



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

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

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

PUBLIC PARTICIPATION

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

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

Or you may also access the live meeting via phone at (213) 279-1455
Conference ID 256 368 41#

You may submit comments and questions for the Committee's consideration during the live meeting either verbally or by using the eComment feature that will be available via the webpage above.

You may also submit your comments and questions in writing for the Committee's consideration in advance of the meeting by using the eComment feature available via the webpage above or sending them to OCSDClerk@ocsd.com with the subject line "PUBLIC COMMENT ITEM # (insert the item number relevant to your comment)" or "PUBLIC COMMENT NON-AGENDA ITEM". Submit your written comments by 9:00 a.m. on Monday, November 9, 2020.

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

Serving:

Orange County Sanitation District

10844 Ellis Avenue, Fountain Valley, CA 92708
714.962.2411 • www.ocsd.com

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

November 4, 2020

NOTICE OF MEETING

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

Monday, November 9, 2020 – 12:00 p.m.

ACCESSIBILITY FOR THE GENERAL PUBLIC

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

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

Or you may also access the live meeting via phone at (213) 279-1455
Conference ID 256 368 41#

A regular meeting of the Legislative and Public Affairs Committee of the Orange County Sanitation District will be held in the manner indicated herein on Monday, November 9, 2020 at 12:00 p.m.



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

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE MEETING DATES	BOARD MEETING DATES
Monday 11/09/20 12:00 p.m.	11/18/20 *
DECEMBER – DARK	12/16/20 *
JANUARY – DARK	01/27/21
Monday 02/08/21 12:00 p.m.	02/24/21
Monday 03/08/21 12:00 p.m.	03/24/21
Monday 04/12/21 3:30 p.m.	04/28/21
Monday 05/10/21 12:00 p.m.	05/26/21
JUNE – DARK	06/23/21
Monday 07/12/21 3:30 p.m.	07/28/21
AUGUST – DARK	08/25/21
Monday 09/13/21 12:00 p.m.	09/22/21
OCTOBER – DARK	10/27/21

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

ROLL CALL

LEGISLATIVE & PUBLIC AFFAIRS COMMITTEE

Meeting Date: November 9, 2020

Time: 12:00 p.m.

Adjourn: _____

COMMITTEE MEMBERS (7)

Peter Kim, Chair	
Allan Bernstein, Vice-Chair	
Lucille Kring, Member-At-Large	
Erik Peterson, Member-At-Large	
Christina Shea, Member-At-Large	
David Shawver, Board Chair	
John Withers, Board Vice-Chair	

OTHERS

Brad Hogin, General Counsel	

STAFF

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

ORANGE COUNTY SANITATION DISTRICT
BOARD OF DIRECTORS
Complete Roster

Effective 06/16/2020

AGENCY/CITIES	ACTIVE DIRECTOR	ALTERNATE DIRECTOR
Anaheim	Lucille Kring	Denise Barnes
Brea	Glenn Parker	Cecilia Hupp
Buena Park	Fred Smith	Connor Traut
Cypress	Mariellen Yarc	Stacy Berry
Fountain Valley	Steve Nagel	Patrick Harper
Fullerton	Jesus J. Silva	Jan Flory
Garden Grove	Steve Jones	John O'Neill
Huntington Beach	Erik Peterson	Lyn Semeta
Irvine	Christina Shea	Anthony Kuo
La Habra	Tim Shaw	Rose Espinoza
La Palma	Peter Kim	Nitesh Patel
Los Alamitos	Richard Murphy	Dean Grose
Newport Beach	Brad Avery	Joy Brenner
Orange	Mark Murphy	Kim Nichols
Placentia	Chad Wanke	Ward Smith
Santa Ana	Nelida Mendoza	David Penaloza
Seal Beach	Sandra Massa-Lavitt	Schelly Sustarsic
Stanton	David Shawver	Carol Warren
Tustin	Allan Bernstein	Chuck Puckett
Villa Park	Robert Collacott	Chad Zimmerman

Sanitary/Water Districts

Costa Mesa Sanitary District	James M. Ferryman	Bob Ooten
Midway City Sanitary District	Andrew Nguyen	Margie L. Rice
Irvine Ranch Water District	John Withers	Douglas Reinhart
Yorba Linda Water District	Brooke Jones	Phil Hawkins

County Areas

Board of Supervisors	Doug Chaffee	Donald P. Wagner
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Orange County Sanitation District
LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE
Regular Meeting Agenda
Monday, November 9, 2020 - 12:00 PM
Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

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

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

MEETING AUDIO: An audio recording of this meeting is available within 24 hours after adjournment of the meeting. Please contact the Clerk of the Board's office at (714) 593-7433 to request the audio file.

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

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

General Manager: Jim Herberg, jherberg@ocsd.com / (714) 593-7300
Asst. General Manager: Lorenzo Tyner, ltyners@ocsd.com / (714) 593-7550
Asst. General Manager: Rob Thompson, rthompson@ocsd.com / (714) 593-7310
Director of Human Resources: Celia Chandler, cchandler@ocsd.com / (714) 593-7202
Director of Engineering: Kathy Millea, kmillea@ocsd.com / (714) 593-7365
Director of Environmental Services: Lan Wiborg, lwiborg@ocsd.com / (714) 593-7450

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL AND DECLARATION OF QUORUM:

PUBLIC COMMENTS:

Your participation is always welcome. The Legislative and Public Affairs Committee meeting will be available live to the public online at: <https://ocsd.legistar.com/Calendar.aspx>. Or you may also access the live meeting via phone at (213) 279-1455, Conference ID 256 368 41#.

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

REPORTS:

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

CONSENT CALENDAR:

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

1. APPROVAL OF MINUTES

[2020-1287](#)

RECOMMENDATION:

Approve Minutes of the Regular Meeting of the Legislative and Public Affairs Committee held September 14, 2020.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[09-14-2020 Legislative Committee Minutes](#)

NON-CONSENT:

2. 2021 LEGISLATIVE AND REGULATORY PLAN [2020-1262](#)

RECOMMENDATION:

Review the Draft Orange County Sanitation District 2021 Legislative and Regulatory Plan.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[2021 Legislative and Regulatory Plan - DRAFT](#)

3. CONSIDERATION OF HOUSE OF REPRESENTATIVES BILL (H.R.) 763 [2020-1263](#)

RECOMMENDATION:

Provide direction to staff regarding the House of Representatives Bill (H.R.) 763 - Energy Innovation and Carbon Dividend Act (Deutch).

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[H.R. 763](#)

4. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2020 [2020-1261](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the months of September and October 2020.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Federal Update - ENS Resources](#)
[Federal Legislative Matrix - ENS Resources](#)
[State Update - Townsend](#)
[State Legislative Matrix - Townsend](#)
[Grant Tracker 2019-2020](#)

5. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2020 [2020-1265](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the months of September and October 2020.

Originator: Jim Herberg

Attachments: [Agenda Report](#)
[Outreach & Media Summary Report September-October 2020](#)

INFORMATION ITEMS:

None.

DEPARTMENT HEAD REPORTS:

CLOSED SESSION:

None.

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

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

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

ADJOURNMENT:

The next Legislative and Public Affairs Committee meeting is scheduled for Monday, February 8, 2021 at 12:00 p.m.



Orange County Sanitation District

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

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE

Agenda Report

File #: 2020-1287

Agenda Date: 11/9/2020

Agenda Item No: 1.

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

SUBJECT:

APPROVAL OF MINUTES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Approve Minutes of the Regular Meeting of the Legislative and Public Affairs Committee held September 14, 2020.

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. OCSD 19-19

ATTACHMENT

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

- Minutes of the Legislative and Public Affairs Committee meeting held September 14, 2020



CALL TO ORDER

A regular meeting of the Legislative and Public Affairs Committee was called to order by Committee Chair Peter Kim on Monday, September 14, 2020 at 12:07 p.m. in the Administration Building of the Orange County Sanitation District. Chair Kim stated that the meeting was being held telephonically and via audio/video teleconferencing in accordance with the Governor's Executive Order No. N-29-20, due to the Coronavirus Pandemic (COVID-19). Chair Kim led the Flag Salute.

The Clerk of the Board announced the teleconference meeting guidelines and stated that votes will be taken by roll call.

ROLL CALL AND DECLARATION OF QUORUM:

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

PRESENT: Peter Kim, Allan Bernstein, Lucille Kring, Erik Peterson, Christina Shea, David Shawver and John Withers

ABSENT: None

STAFF PRESENT: Jim Herberg, General Manager; Kelly Lore, Clerk of the Board; and Brian Engeln were present in the Board Room. Rob Thompson, Assistant General Manager; Lorenzo Tyner, Assistant General Manager; Celia Chandler, Director of Human Resources; Kathy Millea, Director of Engineering; Lan Wiborg, Director of Environmental Services; Daisy Covarrubias; Jennifer Cabral; Belen Carrillo; Tanya Chong; Gregg Deterring; Tina Knapp; and Kelly Newell were in attendance telephonically.

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

PUBLIC COMMENTS:

None.

REPORTS:

Chair Kim announced that OCSD and OCWD will host a Virtual Joint Tour on Wednesday, September 16th at 10:00 a.m.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

[2020-1214](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve Minutes of the Regular Meeting of the Legislative and Public Affairs Committee held July 13, 2020.

AYES: Peter Kim, Allan Bernstein, Lucille Kring, Christina Shea, David Shawver and John Withers

NOES: None

ABSENT: Erik Peterson

ABSTENTIONS: None

NON-CONSENT:

2. PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF JULY THROUGH AUGUST 2020

[2020-1200](#)

Originator: Jim Herberg

Principal Public Affairs Specialist Daisy Covarrubias provided a PowerPoint Presentation describing the outreach and activities of the previous months.

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

Receive and file the Public Affairs Update for the months of July through August 2020.

AYES: Peter Kim, Allan Bernstein, Lucille Kring, Erik Peterson, Christina Shea, David Shawver and John Withers

NOES: None

ABSENT: None

ABSTENTIONS: None

3. ORANGE COUNTY SANITATION DISTRICT BRANDING

[2020-1201](#)

Originator: Jim Herberg

Administration Manager Jennifer Cabral provided a PowerPoint presentation regarding the item.

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

Approve the new Orange County Sanitation District Logo.

AYES: Peter Kim, Allan Bernstein, Lucille Kring, Erik Peterson, Christina Shea, David Shawver and John Withers

NOES: None

ABSENT: None

ABSTENTIONS: None

4. **LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF JULY THROUGH AUGUST 2020** [2020-1202](#)

Originator: Jim Herberg

Eric O'Donnell provided a PowerPoint presentation regarding the State Legislative update including an end of session update, recent state actions on COVID-19 response, and Legislative Recap and Priority legislation.

Eric Sapirstein provided a PowerPoint presentation regarding the Federal Legislative update including the key issues of the COVID-19 relief (Heroes Act/Heals); Infrastructure Assistance bills; and Fiscal Year 2021 Appropriations. Mr. Sapirstein also announced that Congressman Lou Correa has agreed to make a taped presentation for the OCSD State of the District.

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

Receive and file the Legislative Affairs Update for the months of July through August 2020.

AYES: Peter Kim, Allan Bernstein, Lucille Kring, Erik Peterson, Christina Shea, David Shawver and John Withers

NOES: None

ABSENT: None

ABSTENTIONS: None

DEPARTMENT HEAD REPORTS:

None.

CLOSED SESSION:

None.

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

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

Committee Chair Kim declared the meeting adjourned at 12:50 p.m. to the next Legislative and Public Affairs Committee meeting, Monday, November 9, 2020 at 12:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board



Orange County Sanitation District

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

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE

Agenda Report

File #: 2020-1262

Agenda Date: 11/9/2020

Agenda Item No: 2.

FROM: James D. Herberg, General Manager

SUBJECT:

2021 LEGISLATIVE AND REGULATORY PLAN

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Review the Draft Orange County Sanitation District 2021 Legislative and Regulatory Plan.

BACKGROUND

Each year, the Board of Directors adopts a Legislative and Regulatory Plan (Plan), which is a summary of the Orange County Sanitation District's (Sanitation District) goals, key issues, and policy positions. The legislative and regulatory policies in this document are developed taking into consideration the Sanitation District's priorities, the wastewater industry, and the Sanitation District's member agencies and policy needs.

These Board-approved policies serve as the Sanitation District's official positions of support or opposition on issues of importance to the agency. The Plan is a dynamic document, adopted annually and modified to meet the needs of the Sanitation District as Federal, State, and Local policymaking agendas change throughout the year.

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 that the Sanitation District is more than a wastewater treatment plant - treating and sending water to the ocean. The Sanitation District is an environmentally engaged organization which recycles more than 50 percent of its wastewater. Additionally, to help meet the goal of 100 percent recycling, the Sanitation District uses the byproducts from the wastewater treatment process to produce biosolids to fertilize crops and energy used to help power the two plants in Fountain Valley and Huntington Beach.

PROPOSED SOLUTION

Review the draft 2021 Legislative and Regulatory Plan, which will go to the Board of Directors in December 2020. Advise staff to work with Local, State, and Federal officials to advocate the Sanitation District's legislative interests. Help to create/monitor legislation and grants that would benefit the Sanitation District, the wastewater industry, and the community as a whole. To assist in our relationship building activities, we will continue to reach out to our elected officials providing facility tours, one-on-one meetings, and trips to D.C. and Sacramento.

RAMIFICATIONS OF NOT TAKING ACTION

If we do not work with the Local, State, and Federal elected officials, legislation could be passed that negatively affects the Sanitation District and the wastewater industry as a whole. Additionally, this could affect our chances of receiving grant funding.

ADDITIONAL INFORMATION

The Sanitation District's State and Federal Lobbyists met with over 25 Sanitation District subject matter experts in early September. From the subject matter expert meetings, two proposed pieces of legislation were suggested:

- Bill Concept 1 - Raising the Threshold for Force Account Work

Legislative Change Requested:

Current law, Public Contract Code Section 20783, states that any force account work done by a sanitation district themselves cannot exceed \$5,000. Furthermore, the same code states that any expenditure for work exceeding \$35,000 shall be bid to the lowest responsible bidder after notice. The Sanitation District's request would be to increase the force account threshold described in Section 20783, as well as the bid threshold for work.

- Bill Concept 2 - Video Surveillance

Legislative Change Requested:

Assemblyman Cooley authored Assembly Bill (AB) 510 in 2019. The goal of AB 510 was to modernize our State's retention records mandate to allow for modern practices and provided flexibility for public agencies to adapt to future technological advances. Unfortunately, this bill did not pass.

The goal would be to amend Government Code 26202.3 to allow local public agencies, including special districts, to adopt records retention policies designed for modern digital recording technologies, while ensuring the proper retention of any records in which an incident may have occurred. This change in law will allow agencies to retain important records while deleting useless ones, thus saving a significant amount of taxpayer dollars on unnecessary data storage costs.

- Recommended Decision:

After further research and discussion with management and our subject matter experts it was decided that the Sanitation District should not put forth an effort to carry these bills as they would not prove to be a benefit to the Sanitation District. Additionally, carrying these bills would not save the Sanitation District money or time. Newer technology allows us to store more videos at a much lower cost of older technology. Additionally, after further review and consultation with the Purchasing and Contracts Manager, it has been discovered that there are other avenues for force and bid account thresholds. Therefore, staff is recommending that we do not carry the above stated bills.

ATTACHMENT

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

- Draft 2021 Legislative and Regulatory Plan

ORANGE COUNTY SANITATION DISTRICT

2021 Legislative and Regulatory Plan



Legislative & Regulatory Affairs Team

OCSD Staff

Rebecca Long Senior Public Affairs Specialist	(714) 593-7444	rlong@ocsd.com
Jennifer Cabral Administration Manager	(714) 593-7581	jcabral@ocsd.com
Daisy Covarrubias	(714) 593-7119	dcovarrubias@ocsd.com
Jim Herberg General Manager	(714) 593-7110	jherberg@ocsd.com

Federal Lobbying Team

Eric Sapirstein ENS Resources	(202) 466-3755	esap@ensresources.com
Sarah Sapirstein ENS Resources	(202) 466-3755	ssap@ensresources.com
David French ENS Resources	(202) 466-3755	dfrench@ensresources.com

State Lobbying Team

Cori Takkinen Townsend Public Affairs	(949) 399-9050	ctakkinen@TownsendPA.com
Eric O'Donnell Townsend Public Affairs	(949) 399-9050	eodonnell@TownsendPA.com
Christopher Townsend Townsend Public Affairs	(949) 399-9050	ctownsend@TownsendPA.com

Regulatory Advocacy Team

Tom Meregillano, Senior Regulatory Specialist	(714) 593-7457	tmeregillano@ocsd.com
Lan Wiborg, Director of Environmental Services	(714) 593-7450	lwiborg@ocsd.com

Legislative Public Affairs Committee

Peter Kim, Chair	Chair
Allan Bernstein	Vice-Chair
Lucille Kring	Member-At-Large
Erik Peterson	Member-At-Large
Christina Shea	Member-At-Large

David Shawver	Board Chair
John Withers	Board Vice-Chair

Introduction

The Orange County Sanitation District (OCSD) recognizes the need for an active local, state and federal legislative and regulatory advocacy program to ensure that the interests of the ratepayers and the Board of Directors (Board) are protected and supported. Towards that end, the legislative and regulatory team actively engages, pursues, and monitors activities in California and Washington, D.C. and takes appropriate action in support of or opposition to legislative and regulatory initiatives.

Each year, the Board of Directors adopts a legislative and regulatory plan, which is a summary of OCSD's goals, key issues, and policy positions. The legislative and regulatory policies in this document were developed taking into consideration OCSD's priorities, the wastewater industry, and OCSD's member agencies and policy needs. These Board-approved policies serve as OCSD's official positions of support or opposition on issues of importance to the agency. The legislative and regulatory plan is a dynamic document, adopted annually and is modified to meet the needs of OCSD as federal, state, and local policymaking agendas change throughout the year.

The legislative and regulatory team, in conjunction with the Board, may take appropriate action consistent with the legislative and regulatory plan, including, but not limited to, drafting position letters, advocating to legislators and their staff and proposing legislation and regulations.

Procedure for Taking Positions

1. Staff will track bills and proposed regulations of greatest interest to OCSD, particularly those that fall within the goals and objectives identified by the Board and included in this plan. Staff will monitor bills and proposed regulations being watched by similar agencies in Orange County (Irvine Ranch Water District, South Orange County Water Authority, Orange County Water District, Municipal Water District of Orange County, etc.) as well as state, federal and national associations such as California Association of Sanitation Agencies (CASA), Southern California Alliance of Publicly Owned Treatment Works (SCAP), California Special Districts Association (CSDA), Association of California Water Agencies (ACWA), Association of California Cities Orange County (ACC-OC), League of California Cities (LOCC), and National Association of Clean Water Agencies (NACWA).
2. For those bills and proposed regulations that are being tracked and where there is clear policy direction stated in the Board-adopted legislative and regulatory plan or adopted goals, Public Affairs and Regulatory staff can send letters to legislators and regulators and give direction to the lobbyists to advocate that position.
3. When an issue is not urgent, all legislative letters will be hand-signed by the Board Chair or Vice Chair. If a matter is urgent, staff may use the electronic signature, so long as a clear policy direction exists and the General Manager or Designee approves the letter.
4. When a bill does not fall within the scope of the legislative and regulatory plan or is a controversial issue, staff will seek direction from the Legislative and Public Affairs Committee.

5. If a bill does not fall within the scope of the legislative plan, but the Association of California Cities Orange County (ACCOC), the California Association of Sanitation Agencies (CASA), the California Special Districts Association (CSDA) or the National Association of Clean Water Agencies (NACWA) has an adopted position, staff may follow this position but must inform the Legislative and Public Affairs Committee of such action at the next regularly scheduled meeting.

