

Employee Appreciation Day

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

March Retirement Celebration

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

OC San Celebrates 70 Years with a Community Open House

2024 marks OC San's 70th anniversary. To commemorate this milestone, OC San is hosting a Community Open House on Saturday, June 8 to celebrate our history and achievements. Our member and sister agencies are invited to participate in the event by hosting a booth of their own. The event will be filled with informational booths, tours of the plant and headquarters, entertainment, and much more. Information is available at www.ocsan.gov.

Member Agency Toolkit

On a quarterly basis, OC San creates a toolkit of topics of interest for our member agencies to share across their various communication platforms. This quarter's toolkit focused on our upcoming Open House. The toolkit had two purposes; the first was for event promotion and the second was inviting the member agencies to participate in the event by hosting a booth of their own.

OC San Video Contest

OC San launched its 2024 Video Contest offering high school and college students who live or attend school within OC San's service area an opportunity to create an educational video. This year's theme was "Find Yourself at OC San" with the intent to highlight careers in wastewater. Video submissions were due March 31 and we received six entries. The winning videos will be showcased on our social media platforms and our website. Winners will be announced at the June Board Meeting.

Activities in April:

OC San Attends and Presents at CWEA Conference

OC San staff from various divisions attended the CWEA Conference from April 9-12 to present on various disciplines, including research, educational outreach, automated data tools to improve lab efficiency, our thickening and dewatering plant water study, and treatment plant improvements.

La Palma Community Conversation Event

OC San participated in the La Palma Community Conversation night to discuss various OC San initiatives with residents and community members.

OC San Hosts a Booth at Costa Mesa Earth Day

OC San is participating in an Earth Day event held by the City of Costa Mesa on April 20. Staff will talk with residents about OC San and all that we do to support public health and the environment.

OC San Connection Newsletter

The spring issue of the OC San Connection is scheduled for publication and distribution in April. The issue will include highlights of our history, information about the Open House, and construction improvements throughout our service area. The newsletter is distributed electronically to approximately 4,000 people.

Take a Kit to Your Kid Day

This year, the “Take Your Kid to Work Day” event has been switched around. A fun activity kit is being sent home with parents to share with their children to show them their role at OC San. The activities are fun-filled for both children and parents. The kit includes worksheets, coloring sheets, goodies, and more.

OC San’s Local Lobbyist on Board

As part of OC San’s Strategic Plan, a local lobbyist was brought on board to assist with local agency outreach. The initial kick-off meeting occurred this month. Beginning next month, a report on activities will be included in the Outreach Report.

CEQA

N/A

FINANCIAL CONSIDERATIONS

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

ATTACHMENT

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

- Outreach and Media Report - March 2024

Outreach and Media Summary



March 2024

OC San Public Affairs Office

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Outreach Report March 2024

Date	Tours	Attendees	Tour Guide
3/124	Seegerstrom High School	19	Jenna Obenshain
3/4/24	Yucaipa Valley Water staff	4	Justin Fenton/ Andrew Brown
3/5/24	University of California, Irvine	4	Ponce Navarro
3/9/24	Spirit Christian Academy	14	Dickie Fernandez/ Andrew Brown
3/11/24	Coastline Regional Occupational	17	Charles Falzone
3/12/24	Residential	2	Marianne Kleine
3/13/24	LA County Sanitation District staff	3	Michael Huls/ Chris Wheatley
3/13/24	Cyress College	29	Marianne Kleine
3/14/24	Iranian Media	2	Rebecca Long
3/20/24	Anaheim Hills Elementary	9	Jenna Obenshain/ Donald Herrera
3/22/24	Santiago Canyon College	17	Eric Halverson
3/23/24	Bassett Adult School	4	Shabbir Basrai
3/25/24	University of California, Irvine	8	Reza Sobhani
3/26/24	LA County Sanitation District staff	1	Anthony Chang
3/29/24	South Coast AQMD staff	12	Randa AbuShaban/ Tom Meregillano
Date	Speaking Engagements/Events	Attendees	Presenter
3/6/24	Orange County Science and Engineering Virtual Fair	100	Cindy Murra/ Jeff Brown/ Dawn Myers/ Yiping Cao/ David Lo/ Courtney Sakuma/ Jenna Obenshain/ Rachel Van Exel/ Shawn Carman
3/7/24	Wastewater 101 Citizens Academy	20	Rob Thompson/ Lorenzo Tyner
3/19/24	Career Day at Villa Park Middle School	40	Belen Carrillo
3/21/24	Wastewater 101 Citizen Academy Protecting our Environment	23	Sam Choi/ Mark Kawamoto/ Tom Meregillano

