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**File #:** 2023-2923**Agenda Date:** 4/26/2023**Agenda Item No:** 3.**FROM:** Robert Thompson, General Manager**SUBJECT:****LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF MARCH 2023****GENERAL MANAGER'S RECOMMENDATION****RECOMMENDATION:** Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the month of March 2023.

**BACKGROUND**

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

**RELEVANT STANDARDS**

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

**PROBLEM**

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

**PROPOSED SOLUTION**

Continue to work with Local, State, and Federal officials to advocate for OC San's legislative interests. Help to create/monitor legislation and grants that would benefit OC San, the wastewater industry, and the community. To assist in relationship building efforts, OC San will continue to reach out to elected officials providing 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

### **Federal Update:**

The US EPA is pursuing regulation to classify PFAS as hazardous substances under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). If completed, this could expose water agencies to liability associated with the disposal of PFAS contaminated residuals. OC San staff and our lobbyist are closely monitoring this issue as it could have a trickle-down effect for OC San and our fellow wastewater agencies.

### **State Update:**

OC San joined fellow agencies and associations on two Oppose Unless Amended coalition letters, Senate Bill (SB) 229 and Senate Bill (SB) 34 by Senator Umberg. Both bills are in alignment with OC San's 2023 Legislative Plan.

- SB 229 will amend the Surplus Land Act (SLA) to provide that if a local agency is disposing of a parcel by sale or lease and received a notice of violation from the Department of Housing and Community Development (HCD) that it is in violation of the SLA with regard to the parcel. As written, the bill may create a concerning precedent for all local agencies. Because SB 229 includes a reference to notices of violation from HCD in connection with a "sale or lease" by a local agency, the bill may establish a statutory precedent that leases are subject to the SLA.
- SB 34 will amend the SLA to provide that if the HCD notifies the County of Orange, or any city located within Orange County, that its planned sale or lease of surplus land is in violation of the SLA, certain procedures for addressing the notice of violation must be followed. As written, the bill may create a concerning precedent for all local agencies statewide. Because SB 34 includes a reference to notices of violation from HCD in connection with a "sale or lease" by a local agency, the bill may establish a statutory precedent that leases are subject to the SLA.

## ATTACHMENT

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

- Federal Update - ENS Resources
- State Update - Townsend Public Affairs
- Federal Legislative Matrix - ENS Resources
- State Legislative Matrix - Townsend Public Affairs
- Joint Coalition Letter Senator Umberg - Oppose Unless Amended Senate Bill 229

- Joint Coalition Letter Senate Governance and Finance Committee - Oppose Unless Amended Senate Bill 229
- Senate Bill 229 Bill Text
- Joint Coalition Letter Senator Umberg - Oppose Unless Amended Senate Bill 34
- Joint Coalition Letter Senate Governance and Finance Committee - Oppose Unless Amended Senate Bill 34
- Senate Bill 34 Bill Text
- OC San 2023 Legislative & Regulatory Plan