Guiding Priorities

- Seek financial assistance for OCSO projects through grants, loans and , or other means;
- Maintain local control over governance of special districts and other local entities;
- Oppose redundant regulatory and legislative requirements that cause undue constraints on efficient operations;
- Support legislative regulatory streamlining that promotes affordability, public health and the environment.

Federal Priorities

- Advocate for national infrastructure program that includes wastewater infrastructure needs.
- Advocate for robust federal water infrastructure funding of existing programs in addition to national infrastructure initiative, including State Revolving Fund, Water Infrastructure Finance and Innovation Act (WIFIA), Smart Water Infrastructure Grants, and Water Recycling. Additionally, federal support in the form of assistance for disadvantaged communities and workforce training should be provided.
- Identify and work to secure competitive and direct federal grants assistance in support of green infrastructure, renewable energy, biosolids management, and water and organic management recycling projects assistance.
- Work with Congress and United States Environmental Protection Agency (EPA) to advance implementation of the WaterSense Program to increase the use of energy and water use efficient technologies at OCSO while protecting against treatment cost increases related to program rulemaking.
- Work with Congress to advance direct assistance to support innovative technology adoption.
- Work with Congress to advance federal assistance to support the treatment of forever chemicals and to protect public agencies from liability for per- and polyfluoroalkyl acids (PFAS) presence in biosolids and wastewater.
- Monitor federal agency grants for funding of traditional wastewater treatment needs, alternative renewable energy, bioenergy, water recycling, biosolids beneficial use, and beach protection.
- Work with Administration and Congress to advance commonsense permitting processes including ten-year National Pollutant Discharge Elimination System (NPDES) permits and programmatic permits issued by USEPA and the U.S. Army Corps of Engineers to reduce ratepayer costs. Any authority to issue efficient permitting solutions should not impose new requirements or burdens on permittees.
- Provide that any funding regime be derived from the manufacturers of PFAS chemicals to provide federal grants and low-interest loans to agencies impacted.
- Oppose regulations or legislation that would address PFAS as a class of constituents.
- Oppose designation of PFAS as hazardous substances under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- Work to secure liability exemption for wastewater agencies if PFAS or other “forever” chemicals defined as a hazardous substance under CERCLA or are regulated as a class.

- Work with OCSD's congressional delegation and administration officials to advance funding of resiliency needs, including impacts associated with sea level rise, seismic events, drought and general resiliency planning that would support OCSD's water recycling, conservation, and other resiliency projects.
- Support legislation, policies and regulations that offer to provide below market bonding rate assistance to construct treatment facilities, including credit assistance, Build America Bonds, Municipal Facility Assistance and infrastructure banks. Focus should include modernizing wastewater treatment facilities including energy and water use efficiency as well as sustainable energy recovery technologies, core infrastructure assistance related wastewater treatment, funding of final stage of water recycling needs, and related demonstration of evolving technologies to address brine line needs.
- Support legislation to label wipes as non-flushable/non-dispersible.
- Identify opportunities to secure federal support of OCSD's capital project needs as part of any budget decision making process for the coming fiscal year.
- Promote restoration of federal deductibility of state and local tax payments and oppose elimination or restriction on the use or availability of tax-exempt financing for public infrastructure.
- Support maximum funding in annual federal appropriations for the Clean Water Act State Revolving Fund (CWSRF).
- Work with Congress and the United States Environmental Protection Agency to streamline the Clean Water Act permitting processes. Provide assurances that CWSRF appropriations are not transferred to State Drinking Water State Revolving Fund (SRF) needs.
- Support legislation to revise the SRF allocation formula to allow for appropriate and fair share of funding to California consistent with United States EPA study (20% increase in share).
- Support removal of private activity Bond State Volume Cap as part of national infrastructure initiative on water and wastewater facilities to allow for innovative financing approaches.
- Work with the EPA on emerging regulatory issues of concern including integrated planning, method development, monitoring effluent limitations and guidelines, and contaminants of emerging concern including, but not limited to, PFAS and microplastics.
- OCSD will continue to advocate for federal policies that minimize regulatory burdens imposed upon communities and public agencies that seek to adopt programs for the giveback of pharmaceuticals that will result in the reduction of disposal of pharmaceuticals through wastewater treatment facilities. Additionally, OCSD will advocate for federal funding of programs currently authorized that support the development of pharmaceutical management programs including education.
- Support development of infrastructure policies and legislation that will close funding gaps and encourage direct grants assistance in support of projects and programs addressing resiliency needs that protect OCSD investments from natural disasters.
- Work with U.S. Department of Energy and EPA to identify and support efforts to secure funding assistance for OCSD energy-water nexus project demonstrations.

State Priorities

- Secure funding through grants and legislation for infrastructure, collection improvements, and alternative renewable energy at the Fountain Valley, Plant No. 1 and Huntington Beach, Plant No. 2.
- Promote a regional distribution/statewide equity approach to the disbursement of State Revolving Fund monies.
- Oppose legislation or any regulations that would mandate volumetric pricing of wastewater.
- Continue to monitor the state budget process and actively protect the allocation of local property taxes to special districts.

- Oppose regulations or legislation that would address PFAS as a class of constituents.
- Monitor state legislation as well as State Water Resources Control Board (SWRCB) and California Air Resources Control Board on regulatory activity related to PFAS.
- Work with legislators to address concerns stemming from Mobile Persistent Bioaccumulative Toxic substances (MPBTs) such as PFAS. Support funding opportunities for clean-up costs from the manufacturers of PFAS and through state grants and low-interest loans.
- Work with legislators who introduced legislation such as SB 163 (Hertzberg, 2015) and SB 332 (Hertzberg, 2019) to ensure that no unrealistic, one size fits all, regulations are placed on wastewater treatment facilities requirements for discharging, including OCSD.
- Oppose state mandates, regulations, or legislation such as AB 1217 (Daly, 2015) that set, alter, or otherwise modify the governance structure of special districts, joint powers authorities, or other local government entities.
- Support efforts to competitively seek funding for projects that meet the State's goals of expanded water supply and energy reduction.
- Where appropriate, pursue State funding for critical aging infrastructure, through funding sources made available through any agency including but not limited to the SWRCB and the Department of Water Resources.
- Support and participate in Integrated Regional Water Management planning efforts in the Santa Ana River watershed.
- Oppose restrictive and redundant regulatory requirements for biosolids.
- Support the creation of a Statewide Organics Management Plan that includes the beneficial use of biosolids, education, market expansion activities, and mandates to buy-back compost and other organics diverted from landfills.
- Support funding through grants and legislation for a Food Waste/Organic Co-Digestion facility at OCSD.
- Monitor pension reform legislation for clean-up bills and relevant proposed regulations.
- Support the State's efforts to increase the effectiveness and efficiencies of Local Agency Formation Commissions.
- Support efforts to reform the California Environmental Quality Act (CEQA) to streamline current procedures and regulations for projects to refurbish or replace existing infrastructure facilities.
- Actively monitor the Little Hoover Commission hearings and reports related to climate change adaptation, special districts and other topics as it relates to OCSD.
- Support the inclusion of recycled water credits during the continued development and implementation of long-term water conservation legislation and regulations.
- 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.
- Support legislation, such as AB 1672 (Bloom), or regulations that discourage the flushing of wipes through the sewer system, unless they meet certain performance standards.

Appendix

- a. Federal Tactics
- b. State Tactics
- c. Legislative and Regulatory Policies

Appendices

Appendix A

Federal Tactics	
Initiative	Action
1. Identify and advise on federal funding opportunities for OCSD infrastructure projects	<ul style="list-style-type: none"> ● Schedule meetings with federal agency stakeholders and senior officials in Washington D.C. and district offices to build support for OCSD priority projects; ● Work with congressional delegation to update priority needs; and ● Develop white papers to justify requested assistance through direct grants.
2. Seek funding assistance to advance recovery of energy and other resources from biosolids and other organics such as food waste	<ul style="list-style-type: none"> ● Meet with federal agency officials to review OCSD needs and to discuss funding opportunities and options related to the energy water nexus; and ● Work with U.S. Environmental Protection Agency and other agencies to advance energy and water efficient technologies related to smart water technologies and WaterSense grant program.

<p>3. Seek Infrastructure assistance</p> <p>A. Robust funding of State Revolving Fund (SRF) and revise SRF Allocation Formula</p> <p>B. Innovative Financing</p> <p>C. Regulatory Streamlining</p>	<ul style="list-style-type: none"> ● Meet with congressional delegation and key congressional committees; ● Develop priorities and disseminate to OCSD congressional delegation; ● Advocate before congressional infrastructure committees and applicable Executive Branch officials to secure adoption of alternative water infrastructure financing including credit, loans, public-private-partnerships and grants in addition to direct grants assistance; ● Work to ensure expedited National Environmental Policy Act and related reviews and approvals; and ● Work with Congress and U.S. Bureau of Reclamation on proposals to provide enhanced alternative water infrastructure financing tools. <p>Seek opportunities to testify before Congress</p>
<p>4. Support tax reform that protects public agencies</p>	<ul style="list-style-type: none"> ● Work with NACWA and CASA in support of unrestricted use of tax- exempt financing and feasible innovative financing approaches such as infrastructure banks to supplement traditional funding approaches; ● Work with state and local government stakeholders to restore state and local tax deductibility and advocate before congressional delegation; and ● Present or submit testimony. ● Transmit communications on tax-exempt financing.
<p>5. Support resiliency legislation, regulations, and policies that support protection of OCSD investments and promote water and biosolids recycling assistance</p>	<ul style="list-style-type: none"> ● Work with delegation and regulators to ensure incorporation of new programs for water and biosolids recycling assistance; ● Work with NACWA, CASA and ACWA to support resiliency water and biosolids recycling legislation and regulations; and ● Work with congressional infrastructure committees to secure assistance for resiliency projects.
<p>6. Work with federal agencies on permitting issues</p>	<ul style="list-style-type: none"> ● Work with U.S. Fish and Wildlife Service on environmental site assessment issues such as incidental take permits under Endangered Species Act (ESA); ● Advocate to authorize U.S. EPA to provide National Pollutant Discharge Elimination System (NPDES) permits terms for a period of up to 10- years and to retain five year administrative extension authority.

Appendix B

State Tactics	
Initiative	Action
<p>1. Develop a proactive legislative and regulatory advocacy agenda</p>	<ul style="list-style-type: none"> ● Identify legislation that has the potential to benefit or impact OCSD, as legislation is introduced and amended; ● Identify proposed state and local regulations that are introduced that have the potential to benefit or impact OCSD; ● Recommend positions on identified legislation and proposed regulation to align with OCSD’s legislative and regulatory plan; ● Create and continually update a legislative and regulatory matrix to track identified pieces of priority legislation and proposed regulations; ● Schedule advocacy days in Sacramento with legislators and committee staff and regulators; ● Continue an active letter writing campaign to support or oppose priority legislation and proposed regulations; ● Schedule meetings with legislators, regulators, stakeholders, and senior officials in Sacramento and district offices to build support for OCSD priority projects; and ● Participate in CASA’s legislative committees and Regulatory Workgroup and SCAP’s air quality, water issues, collection systems, biosolids, and wastewater pretreatment committees.
<p>2. Compile a comprehensive list of Capital Improvement projects</p>	<ul style="list-style-type: none"> ● Meet with OCSD’s Executive Management Team to discuss future capital projects and priorities, and ● Match capital improvements with funding opportunities based on project eligibility.
<p>3. Monitor and advise on possible funding opportunities, including but not limited to funding through Statewide bonds</p>	<ul style="list-style-type: none"> ● Proactively engage in the drafting of grant funding guidelines and provide input to drafting agency or committee to ensure eligibility and competitiveness of OCSD projects and priorities; ● Proactively engage on proposed legislation and regulations that would have an impact on the implementation of funding programs; and ● Identify funding opportunities and provide recommendations for eligible projects. Create an advocacy and outreach schedule on the planning and execution of efforts to seek funds.

<p>4. Monitor and advise on funding available through Cap and Trade</p>	<ul style="list-style-type: none"> ● Monitor the rollout of the Cap and Trade Expenditure Plan for waste diversion projects. Continue to advocate for additional funding in future Cap and Trade Expenditure Plans that OCSD is eligible for; ● Identify eligible and competitive projects and programs; and ● Create a schedule on planning and execution of efforts to seek funds, including outreach and advocacy strategy.
<p>5. Monitor and advise on energy or other resource recovery related funding opportunities</p>	<ul style="list-style-type: none"> ● Track energy related grant opportunities; ● Identify potential projects for funding, including, but not limited to alternative renewable energy, biosolids to energy conversion, organic waste (high strength food waste and fats, oils, and grease) to energy conversion, and greenhouse gas reduction projects; ● Ensure wastewater interests are protected as significant decisions are made related to renewable energy production financing, mandates, climate change goals, programs and continued efforts to extend the state’s emissions reduction target; ● Schedule meetings with local delegation as well as key members to discuss project benefits and funding opportunity; ● Support initiatives that help OCSD strive for energy independence by minimizing energy utilization and maximizing useful energy recovery from the sewage it receives; ● Support fair and reasonable regulations for the pipeline injection of biomethane produced from anaerobic digestion; and ● Support renewable energy initiatives that are reasonable and fair.
<p>6. Schedule and attend advocacy and outreach meetings to provide OCSD project updates</p>	<ul style="list-style-type: none"> ● Educate current administration, key staff and agencies on priority projects and advocate for funding allocations that align with OCSD priorities; ● Schedule stakeholder meetings to build support for projects; ● Hold advocacy meetings in coordination with funding opportunities and project timelines; ● Work with relevant budget committees, budget sub-committees, policy committees and their staff to advocate for funding allocations that align with OCSD priorities; and ● Provide full briefings and updates to Orange County legislative delegation and relevant members on OCSD priority projects.
<p>7. Regulatory relief to allow for water recycling and expansion of GWRS</p>	<ul style="list-style-type: none"> ● Outreach with the California Environmental Protection Agency, Department of Toxic Substances, State Water Resources Control Board, Regional Water Quality Control Board, the governor's office, legislative leadership and other appropriate stakeholders.
<p>8. Development and advocacy for design-build legislation targeted at OCSD projects</p>	<ul style="list-style-type: none"> ● Support and advocate for legislation that will expand the approved uses of design-build for OCSD specific projects; and ● Schedule briefings and updates with Orange County legislative delegation to discuss potential design build legislation.

<p>9. Development and implementation of a statewide biosolids land application management policy</p>	<ul style="list-style-type: none"> ● Work in conjunction with CASA and SCAP to outreach and educate legislators and regulators to develop an advocacy strategy for regulatory framework that will support statewide objectives to manage biosolids land application.
<p>10. Development and implementation of a strategy to relieve OCSD of cumbersome and outdated bid advertising costs</p>	<ul style="list-style-type: none"> ● Work with relevant legislators and committees to draft legislation that will lessen the cost burden on OCSD of complying with outdated bid advertising requirements; and ● Conduct outreach with various other Sanitation Districts/POTW's across the State to form a coalition to support any efforts.
<p>11. Development and advocacy for legislation to raise the contracting and bid threshold for Sanitation Districts</p>	<ul style="list-style-type: none"> ● Meet with local labor groups to initially present the issue; ● Brainstorm proposed solutions that will give OCSD and other Sanitation District's/POTW's more flexibility to complete small scale public works projects in house; ● Work in conjunction with CASA to outreach, educate, and develop an advocacy strategy that will target all Sanitation Districts/POTW's affected by the current threshold limitations; and ● Develop and advocate for legislation that will raise the threshold for work that can be performed in house as well as work that is required to be bid.

Appendix C

Legislative and Regulatory Policies

1. **Air Quality:** OCSD is committed to complying with federal, state, and local air quality laws, rules, regulations, and policies.
 - a. Support air quality legislations, regulations, rules, and policies that encourage the use of advanced air emission control technologies through greater flexibility and financial incentives.
 - b. Support measures that maintain and enhance local decision-making authority, where appropriate, in the development and implementation of air quality attainment strategies.
 - c. Support legislation and regulations to ensure greater consistency between the California and Federal Clean Air Acts.
 - d. Support strategies that clearly demonstrate and provide for the most cost-effective means for meeting air quality goals.
 - e. Continue to follow OCSD's odor policy to assure that OCSD is a good neighbor to the surrounding communities.
 - f. Monitor CARB's plans to accelerate zero- emissions medium and heavy-duty vehicle fleets and oppose regulation that would mandate specific fuel types.
 - g. Monitor SCAQMD's development of regulations and guidelines associated with AB 617 in the following areas: (1) implementation of best available retrofit control technology (BARCT) requirements for existing stationary sources; (2) deployment of air monitoring systems in selected communities; and (3) implementation of emissions reduction plans in selected communities.
 - h. Participate in CASA ACE and SCAP's effort to work with CARB in implementation of the updated AB 617 Criteria Pollutants & Toxics Reporting and AB 2588 Air Toxics "Hot Spots" Programs.
 - i. Monitor legislative and regulatory development in response to State's goal of achieving Carbon Neutrality including the electrification of engine-driven equipment.
 - j. Oppose redundant and unreasonable requirements, such as double reporting requirements, with respect to criteria pollutants, air toxics, or greenhouse gas emissions, including but not limited to reporting requirements associated with AB 617 (Garcia).

- k. Monitor and support any legislative development which would provide a relief on the use of diesel emergency power generators during State of Emergency events impacting the local electrical utility.
- 2. Biosolids, Organics and Biogas:** OCSD strives to beneficially use biosolids through multiple management options performed at reasonable costs that are protective of public health and the environment.
- a. Support legislation, regulations and policies that support the beneficial use of biosolids on agricultural lands, landscape, horticulture, California Healthy Soils Initiatives, mine reclamation, fire ravaged lands, superfund sites, brownfields, overgrazed lands, carbon sequestration and wetland restoration.
 - b. Support the promotion and funding of local pilot programs, studies, and research for the beneficial use of biosolids.
 - c. Oppose legislation, regulations, and policies that imposes unreasonable new rules, guidance or bans that restrict use of biosolids for land application in any region, county, or state without scientific basis.
 - d. Support alternative energy legislation, regulation and policies that encourage use of biosolids as a renewable energy resource.
 - e. Support streamlined legislation, regulations and policies that encourage the procurement of biogas, biosolids, and compost.
 - f. Support CalRecycle, California Air Resources Board (CARB), California Public Utilities Commission, (CPUC), California Energy Commission (CEC), California Department of Food and Agriculture (CDFA), and State Water Resources Control Board (SWRCB) accepting quality standards that allow wastewater treatment plants to inject biogas production into existing pipelines for renewable use.
 - g. Support composter associations and local cities and agencies in education, market expansion activities, and meeting mandates to buy-back compost and other organics diverted from landfills.
 - h. Limit redundant reporting requirements on organics, recyclable material, and solid waste.
 - i. Support organic co digestion and recycling projects.
- 3. Source Control:** OCSD supports legislative that reduces pollutants and harmful materials that could enter the sewer system.
- a. Support statewide or targeted public education programs and initiatives that teach appropriate “What To Flush” practices and fats, oils, and grease management.
 - b. Support federal policies and legislation that regulates the disposal of flushable wipes to ensure clarity on the definition of “flushable”.