3/25/24	Career Day at Carver Elementary	120	Sterling Harris
3/27-28/24	Children's Water Festival	350	Dindo Carrillo, Dawn Myers/ David Lo/ Randa AbuShaban/ Victoria Pilko/ Sam Choi/ Kelly Newell/ Rachel Orejel/ Belen Carrillo/ Tom Meregillano
3/28/24	Career Day at Monte Vista Elementary	120	Shabbir Basrai/ Jenna Obenshain/ Jenny Gomez
Project Area	Outreach Notifications	# of People Reached	Website Posts and Text Alerts
Anaheim/	Orange Western Sewer - project update	2,700	4 website posts/ 2 text alerts
Costa Mesa	Airway-Airport Loop Sewer Project – update	30	2 website posts
Fountain Valley	Bushard Diversion Structure Project – start of construction	4,000	1 website post/ 1 text alert
Newport Beach	MacArthur Sewer Construction – update		1 website update/ 1 text
External Communications	Distribution	# of People Reached	
5 Minutes Per Month	OC San Takes Action	216	
Board Member Talking Points	One	50	
Website Posts	8 posts	2.1k views	Website
Facebook	15 posts	2.8k reached	Social Media
Twitter	11 tweets	705 reached	Social Media
Instagram	25 posts	4.1k reached	Social Media
LinkedIn	5 posts	2.9k reached	Social Media

Post performance - Facebook Pages

Data from 01 Mar, 2024 to 31 Mar, 2024

Sources

Orange County Sanitation District

DATE	POST	ENGAGEMENT RATE	IMPRESSIONS	REACH
Orange County Sanitation District Mar 31, 14:19	On this very wet Easter, we ask that you defer water-using chores until after the storm has passed. Our sewer system works extra hard on rainy days like this. Thanks for helping your regional sewer provider.	5.26%	61	57
Orange County Sanitation District Mar 30, 14:02	2024 marks 70 Years of OC San, to celebrate we are counting down to our FREE Open House on June 8 where you can come onsite and see everything that happens behind the wall and even take a tour. Visit ocsan.gov to register!	4.76%	133	126
Orange County Sanitation District Mar 26, 16:29	The OC San Audit Ad Hoc Committee Meeting is happening on April 3, 2024 at 3:30 pm. Click here to view the agenda:	6.25%	85	80
Orange County Sanitation District Mar 24, 18:00	Exciting news, we are celebrating 70 years of Environmental Impact by hosting a FREE Open House to let the community discover the incredible work we do in wastewater management and environmental protection. Don't miss out on...	5.19%	163	154
Orange County Sanitation District Mar 22, 17:02	Let's celebrate #WorldWaterDay! Here at OC San, our efforts make a huge splash! Find out for yourself by joining us at our Open House in June and take a tour. For more info visit ocsan.gov	5.31%	121	113
Orange County Sanitation District Mar 21, 17:14	The OC San Steering Committee Meeting (5 pm) and Board of Directors Meeting (6 pm) are happening on 3/27/24. Click here to view the agenda:	1.69%	61	59
Orange County Sanitation District Mar 20, 19:02	We were as shocked as Janice! These companies who make "flushable wipes" are not our F.R.I.E.N.D.S.... get it. Flushable wipes belong in the trash because they can cause clogs in the pipes.	2.88%	110	104
Orange County Sanitation District Mar 18, 19:01	Next time you follow that DIY haircut tutorial... remember that hair goes in the trash not down the drain!!!! Hair balls can happen inside your pipes and ours. To clear them out is no easy task either. #What2Flush	1.52%	136	132
Orange County Sanitation District Mar 16, 15:01	3 things that should never go down the kitchen sink are fats, oils and greases. Make sure you throw them in the trash instead!! Remember that #FOGClogs	6%	213	200
Orange County Sanitation District Mar 14, 21:01	Happy Sunshine week! Sunshine Week aims to increase public awareness regarding the significance of transparent governance and encourages discussions on the consequences of excessive government confidentiality. At ...	2.02%	106	99
Orange County Sanitation District Mar 12, 22:48	Overnight Construction Happening. For full details visit ocsan.gov/AirwayAirport City of Costa Mesa	3.32%	1,108	1,083
Orange County Sanitation District Mar 12, 22:39	High School and College Students can win up to \$500! The deadline for the OC San Video Contest is coming up on March 31! For full details visit ocsan.gov/video	5.19%	188	154
Orange County Sanitation District Mar 12, 17:55	The Administration Committee Meeting is happening tomorrow at 5 p.m. Click here to view the agenda:	0%	51	45
Orange County Sanitation District Mar 07, 22:55	Check out our new name sign! It's giving ENVIRONMENTALLY AWARE vibes. It's giving INNOVATIVE vibes. It's giving OC San.	9.3%	227	215
Orange County Sanitation District Mar 01, 19:15	When the wipe says "flushable." Remember that even though wipes may be labeled as "flushable" they are not, they belong in the trash because they can cause clogs in your pipes and ours.	3.81%	229	210