- c. Support legislation, regulations, and funding assistance would lead to decreased introduction of microplastics and other chemicals of concern discharged into the sewer system.
 - d. Support legislation and funding mechanisms that reduce the amount of trash, waste, chemicals, and harmful organic material that enter the sewer system.
 - e. Support legislation that would create forever homes for forever chemicals.
 - f. Oppose regulations that would address PFAS as a class of constituents
- 4. Grant Funding:** OCS D is committed to advancing the state of knowledge in the treatment and management of wastewater through the application of innovative and alternative technologies. To this end, OCS D supports grants assistance to offset its research, special projects and capital improvement projects.
- a. Support legislation, bonds, programs and projects that provide funding for: infrastructure construction and rehabilitation, special studies and research or projects relating to security, environmental education, water quality, wastewater processing, urban runoff, wastewater recycling, biosolids and organics management, water quality improvement, resource recovery, or alternative energy.
 - b. Support projects that provide for public benefit over projects that are primarily intended for private benefit or gain.
 - c. Oppose proposals placing further requirements on grant recipients that return low value for high administrative costs.
 - d. Support regional collaboration and funding for public agencies for food waste co digestion and recycling projects.
- 5. Innovative Funding:** OCS D is committed to supporting programs that provide the highest quality services to its ratepayers.
- a. Support programs to leverage federal assistance such as credit assistance and highly subsidized loan assistance.
 - b. Support Public-Private-Partnerships, Public to Public and other financing approaches that can reduce costs only if such projects do not impose costs on OCS D ratepayers.
 - c. Support the full funding of the Clean Water Act- State Revolving Fund Program at \$4 billion annually.
 - d. Seek federal assistance to support water conservation projects such as water recycling, green infrastructure through the Water Infrastructure Finance and Innovation Act (WIFIA) and direct grants to reduce project costs.

- e. Support highly subsidized assistance for disadvantaged communities.

6. Labor Relations/Human Resources: OCSD is committed to employer-employee relations including, but not limited to meeting and conferring in good faith with recognized employee organizations regarding the wages, hours of work and other terms and conditions of employment. As Congress considers reforming the federal tax code, many of the provisions subject to reform may impact labor relations.

- a. Support measures to reform current workers compensation formulas that rely on a proportionate exposure formula.
- b. Support health insurance reform that does not create additional financial burdens on special districts.
- c. Support measures to ease applicability of the Fair Labor Standards Act (FLSA) on public agencies.
- d. Oppose any measure imposing compulsory and binding arbitration with respect to public employees.
- e. Oppose any measure that imposes upon local government mandated employee benefits that are more properly decided at the local bargaining table.
- f. Oppose efforts reducing local control over public employee disputes and imposing regulations on an outside agency.
- g. Oppose any measure granting essential public employees the right to strike.
- h. Oppose a new mandatory Social Security tax for public employers and public employees.
- i. Oppose overreaching and costly mandates that require non-necessary disclosures to employees
- j. Oppose legislation and regulations that force OCSD to adjust paid and unpaid leave time parameters

7. Security: OCSD is committed to the safety of all personnel, facilities, and the entire sewer system.

- a. Support legislation that would create efficiencies around the retention policy of surveillance video for innocuous recordings.
- b. Support funding assistance to implement COVID type employee protection needs.
- c. Support funding for the hardening of essential regional facilities such as water recycling and sewer collection and recycling sites.
- d. Support legislation and funding for regional emergency management collaboration to protect critical infrastructure.

- 8. Planning:** OCSD ensures the long-range planning of capital improvement programs in order to deliver the highest quality facilities.
 - a. Support reform of existing state, regional and local planning processes only if directly linked to reforms in the current revenue and tax structure of state and local governments.
 - b. Support measures that provide new revenues for growth management and the public facilities necessary to support expected growth.
 - c. Support proposals encouraging regional, sub-regional or countywide cooperation in planning urban development strategies, especially those that provide funding for effective implementation of agreed upon goals.
 - d. Oppose legislation consolidating special districts that fail to address the concerns of cities affected by the proposed consolidation.
 - e. Oppose measures that prevent or restrict the ability of cities or special districts to participate in the Southern California Association of Governments' (SCAG) sub-regional process.

- 9. Public Health:** Protection of public health is OCSD's core mission. OCSD will work cooperatively with county and state health officers to assure local health protection.
 - a. Support hazard mitigation, emergency response, planning, and recovery through direct legislation, policy directives, and funding toward floodplain security within the Santa Ana River watershed.
 - b. Support funding assistance to implement COVID and other viral type employee protection needs.
 - c. Support (generally) measures that provide for improved public health through regulation.
 - d. Support the protection of public health and environment through the construction and implementation of advanced wastewater treatment technology.
 - e. Support sharing critical information and data from state and county agencies in the interest of protecting the public health and saving taxpayer dollars.
 - f. Monitor legislation that provides additional occupational safety and health standard requirements for employees, contractors, or subcontractors.

- 10. Public Works:** OCSD is committed to the achievement of effective and efficient projects that provide wastewater treatment services that benefit its ratepayers.
 - a. Support measures that provide funding and support to publicly owned treatment works and sewage collection systems.
 - b. Support legislation and regulation that allow public agencies to procure goods and services in manners similar to private industry, thereby reducing overall costs of delivery.

- c. Support legislation and regulation that improve the Utility Underground Service Alert Program in order to improve coordination, identification, minimize damage, minimize environmental risks, and minimize cost exposure to publicly owned facilities when contractors are performing sub-surface work.
- d. Support a comprehensive response to the state's electricity and natural gas shortages that provide a stable energy supply, respects the ability of municipalities to provide power, recognizes that infrastructure (i.e. emergency and standby generators) exists that could be employed temporarily during periods with minimal air quality impact and protects ratepayers (including cities and special districts) against dramatic rate increases and statewide power outages.
- e. Support legislation and regulation that allow OCSD to utilize the Best Value Design/Build option for the construction of public works projects.
- f. Oppose Buy American mandates legislation that would increase project costs or prevent the use of the most innovative technologies.
- g. Monitor legislation that would require the inspection and possible repair of sewer laterals at the time of sale in residential, commercial, and industrial areas
- h. Support legislation that allows OCSD to utilize Job Order Contracting to more efficiently contract for routine projects
- i. Monitor legislation connected with government claims against special districts regarding risk and wrap-up insurance
- j. Support legislation that increases the thresholds for bid work and force account work

11. Tax Reform/Revenue and Taxation: Track pending legislation to ensure OCSD remains in compliance with the government code as it pertains to wastewater system user fees and property tax revenues and the investment of public funds.

- a. Support measures leading to a greater financial independence from the state that would result in greater stability and predictability in local government budgeting.
- b. Oppose measures that impose mandated costs for which there is no guarantee of local reimbursement or offsetting benefits.
- c. Oppose legislation that shifts tax revenues away from local governments without the adequate provision of a constitutionally guaranteed backfill to offset the lost revenues of those local governments.
- d. Oppose measures that shift existing local revenue sources back to the state, including the special district share of property tax, sales tax, vehicle license fees, and rate payer fees.
- e. Oppose the use of revenues traditionally used to fund the delivery of municipal services to fund programs for which the state is responsible, particularly the courts, health, and welfare programs.
- f. Oppose elimination or restriction of state and local tax deduction from federal tax liability of local

taxpayers.

- g. Oppose elimination or restriction on the availability of municipal tax-exempt financing for public infrastructure projects.
- h. Monitor legislation regarding changes in law that influence the fees and charges that OCSD facilitates

12. Special Districts: OCSD supports the maintenance of special districts to provide specific services, in response to citizen's demands, in a cost-effective manner.

- a. Support efforts to provide equitable treatment of Special Districts in emergency funding assistance.
- b. Support outreach to local, regional, and state elected officials to foster a greater understanding regarding the critical relationship between adequate reserves and the successful short-and-long-term operation of water and wastewater agencies.
- c. Support the work of the Association of California Water Agencies (ACWA), California Association of Sanitation Agencies (CASA), and California Special Districts Association (CSDA) in any future discussions or negotiations pertaining to the legislative and budget issues relative to preserving control of members' reserves.
- d. Oppose further state regulations that adversely impact special district financing, operations, and administration.
- e. Oppose measures that create or grant powers to sub-regional or regional bodies that would result in an infringement on clearly local concerns.
- f. Oppose any administrative or legislative efforts to access or transfer any reserve funds held by water and wastewater districts.
- g. Oppose the imposition of unfunded, mandated programs on local governments.
- h. Oppose efforts that diminish OCSD's ability to govern efficiently and effectively, including expanding the size of the Board of Directors.
- i. Support alternate methods of public meetings notices that maintain transparency but are more cost efficient and technologically advanced
- j. Support legislation that gives local control on video retention guidelines to special districts to maintain maximum flexibility and cost control.

13. Water Quality and Supply: OCSD is committed to participating collaboratively in the protection of regional water resources for the benefit of the people we serve.

- a. Support (generally) measures to increase water supply and improve water quality in the region, including drought relief legislations and regulations.

- b. Support measures that would increase funding for water reuse technologies, including support for the Groundwater Replenishment System project by the Orange County Water District and OCSD to create new water supplies through wastewater recycling.
- c. Support measures that promote and provide for the use of reclaimed water.
- d. Support policy development, funding, and research for addressing urban runoff, stormwater, and beach closures, including funding for studies that identify the sources of bacterial, viral and other microbial contaminants and human pathogens.
- e. Support measures to evaluate water quality standards, as needed, to ensure the objectives are appropriately protecting the designated use.
- f. Support legislation and regulation that would direct U.S. EPA levied fines to remain in the region.
- g. Support measures addressing non-point source pollution in order to protect our ocean water quality and provide funding to mitigate its effects, including integrated permitting approaches that can reduce costs and achieve water quality improvements while allowing permits to be tailored to the needs of Orange County and its watershed.
- h. Support national infrastructure policies that contain aspirational goal that promotes improved water use efficiency in construction of water efficient buildings and communities.
- i. Support legislation and regulation that promote improved water use efficiency through state assistance in evaluating and implementing new programs and technologies and increasing public awareness of water use efficiency.
- j. Support legislation and regulation that provide for the development of the watershed approach, including watershed management plans and watershed-based permitting.
- k. Support legislation and regulation that necessitate the responsible use of water in residential, commercial, and industrial areas.
- l. Support streamlined environmental guidelines and regulations that would safeguard the region, providing increased protections and lesser costs to ratepayers.
- m. Oppose the imposition of statewide fees for environmental cleanup that is caused through private sector actions or are regional in nature (e.g., when the nexus between those responsible for environmental abuse and those required to pay for cleanup or mitigation is absent).
- n. Support approaches to reduce compliance costs associated with stormwater controls including the use of integrated plans.
- o. Monitor state and federal legislation and regulations related to PFAS substances.



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LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE

Agenda Report

File #: 2020-1263

Agenda Date: 11/9/2020

Agenda Item No: 3.

FROM: James D. Herberg, General Manager

SUBJECT:

CONSIDERATION OF HOUSE OF REPRESENTATIVES BILL (H.R.) 763

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Provide direction to staff regarding the House of Representatives Bill (H.R.) 763 - Energy Innovation and Carbon Dividend Act (Deutch).

BACKGROUND

The Energy Innovation and Carbon Dividend Act of 2019 H.R. 763 is a Federal bill that proposes a fee on carbon at the point of extraction to encourage market-driven innovation of clean energy technologies to reduce greenhouse gas emissions.

The Orange County Sanitation District (Sanitation District) mission states that we "protect public health and the environment", which is the goal of H.R. 763. Generally, this bill does not have a direct impact on the Sanitation District or the wastewater industry as a whole.

Conversely, H.R. 763 could financially impact the Sanitation District by virtue of pass-through costs. Additionally, it is anticipated the real impact to the Sanitation District is found in the higher costs of fuel.

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

H.R. 763 does not fall within the Sanitation District's adopted Legislative and Regulatory Plan, therefore, staff is seeking Committee direction.

PROPOSED SOLUTION

Per the 2020 Legislative and Regulatory Plan, "When a bill does not fall within the scope of the legislative and regulatory plan or is a controversial issue, staff will seek direction from the Legislative and Public Affairs Committee."

As such, staff is seeking guidance from the Legislative and Public Affairs Committee on the official position on this bill.

This bill is generally supported by the 2020 Legislative and Regulatory Plan. In particular, Page 12 Appendix C, the 2020 Legislative and Regulatory Plan states:

- Support air quality legislations, regulations, rules, and policies that emphasize the use of advanced technologies and promote greater flexibility and financial incentives to reduce air emission.

TIMING CONCERNS

If action is taken by Congress, it anticipated that it will not occur until 2021.

RAMIFICATIONS OF NOT TAKING ACTION

There will most likely not be any ramifications from not taking action as the bill is unlikely to receive House committee action.

ADDITIONAL INFORMATION

At the request of a Board Member, staff is bringing this bill for Committee consideration.

At the writing of this report, the California Association of Sanitation Agencies and the National Association of Clean Water Agencies have not taken a position on this bill.

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENT

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

- House of Representatives Bill 763

**Shown Here:
Introduced in House (01/24/2019)**

116TH CONGRESS
1ST SESSION

H. R. 763

To create a Carbon Dividend Trust Fund for the American people in order to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2019

Mr. DEUTCH (for himself, Mr. LIPINSKI, Mr. CRIST, Mr. PETERS, Ms. ESHOO, Ms. JUDY CHU of California, and Mr. ROONEY of Florida) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To create a Carbon Dividend Trust Fund for the American people in order to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Energy Innovation and Carbon Dividend Act of 2019”.

SEC. 2. FINDINGS.

The Congress finds that—

(1) efficient markets strengthen our economy and benefit our Nation by encouraging competition, innovation, and technological progress;

(2) efficient markets should reflect all costs of goods to ensure that they advance America’s prosperity and national interests;

(3) emissions of carbon pollution and other harmful pollutants into our Nation’s air impose substantial costs on all Americans and on future generations; and

(4) creation of a Carbon Dividend Trust Fund, to be distributed to the American people, will make markets more efficient, create jobs, and stimulate competition, innovation, and technological progress that benefit all Americans and future generations.

SEC. 3. CARBON DIVIDENDS AND CARBON FEE.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by adding at the end the following new subtitle:

“Subtitle L—CARBON DIVIDENDS AND CARBON FEE

“CHAPTER 101. CARBON FEES.

“CHAPTER 102. CARBON BORDER FEE ADJUSTMENT.

“CHAPTER 101—CARBON FEES

[“Sec. 9901. Definitions.](#)

[“Sec. 9902. Carbon fee.](#)

[“Sec. 9903. Emissions reduction schedule.](#)

[“Sec. 9904. Fee on fluorinated greenhouse gases.](#)

[“Sec. 9905. Decommissioning of Carbon Administration.](#)

[“Sec. 9906. Carbon Capture and Sequestration.](#)

[“Sec. 9907. Administrative authority.](#)

“SEC. 9901. DEFINITIONS.

“For purposes of this subtitle:

“(a) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Environmental Protection Agency.

“(b) CARBON DIOXIDE EQUIVALENT OR CO₂-E.—The term ‘carbon dioxide equivalent’ or ‘CO₂-e’ means the number of metric tons of carbon dioxide emissions with the same global warming potential as one metric ton of another greenhouse gas.

“(c) CARBON-INTENSIVE PRODUCT.—The term ‘carbon-intensive product’ means, as identified by the Secretary by rule—

“(1) any manufactured or agricultural product which the Secretary in consultation with the Administrator determines is emissions-intensive and trade-exposed, except that no covered fuel is a carbon-intensive product, and

“(2) until such time that the Secretary promulgates rules identifying carbon-intensive products, the following shall be considered carbon-intensive products: iron, steel, steel mill products (including pipe and tube), aluminum, cement, glass (including flat, container, and specialty glass and fiberglass), pulp, paper, chemicals, or industrial ceramics.

“(d) CARBON LEAKAGE.—The term ‘carbon leakage’ means an increase of global greenhouse gas emissions which are substantially due to the relocation of greenhouse gas sources from the United States to jurisdictions which lack comparable controls upon greenhouse gas emissions.

“(e) COST OF CARBON OR CARBON COSTS.—The term ‘cost of carbon’ or ‘carbon costs’ means a national or sub-national government policy which explicitly places a price on greenhouse gas pollution and shall be limited to either a tax on greenhouse gases or a system of cap-and-trade. The cost of carbon is expressed as the price per metric ton of CO₂-e.

“(f) COVERED ENTITY.—The term ‘covered entity’ means—

“(1) in the case of crude oil—

“(A) a refinery operating in the United States, and

“(B) any importer of any petroleum or petroleum product into the United States,

“(2) in the case of coal—

“(A) any coal mining operation in the United States, and

“(B) any importer of coal into the United States,

“(3) in the case of natural gas—

“(A) any entity entering pipeline quality natural gas into the natural gas transmission system, and

“(B) any importer of natural gas into the United States,

“(4) in the case of fluorinated gases any entity required to report the emission of a fluorinated gas under part 98 of title 40, Code of Federal Regulations, and

“(5) any entity or class of entities which, as determined by the Secretary, is transporting, selling, or otherwise using a covered fuel in a manner which emits a greenhouse gas to the

atmosphere and which has not been covered by the carbon fee, the fluorinated greenhouse gas fee, or the carbon border fee adjustment.

“(g) COVERED FUEL.—The term ‘covered fuel’ means crude oil, natural gas, coal, or any other product derived from crude oil, natural gas, or coal which shall be used so as to emit greenhouse gases to the atmosphere.

“(h) CRUDE OIL.—The term ‘crude oil’ means unrefined petroleum.

“(i) EXPORT.—The term ‘export’ means to transport a product from within the jurisdiction of the United States to persons outside the United States.

“(j) FLUORINATED GREENHOUSE GAS.—The term ‘fluorinated greenhouse gas’ means sulfur hexafluoride (SF₆), nitrogen trifluoride (NF₃), and any fluorocarbon except for controlled substances as defined in subpart A of part 82 of title 40, Code of Federal Regulation, and substances with vapor pressures of less than 1 mm of Hg absolute at 25 degrees. With these exceptions, ‘fluorinated greenhouse gas’ includes but is not limited to any hydrofluorocarbon, any perfluorocarbon, any fully fluorinated linear, branched or cyclic alkane, ether, tertiary amine or aminoether, any perfluoropolyether, and any hydrofluoropolyether.

“(k) FOSSIL FUEL.—The term ‘fossil fuel’ means coal, coal products, petroleum, petroleum products, or natural gas.

“(l) FULL FUEL CYCLE GREENHOUSE GAS EMISSIONS.—The term ‘full fuel cycle greenhouse gas emissions’ means the greenhouse gas content of a covered fuel plus that covered fuel’s upstream greenhouse gas emissions.

“(m) GLOBAL WARMING POTENTIAL.—The term ‘global warming potential’ means the ratio of the time-integrated radiative forcing from the instantaneous release of one kilogram of a trace substance relative to that of one kilogram of carbon dioxide.

“(n) GREENHOUSE GAS.—The term ‘greenhouse gas’ means carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), perfluorocarbon (PFCs), and other gases as defined by rule of the Administrator.

“(o) GREENHOUSE GAS CONTENT.—The term ‘greenhouse gas content’ means the amount of greenhouse gases, expressed in metric tons of CO₂-e, which would be emitted to the atmosphere by the use of a covered fuel and shall include, nonexclusively, emissions of carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄), and other greenhouse gases as identified by rule of the Administrator.

“(p) GREENHOUSE GAS EFFECT.—The term ‘greenhouse gas effect’ means the adverse effects of greenhouse gases on health or welfare caused by the greenhouse gas’s heat-trapping potential or its effect on ocean acidification.

“(q) IMPORT.—Irrespective of any other definition in law or treaty, the term ‘import’ means to land on, bring into, or introduce into any place subject to the jurisdiction of the United States.

“(r) PETROLEUM.—The term ‘petroleum’ means oil removed from the earth or the oil derived from tar sands or shale.

“(s) PRODUCTION GREENHOUSE GAS EMISSIONS.—The term ‘production greenhouse gas emissions’ means the quantity of greenhouse gases, expressed in metric tons of CO₂-e, emitted to the atmosphere resulting from, nonexclusively, the production, manufacture, assembly, transportation, or financing of a product.

“(t) UPSTREAM GREENHOUSE GAS EMISSIONS.—The term ‘upstream greenhouse gas emissions’ means the quantity of greenhouse gases, expressed in metric tons of CO₂-e, emitted to the atmosphere resulting from, nonexclusively, the extraction, processing, transportation, financing, or other preparation of a covered fuel for use.

“SEC. 9902. CARBON FEE.

“(a) CARBON FEE.—There is hereby imposed a carbon fee on any covered entity’s emitting use, or sale or transfer for an emitting use, of any covered fuel.