Post performance - Twitter

Data from 01 Mar, 2024 to 31 Mar, 2024

Sources

@OCSanDistrict

DATE ▼	POST	ENGAGEMENT RATE	ENGAGEMENTS	IMPRESSIONS
@OCSanDistrict Mar 30, 14:01	2024 marks 70 Years of OC San, to celebrate we are counting down to our FREE Open House on June 8 where you can come onsite and see everything that happens behind the wall and even take a tour. Visit http://ocsan.gov to regist...	6.85%	5	73
@OCSanDistrict Mar 24, 18:00	We are celebrating 70 years of Environmental Impact by hosting a FREE Open House to highlight the work we do in wastewater management & environmental protection. Don't miss out on tours, interactive booths, free ice cream, and mor...	0%	0	67
@OCSanDistrict Mar 22, 17:00	Let's celebrate #WorldWaterDay! Here at OC San, our efforts make a huge splash! Find out for yourself by joining us at our Open House in June and take a tour. For more info visit http://ocsan.gov https://twitter.com/OCSanDistrict/sta...	3.57%	2	56
@OCSanDistrict Mar 20, 19:00	We were as shocked as Janice! These companies who make "flushable wipes" are not our F.R.I.E.N.D.S. ... get it. Flushable wipes belong in the trash because they can cause clogs in the pipes. https://twitter.com/OCSanDistrict/status/1...	6.94%	5	72
@OCSanDistrict Mar 18, 19:00	Next time you follow that DIY haircut tutorial... remember that hair goes in the trash not down the drain!!!! Hair balls can happen inside your pipes and ours. To clear them out is no easy task either. #What2Flush https://twitter.com/OCSan...	0%	0	58
@OCSanDistrict Mar 16, 15:00	3 things that should never go down the kitchen sink are fats, oils and greases. Make sure you throw them in the trash instead!! Remember that #FOGClogs https://twitter.com/OCSanDistrict/status/1769015837959000509/photo/1	0%	0	84
@OCSanDistrict Mar 14, 21:00	Happy Sunshine Week! This week increases public awareness of transparent governance and encourages discussions on the consequences of excessive government confidentiality. We are always open to the public about everythi...	2.5%	1	40
@OCSanDistrict Mar 12, 22:48	Overnight Construction Happening. For full details visit http://ocsan.gov/Airway Airport @CityofCostaMesa https://twitter.com/OCSanDistrict/status/1767684120316936527/photo/1	1.82%	1	55
@OCSanDistrict Mar 12, 22:39	High School and College Students can win up to \$500! The deadline for the OC San Video Contest is coming up on March 31! For full details visit http://ocsan.gov/video https://twitter.com/OCSanDistrict/status/1767681867816309009/ph...	1.49%	1	67
@OCSanDistrict Mar 07, 22:55	Check out our new name sign! It's giving ENVIRONMENTALLY AWARE vibes. It's giving INNOVATIVE vibes. It's giving OC San. https://twitter.com/OCSanDistrict/status/1765873993720971392/photo/1	12.2%	5	41
@OCSanDistrict Mar 01, 19:15	When the wipe says "flushable." Remember that even though wipes may be labeled as "flushable" they are not, they belong in the trash because they can cause clogs in your pipes and ours. https://twitter.com/OCSanDistrict/status/...	3.26%	3	92