“(b) AMOUNT OF THE CARBON FEE.—The carbon fee imposed by this section is an amount equal to—

“(1) the greenhouse gas content of the covered fuel, multiplied by

“(2) the carbon fee rate.

“(c) CARBON FEE RATE.—For purposes of this section—

“(1) IN GENERAL.—The carbon fee rate, with respect to any use, sale, or transfer during a calendar year, shall be—

“(A) in the case of calendar year 2019, \$15, and

“(B) except as provided in paragraph (2), in the case of any calendar year thereafter—

“(i) the carbon fee rate in effect under this subsection for the preceding calendar year, plus

“(ii) \$10.

“(2) EXCEPTIONS.—

“(A) INCREASED CARBON FEE RATE AFTER MISSED ANNUAL EMISSIONS REDUCTION TARGET.—In the case of any year immediately following a year for which the

Secretary determines under 9903(b) that the actual emissions of greenhouse gases from covered fuels exceeded the emissions reduction target for the previous year, paragraph (1)(B)(ii) shall be applied by substituting ‘\$15’ for the dollar amount otherwise in effect for the calendar year under such paragraph.

“(B) CESSATION OF CARBON FEE RATE INCREASE AFTER CERTAIN EMISSION REDUCTIONS ACHIEVED.—In the case of any year immediately following a year for which the Secretary determines under 9903(b) that actual emissions of greenhouse gases from covered fuels is not more than 10 percent of the greenhouse gas emissions from covered fuels during the year 2016, paragraph (1)(B)(ii) shall be applied by substituting ‘\$0’ for the dollar amount otherwise in effect for the calendar year under such paragraph.

“(3) INFLATION ADJUSTMENT.—In the case of any calendar year after 2019, each of the dollar amounts in paragraphs (1)(A), (1)(B)(ii), and (2)(A) shall be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2018’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

“(d) EXEMPTION AND REFUND.—The Secretary shall prescribe such rules as are necessary to ensure the fee imposed by this section is not imposed with respect to any nonemitting use, or any sale or transfer for a nonemitting use, including rules providing for the refund of any carbon fee paid under this section with respect to any such use, sale, or transfer.

“(e) EXEMPTIONS.—

“(1) AGRICULTURE.—

“(A) FUEL.—If any covered fuel or its derivative is used on a farm for a farming purpose, the Secretary shall pay (without interest) to the ultimate purchaser of such covered fuel or its derivative, the total amount of carbon fees previously paid upon that covered fuel or its derivative, as specified by rule of the Secretary.

“(B) FARM, FARMING USE, AND FARMING PURPOSE.—The terms ‘farm’, ‘farming use’, and ‘farming purpose’ shall have the respective meanings given such terms under section 6420(c).

“(C) OTHER GREENHOUSE GASES EMISSIONS FROM AGRICULTURE.—The carbon fee shall not be levied upon non-fossil fuel greenhouse gas emissions which occur on a farm.

“(2) ARMED FORCES OF THE UNITED STATES.—If any covered fuel or its derivative is used by the Armed Forces of the United States as supplies for vessels of war, vehicles, or

electrical power generation equipment, the Secretary shall pay (without interest) to the ultimate purchaser of such covered fuel or its derivative, the total amount of carbon fees previously paid upon that covered fuel or its derivative, as specified by rule of the Secretary.

“SEC. 9903. EMISSIONS REDUCTION SCHEDULE.

“(a) IN GENERAL.—An emissions reduction schedule for greenhouse gas emissions from covered fuels is hereby established, as follows:

“(1) REFERENCE YEAR.—The greenhouse gas emissions from covered fuels during the year 2016 shall be the reference amount of emissions and shall be determined from the ‘Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2016’ published by the Environmental Protection Agency in April of 2018.

“(2) EMISSIONS REDUCTION TARGET.—The first emission reduction target shall be for the year 2022. The emission target for each year thereafter shall be the previous year’s target emissions minus a percentage of emissions during the reference year determined in accordance with the following table:

“Year	Emissions Reduction Target
2016	Reference year
2020 to 2024	No emissions reduction target
2025 to 2034	5 percent of 2016 emissions per year
2035 to 2050	2.5 percent of 2016 emissions per year

“(b) ADMINISTRATIVE DETERMINATION.—Not later than 60 days after the beginning of each calendar year beginning after the enactment of this section, the Secretary, in consultation with the Administrator, shall determine whether actual emissions of greenhouse gases from covered fuels exceeded the emissions reduction target for the preceding calendar year. The Secretary shall make such determination using the same greenhouse gas accounting method as was used to determine the greenhouse gas emissions in the ‘Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2016’ published by the Environmental Protection Agency in April of 2018.

“SEC. 9904. FEE ON FLUORINATED GREENHOUSE GASES.

“(a) FLUORINATED GAS FEE.—A fee is hereby imposed upon any fluorinated greenhouse gas which is required to be reported under part 98 of title 40, Code of Federal Regulations.

“(b) AMOUNT.—The fee to be paid by the covered entity required to so report shall be an amount equal to—

“(1) the total amount, in metric tons of CO₂-e, of emitted fluorinated greenhouse gases (or, in the case of a supplier, emissions that would result determined under the rules of such part), multiplied by

“(2) an amount equal to 10 percent of the carbon fee rate in effect under section 9902(d)(1) for the calendar year of such emission.

“SEC. 9905. DECOMMISSIONING OF CARBON FEE.

“(a) IN GENERAL.—At such time that—

“(1) the Secretary determines under 9903(b) that actual emissions of greenhouse gases from covered fuels is not more than 10 percent of the greenhouse gas emissions from covered fuels during the year 2016, and

“(2) the monthly carbon dividend payable to an adult eligible individual has been less than \$20 for 3 consecutive years,

the Secretary shall decommission in an orderly manner all bureaus and programs associated with administering the carbon fee, the carbon border fee adjustment, and the Carbon Dividend Trust Fund.

“(b) INFLATION ADJUSTMENT.—In the case of any calendar year after 2020, the \$20 amount under subsection (a)(2) shall be increased by an amount equal to—

“(1) such dollar amount, multiplied by

“(2) cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2017’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

“SEC. 9906. CARBON CAPTURE AND SEQUESTRATION.

“(a) IN GENERAL.—The Secretary, in consultation with the Administrator and the Secretary of Energy, shall prescribe regulations for making payments as provided in subsection (b) to qualified facilities which capture and sequester qualified carbon dioxide.

“(b) PAYMENT AMOUNTS.—

“(1) IN GENERAL.—The Secretary shall make payments to a qualified facility in the same manner as if such payment was a refund of an overpayment of the carbon fee imposed by section 9902, in cases in which such qualified facility—

“(A) uses any covered fuel—

“(i) with respect to which the carbon fee has been paid, and

“(ii) which results in the emission of qualified carbon dioxide,

“(B) captures such emitted qualified carbon dioxide, and

“(C) (i) sequesters such qualified carbon dioxide in a manner which is safe, permanent, and in compliance with any applicable local, State, and Federal laws, or

“(ii) utilizes such qualified carbon dioxide in a manner provided in paragraph (3)(C).

“(2) AMOUNT OF REFUND.—The payment determined under this section shall be an amount equal to the lesser of—

“(A) (i) the adjusted metric tons of qualified carbon dioxide captured and sequestered or utilized, multiplied by

“(ii) the carbon fee rate during the year in which the carbon fee was imposed by section 9902 upon the covered fuel to which such carbon dioxide relates, or

“(B) the amount of the carbon fee imposed by section 9902 with respect to such covered fuel.

“(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

“(A) QUALIFIED CARBON DIOXIDE; QUALIFIED FACILITY.—

“(i) QUALIFIED CARBON DIOXIDE.—The term ‘qualified carbon dioxide’ has the same meaning given such term under section 45Q(b).

“(ii) QUALIFIED FACILITY.—The term ‘qualified facility’ means any industrial facility at which carbon capture equipment is placed in service.

“(B) ADJUSTED TOTAL METRIC TONS.—The adjusted total metric tons of qualified carbon dioxide captured and sequestered or utilized shall be the total metric tons of qualified carbon dioxide captured and sequestered or utilized, reduced by the amount of any carbon dioxide likely to escape and be emitted into the atmosphere due to imperfect storage technology or otherwise, as determined by the Secretary in consultation with the Administrator.

“(C) UTILIZATION.—The Secretary, in consultation with the Administrator, shall establish regulations providing for the methods and processes by which qualified carbon dioxide may be utilized so as to remove that qualified dioxide safely and permanently from the atmosphere. Utilization may include the production of substances such as but not limited to plastics and chemicals. Such regulations shall minimize the escape or further emission of the qualified carbon dioxide into the atmosphere.

“(D) SEQUESTRATION.—Not later 540 days after the date of the enactment of this section, the Secretary, in consultation with the Administrator, shall prescribe regulations

identifying the conditions under which carbon dioxide may be safely and permanently sequestered.

“(4) COORDINATION WITH CREDIT FOR CARBON DIOXIDE SEQUESTRATION.—

At such time that the Secretary prescribes regulations implementing this section, no payment under this section shall be allowed to a taxpayer to whom a credit has been allowed for any taxable year under section 45Q.

“SEC. 9907. ADMINISTRATIVE AUTHORITY.

“(a) IN GENERAL.—The Secretary in consultation with the Administrator shall prescribe such regulations, and other guidance, as may be necessary to carry out the purposes of this subtitle and assess and collect the carbon fee imposed by section 9902 and the fluorinated greenhouse gas fee imposed by section 9904.

“(b) SPECIFICALLY.—Such regulations and guidance shall include—

“(1) the identification of an effective point in the production, distribution, or use of a covered fuel or fluorinated greenhouse gas for collecting such carbon fee or fluorinated greenhouse gas fee, in such a manner so as to minimize administrative burden and maximize the extent to which full fuel cycle greenhouse gas emissions from covered fuels or fluorinated greenhouse gases have the carbon fee or fluorinated greenhouse gas fee levied upon them,

“(2) the identification of covered entities which shall be liable for the payment of the carbon fee or the fluorinated greenhouse gas fee,

“(3) requirements for the monthly payment of such fees,

“(4) as may be necessary or convenient, rules for distinguishing between different types of covered fuels,

“(5) as may be necessary or convenient, rules for distinguishing between a covered fuel’s greenhouse gas content and its upstream greenhouse gas emissions,

“(6) rules to ensure that no covered fuel or fluorinated greenhouse gas has the carbon fee, fluorinated greenhouse gas fee, or carbon border fee adjustment imposed upon it more than once, and

“(7) rules to ensure that the domestic implementation of the carbon fee and the fluorinated greenhouse gas fee coordinate with the implementation of the carbon border fee adjustment of chapter 102.

“CHAPTER 102—CARBON BORDER FEE ADJUSTMENT

[“Sec. 9908. Carbon border fee adjustment.](#)

[“Sec. 9909. Administration of the carbon border fee adjustment.](#)

[“Sec. 9910. Allocation of carbon border fee adjustment revenues.](#)

“SEC. 9908. CARBON BORDER FEE ADJUSTMENT.

“(a) IN GENERAL.—The fees imposed by, and refunds allowed under, this section shall be referred to as ‘the carbon border fee adjustment’.

“(b) PURPOSE.—The purpose of the carbon border fee adjustment is to protect animal, plant, and human life and health, to conserve exhaustible natural resources by preventing carbon leakage, and to facilitate the creation of international agreements.

“(c) IMPORTED COVERED FUELS FEE.—In the case of any person that imports into the United States any covered fuel, there shall be imposed a fee equal to the excess (if any) of—

“(1) an amount equal to—

“(A) the amount of full fuel cycle greenhouse gas emissions of such fuel, multiplied by

“(B) the carbon fee rate in effect for the year in which such fuel is imported, over

“(2) the total foreign cost of carbon carried by such fuel.

“(d) IMPORTED CARBON-INTENSIVE PRODUCTS FEE.—In the case of any person that imports into the United States any carbon-intensive products, there shall be imposed a fee equal to the excess (if any) of—

“(1) an amount equal to—

“(A) production greenhouse gas emissions of such product, multiplied by

“(B) the carbon fee rate in effect for the year in which the production greenhouse gas emissions of such product were emitted into the atmosphere, over

“(2) the total foreign cost of carbon carried by such product.

“(e) REFUND ON EXPORTS FROM UNITED STATES.—

“(1) CARBON-INTENSIVE PRODUCTS.—Under regulations prescribed by the Secretary, there shall be allowed a credit or refund (without interest) to exporters of carbon-intensive products manufactured or produced in the United States an amount equal to the excess (if any) of—

“(A) an amount equal to—

“(i) the production greenhouse gas emissions of the exported carbon-intensive product, multiplied by

“(ii) the carbon fee rate during the year in which the carbon fee or fluorinated greenhouse gas fee was paid upon the production greenhouse gas emissions of the exported carbon-intensive product, over

“(B) any total cost of carbon to be levied upon the carbon-intensive product by any jurisdiction to which the carbon-intensive product is to be imported.

Any such credit or refund shall be allowed in the same manner as if it were an overpayment of the fee imposed by section 9902 or 9904. The Secretary shall establish fair, timely, impartial, and as necessary confidential procedures by which any exporter of any product from the United States may petition the Secretary to include that exported product on the list of carbon-intensive products.

“(2) COVERED FUELS.—Under regulations prescribed by the Secretary, in the case of a covered fuel produced in the United States with respect to which the fee under section 9902 was paid, there shall be allowed as a credit or refund (without interest) to any exporter of such covered fuels an amount equal to the excess (if any) of—

“(A) an amount equal to—

“(i) the full fuel cycle greenhouse gas emissions of the covered fuel, multiplied by

“(ii) the carbon fee rate at the time the carbon fee was paid upon the full fuel cycle greenhouse gas emissions of the exported covered fuel, over

“(B) any total cost of carbon to be levied upon the covered fuel by a jurisdiction to which the carbon-intensive product is to be imported.

Any such credit or refund shall be allowed in the same manner as if it were an overpayment of tax imposed by section 9902.

“(f) DEFINITIONS.—For purposes of this section—

“(1) FOREIGN COST OF CARBON; FOREIGN CARBON COSTS.—The term ‘foreign cost of carbon’ or ‘foreign carbon cost’ means the cost of any laws of a foreign jurisdiction which impose a system of cap-and-trade with respect to, or a tax or fee on, greenhouse gas. Such cost shall be determined and expressed as a price per metric ton of CO₂-e.

“(2) TOTAL COST OF CARBON CARRIED.—The term ‘total cost of carbon carried’ means an amount equal to—

“(A) the production greenhouse gas emissions of a carbon-intensive product or the full fuel cycle greenhouse gas emissions of a covered fuel, multiplied by

“(B) the cost of carbon with respect to such product or fuel, reduced by any amount refunded with respect to such product or fuel by a foreign jurisdiction.

The total cost of carbon carried shall be expressed as price in United States dollars.

“(3) TOTAL FOREIGN COST OF CARBON CARRIED.—The term ‘total foreign cost of carbon carried’ means an amount equal to—

“(A) the production greenhouse gas emissions of a carbon-intensive product, or the full fuel cycle greenhouse gas emissions of a covered fuel, multiplied by

“(B) the foreign cost of carbon with respect to such product or fuel, reduced by the amount refunded with respect to such product or fuel by a foreign jurisdiction.

The total foreign cost of carbon carried shall be expressed as price in United States dollars.

“SEC. 9909. ADMINISTRATION OF THE CARBON BORDER FEE ADJUSTMENT.

“(a) GENERALLY.—The Secretary in consultation with the Administrator shall prescribe regulations and guidance which implement the carbon border fee adjustment under section 9908.

“(b) COLLABORATION.—In determining the production greenhouse gas emissions of an imported carbon-intensive product, the upstream greenhouse gas emissions of an imported covered fuel, the full fuel cycle greenhouse gas emissions of an imported covered fuel, or the foreign cost of carbon, or otherwise administering the carbon border fee adjustment, it is the sense of Congress that the Secretary should collaborate with authorized officers of any jurisdiction, including sub-national governments, affected by the carbon border fee adjustment.

“(c) METHODOLOGY.—In determining the production greenhouse gas emissions of an imported carbon-intensive product, the upstream greenhouse gas emissions of an imported covered fuel, the full fuel cycle greenhouse gas emissions of an imported covered fuel, or the foreign cost of carbon, the Secretary shall use reliable methodologies, which—

“(1) as may be necessary or convenient—

“(A) distinguish between different types of covered fuels,

“(B) distinguish between a covered fuel’s greenhouse gas content and that covered fuel’s upstream greenhouse gas emissions,

“(C) distinguish between the different types of greenhouse gas emissions which compose a covered fuel’s upstream greenhouse gas emissions or greenhouse gas content, as well as the various processes which produced those emissions, and

“(D) distinguish between the different types of greenhouse gas emissions which compose a carbon-intensive product’s production greenhouse gas emissions, as well as the various processes which produced those emissions,

“(2) ensure that no covered fuel, covered fluorinated greenhouse gas, or carbon-intensive product has the carbon fee, the fluorinated greenhouse gas fee, or the border fee adjustment imposed upon it more than once,

“(3) ensure that the implementation of the border carbon adjustment aligns with the carbon fee and the fluorinated gas fee,

“(4) in the case of incomplete data, rely upon the best available methodologies for interpolating data gaps, and

“(5) are consistent with international treaties and agreements.

“(d) SCHEDULE.—The Secretary shall determine—

“(1) not later than 3 years after the date of the enactment of this section, the production greenhouse gas emissions of imported carbon-intensive products,

“(2) not later than 180 days after the date of the enactment of this section, the full fuel cycle greenhouse gas emissions and the upstream greenhouse gas emissions of every imported covered fuel, and

“(3) not later than 3 years after the date of the enactment of this section, the foreign cost of carbon in all jurisdictions.

“(e) PROCEDURE.—The Secretary shall establish fair, timely, impartial, and as necessary confidential procedures by which the importer of any carbon-intensive product or any covered fuel may petition the Secretary to revise the Secretary’s determination of the production greenhouse gas emissions, full fuel cycle greenhouse gas emissions, or upstream greenhouse gas emissions of that importer’s imported covered fuel or imported carbon-intensive product, or the foreign cost of carbon carried by that importer’s imported carbon-intensive product.

“(f) SHIPMENTS FROM THE UNITED STATES TO THE TERRITORIES OF THE UNITED STATES.—Notwithstanding any other treaty, law, or policy, shipments of covered fuels or carbon-intensive products from the United States to Guam, the United States Virgin Islands, Samoa, Puerto Rico, and the Northern Mariana Islands shall be eligible for a refund of the carbon fee under section 9908(e).

“(g) IMPORTS TO THE TERRITORIES OF THE UNITED STATES.—Notwithstanding any other treaty, law, or policy, imports of covered fuels or carbon-intensive products to Guam, the United States Virgin Islands, Samoa, Puerto Rico, and the Northern Mariana Islands shall not be subject to Section 9908(c) or 9908(d).”

“SEC. 9910. ALLOCATION OF CARBON BORDER FEE ADJUSTMENT REVENUES.

“The revenues collected under this chapter may be used to supplement appropriations made available in fiscal years 2020 and thereafter—

“(1) to U.S. Customs and Border Protection, in such amounts as are necessary to administer the carbon border fee adjustment, then

“(2) to the Department of Treasury, in such amounts as are necessary to allow refunds under section 9908(e) to exporters of carbon-intensive products and exporters of covered fuels.”.

(b) COORDINATION WITH CARBON OXIDE SEQUESTRATION CREDIT.—Section 45Q(f) is amended by adding at the end the following new paragraph:

“(8) COORDINATION WITH CARBON CAPTURE AND SEQUESTRATION PAYMENTS.—No credit shall be allowed under this section to a taxpayer which has received any payment under section 9906.”.