Post performance - Instagram Business

Data from 01 Mar, 2024 to 31 Mar, 2024

Sources


ocsandistrict











DATE	POST	ENGAGEMENT RATE	IMPRESSIONS	LIKES	REACH
Mar 30, 14:01	2024 marks 70 Years of OC San, to celebrate we are counting down to our FREE Open House on June 8 where you can come onsite and see everything that happens behind the wall and even take a tour. Visit ocsan.gov to register!	6.71%	183	11	164
Mar 28, 22:44	(No description)	0%	130	0	129
Mar 28, 22:40	(No description)	0%	145	0	144
Mar 27, 23:38	If you haven't done so visit our website to register for a tour at our open house!	0%	72	0	72
Mar 27, 22:11	(No description)	0%	71	0	71
Mar 27, 21:50	Just enter a video less than 1 minute in length Submit before March 31	0%	70	0	70
Mar 27, 21:49	Deadline to submit is March 31! Don't miss out on this chance to win up to \$500!	0%	74	0	73
Mar 27, 18:08	Teaching hundreds of kids the 3 Ps today.	0%	88	0	87
Mar 27, 18:04	Relay Race at the @ocwaterfest	0%	100	0	99
Mar 25, 14:44	Sign Up Now for a FREE Tour:	0%	125	0	122
Mar 24, 18:01	Exciting news, we are celebrating 70 years of Environmental Impact by hosting a FREE Open House to let the community discover the incredible work we do in wastewater management and environmental protection. Don't miss out on...	10.81%	359	23	333
Mar 22, 18:34	Danger: Cute turtles at OC San	0%	185	0	183
Mar 22, 18:20	FriYay Moment - Touring the Treatment Plant	0%	211	0	207
Mar 22, 17:02	Let's celebrate #WorldWaterDay! Here at OC San, our efforts make a huge splash! Find out for yourself by joining us at our Open House in June and take a tour. For more info visit ocsan.gov	6.02%	179	9	166
Mar 20, 19:02	We were as shocked as Janice! These companies who make "flushable wipes" are not our F.R.I.E.N.D.S.... get it. Flushable wipes belong in the trash because they can cause clogs in the pipes.	7.01%	288	18	271
Mar 18, 19:01	Next time you follow that DIY haircut tutorial... remember that hair goes in the trash not down the drain!!!! Hair balls can happen inside your pipes and ours. To clear them out is no easy task either. #What2Flush	4.41%	460	15	431
Mar 16, 15:01	3 things that should never go down the kitchen sink are fats, oils and greases. Make sure you throw them in the trash instead!! Remember that #FOGClugs	5.76%	205	9	191
Mar 14, 21:01	Happy Sunshine week! Sunshine Week aims to increase public awareness regarding the significance of transparent governance and encourages discussions on the consequences of excessive government confidentiality. At...	5%	129	6	120
Mar 12, 22:40	High School and College Students can win up to \$500! The deadline for the OC San Video Contest is coming up on March 31! For full details visit ocsan.gov/video	6.47%	176	5	139
Mar 12, 14:07	Deadline to submit is coming up! March 31! For more details visit:	0%	0	0	89
Mar 11, 15:05	(No description)	0%	0	0	132
Mar 07, 22:55	Check out our new name sign! It's giving ENVIRONMENTALLY AWARE vibes. It's giving INNOVATIVE vibes. It's giving OC San.	10.71%	413	38	383
Mar 07, 19:43	(No description)	0%	0	0	153
Mar 03, 18:16	(No description)	0%	0	0	147
Mar 01, 19:15	When the wipe says "flushable." Remember that even though wipes may be labeled as "flushable" they are not, they belong in the trash because they can cause clogs in your pipes and ours.	0.63%	175	1	158