(c) TREATIES AND INTERNATIONAL NEGOTIATIONS.—

(1) CONFORMANCE WITH INTERNATIONAL TREATIES.—In the case that the Appellate Body of the World Trade Organization, or any other authoritative international treaty interpreter, shall find any portion of the carbon border fee adjustment under [chapter 102](#) of the Internal Revenue Code of 1986 to violate any treaty to which the United States is a party, the Secretary of the Treasury is authorized to alter any aspect of such carbon border fee adjustment so as to bring the carbon border fee adjustment into conformance with international law.

(2) INTERNATIONAL NEGOTIATIONS.—The Congress finds the international mitigation of greenhouse gas emissions to be of national importance. Therefore, the Congress encourages the Secretary of State, or the Secretary’s designee, to commence and complete negotiations with other nations with the goal of forming treaties, environmental agreements, accords, partnerships or any other instrument that effectively reduces global greenhouse gas emissions to 10 percent of 2016 levels by 2050 and which respect the principle of common but differentiated responsibilities and respective capabilities.

(3) SUSPENSION OF THE CARBON BORDER FEE ADJUSTMENT.—Any part of the carbon border fee adjustment shall be suspended, in whole or in part,—

(A) by treaty or other international agreement which includes provisions for the suspension of the carbon border fee adjustment, in whole or in part, with any party signatory to the treaty or other international agreement, or

(B) by a finding of the Secretary that a jurisdiction of importation has implemented policies which, in the case of high emitting countries, reduce greenhouse gas emissions at a rate at least equivalent to United States greenhouse gas emission reductions, or, in the case of low emitting countries, prevent the increase in greenhouse gas emissions.

Any such finding shall be reviewed at least every 3 years and amended or revoked as required.

SEC. 4. ESTABLISHMENT OF THE CARBON DIVIDEND TRUST FUND.

(a) IN GENERAL.—Subchapter A of [chapter 98](#) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“SEC. 9512. CARBON DIVIDEND TRUST FUND.

“(a) ESTABLISHMENT AND FUNDING.—There is hereby established in the Treasury of the United States a trust fund to be known as the ‘Carbon Dividend Trust Fund’, consisting of such amounts as may be appropriated to such trust fund as provided for in this section.

“(b) TRANSFERS TO THE CARBON DIVIDEND TRUST FUND.—There is hereby appropriated to the Carbon Dividend Trust Fund amounts equal to the fees received into the Treasury less any amounts refunded or paid under section 9902(d) or 9906 of chapter 101 for each month.

“(c) EXPENDITURES.—Amounts in the trust fund shall be available for the following purposes:

“(1) ADMINISTRATIVE EXPENSES.—So much of the expenses necessary to administer the Carbon Dividend Trust Fund for each year, as does not exceed—

“(A) in the case of the first 5 calendar years ending after the date of the enactment of this section, the administrative expenses for any year may not exceed 8 percent of amounts appropriated to the Carbon Dividend Trust Fund during such year, and

“(B) in the case of any calendar year thereafter, 2 percent of the 5-year rolling average of the amounts appropriated to the Carbon Dividend Trust Fund, and

“(2) OTHER ADMINISTRATIVE EXPENSES.—So much of the expenses as are necessary to administer chapter 101 for any year as does not to exceed 0.60 percent of the amounts appropriated to the Carbon Dividend Trust Fund for the previous year, and further limited as follows:

“(A) The Department of the Treasury.

“(B) The Social Security Administration.

“(C) The Environmental Protection Agency.

“(D) Department of State.

“(3) CARBON DIVIDEND PAYMENTS.—

“(A) IN GENERAL.—From the amounts in the Carbon Dividend Trust Fund made available under paragraphs (1) and (2) of this subsection for any year, the Secretary shall for each month beginning more than 270 days after the date of the enactment of the Energy

Innovation and Carbon Dividend Act of 2019, make carbon dividend payments to each eligible individual.

“(B) PRO-RATA SHARE.—A carbon dividend payment is one pro-rata share for each adult, and half a pro-rata share for each child under 19 years old, of amounts available for the month in the Carbon Dividend Trust Fund.

“(C) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ means, with respect to any month, any natural living person who has a valid Social Security number or taxpayer identification number and is a citizen or lawful resident of the United States (other than any individual who is a citizen of any possession of the United States and whose bona fide residence is outside of the United States). The Secretary is authorized to verify an individual’s eligibility to receive a carbon dividend payment.

“(D) FEE TREATMENT OF PAYMENTS.—Amounts paid under this subsection shall be includible in gross income.

“(E) FEDERAL PROGRAMS AND FEDERAL ASSISTED PROGRAMS.—The carbon dividend amount received by any individual shall not be taken into account as income and shall not be taken into account as resources for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

“(F) ADVANCE PAYMENT.—The Secretary shall transfer to the Carbon Dividend Trust Fund such amounts as are necessary for the disbursement of an advanced carbon dividend to all eligible individuals as follows:

“(i) An advanced carbon dividend shall be the same as the anticipated first carbon dividend required to be distributed under subparagraph (A) and shall be distributed the month prior to the first collection of the carbon fee.

“(ii) Total amounts disbursed as advanced carbon dividends shall be deducted from the carbon dividends on a pro-rata basis over the first 3 years after the disbursement of the first carbon dividends.

“(d) ADMINISTRATIVE AUTHORITY.—The Secretary shall promulgate rules, guidance, and regulations useful and necessary to implement the Carbon Dividend Trust Fund.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of such Code is amended by adding at the end the following new item:

“Sec. 9512. Carbon Dividend Trust Fund.”.

SEC. 5. LIMITED DISCLOSURE OF INFORMATION.

[Section 6103\(l\)](#) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraphs:

“(23) LIMITED DISCLOSURE OF IDENTITY INFORMATION RELATING TO CARBON DIVIDEND PAYMENTS.—

“(A) DEPARTMENT OF TREASURY.—Individual identity information shall, without written request, be open to inspection by or disclosure to officers and employees of the Department of the Treasury whose official duties require such inspection or disclosure for purposes of administering section 9512 (relating to the Carbon Dividend Trust Fund).

“(B) COMMISSIONER OF SOCIAL SECURITY.—The Commissioner of Social Security shall, on written request, disclose to officers and employees of the Department of the Treasury individual identity information which has been disclosed to the Social Security Administration as is necessary to administer section 9512.

“(C) RESTRICTION ON DISCLOSURE.—Information disclosed under this paragraph shall be disclosed only for purposes of, and to the extent necessary in, carrying out section 9512.”.

SEC. 6. NATIONAL ACADEMY OF SCIENCES REVIEW OF CARBON FEE AND EMISSIONS REDUCTION SCHEDULE.

(a) IN GENERAL.—Not later than 10 years after the date of the enactment of this Act, the Secretary of Energy shall enter into an agreement with the National Academy of Sciences to prepare a report relating to the carbon fee imposed by [section 9902](#) of the Internal Revenue Code of 1986 and the emissions reductions schedule established under section 9903 of such Code.

(b) REPORT REQUIREMENTS.—Such report shall—

(1) assess the efficiency and effectiveness of the carbon fee in achieving the emissions reduction targets set forth in section 9903 of such Code;

(2) describe and make recommendations on whether the carbon fee rate and annual increases prescribed by section 9902(c) of such Code should be adjusted in order to optimize the efficiency and effectiveness of this Act in achieving the emissions reduction targets set forth in section 9903 of such Code;

(3) describe the potential of the carbon fee to achieve future emissions targets set forth in section 9903(a) of such Code through the year 2050;

(4) describe and evaluate the effectiveness of the carbon fee in reducing emissions from key sectors of the economy, including sectors of the economy that have decreased their carbon emissions, sectors of the economy that have increased their carbon emissions, and sectors of the economy in which carbon emissions have not changed;

(5) make findings and recommendations to Federal departments and agencies and to Congress on actions that could be taken to reduce carbon emissions in the sectors of the economy in which carbon emissions have not decreased;

(6) make findings and recommendations on adjusting regulations enacted under the Clean Air Act and other Federal laws that affect economic sectors achieving the emissions reduction targets set forth in section 9903 of such Code; and

(7) provide an assessment of any other factors determined to be material to the program's efficiency and effectiveness in achieving the goals set forth in this act.

(c) **REPORT MADE PUBLICLY AVAILABLE.**—Not later than 10 years after the date of the enactment of this Act, the Secretary of Energy shall submit to Congress the report required under subsection (a). Such report shall be made electronically available to the public and open to public comment for at least 60 days before the final submission to Congress.

SEC. 7. IMPACT OF CARBON FEE ON BIOMASS USE AND CARBON SINKS.

(a) **STUDY OF BIOMASS.**—The Secretary of Energy shall enter into an agreement with the National Academy of Sciences and the Administrator of the Environmental Protection Agency to conduct a study, make recommendations, and submit a report regarding the impact of the carbon fee on the use of biomass as an energy source and the resulting impacts on carbon sinks and biodiversity.

(b) **STUDY REQUIREMENTS.**—The study conducted under subsection (a) by the National Academy of Sciences shall include analysis, documentation, and determinations on—

(1) the carbon fee and its impact on the use of biomass as an energy source and greenhouse gas emissions from the use of biomass as an energy source;

(2) the impacts of the use of biomass as an energy source on carbon sinks and biodiversity; and

(3) the various types of biomass that are being used as an energy source.

(c) **RECOMMENDATIONS.**—Based on the findings and conclusions of the study, the National Academy of Sciences shall make recommendations to Federal departments and agencies and to Congress. The recommendations shall include any actions that should be taken to mitigate impacts of the carbon fee on—

(1) increasing greenhouse gas emissions from the use of biomass as an energy source; and

(2) degradation of carbon sinks and biodiversity relating to the use of biomass as an energy source.

(d) REPORT.—The National Academy of Sciences shall prepare a report that includes any findings and recommendations made pursuant to this section and, not later than 18 months after the date of the enactment of this Act, make such report electronically available to the public.

SEC. 8. AMENDMENTS TO THE CLEAN AIR ACT.

(a) IN GENERAL.—Title III of the Clean Air Act ([42 U.S.C. 7601](#)) is amended by adding at the end the following:

“SEC. 330. SUSPENSION OF REGULATION OF FUELS AND EMISSIONS BASED ON GREENHOUSE GAS EFFECTS.

“(a) FUELS.—Unless specifically authorized in section 202, 211, 213, or 231 or this section, if a carbon fee is imposed by section 9902 or 9908 of the Internal Revenue Code of 1986 with respect to a covered fuel, the Administrator shall not enforce any rule limiting the emission of greenhouse gases from the combustion of that fuel under this Act (or impose any requirement on any State to limit such emission) on the basis of the emission’s greenhouse gas effects.

“(b) EMISSIONS.—Unless specifically authorized in section 202, 211, 213, or 231 or this section, if a fee is imposed by [section 9904](#) of the Internal Revenue Code of 1986 with respect to a fluorinated greenhouse gas, the Administrator shall not enforce any rule limiting such gas under this Act (or impose any requirement on any State to limit such gas) on the basis of the greenhouse gas effects of such gas.

“(c) AUTHORIZED REGULATION.—Notwithstanding subsections (a) and (b), nothing in this section limits the Administrator’s authority pursuant to any other provision of this Act—

“(1) to limit the emission of any greenhouse gas because of any adverse impact on health or welfare other than its greenhouse gas effects;

“(2) in limiting emissions as described in paragraph (1), to consider the collateral benefits of limiting the emissions because of greenhouse gas effects;

“(3) to limit the emission of black carbon or any other pollutant that is not a greenhouse gas that the Administrator determines by rule has heat-trapping properties; or

“(4) to take any action with respect to any greenhouse gas other than limiting its emission, including—

“(A) monitoring, reporting, and record-keeping requirements;

“(B) conducting or supporting investigations; and

“(C) information collection.

“(d) EXCEPTION FOR CERTAIN GREENHOUSE GAS EMISSIONS.—Notwithstanding subsections (a) and (b), nothing in this section limits the Administrator’s authority to regulate greenhouse gas emissions from—

“(1) sources that—

“(A) are subject to subpart OOOO or OOOOa of part 60 of title 40, Code of Federal Regulations, as in effect on January 1, 2020; or

“(B) would be subject to such subpart OOOO or subpart OOOOa if such subpart applied regardless of the date on which construction, modification, or reconstruction of the source involved commenced; or

“(2) POTW Treatment Plants (as defined in section 403.3(r) of title 40, Code of Federal Regulations).

“(e) SUSPENSION EXPIRATION.—

“(1) DETERMINATION.—The Administrator shall make a determination by March 30, 2030, and no less than once every five years thereafter, based on the determination required by [section 9903\(b\)](#) of the Internal Revenue Code of 1986, as to whether cumulative greenhouse gas emissions from covered fuels subject to taxation under section 9902 of such Code during the period from calendar year 2022 through the calendar year preceding the determination exceed the cumulative emissions for that period that would have occurred if the emission reduction targets in section 9903(a)(2) of such Code were met.

“(2) CONSEQUENCE OF CUMULATIVE EMISSIONS EXCEEDANCE.—If the Administrator determines under paragraph (1) that cumulative greenhouse gas emissions from covered fuels subject to tax under [section 9902](#) of the Internal Revenue Code of 1986 exceed the cumulative emissions for the period covered by the determination that would have occurred if the emission reduction targets in section 9903(a)(2) of such Code were met, then the prohibitions in subsection (a) of this section, and in section 211(c)(5) of this Act, shall cease to apply.

“(f) ASSURING ENVIRONMENTAL INTEGRITY.—

“(1) AUTHORITY.—If the Administrator determines pursuant to subsection (e)(1) of this section that the emission reduction targets in section 9903 (a)(2) of the Internal Revenue Code of 1986 are not met—

“(A) subsections (a) and (b) shall cease to apply; and

“(B) the Administrator shall—

“(i) issue such regulations as the Administrator deems necessary to bring greenhouse gas emissions from covered fuels subject to taxation under [section 9902](#) of the Internal Revenue

Code of 1986 to levels that are at or below the emission reductions targets in section 9903(a)(2) of such Code; and

“(ii) require in such regulations that additional reductions in greenhouse gas emissions are achieved to fully compensate for any amount by which greenhouse gas emissions from covered fuels subject to taxation under section 9902 of such Code have exceeded the targets in section 9903(a)(2) of such Code.

“(2) DEADLINE FOR FINALIZING REGULATIONS.—The Administrator shall finalize any regulations required by paragraph (1) not later than two years after the Administrator makes the relevant determination pursuant to such paragraph.

“(3) ACHIEVEMENT OF ADDITIONAL REDUCTIONS.—Regulations issued pursuant to paragraph (1) shall ensure that any additional reductions required by paragraph (1)(B)(ii) are fully achieved by no later than eight years after the Administrator makes the determination pursuant to subsection (e)(1) described in paragraph (1).

“(g) DEFINITIONS.—In this section, the terms ‘greenhouse gas’ and ‘greenhouse gas effects’ have the meanings given to those terms in [section 9901](#) of the Internal Revenue Code of 1986.”.

(b) NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES.—Section 202(b) of the Clean Air Act ([42 U.S.C. 7521\(b\)](#)) is amended—

(1) by redesignating the second paragraph (3) (as redesignated by section 230(4)(C) of Public Law 101–549 (104 Stat. 2529)) as paragraph (4); and

(2) by adding at the end the following:

“(5) Notwithstanding subsections (a) and (b) of section 330, the Administrator may—

“(A) limit the emission of any greenhouse gas (as defined in [section 9901](#) of the Internal Revenue Code of 1986) on the basis of the emission’s greenhouse gas effects (as defined in [section 9901](#) of the Internal Revenue Code of 1986) from any class or classes of new motor vehicles or new motor vehicle engines subject to regulation under subsection (a)(1); and

“(B) grant a waiver under section 209(b)(1) for standards for the control of greenhouse gas emissions.”.

(c) FUELS.—Section 211(c) of the Clean Air Act ([42 U.S.C. 7545\(c\)](#)) is amended by adding at the end the following new paragraph:

“(5) The Administrator shall not, pursuant to this subsection, impose on any manufacturer or processor of fuel any requirement for the purpose of reducing the emission of any greenhouse gas (as defined in [section 9901](#) of the Internal Revenue Code of 1986) produced by combustion

of the fuel on the basis of the emission’s greenhouse gas effects (as defined in [section 9901](#) of the Internal Revenue Code of 1986).”.

(d) NONROAD ENGINES AND VEHICLES EMISSIONS STANDARDS.—Section 213 of the Clean Air Act ([42 U.S.C. 7547](#)) is amended by adding at the end the following:

“(e) GREENHOUSE GAS EMISSIONS.—Notwithstanding section 330(a), the Administrator may limit the emission of any greenhouse gas (as defined in [section 9901](#) of the Internal Revenue Code of 1986) on the basis of the emission’s greenhouse gas effects (as defined in [section 9901](#) of the Internal Revenue Code of 1986) from any nonroad engines and nonroad vehicles subject to regulation under this section.”.

(e) AIRCRAFT EMISSION STANDARDS.—Section 231 of the Clean Air Act ([42 U.S.C. 7571](#)) is amended by adding at the end the following new subsection:

“(d) Notwithstanding subsections (a) and (b) of section 330, the Administrator may limit the emission of any greenhouse gas (as defined in [section 9901](#) of the Internal Revenue Code of 1986) on the basis of the emission’s greenhouse gas effects (as defined in [section 9901](#) of the Internal Revenue Code of 1986) from any class or classes of aircraft engines, so long as any such limitation is not more stringent than the standards adopted by the International Civil Aviation Organization.”.

SEC. 9. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of the enactment of this Act, except the carbon fee under [section 9902](#) of the Internal Revenue Code of 1986 shall apply to uses, sales, or transfers more than 270 days after the date of the enactment of this Act.

SEC. 10. PRINCIPLE OF INTERPRETATION.

In the case of ambiguity, the texts of this statute and its amending texts shall be interpreted so as to allow for the most effective abatement of greenhouse gas emissions.

SEC. 11. NO PREEMPTION OF STATE LAW.

Nothing in this legislation shall preempt or supersede, or be interpreted to preempt or supersede, any State law or regulation.



Orange County Sanitation District

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LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE

Agenda Report

File #: 2020-1261

Agenda Date: 11/9/2020

Agenda Item No: 4.

FROM: James D. Herberg, General Manager

SUBJECT:

LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2020

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the months of September and October 2020.

BACKGROUND

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

RELEVANT STANDARDS

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

PROBLEM

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

PROPOSED SOLUTION

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

TIMING CONCERNS

N/A

RAMIFICATIONS OF NOT TAKING ACTION

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

ADDITIONAL INFORMATION

The Sanitation District State of the District was held on Friday, October 30 from 9-10 a.m. For the first -time ever, the event was held virtually, allowing for a variety of participants to attend including local associations, members of the community, State and Federal elected officials, and area businesses. Additionally, the event showcased a video from Congressman Correa as well as a virtual tour of Plant No. 1 in Fountain Valley for which Assistant General Manager Rob Thompson served as the tour guide. In total, we had over 100 attendees log on for the virtual State of the District. We appreciate everyone's attendance and look forward to next year's event.

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENT

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

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



TO: Rebecca Long

FROM: Eric Sapirstein

DATE: October 19, 2020

SUBJECT: Washington Update

Congress has been in pro forma session, recessing for the November elections. Prior to recessing, another effort to pass COVID-19 relief legislation occurred when the House passed a scaled back HEROES Act, paring back proposed spending from \$3 trillion to \$2.2 trillion. The White House, acting through Secretary of Treasury Mnuchin offered a \$1.8 trillion alternative, but the absence of extending increased unemployment benefits by \$600 per week and limited state and local governmental assistance doomed progress. At the same time, the Senate appears fractured over any package of assistance with a core group of Republican Senators opposing any assistance package beyond airline assistance and small business support. As a result, final passage of a compromise looks increasingly unlikely before the November election. Despite the recess, a handful of policy matters continued to progress and are summarized below.

MODERNIZING AMERICA'S WATER RESOURCE MANAGEMENT AND WATER INFRASTRUCTURE PRESIDENTIAL EXECUTIVE ORDER

On October 13, President Trump signed an [Executive Order \(EO\) on Modernizing America's Water Resource Management and Water Infrastructure](#). Despite the lofty provisions of the EO, it is essentially a campaign tool as its focus is on existing programs that primarily address geographic water programs. Where the EO addresses generic issues related to water infrastructure, it is simply a restatement of prior efforts that are ongoing. The one element of this EO that could remain in play regardless of the congressional elections and the race for President is the Water Subcabinet. This subcabinet could form the core approach to a more unified federal approach to address the multitude of water quality and water supply issues as part of any national infrastructure initiative.

The EO formalizes federal policy to improve coordination of water resources and infrastructure policy, reduce program duplication, promote water infrastructure resilience, and support water-related workforce training. The EO also formally establishes a "Water Subcabinet" that has operated over the past few years as an informal group. The subcabinet will facilitate management of water supplies and systems and promote increased coordination among departments and agencies.

The EO essentially brings together the numerous existing programs such as water quality pollution trading, water recycling, flood control, reservoir forecasting, and seeks to memorialize many of the actions carried out by the Trump Administration to address water infrastructure and water resource management. There is no additional commitment of resources. However, the EO lays out a priority to report on how to integrate the various infrastructure programs at the federal level to support modernization of the nation's water infrastructure.

The EO addresses the following water resources matters:

- Establishes a Water Subcabinet to be co-chaired by Interior Secretary Bernhardt and U.S. Environmental Protection Agency Administrator Andrew Wheeler. The Water Subcabinet would consist of senior officials from the U.S. Department of Agriculture, the Department of Commerce, the Department of Energy, and the Department of the Army Corps of Engineers. The Water Subcabinet would coordinate with the White House Council on Environmental Quality, the Office of Management and Budget, and the Office of Science and Technology Policy, and other federal agencies.
- Within 90 days of the date of this order, the Water Subcabinet shall identify all existing federal entities currently addressing water-related issues and make recommendations to consolidate and coordinate these entities to the Chairman of the Council on Environmental Quality, the Director of the Office of Management and Budget, and the Director of the Office of Science and Technology Policy.
- Within 120 days of the date of this order, the Water Subcabinet shall submit a report that recommends actions to address water resources management. The report will identify a lead agency, other relevant agencies, and agency milestones for fiscal years 2021 through 2025.
- The EO identifies the following actions to increase water storage, water supply reliability, and drought resiliency and coordinate multiagency permitting and regulatory actions:
 - Coordinate with State, local, tribal partners and rural stakeholders to implement the following regional initiatives/projects: Colorado River Operations, Mississippi River/Gulf of Mexico Watershed Nutrient Task Force; Great Lakes Restoration Initiative Action Plan III; and, Comprehensive Everglades Restoration Plan.
 - Implement the “Priority Actions Supporting Long-Term Drought Resilience” document issued on July 31, 2019, by the National Drought Resilience Partnership.
 - Finalize and implement the following drinking water, desalination, water reuse, wastewater, and flood control initiatives/policies: National Primary Drinking Water Regulations: Proposed Lead and Copper Rule Revisions; National Water Reuse Action Plan; and, Department of Energy's Water Security Grand Challenge.

- Support efforts to improve water data management, research, modeling, and forecasting including actions identified in the Federal Action Plan for Improving Water Prediction for Western U.S.
- Within 150 days of the date of this order, the Water Subcabinet shall identify and recommend actions and priorities to the Director of OMB, the Chairman of CEQ, and the Assistant to the President for Economic Policy to support integrated planning and coordination.
- Within 150 days of the date of this order, the Water Subcabinet, shall identify actions and develop recommendations to enhance the recruitment, training, and retention of water professionals within drinking water, desalination, water reuse, wastewater, flood control, hydropower, and delivery and storage sectors.

WRDA Reauthorization Discussions Continue with Goal of Final Passage by December

The House and Senate Water Resources Development Act (WRDA) committee staff continued to hold limited discussions on a compromise bill that could include funding of core clean water and safe drinking water programs including the State Revolving Fund (SRF). Central to the effort is whether a bill would address more than funding the SRF. Proposals to address permitting mandates, extension of the CSO/stormwater grants program, and addressing resiliency needs of the wastewater industry, including planning for sea level rise remain points of discussion. Whether any of these issues will be adopted as part of any final agreement could rest on whether the elections result in a flipping of the Senate’s control. Such a switch might lead to a decision to approve a simple U.S. Army Corps of Engineers flood and navigation reauthorization bill and address the broader water infrastructure policy and funding matters in the next Congress.

Fiscal Year 2021 Appropriations

Unsurprisingly, Congress and the White House agreed to avoid a shutdown of the government and approved a “clean” continuing resolution. The enactment of the measure simply funds existing federal programs through December 12, 2020. When Congress returns to work on or around November 16, its top priority will involve finalizing spending for the remaining months of Fiscal Year 2021. How this unfolds will depend on the election outcome, based on the experiences of past election years.

If a switch does not occur in control of the Senate and White House, it is highly conceivable that a final spending agreement will be acted on and enacted by December 12. Additionally, the potential exists that a COVID-19 relief package would be included in the measure. Subsequent to this, Congress and the White House will then prepare for budget actions related to the Fiscal Year 2022 budget process that would kick-off in February.

Transition Issues Likely Dominate Lame Duck Session

Regardless of the outcome of the elections, transition issues will dominate the Lame Duck Session. First, a number of House Members are retiring. This includes a number of House Republicans that are term limited in their roles as Ranking Committee members. This means that committee assignments will see new Members appointed, as well as a realignment of membership ratios of the two parties on each committee to reflect any new majority/minority numbers. Perhaps even more dramatic changes could be in the Senate. If Senate control flips to the Democrats, then wholesale changes would occur as chairmanships of committee and subcommittees would switch. For California, Senator Feinstein would be expected to return to her senior role on the Committee on Appropriations. If she decided to retain her position on the key Subcommittees on Energy and Water and Interior and Environment that fund water quality and water supply programs, support for clean water and water recycling programs that address OCS D interests would be expected to secure additional funding.

One of the most intriguing transition matters involves whom Governor Newsom would appoint to be Senator should the Biden ticket win election. The decision could be consequential to OCS D since the appointment could result in any appointee seeking appointment to the crucial Committee on Environment and Public Works that develops clean water policy.

Last, it now seems all but certain that the next Congress will restore the ability to legislate earmarks, directing spending to specific public purpose projects or programs. The House will decide in December on the rules governing the next Congress and recent hearings into the development of such rules illustrated strong, bipartisan support to allow for earmarks as part of any rules package. In the Senate, the key issue that will likely dominate debate is a strong push by a number of Senators to eliminate the filibuster. The elimination or modification of the filibuster is not a given as some of the chamber's most senior Senators, including Senator Feinstein, have suggested that the filibuster is a necessary evil to ensure that the Senate can consider policy in a deliberative manner.



Federal Legislative Update - October 2020

Last Updated: October 15, 2020

Bills by Issue

Priority: High (6)

State	Bill Number	Last Action	Status	Position	Priority
US	HR 8217	Referred To The Subcommittee On Water Resources And Environment 2020 09 14	In House	Monitor	High

Title
WIFIA Improvement Act of 2020

Primary Sponsors
John Garamendi

Bill Summary: Last edited by Sarah Sapirstein at Sep 24, 2020, 4:33 PM
To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes.

Introduction Date: 2020-09-11

Labels: Infrastructure Water Finance

Organizational Notes

Last edited by Sarah Sapirstein at Oct 15, 2020, 2:29 PM

Amends WIFIA's 35-year loan terms to 55-years, allowing water projects with longer useful lifecycles to receive federal WIFIA financing. The bill would further provide that federal projects that are managed and operated by nonfederal interests would be eligible for WIFIA assistance. This provision could create increased competition for funding beyond the original intent of the WIFIA program (water and wastewater projects) by allowing assistance to be provided to irrigation projects and other non-municipal needs. #OCSD

Last edited by Sarah Sapirstein at Oct 15, 2020, 2:29 PM

American Society of Civil Engineers, American Public Works Association, National Water Resources Association, Sites Project Joint Powers Authority, Friant Water Authority, San Joaquin River Exchange Contractors Water Authority, Family Farm Alliance - SUPPORT H.R. 8217 #OCSD

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1497	Reported Amended By The Committee On Transportation And Infrastructure H Rept 116 484 2020 09 04	In House	Monitor	High

Title

Water Quality Protection and Job Creation Act of 2019

Description

Water Quality Protection and Job Creation Act of 2019 This bill reauthorizes funding for several grants programs that address water pollution, such as wastewater and stormwater. Specifically, the bill reauthorizes through FY2024 * grants to states for water pollution control programs; * grants to municipalities for watershed pilot projects, such as projects that manage wet weather discharges (e.g., sewer overflows and sanitary sewer overflows) or control pollutants from municipal separate storm sewer systems; * grants to states, local governments, private utilities, and nonprofit entities for alternative water source projects to meet critical water supply needs; * grants to states for the purpose of providing grants to municipalities for controlling, treating, reducing, or reusing municipal combined sewer overflows, sanitary sewer overflows, or stormwater; and * grants to states for clean water state revolving funds.

Primary Sponsors

Peter DeFazio

Organizational Notes

Last edited by Sarah Sapirstein at Oct 7, 2020, 12:51 PM
CASA Supports #OCSD

Last edited by Sarah Sapirstein at Oct 7, 2020, 12:33 PM
H.R. 1497 serves as the House Committee on Transportation & Infrastructure approach to address renewal of key elements of the Clean Water Act. Selected provisions of the measure may become part of a final WRDA bill during the Lame Duck Session. Among the key provisions that could be included are: 1) spending authorization of the Clean Water SRF with an average of \$3 billion per year over five years, 2) providing \$110 million for research and planning to address resiliency impacts to wastewater treatment systems (including manmade, natural and sea level rise), 3) renews alternative water sources program with \$150 million in authorized grants assistance, 4) extends CSO/Stormwater grants program through 2025, 5) reserving up to 30% of SRF allocation to a state to provide increased subsidies for DACs, and 5) reserving up to 1% of SRF state allocation of SRF assistance to develop workforce training. #OCSD

Bill Summary: Last edited by Eric Sapirstein at Sep 23, 2020, 8:16 PM
To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes. Includes reauthorization of CWSRF, grants to municipalities to capture, treat, or reuse combined and sanitary sewer overflows or stormwater, clean water pilot programs, and grants for alternative water source projects.

Introduction Date: 2019-03-05

Labels: Infrastructure Permits
State Revolving Loan Fund Water Quality

State	Bill Number	Last Action	Status	Position	Priority
US	HR 2	Received In The Senate 2020 07 20	In Senate	Monitor	High

Title

Moving Forward Act

Description

Investing in a New Vision for the Environment and Surface Transportation in America Act or the INVEST in America Act This bill addresses provisions related to federal-aid highway, transit, highway safety, motor carrier, research, hazardous materials, and rail programs of the Department of Transportation (DOT). Among other provisions, the bill * extends FY2020 enacted levels through FY2021 for federal-aid highway, transit, and safety programs; * reauthorizes for FY2022-FY2025 several surface transportation programs, including the federal-aid highway program, transit programs, highway safety, motor carrier safety, and rail programs; * addresses climate change, including strategies to reduce the climate change impacts of the surface transportation system and conduct a vulnerability assessment to identify opportunities to enhance the resilience of the surface transportation system and ensure the efficient use of federal resources; * revises Buy America procurement requirements for highways, mass transit, and rail; * establishes a rebuild rural grant program to improve the safety, state of good repair, and connectivity of transportation infrastructure in rural communities; * implements new safety requirements across all transportation modes; and * directs DOT to establish a pilot program to demonstrate a national motor vehicle per-mile user fee to restore and maintain the long-term solvency of the Highway Trust Fund and achieve and maintain a state of good repair in the surface transportation system.

Primary Sponsors

Peter DeFazio

Organizational Notes

Last edited by Sarah Sapirstein at Oct 15, 2020, 2:58 PM

- Invests \$40 billion in new wastewater infrastructure to encourage efficiency and affordability, and helps communities address stormwater needs, preventing pollution in local rivers - Invests in clean water and wastewater infrastructure to meet the federal government's trust obligations to Indian Country and making responsible investments to repair severely damaged federal canals, leveraging taxpayer dollars to maximize public benefits. - Unlocks more tax-exempt bond financing for water infrastructure projects by exempting bonds funding these projects from State allocation caps for Private Activity Bonds. - Protects access to safe drinking water by investing over \$25 billion in the Drinking Water State Revolving Fund and other programs to ensure all communities have clean drinking water and to help remove dangerous contaminants like PFAS from local water systems. H.R. 2 passed House this summer on vote of 233-188 and received in Senate. Senate Republican majority are not going to take up the bill. The bill's clean water provisions could be used as policy markers for Senate Committee on Environment and Public Works Democrat staff during WRDA 2020 negotiations. #OCSD

Bill Summary: Last edited by Sarah Sapirstein at Sep 30, 2020, 5:45 PM Moving Forward Act is the House Democratic infrastructure policy. H.R. 2 authorizes \$60 billion for SRF program, \$1 billion for water recycling and \$500 million in grants to municipalities to adopt smart water technologies to modernize wastewater treatment systems. H.R. 2 also provides for tax policy changes to provide: unrestricted use of private activity bonds to finance water and wastewater projects, restoration of advanced refundings of municipal obligations and restoration of Build America Bonds. Expands the application of Buy America mandates to include manufactured products.

Introduction Date: 2020-06-11

Labels: Infrastructure PFAS Water Finance Water Quality

State	Bill Number	Last Action	Status	Position	Priority
US	S 3944	Read Twice And Referred To The Committee On Environment And Public Works 2020 06 11	In Senate	None	High

Title

Break Free From Plastic Pollution Act of 2020

Primary Sponsors

Tom Udall

Bill Summary: Last edited by Sarah Sapirstein at Oct 7, 2020, 1:29 PM
H.R. 5845 is a comprehensive and expansive package that addresses wide-ranging issues dealing with plastic pollution in the U.S. Overall, the bill does the following: - Require big corporations take responsibility for their pollution, requiring producers of plastic products to design, manage, and finance waste and recycling programs. - Spur innovation, incentivizing big corporations to make reusable products and items that can actually be recycled. - Create a nationwide beverage container refund program, which is successful at the state level. - Reduce and ban certain single-use plastic products that are not recyclable. - Establish minimum recycled content requirements for beverage containers, packaging, and food-service products, while standardizing recycling and composting labeling. - Spur massive investments in U.S. domestic recycling and composting infrastructure, while pressing pause on new plastic facilities until critical environment and health protections are put in place. - Require manufacturers and producers of single-use wet wipes to print a "Do Not Flush" label on packaging.

Introduction Date: 2020-06-11

Labels: Plastic and Wipes

Organizational Notes

Last edited by Sarah Sapirstein at Oct 7, 2020, 1:14 PM
CASA Supports #OCSD

Last edited by Sarah Sapirstein at Oct 15, 2020, 2:59 PM
S. 3944 is a expansive and comprehensive bill that addresses issues related to single-use plastics, plastic pollution, fixing the broken recycling system in the U.S., and having manufacturers and producers of plastics be responsible for paying for the solutions to the pollution problems. S. 3944 includes a provision that would require manufacturers of single-use synthetic wet wipes to print a "Do Not Flush" label on the product packaging that is in accordance with the voluntary guidelines for labeling practices contained in the Code of Practice of the Association of the Nonwoven Fabrics Industry and the European Disposables and Nonwovens Association, entitled 'Communicating Appropriate Disposal Pathways for Nonwoven Wipes to Protect Wastewater Systems'. For single-use wet wipes that are flushable, bill requires the product meets performance standards for dispersibility in a sewer or septic system established by the International Water Services Flushability Group and the wipes product do not contain chemicals harmful to public wastewater infrastructure. #OCSD

State	Bill Number	Last Action	Status	Position	Priority
US	HR 5845	Referred To The Subcommittee On Water Resources And Environment 2020 02 12	In House	Support	High

Title

Break Free From Plastic Pollution Act of 2020

Description

Break Free From Plastic Pollution Act of 2020 This bill sets forth requirements related to waste and recycling collection systems for a variety of products and materials, including plastics. The bill makes certain producers of products (e.g., packaging, paper, single-use products, beverage containers, or food service products) fiscally responsible for collecting, managing, and recycling or composting the products after consumer use. In addition, the bill establishes (1) minimum percentages of products that must be reused, recycled, or composted; and (2) an increasing percentage of recycled content that must be contained in beverage containers. Beginning on January 1, 2022, the bill phases out a variety of single-use products, such as plastic utensils. The bill also sets forth provisions to encourage the reduction of single-use products, including by establishing programs to refund consumers for returning beverage containers and by establishing a tax on carryout bags. The bill creates a temporary moratorium on new or expanded permits for facilities that manufacture plastics until regulations are updated to address pollution from the facilities. The Environmental Protection Agency must publish guidelines for a national standardized labeling system for recycling and composting receptacles. Producers must include labels on their products that are easy to read and indicate whether the products are recyclable, compostable, or reusable. Finally, the bill establishes limitations on the export of plastic waste to other countries.

Primary Sponsors

Alan Lowenthal

Private Notes

Last edited by Sarah Sapirstein at Sep 9, 2020, 6:52 PM
CASA Supports #OCSD

Organizational Notes

Last edited by Sarah Sapirstein at Oct 7, 2020, 1:26 PM
H.R. 5845 is a expansive and comprehensive bill that addresses issues related to single-use plastics, plastic pollution, fixing the broken recycling system in the U.S., and having manufacturers and producers of plastics be responsible for paying for the solutions to the pollution problems. #OCSD H.R. 5845 includes a provision that would require manufacturers of single-use synthetic wet wipes to print a "Do Not Flush" label on the product packaging that is in accordance with the voluntary guidelines for labeling practices contained in the Code of Practice of the Association of the Nonwoven Fabrics Industry and the European Disposables and Nonwovens Association, entitled 'Communicating Appropriate Disposal Pathways for Nonwoven Wipes to Protect Wastewater Systems'. For single-use wet wipes that are flushable, bill requires the product meets performance standards for dispersibility in a sewer or septic system established by the International Water Services Flushability Group and the wipes product do not contain chemicals harmful to public wastewater infrastructure. #OCSD

Last edited by Sarah Sapirstein at Sep 11, 2020, 9:27 PM
Includes language that would establish "Do Not Flush" labeling requirements for synthetic wet wipes and requiring that non-synthetic wet wipes meet dispersibility performance standards outlined by the International Water Services Flushability Group. #OCSD

Bill Summary: Last edited by Sarah Sapirstein at Oct 7, 2020, 1:29 PM
H.R. 5845 is a comprehensive and expansive package that addresses wide-ranging issues dealing with plastic pollution in the U.S. Overall, the bill does the following: - Require big corporations take responsibility for their pollution, requiring producers of plastic products to design, manage, and finance waste and recycling programs. - Spur innovation, incentivizing big corporations to make reusable products and items that can actually be recycled. - Create a nationwide beverage container refund program, which is successful at the state level. - Reduce and ban certain single-use plastic products that are not recyclable. - Establish minimum recycled content requirements for beverage containers, packaging, and food-service products, while standardizing recycling and composting labeling. - Spur massive investments in U.S. domestic recycling and composting infrastructure, while pressing pause on new plastic facilities until critical environment and health protections are put in place. - Require manufacturers and producers of single-use wet wipes to print a "Do Not Flush" label on packaging.