Post performance - LinkedIn Pages

Data from 01 Mar, 2024 to 31 Mar, 2024

Sources

 Orange County Sanitation District

DATE ▼	POST	ENGAGEMENT RATE	IMPRESSIONS	REACTIONS	SHARES
 Orange County Sanitation District Mar 30, 14:01	 <p>2024 marks 70 Years of OC San, to celebrate we are counting down to our FREE Open House on June 8 where you can come onsite and see everything that happens behind the wall and even take a tour. Visit ocsan.gov to register!</p>	5.2%	442	10	2
 Orange County Sanitation District Mar 24, 18:00	 <p>Exciting news, we are celebrating 70 years of Environmental Impact by hosting a FREE Open House to let the community discover the incredible work we do in wastewater management and environmental protection. Don't miss out on...</p>	7.19%	793	24	2
 Orange County Sanitation District Mar 22, 17:02	 <p>Let's celebrate #WorldWaterDay! Here at OC San, our efforts make a huge splash! Find out for yourself by joining us at our Open House in June and take a tour. For more info visit ocsan.gov</p>	6.71%	656	17	2
 Orange County Sanitation District Mar 14, 21:05	 <p>Happy Sunshine week! Sunshine Week aims to increase public awareness regarding the significance of transparent governance and encourages discussions on the consequences of excessive government confidentiality. At ...</p>	2.55%	432	8	0
 Orange County Sanitation District Mar 12, 22:39	 <p>High School and College Students can win up to \$500! The dead line for the OC San Video Contest is coming up on March 31! For full details visit ocsan.gov/video</p>	6.3%	571	3	0

Media Articles

Article	Date	Source	Link
Harvesting water and minerals from waste slurries with supercritical water oxidation	3/1/2024	Chemical Engineering	https://www.chemengonline.com/supercritical-water-oxidation/
Large-Scale Construction To Impact Bus Operations	3/7/2024	OC Patch	https://patch.com/california/losalamitos/large-scale-construction-impact-bus-operations
Orange County Water District and Orange County Sanitation District Receive National Recognition for Water Recycling Project	3/13/2024	OC San/OCWD Press Release	https://www.ocsan.gov/home/showdocument?id=34443&t=638459379858810802
2024 WaterReuse Award Winners Exemplify Leadership and Innovation	3/20/2024	Municipal Sewer and Water	https://ocsdgov.sharepoint.com/:b:/s/External/EeENaQ2PRbFikmnbpbvExxcBx-THTiHVXuosityChISQYg?e=P4I7Ku
Socal's Water Resilient Future looks like Ventura Water Pure	3/24/2024	Sierra Club Angeles Chapter	https://angeles.sierraclub.org/news_conservation/blog/2024/03/socal-s-water-resilient-future-looks-like-ventura-water-pure
Fitch Rates Orange County Sanitation District, CA Rev Obligations 'AAA'; Outlook Stable	3/28/2024	Fitch Ratings	https://www.fitchratings.com/research/us-public-finance/fitch-rates-orange-county-sanitation-district-ca-rev-obligations-aaa-outlook-stable-28-03-2024/dodd-frank-disclosure



STEERING COMMITTEE

Agenda Report

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

File #: 2024-3536

Agenda Date: 4/24/2024

Agenda Item No: 4.

FROM: Robert Thompson, General Manager

SUBJECT:

ORANGE COUNTY SANITATION DISTRICT'S MEMBERSHIPS AND AGREEMENTS

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Orange County Sanitation District's Memberships and Agreements list.

BACKGROUND

The Orange County Sanitation District (OC San) has memberships and agreements with various associations and professional organizations. The attached document provides a list of seven agencies, associations, and/or organizations which OC San and staff are currently members of at an individual annual rate of \$50,000 or greater.