Introduction Date: 2020-02-11

Labels: Plastic and Wipes

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1764	Referred To The Subcommittee On Water Resources And Environment 2019 03 15	In House	Support	High

Title

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

Introduction Date: 2019-03-14

Labels: Infrastructure

Primary Sponsors

John Garamendi

Organizational Notes

Last edited by Sarah Sapirstein at Sep 10, 2020, 4:12 PM

To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes. Extends NPDES term from 5 to 10 years for municipalities. #OCSD

Priority: Medium (6)

State	Bill Number	Last Action	Status	Position	Priority
US	HR 7617	Received In The Senate And Read Twice And Referred To The Committee On Appropriations 2020 08 12	In Senate	Monitor	Medium

Title

Defense, Commerce, Justice, Science, Energy and Water Development, Financial Services and General Government, Labor, Health and Human Services, Education, Transportation, Housing, and Urban Development Appropriations Act, 2021

Description

Department of Defense Appropriations Act, 2021 This bill provides FY2021 appropriations to the Department of Defense (DOD) for military activities. (The bill excludes military construction, military family housing, civil works projects of the Army Corps of Engineers, and nuclear warheads, which are all considered in other appropriations bills.) Within the DOD budget, the bill provides appropriations for * Military Personnel; * Operation and Maintenance; * Procurement; * Research, Development, Test and Evaluation; and * Revolving and Management Funds. The bill provides appropriations for Other Department of Defense Programs, including * the Defense Health Program, * Chemical Agents and Munitions Destruction, * Drug Interdiction and Counter-Drug Activities, and * the Office of the Inspector General. The bill provides appropriations for (1) Related Agencies, including the Central Intelligence Agency Retirement and Disability System Fund and the Intelligence Community Management Account; and (2) Overseas Contingency Operations/Global War on Terrorism. The bill also sets forth requirements and restrictions for using funds provided by this and other appropriations Acts.

Primary Sponsors

Pete Visclosky

Organizational Notes

Last edited by Sarah Sapirstein at Oct 15, 2020, 7:38 PM

Responsible for funding U.S. Bureau of Reclamation (USBR) water infrastructure programs and U.S. Army Corps of Engineers. USBR is funded at \$4.487 billion for management, development, and restoration of water and related natural resources, of which: - \$50 million to be used for water reclamation and reuse projects (Title XVI Program) - Not less than \$300 million will be used for WaterSMART. - \$50 million to be used for water reclamation and reuse projects (Title XVI Program) #OCSD

Bill Summary: Last edited by David French at Oct 8, 2020, 7:42 PM
HR 7617 is a FY 21 omnibus spending bill that includes funding for: Defense, Commerce, Justice, Science, Energy and Water Development, Financial Services and General Government, Labor, Health and Human Services, Education, Transportation, Housing, and Urban Development

Introduction Date: 2020-07-16

Labels: Appropriations

State	Bill Number	Last Action	Status	Position	Priority
US	HR 7575	Received In The Senate 2020 07 30	In Senate	Monitor	Medium

Title

Water Resources Development Act of 2020

Primary Sponsors

Peter DeFazio

Bill Summary: Last edited by Sarah Sapirstein at Sep 30, 2020, 5:36 PM House Water Resources Development Act that provides base language for conference with Senate on expanded water resources legislation that could included clean water and drinking water SRF funding authorizations. Approved on bipartisan vote in committee. Passed House on bipartisan vote and referred to Senate.

Introduction Date: 2020-07-13

Labels: Infrastructure Water Finance Wetlands WRDA

Private Notes

Last edited by Sarah Sapirstein at Sep 9, 2020, 6:54 PM
CASA Supports #OCSD

Organizational Notes

Last edited by Sarah Sapirstein at Oct 7, 2020, 12:41 PM
Bill's provisions are limited to addressing U.S. Army Corps of Engineers water resources development projects mainly. H.R. 7575 was passed by House earlier this summer on bipartisan voice vote. House Committee on Transportation and Infrastructure staff and Senate Committee on Environment and Public Works staff currently engaging in conference negotiations to reach final compromise WRDA 2020 bill. Compromise bill expected to be released during Lame Duck Session. #OCSD

State	Bill Number	Last Action	Status	Position	Priority
US	HR 7608	Received In The Senate And Read Twice And Referred To The Committee On Appropriations 2020 07 30	In Senate	Monitor	Medium

Title

State, Foreign Operations, Agriculture, Rural Development, Interior, Environment, Military Construction, and Veterans Affairs Appropriations Act, 2021

Description

Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 This bill provides FY2021 appropriations for the Department of State, foreign operations, and related programs. The bill provides appropriations to the State Department for * Administration of Foreign Affairs, * International Organizations, and * International Commissions. The bill provides appropriations for Related Agencies and Related Programs, including * the U.S. Agency for Global Media, * the Asia Foundation, * the U.S. Institute of Peace, * the Center for Middle Eastern-Western Dialogue Trust Fund, * the Eisenhower Exchange Fellowship Program, * the Israeli Arab Scholarship Program, * the East-West Center, and * the National Endowment for Democracy. The bill provides appropriations for Other Commissions, including * the Commission for the Preservation of America's Heritage Abroad, * the U.S. Commission on International Religious Freedom, * the Commission on Security and Cooperation in Europe, * the Congressional-Executive Commission on the People's Republic of China, and * the U.S.-China Economic and Security Review Commission. The bill provides appropriations to * the U.S. Agency for International Development (USAID), * the State Department and

Bill Summary: Last edited by Sarah Sapirstein at Oct 15, 2020, 2:54 PM H.R. 7608 is a FY 2021 omnibus spending bill containing funding for: State, Foreign Operations, Agriculture, Rural Development, Interior, Environment, Military Construction, and Veterans Affairs

Introduction Date: 2020-07-13

Labels: Appropriations

the President for International Security Assistance, and * the President and International Financial Institutions for Multilateral Assistance. The bill provides appropriations for Bilateral Economic Assistance to * the President; * the State Department; * Independent Agencies, including the Peace Corps, the Millennium Challenge Corporation, the Inter-American Foundation, and the U.S. African Development Foundation; and * the Department of the Treasury. The bill provides appropriations for Export and Investment Assistance to * the Export-Import Bank of the United States, * the U.S. International Development Finance Corporation, and * the U.S. Trade and Development Agency. The bill also includes provisions that * provide emergency funding for expenses to prevent, prepare for, and respond to the coronavirus (i.e., the virus that causes COVID-19); * establish the People-to-People Partnership for Peace Fund to fund projects that help build the foundation for a peaceful coexistence between Israelis and Palestinians and a sustainable two-state solution; and * establish the Joint Investment of Peace Initiative to support the development of the Palestinian private sector economy and increased economic cooperation between Israelis and Palestinians. The bill sets forth requirements and restrictions for using funds provided by this and other appropriations Ac... (click bill link to see more).

Primary Sponsors

Nita Lowey

Organizational Notes

Last edited by Sarah Sapirstein at Oct 15, 2020, 7:44 PM

Responsible for funding U.S. Environmental Protection Agency (USEPA) water infrastructure assistance programs. USEPA would be funded at \$9.37 billion, of which Clean Water SRF receives \$1.6 billion (additional \$6.3 billion provided in emergency spending), of which \$2 million is reserved for technical assistance and training grants. The Interior-Environment FY2021 spending bill's WIFIA Program language rescinds unobligated program appropriations from FY2017-FY2019 to fund the program in FY2021 rather than appropriating a new tranche of funding. If enacted this could cause those currently working through the WIFIA application process for loans from these prior fiscal year appropriations would lose that funding source and restart the application process in FY2021. Upon House passage of the minibus, an amendment from Rep. Jackie Speier (D-CA) was adopted that protects such WIFIA applicants from having to start the process over again if the rescission language is enacted. Stakeholder groups have articulated to Congress the concerns regarding the language and are advocating for the House and Senate appropriators to fix the language when during conference negotiations. #OCSD

State	Bill Number	Last Action	Status	Position	Priority
US	S 4188	Committee On Energy And Natural Resources Subcommittee On Water And Power Hearings Held 2020 07 22	In Senate	Monitor	Medium

Title

Water for Tomorrow Act of 2020

Description

Water for Tomorrow Act of 2020 This bill provides assistance for water resources development and ecosystem protection and restoration projects in western states. Specifically, among other things, the bill requires the Department of the Interior to provide assistance to water supply projects that would contribute to a safe, adequate water supply for domestic, agricultural, environmental, municipal, or industrial use. Interior must also award grants to help disadvantaged communities with populations of 60,000 or less meet specified drinking water standards or address a significant decline in quantity or quality of drinking water. Further, the bill reauthorizes through FY2026 the rural water supply program, reauthorizes through FY2025 the cooperative watershed management program, permanently reauthorizes certain water management improvement grants, and modifies provisions related to funding for water recycling and reuse projects. Additionally, the bill requires Interior to award grants for habitat restoration projects that improve watershed health to entities with water or power delivery authority. Interior may also enter into agreements to fund aquatic ecosystem restoration and protection projects if they are likely to improve the quality of the environment by improving fish passage. Further, the bill requires the U.S. Fish and Wildlife Service to develop, and update every three years, a plan to sustain the survival of critically important fisheries within western states during future periods of extended drought. The bill also requires Interior to incorporate information from emerging technologies for snowpack measurement when determining water supply allocations and to study the projected impact of climate change on the safety of Bureau of Reclamation dams.

Primary Sponsors

Kamala Harris

Organizational Notes

Last edited by Sarah Sapirstein at Oct 7, 2020, 12:54 PM

Authorizes \$3 billion to invest in 3 areas: (1) Water infrastructure and sustainability (e.g. strage, transport, stormwater capture, desalination, etc.); incorporates House water bills' provisions, including H.R. 1162 Title XVI investment (see report) and H.R. 5347 investment in drinking water access for disadvantaged communities. (2) Ecosystem protection and restoration. (3) Improved technology and data, including utilization of data from technologies like LIDAR to measure water availability in snowpack, and studies to examine the climate change vulnerabilities of Federal dams. #OCSD

Bill Summary: Last edited by Sarah Sapirstein at Oct 7, 2020, 12:58 PM Comprehensive bill that combines policy provisions and initiatives contained in Moving Forward Act (H.R. 2), Rep. Jared Huffman's (D-CA) FUTURE Drought Resiliency Act Discussion Draft, and Sen. Kamala Harris' Water For Tomorrow Act (S. 2466). S. 4188 makes an overall \$3 billion investment in water infrastructure and sustainability, ecosystem restoration and protection activities, and improved technology and data collection.

Introduction Date: 2020-07-02

Labels: Infrastructure

State	Bill Number	Last Action	Status	Position	Priority
US	S 3591	S Amdt 1593 Senate Amendment Submitted 2020 06 08	In Senate	Support	Medium

Title

America's Water Infrastructure Act of 2020

Primary Sponsors

John Barrasso

Bill Summary: Last edited by Eric Sapirstein at Sep 11, 2020, 3:44 PM
To provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities, and for other purposes.

Introduction Date: 2020-05-04

Labels: Infrastructure

Organizational Notes

Last edited by Sarah Sapirstein at Oct 15, 2020, 3:04 PM

It provides for reauthorization of Clean Water SRF Program at \$3 billion annually (rolling average) over five years, authorizes funding for Workforce Training Assistance, establishes funding priorities for coastal water needs and resiliency projects. Senate Committee on Environment and Public Works passed S. 3591 on bipartisan vote in May and committee staff are currently engaging in conference negotiations with House Committee on Transportation and Infrastructure staff to reach a compromise final bill. Final WRDA 2020 bill expected to be released during Lame Duck Session. #OCSD

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1162	Subcommittee On Water Oceans And Wildlife Discharged 2020 03 11	In House	Monitor	Medium

Title

Water Recycling Investment and Improvement Act

Description

Water Recycling Investment and Improvement Act This bill makes permanent, and otherwise revises, the Bureau of Reclamation's grant program for the funding of water recycling and reuse projects. The bill removes priority under the program for projects in areas that, in the preceding four-year period, have been (1) identified as experiencing severe, extreme, or exceptional drought; or (2) designated as a disaster area by a state. Additionally, the bill increases the authorization of appropriations for the program and otherwise revises provisions related to program funding.

Primary Sponsors

Grace Napolitano

Bill Summary: Last edited by Sarah Sapirstein at Oct 7, 2020, 1:31 PM
H.R. 1162 would increase the funding authorization for the Bureau of Reclamation's Title XVI water recycling competitive grant program from \$50 million to \$500 million, giving local water agencies the necessary funding to increase capacities for existing recycling plants or create new cost-effective projects to boost water supplies. The bill has been placed on the House Calendar for consideration for the full House of Representatives.

Introduction Date: 2019-02-13

Labels: Water Finance

Organizational Notes

Last edited by Sarah Sapirstein at Oct 7, 2020, 1:31 PM

CASA Supports #OCSD

Last edited by Sarah Sapirstein at Oct 7, 2020, 1:31 PM

H.R. 1162 would increase the funding authorization for the Bureau of Reclamation's Title XVI water recycling competitive grant program from \$50 million to \$500 million, giving local water agencies the necessary funding to increase capacities for existing recycling plants or create new cost-effective projects to boost water supplies. #OCSD

Priority: None (4)

State	Bill Number	Last Action	Status	Position	Priority
US	HR 2473	Subcommittee On Water Oceans And Wildlife Discharged 2020 03 11	In House	Monitor	None

Title

Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act

Primary Sponsors

Josh Harder

Bill Summary: Last edited by Sarah Sapirstein at Sep 11, 2020, 9:16 PM
To promote water supply reliability and improved water management for rural communities, the State of California, and the Nation, and for other purposes.

Introduction Date: 2019-05-02

Labels: Infrastructure

Organizational Notes

Last edited by Sarah Sapirstein at Oct 15, 2020, 2:46 PM

H.R. 2473 increases Title XVI funding to \$500 million and creates a prize program authorizing \$2 million per year to incentivize development of innovative water technologies that support increased water security, supply, and quality outcomes. It also establishes a water infrastructure and drought solutions fund to provide total of \$300 million for water surface and groundwater storage, water reclamation and reuse, and WaterSMART program projects, of which: - \$100 million for new U.S. Bureau of Reclamation surface or ground water storage projects (RIFIA) - \$100 million for water reclamation and reuse projects authorized under Title XVI - \$100 million for WaterSMART grants #OCSD

State	Bill Number	Last Action	Status	Position	Priority
US	S 2466	Introduced In Senate 2019 09 11	In Senate	Monitor	None

Title

Water Justice Act

Description

Water Justice Act This bill addresses affordable access to clean water by establishing, expanding, or extending various programs or requirements related to drinking water infrastructure, water pollution control, water supply, water recycling, water efficiency, or conservation programs. Specifically, the bill provides \$50 billion in FY2020 supplemental appropriations to the Environmental Protection Agency (EPA) for programs that reduce contaminants of concern in drinking water, such as grant programs for lead testing or remediation efforts in schools, child care programs, or high-risk communities. The funds are designated as an emergency requirement, which exempts the funds from discretionary spending limits and other budget enforcement rules. Each year, the EPA must obligate specified amounts of funding for several water infrastructure programs, including state revolving fund programs and grant programs for managing or controlling water pollution. The EPA must also establish a grant program to help communities that serve environmentally at-risk households and low-income households afford the costs for remediating contaminated drinking water. Further, the Department of Health and Human Services may make grants to states to assist low-income households in meeting their needs for drinking water, wastewater, and stormwater services. In addition, the EPA must promulgate an interim national primary drinking water regulation for perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS, which may have adverse human health effects. Finally, the bill establishes or reauthorizes a variety of programs that provide financial support for water supply projects, water recycling or reuse projects, rural water systems, water efficiency improvements, or conservation programs.

Primary Sponsors

Kamala Harris

Organizational Notes

Last edited by Sarah Sapirstein at Oct 15, 2020, 2:17 PM

Sponsored by Senator Harris, it authorizes \$50 billion in emergency funds to address communities and schools dealing with contaminated water sources through testing and replacing toxic infrastructure, establishes \$10 billion grant program to allow states to offset water bills in low-income communities at risk, invest \$20 billion in diverse portfolio of sustainable water supplies, recycling, and conservation programs, invest \$170 billion in Safe Drinking Water and Clean Water Acts' programs. Legislation is companion bill to H.R. 4033. #OCSD

Bill Summary: Last edited by Eric Sapirstein at Sep 30, 2020, 2:25 PM
S. 2466 would provide federal assistance to support safe and reliable water supplies for disadvantaged communities. Federal authorization of \$50 billion provided.

Introduction Date: 2019-09-11

Labels: ENVIRONMENTAL JUSTICE Water Finance

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1317	Referred To The Subcommittee On Water Oceans And Wildlife 2019 03 06	In House	Support	None

Title

Coastal Communities Adaptation Act

Primary Sponsors

Harley Rouda

Bill Summary: Last edited by Sarah Sapirstein at Oct 7, 2020, 1:40 PM
Jumpstarts research at the National Science Foundation (NSF) and the National Institute for Standards and Technology (NIST) into improved buildings and structures that account for extreme weather. The bill will also provide grant funding for coastal communities that need to adapt to a changing climate.

Introduction Date: 2019-02-22

Labels: Water Quality

Organizational Notes

Last edited by Sarah Sapirstein at Oct 15, 2020, 2:57 PM

H.R. 1317 would direct Administrator of the National Oceanic and Atmospheric Administration to award capitalization grants to coastal States for the purpose of establishing a community resilience revolving fund. To receive funding, the awardee must enter into an agreement with the State to follow criteria and procedures established by State. Awarded funding may be used for the following activities: for the completion of a vulnerability assessment; for the protection of natural flood risk mitigation features, including land acquisition from willing sellers; for the construction of natural features or nature-based features, including beach nourishment and dune restoration; for the implementation of a regional sediment management program; for other measures to prevent, manage, mitigate, or adapt to shoreline erosion, saltwater intrusion, nuisance flooding, sea level rise, and other coastal hazards related to climate change; to carry out nonstructural measures to mitigate flood risk; and to plan, develop, and obtain financing for eligible projects under this subsection, including planning, design, and associated preconstruction activities. #OCSD

State	Bill Number	Last Action	Status	Position	Priority
US	HR 763	Referred To The Subcommittee On Energy 2019 01 25	In House	None	None

Title

Energy Innovation and Carbon Dividend Act of 2019

Description

Energy Innovation and Carbon Dividend Act of 2019 This bill imposes a fee on the carbon content of fuels, including crude oil, natural gas, coal, or any other product derived from those fuels that will be used so as to emit greenhouse gases into the atmosphere. The fee is imposed on the producers or importers of the fuels and is equal to the greenhouse gas content of the fuel multiplied by the carbon fee rate. The rate begins at \$15 in 2019, increases by \$10 each year, and is subject to further adjustments based on the progress in meeting specified emissions reduction targets. The bill also imposes a specified fee on fluorinated greenhouse gases. The bill includes * exemptions for fuels used for agricultural or nonemitting purposes, * exemptions for fuels used by the Armed Forces, * rebates for facilities that capture and sequester carbon dioxide, and * border adjustment provisions that require certain fees or refunds for carbon-intensive products that are exported or imported. The fees must be deposited into a Carbon Dividend Trust Fund and used for administrative expenses and dividend payments to U.S. citizens or lawful residents. The fees must be decommissioned when emissions levels and monthly dividend payments fall below specified levels. The bill also suspends certain regulations that limit greenhouse gas emissions. The suspensions expire if the emissions targets established by this bill are not reached after a specified time period.