RELEVANT STANDARDS

- Build brand, trust, and support with policy makers and community leaders
- Maintain collaborative and cooperative relationships with regulators, stakeholders, and neighboring communities
- Provide professional growth and development

PROBLEM

OC San is a leader in the water/wastewater industry and to maintain that status it is important that staff engage in various groups to discuss and share our experiences. Staying up to date on trends, current and upcoming technology, and the future of the industry is imperative.

PROPOSED SOLUTION

Allow staff to continue participation in associations and organizations that support the mission and vision of OC San, as well as the goals and objectives of the Strategic Plan. Staff will continue to develop skills, learn about improvements in the industry, and share proven successes with other agencies, while continuing to maintain an active role as an industry leader.

PRIOR COMMITTEE/BOARD ACTIONS

March 2022 - Legislative and Public Affairs Committee received and filed the OC San Memberships and Agreements List.

ADDITIONAL INFORMATION

OC San has reviewed and analyzed the value each membership provides. As a result of this effort, staff has eliminated memberships resulting in a cost of approximately \$10,000 due to value and/or usage.

FINANCIAL CONSIDERATIONS

These memberships have been budgeted in FY 2022-23 and 2023-24 budget (within each relevant division) and will be included in the upcoming FY 2024-25 and 2025-26 budget.

ATTACHMENT

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

- OC San Memberships and Agreements List

OC San Memberships and Joint Powers Authority

Organization	Purpose	Level of Participation	Liaison	Cost
JOINT POWERS AUTHORITY				
National Water Research Institute (NWRI)	NWRI sponsors projects and programs focused on ensuring safe, reliable sources of water for current and future generations.	Board of Directors	Director: Jon Dumitru / Alternate: Rob Thompson	\$50,000
Southern California Coastal Water Research Project (SCCWRP)	SCCWRP is a leading U.S. environmental research institute that works to develop a scientific foundation for informed water-quality management in Southern California and beyond.	Seat on Commission	Rob Thompson / Lan Wiborg	\$550,000
MUTUAL AID ORGANIZATIONS				
Water Emergency Response Orange County (WEROC)	WEROC is administered by the Municipal Water District of Orange County. It supports and manages countywide emergency preparedness, planning, response, and recovery efforts among Orange County water and wastewater utilities.	Agreement	Laura Maravilla	\$57,000
OTHER				
CSUF Center for Demographic Research (CDR)	CDR is a nonprofit research center dedicated to the development and support of demographic research. It's mission is to provide accurate and timely data regarding population, housing, and employment characteristics in an efficient and cost-effective manner.	Memorandum of Understanding	Mike Dorman	\$ 70,000

Organization	Purpose	Level of Participation	Liaison	Cost
PROFESSIONAL ASSOCIATIONS / INDUSTRY ORGANIZATIONS – AGENCY MEMBERSHIPS				
National Association of Clean Water Agencies (NACWA)	National Association of Clean Water Agencies represents the interests of publicly owned wastewater treatment facilities, collection systems, and stormwater management agencies before the United States Congress, several Federal agencies, and in the courts.	Agency Membership	Rob Thompson	\$80,000
Clean Water SoCal	Formally the Southern California Alliance of Publicly Owned Treatment Works is a nonprofit organized to ensure that regulations affecting wastewater treatment plants and collection systems are reasonable and, in the public's, best interest. They also provide low-cost training to members and California Water Environment Association (CWEA) contact hours.	Agency Membership/ Seat on Board of Directors and Committees	Lan Wiborg	\$50,000
Water Research Foundation (WRF)	The Water Research Foundation engages exclusively in nonprofit, charitable, and educational activities designed to initiate, supervise, coordinate, promote, and finance research geared to ensuring water quality and improving water service to the public. Research areas include technology, operation, and management of water, wastewater, reuse, collection, treatment, and supply systems.	Agency Membership	Rob Thompson	\$100,000



STEERING COMMITTEE

Agenda Report

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

File #: 2024-3526

Agenda Date: 4/24/2024

Agenda Item No: CS-1

FROM: Robert Thompson, General Manager

SUBJECT:

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

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Convene in Closed Session:

Number of Potential Cases: 1

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

BACKGROUND

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

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

RELEVANT STANDARDS

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

ATTACHMENT

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

- Memorandum from General Counsel

WOODRUFF

Woodruff & Smart
A Professional Corporation

MEMORANDUM

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

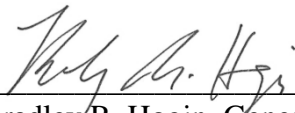
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: April 16, 2024

RE: Closed Session Items

The Steering Committee desires to hold a closed session on April 24, 2024 for the purpose of conferring with its legal counsel regarding existing litigation to which the District is a party. The title of the case is *Orange County Sanitation District v. Robert M. Jackson, et al.*, Orange County Superior Court Case No. 30-2024-01379706-CU-OR-CJC. The closed session will be held pursuant to the authority of California Government Code Section 54956.9(d)(1).

Respectfully submitted,

By 
Bradley R. Hogin, General Counsel



STEERING COMMITTEE

Agenda Report

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

File #: 2024-3550

Agenda Date: 4/24/2024

Agenda Item No: CS-2

FROM: Robert Thompson, General Manager

SUBJECT:

PUBLIC EMPLOYEE APPOINTMENT 54957(B)(1)

RECOMMENDATION: Convene in Closed Session:

Public Employee Appointment

Number of Employees: 1

- General Counsel

BACKGROUND

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

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

RELEVANT STANDARDS

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

ATTACHMENT

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

- Memorandum from General Counsel

WOODRUFF

Woodruff & Smart
A Professional Corporation

MEMORANDUM

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

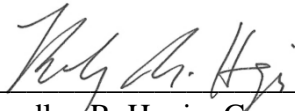
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: April 16, 2024

RE: Closed Session Items

The Steering Committee desires to hold a closed session on April 24, 2024 for the purpose of conferring regarding the appointment of the District's General Counsel. Said closed session will be held pursuant to authority of California Government Code Section 54957(b)(1).

Respectfully submitted,

By  _____
Bradley R. Hogin, General Counsel



STEERING COMMITTEE

Agenda Report

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

File #: 2024-3588

Agenda Date: 4/24/2024

Agenda Item No: CS-3

FROM: Robert Thompson, General Manager

SUBJECT:

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

RECOMMENDATION: Convene in Closed Session:

Number of Cases: 1

Arlin Blazevic v. Orange County Sanitation District; Natasha Dubrovski; Lorenzo Tyner; and Does 1-100, inclusive, Superior Court of California, County of Orange, Case No. 30-2020-01149812-CU-WT-CJC.

BACKGROUND

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

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

RELEVANT STANDARDS

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

ATTACHMENT

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

- Memorandum from General Counsel

WOODRUFF

Woodruff & Smart
A Professional Corporation

MEMORANDUM

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

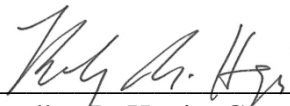
FROM: Bradley R. Hogin, Esq.
General Counsel

DATE: April 24, 2024

RE: Closed Session Item

The Steering Committee desires to hold a closed session on April 24, 2024 for the purpose of conferring with its legal counsel regarding existing litigation to which the District is a party. The title of the case is *Arlin Blazevic v. Orange County Sanitation District; Natasha Dubrovski; Lorenzo Tyner; and Does 1-100, inclusive*, Superior Court of California, County of Orange, Case No. 30-2020-01149812-CU-WT-CJC. The closed session will be held pursuant to the authority of California Government Code Section 54956.9(d)(1).

Respectfully submitted,

By  _____
Bradley R. Hogin, General Counsel

ORANGE COUNTY SANITATION DISTRICT COMMON ACRONYMS

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

ORANGE COUNTY SANITATION DISTRICT GLOSSARY OF TERMS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ORANGE COUNTY SANITATION DISTRICT GLOSSARY OF TERMS

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

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

WASTEWATER – Any water that enters the sanitary sewer.

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