Primary Sponsors

Ted Deutch

Organizational Notes

Last edited by Sarah Sapirstein at Sep 29, 2020, 1:00 PM

Overview of Bill Provisions: Carbon Fee - A gradually-rising upstream fee on the carbon content of fuels: ~ Creates market-driven demand for cleaner energy technologies. ~ Corrects market distortions by reflecting externalities of pollution costs ~ Starts at \$15 per metric ton of CO₂e, increases \$10 each year. Exemption for agricultural fuels and non-emissive uses. Rebate for CCS. ~ HFCs: Fee also assessed at 10% of GWP of fluorinated gases. Carbon Dividend - Rebates 100% of net revenues to the American people. ~ Protects consumers and the economy. Maintains revenue neutrality. ~ Rebate offsets cost increases for most Americans. ~ Equal share to adults with SSN or TIN, half share to minors. Administered by Treasury. Admin costs not to exceed 2%. 1-month advance payment. Carbon Equalization Tariff - Carbon intensive imported goods pay equalization tariff if country of origin does not price carbon. Exported goods receive refund. ~ Purpose: Removes incentive for dirty production for all manufacturers from all countries. Creates economic incentive for all nations to price carbon. ~ Designed for WTO compliance. Tariff on fossil fuels and carbon intensive goods only. Regulatory Adjustment - Adjusts certain GHG regulations which would become duplicative with enactment of this policy. ~ To avoid double jeopardy of both fee and regulation on certain GHGs. ~ Affects only certain GHG regulatory authority. ~ CAFE vehicle efficiency standards, methane, mercury, particulate, regulations remain in place. If cumulatively emissions targets aren't hit after 10 years regulatory authority restored. #OCSD

Last edited by Sarah Sapirstein at Sep 29, 2020, 12:56 PM

Citizen's Climate Lobby supports #OCSD

Last edited by Sarah Sapirstein at Sep 29, 2020, 12:55 PM

Quick link to breakout of supporting/endorsing organizations: <https://energyinnovationact.org/supporters-overview/> #OCSD

Bill Summary: Last edited by Sarah Sapirstein at Oct 7, 2020, 1:33 PM
The Energy Innovation and Carbon Dividend Act will help reduce U.S. carbon pollution by 90% by 2050 compared to 2016 levels. This would be achieved by pricing carbon at \$15 per metric ton of CO₂e and increasing the price by \$10 every year. The Treasury Department would return 100% of the net revenue back to the American people, a policy highlighted by a Treasury Department report as helping lower- and middle-income families.

Introduction Date: 2019-01-24

To: Orange County Sanitation District
From: Townsend Public Affairs, Inc.
Date: October 19, 2020
Subject: Legislative and Public Affairs Agenda Report

State Legislative Update

Since the Legislature adjourned on August 31, lawmakers have returned to their respective districts to focus on the upcoming November 3 General Election. Much of the legislative focus in Sacramento was on the Governor as he considered legislation that required a veto or signature by the September 30 deadline. Bills that were signed into law will take effect starting January 1 unless the bill included an urgency clause that would allow the bill to take effect immediately after it was signed. The Governor signed multiple bill packages on a variety of issues, including racial justice, healthcare, employee protections during COVID-19, and sexual assault victims.

In September and into October, Governor Newsom continued his daily press conferences to update the public on the State's efforts to combat COVID-19, including the State's new county tier system that moves counties between varying levels of re-opening phases based on local COVID-19 cases and testing data. The Governor has also been encouraging all Californians to receive their flu shot. During a recent press briefing, Governor Newsom received his annual flu shot to show Californians the importance of maintaining public health and avoiding a "twindemic", or two health pandemics occurring at the same time.

Additionally, in response to the growing number of wildfires throughout the State, the Governor issued several executive orders that call for all new cars and passenger trucks sold in California to be emission free by 2035. The executive orders estimate that this action will result in a 35 percent reduction in greenhouse gas emissions from vehicles. The California Air Resources Board (CARB) will be responsible for developing the State regulations, and the Administration stated that it will work with the private sector to accelerate the deployment of additional electric vehicle charging stations throughout the State.

Below are the upcoming relevant dates for the Legislature:

November 3 – General Election

December 7 – Legislature officially sworn in for the 2021-2022 Regular Session

January 1 – Most statutes passed in 2020 take effect

January 4 – Legislature reconvenes to begin legislative business

Governor's COVID-19 Action Summary

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

- **October 9, 2020 – Project Homekey Round 4:** Governor Newsom announced a fourth round of awards for Homekey, totaling \$147 million for 20 projects that will provide an additional 1,109 units of housing. Included in this funding round is \$23 million for projects in Orange County that will result in 132 units of permanent supportive housing.
- **September 28 – Project Homekey Round 3:** Governor Newsom announced the third round of awards for Homekey, California's \$600 million program to purchase and rehabilitate hotels, motels, vacant apartment buildings and other properties and convert them into permanent, long-term housing for people experiencing or at risk of experiencing homelessness. The Governor also announced he has asked the Joint Legislative Budget Committee (JLBC) to approve his request for an additional \$200 million in Coronavirus Relief Funding for Homekey.
- **September 23 – COVID-19 Executive Order:** Governor Newsom signed an executive order to extend authorization for local governments to halt evictions for commercial renters impacted by the COVID-19 pandemic through March 31, 2021, and address a variety of issues in response to the pandemic. Additionally, the order extends provisions allowing certain posting, filing and notice requirements under the California Environmental Quality Act (CEQA) to be fulfilled electronically.
- **September 17 – COVID-19 Legislation:** The Governor signed two bills into law related to COVID-19. AB 685 (Reyes) would require a public or private employer to provide specified notifications to its employees, the Division of Occupational Safety and Health, and the State Department of Public Health, relating to the exposure of its employees to COVID-19 that the employer knew of or should have reasonably have known of. SB 1159 (Hill) codifies the Governor's Executive Order that created a rebuttable presumption that essential employees who contracted COVID-19 were infected on the job, and establishes the scope and terms of a similar presumption for infected employees outside of the Executive Order.
- **September 3 – COVID-19 Executive Order:** Governor Gavin Newsom today signed an executive order extending consumer protections against price gouging through March 4, 2021 as California continues to respond to the COVID-19 pandemic. The protections generally prohibit sellers of any kind from increasing prices on food, consumer goods, medical or emergency supplies, and certain other items by more than 10 percent.

Housing

On September 28, Governor Newsom signed 15 housing related bills aimed at addressing the state's affordability crisis and building on the eviction moratorium legislation that was signed into law on August 31. While the Legislature and Governor were able to come to a compromise on AB 3088 (Chiu, D – San Francisco), the eviction moratorium bill, the Legislature failed to pass several housing bills that would have impacted local communities. Those bills included addressing issues such as CEQA review procedures, short-term rental ordinances, the state density bonus law, and local subdivision maps. Nonetheless, the Governor and housing advocates are touting the 15-bill package as a positive step forward in housing production reforms in the midst of a pandemic.

The more significant bills that were signed includes AB 725 (Wicks, D – Oakland) which would require metropolitan and suburban jurisdictions, through their housing element process, to ensure that more land is zoned for medium-density housing projects. AB 1561 (Garcia, D – Bell Gardens) will require cities and counties to evaluate the impact of government actions on the cost of housing and associated impacts to minority communities. The Governor also signed AB 2345 (Gonzalez, D – San Diego) which would amend the state Density Bonus Law to increase the maximum allowable density and the number of concessions and incentives a developer can seek.

Lastly, the Governor signed SB 1190 (Durazo, D – Los Angeles) which extends existing law authorizing a tenant to terminate a tenancy when the tenant suffered from a crime that caused bodily injury or death, use of a firearm or other deadly weapon, or that included the use of force or threat of force against the victim while expanding these provisions to apply to family members.

Wildfires

The 2020 West Coast wildfire season has proven to be the most destructive on record to date. According to CalFIRE, approximately 3.7 million acres have burned with more than 8,000 incidents of fire this year. 29 individuals have lost their lives and more than 8,000 structures have been damaged or destroyed. CalFIRE has also stated that the length of the fire season is estimated to have increased by 75 days across the Sierras and appears to correspond with an increase in the extent of forest fires across the State.

In September, the Governor declared a State of Emergency in Napa, Sonoma, Shasta, Del Norte, Los Angeles, Mendocino, and Siskiyou counties. The Governor also declared a statewide emergency and secured a Presidential Major Disaster Declaration to bolster the State's response to the fires. State of emergency declarations allow for federal disaster funding to be issued to the State, and the federal government has approved FEMA funds to assist the State.

Governor Newsom also signed multiple bills into law to address the State's wildfire crisis. AB 3074 (Friedman, D – Burbank) enhances the defensible space requirements for structures in high fire hazard areas. Additionally, AB 2421 (Quirk, D – Haywood) would streamline the permitting process for emergency standby generators for macro cell towers. The Governor also signed multiple bills to boost homeowner insurance protections to help safeguard communities in high fire hazard areas. Additional legislation that was signed includes efforts to reform CalOES to work with local communities when updating the State Emergency Plan as well as encouraging CalOES to work closely with FEMA to update local emergency plans.

The State is also hiring an additional 858 firefighters and six California Conservation Corps crews to help support the State's firefighting efforts. The State has also made investments in its firefighting air fleet with new Firehawk S-70 helicopters and C-130 planes to help with fire surge capacity and pre-positioning capabilities to mitigate the impact of wildfires. TPA will continue to provide timely updates regarding the State's efforts to address wildfires and advocate for a collaborative approach that includes the input of local communities and cities.

New Water Year

California's "Water Year" officially ended on September 30. The Water Year is a unit of time that is used by water professionals to compare water supply conditions year to year, taking into account the typical differences in weather between seasons and how California's hydrology works into our water system.

While California's water supply outlook is better than it has been at the end of some Water Years, most major water reservoirs are at below average storage. Furthermore, 2019-2020 was unusually dry given the lack of statewide rainfall, which directly contributes to a longer and more dangerous wildfire season. An additional dry year in 2021 would almost certainly propel California into drought territory and would stress the already inundated water system to allow for more groundwater pumping and draw-down of critical reservoirs. It is unclear if the Legislature will take action this year after just one year of dry conditions, but it is likely that drought and water conditions will be taken into account when considering any wildfire legislation in 2021.

Orange County Sanitation District Legislative Positions

The following table represents the legislative positions that the Orange County Sanitation District adopted in 2020 and the corresponding status of those bills.

Bill	Description	OCSD Position	Status
AB 685 (Quirk)	Require employers to provide certain disclosures related to COVID-19 exposure to employees	Oppose	Signed
AB 1672 (Bloom)	Requires non-flushable products (wipes) to be labeled clearly and conspicuously to communicate that they should not be flushed	Support	Dead
AB 2762 (Muratsuchi)	Prohibits the sale, delivery, or production of cosmetic products that contain intentionally added ingredients including PFAS	Support	Signed
AB 3163 (Salas)	Redefines biomethane for the purposes of anaerobic digestion of organic materials.	Support	Signed
SB 667 (Hueso)	Require CalRecycle to provide additional resources and need assessments to help the State meet its organics goals	Support	Dead
SB 931 (Wieckowski)	Require local agencies to email electronic copies of Board agenda packets to constituents requesting	Oppose	Dead

OCS D
State
Bills of Interest

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCS D POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
Proposed Legislation 2020-2021						
High Priority						
AB 69	Ting [D]	Help Homeowners Add New Housing Program: accessory dwelling unit financing. Current law provides for the creation by local ordinance, or by ministerial approval if a local agency has not adopted an ordinance, of accessory dwelling units to allow single-family or multifamily dwelling residential use in accordance with specified standards and conditions. This bill would require the Treasurer, within 6 months of the effective date of these provisions, to develop the Help Homeowners Add New Housing Program with the purpose of assisting homeowners, as defined, in qualifying for loans to construct additional housing units on their property, including accessory dwelling units and junior accessory dwelling units. The bill would, with regard to the development of the program, require the Treasurer to consult with the California Housing Financing Agency and the Department of Housing and Community Development and would authorize the Treasurer to consult with private lenders.	Vetoed	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - NYC CASA - NYC ACWA - NYC CSDA - NYC
AB 134	Bloom [D]	Safe Drinking Water Restoration Would require the State Water Resources Control Board to report to the Legislature by July 1, 2025, on its progress in restoring safe drinking water to all California communities and to create an internet website that provides data transparency for all of the board's activities described in this measure. The bill would require the board to develop metrics to measure the efficacy of the fund in ensuring safe and affordable drinking water for all Californians.	Dead	Watch	State Priorities: Support legislation or regulations that restrict the use of microplastics in any product that is disposed of through the sewer system.	ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch
AB 291	Chu	Emergency preparedness Would establish a Local Emergency Preparedness and Hazard Mitigation Fund to support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency management, preparedness, readiness, and resilience goals. The bill would, upon appropriation by the Legislature, require the Controller to transfer \$500,000,000 to the fund. The bill would require the Office of Emergency Services to establish the Local Emergency Preparedness and Hazard Mitigation Fund Committee under the Standardized Emergency Management System Advisory Board.	Dead	Watch	State Priorities: Secure funding through grants and legislation for infrastructure, collection improvements and alternative renewable energy at the Fountain Valley, Plant No. 1 and Huntington Beach, Plant No. 2.	ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch
AB 292	Quirk [D]	Recycled water: raw water and groundwater augmentation Current law requires the State Water Resources Control Board, on or before December 31, 2023, to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation, as specified. This bill would eliminate the definition of "direct potable reuse" and instead would substitute the term "groundwater augmentation" for "indirect potable reuse for groundwater recharge" in these definitions. The bill would require, on or before December 31, 2023, the state board to adopt uniform water recycling criteria for raw water augmentation.	Dead	Watch	Legislative and Regulatory Policies: Water Quality and Supply - Support measures that promote and provide for the use of reclaimed water	ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Support

**OCSD
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 352	E. Garcia [D]	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020. Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,920,000,000 pursuant to the State General Obligation Bond Law to finance a wildlife prevention, safe drinking water, drought preparation, and flood protection program. The bill would provide for the submission of these provisions to the voters at the November 3, 2020, statewide general election.	Dead	Watch	Legislative and Regulatory Policies: Grant Funding - Support legislation, bonds, programs and projects that provide funding for: infrastructure construction and rehabilitation, special studies and research or projects relating to security, environmental education, water quality, wastewater processing, urban runoff, wastewater recycling, biosolids and organics management, water quality improvement, resource recovery, or alternative energy.	ACCOC - NYC LOCC - NYC CASA - NYC ACWA - NYC CSDA - NYC
AB 685	Quirk [D]	Occupational safety: COVID-19 exposure: notification. Would require a public or private employer to provide specified notifications to its employees, the Division of Occupational Safety and Health, and the State Department of Public Health, relating to the exposure of its employees to COVID-19 in the workplace, when the employer has been notified of the exposure, as specified. The bill would provide for a specified civil penalty for an employer that violates the notification requirements of these provisions.	Signed into law by the Governor	Oppose	Legislative and Regulatory Policies: Human Resources - Support measures to reform current workers compensation formulas that rely on a proportionate exposure formula.	ACCOC - NYC LOCC - Oppose CASA - Oppose ACWA - Oppose CSDA - Watch
AB 992	Mullin [D]	Open meetings: local agencies: social media Would provide that the Ralph M. Brown Act does not apply to the posting, commenting, liking, interaction with, or participation in, internet-based social media platforms that are ephemeral, live, or static, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.	Signed into law by the Governor	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - Watch CASA - Approve ACWA - NYC CSDA - Support
AB 1080	Gonzalez [D]	California Circular Economy and Plastic Pollution Reduction Act Would establish the California Circular Economy and Plastic Pollution Reduction Act, which would require the Department of Resources Recycling and Recovery, in consultation with the State Water Resources Control Board and the Ocean Protection Council, to adopt, on or before January 1, 2023, regulations to achieve, by 2030, a 75% reduction by manufacturers and retailers of the waste generated from single-use packaging and products offered for sale or sold in the state through source reduction, recycling, or composting.	Dead	Watch	State Priorities: Support legislation or regulations that restrict the use of microplastics in any product that is disposed of through the sewer system. □	ACCOC - NYC LOCC - Support CASA - NYC ACWA - NYC CSDA - NYC

**OCSD
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 1484	Grayson [D]	Mitigation Fee Act: housing developments. This bill would prohibit a local agency from imposing a housing impact requirement adopted by the local agency on a housing development project, as defined, unless specified requirements are satisfied by the local agency, including that the housing impact requirement be roughly proportional in both nature and extent to the impact created by the housing development project.	Dead	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Oppose
AB 1672	Bloom [D]	Solid waste: flushable products The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. This bill would, among other things, on or after January 1, 2021, prohibit a covered entity, as defined, from labeling a covered product as safe to flush, safe for sewer systems, or safe for septic systems, unless the product is a flushable wipe that meets certain performance standards. The bill would require nonflushable products to be labeled clearly and conspicuously to communicate that they should not be flushed, as specified.	Dead	Support	Legislative and Regulatory Policies: Source Control - Support legislation that regulates the disposal of flushable wipes.	ACCOC - NYC LOCC - Watch CASA - Sponsor ACWA - Support CSDA - Support
AB 1751	Chiu [D]	Water and sewer system corporations: consolidation of service. This bill, the Consolidation for Safe Drinking Water Act of 2019, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system that has fewer than 3,300 service connections and serves a disadvantaged community, or to implement rates for the subsumed water system.	Dead	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - NYC CASA - NYC ACWA - NYC CSDA - NYC
AB 1924	Grayson [D]	Housing development: fees Would require that a fee levied or imposed on a housing development project by a local agency be proportionate to the square footage of the proposed unit or units.	Dead	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - NYC CASA - NYC ACWA - NYC CSDA - NYC
AB 1945	Salas [D]	Emergency services: first responders Would, for purposes of the California Emergency Services Act, define "first responder" as an employee of the state or a local public agency who provides emergency response services, including a peace officer, firefighter, paramedic, emergency medical technician, public safety dispatcher, public safety telecommunicator, emergency response communication employee, rescue service personnel, or emergency manager. Does not explicitly include water or wastewater personnel.	Signed into law by the Governor	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Watch

**OCSD
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Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 2093	Gloria [D]	Public records: writing transmitted by electronic mail: retention Would, unless a longer retention period is required by statute or regulation, require a public agency for purposes of the California Public Records Act to retain and preserve for at least 2 years every writing containing information relating to the conduct of the public's business prepared, owned, or used by any public agency that is transmitted by electronic mail.	Dead	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - Oppose CASA - Watch ACWA - NYC CSDA - Oppose
AB 2107	Rodriguez [D]	Local government: securitized limited obligation notes Current law, until December 31, 2019, authorizes a special district to issue, as specified, securitized limited obligation notes for the acquisition or improvement of land, facilities, or equipment. This bill would extend that authorization to December 31, 2024.	Signed into law by the Governor	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Support
AB 2182	Rubio [D]	Emergency backup generators: water and wastewater facilities: exemption Would exempt the operation of an alternative power source, as defined, to provide power to a critical facility, as defined, from any local, regional, or state regulation regarding the operation of that source. The bill would authorize providers of essential public services, in lieu of compliance with applicable legal requirements, to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.	Dead	Watch	Guiding Principles: Oppose redundant regulatory and legislative requirements that cause undue constraints on efficient operations	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Support
AB 2364	Rubio [D]	Municipal separate storm sewer systems: financial capability analysis Would require the State Water Resources Control Board, by July 1, 2021, to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions. The bill would require the state board and the regional boards to continue using available regulatory tools and other approaches to foster collaboration with permittees to implement permit requirements in light of the costs of implementation.	Dead	Watch	Legislative and Regulatory Policies: Water Quality and Supply - Support measures that promote and provide for the use of reclaimed water	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Watch

**OCSD
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 2560	Quirk [D]	Water quality: notification and response levels: procedures The California Safe Drinking Water Act requires the State Water Resources Control Board to adopt drinking water standards for contaminants in drinking water based upon specified criteria and requires any person who owns a public water system to ensure that the system, among other things, complies with those drinking water standards. The act requires a public water system to provide prescribed notices within 30 days after it is first informed of a confirmed detection of a contaminant found in drinking water delivered by the public water system for human consumption that is in excess of a maximum contaminant level, a notification level, or a response level established by the state board. This bill would require the state board to comply with specified public notice and comment procedures when establishing or revising notification or response levels.	Signed into law by the Governor	Watch	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Watch
AB 2612	Maienschein [D]	Greenhouse Gas Reduction Fund: recycling: appropriation Would, beginning in the 2020–21 fiscal year, would continuously appropriate \$100,000,000 from the Greenhouse Gas Reduction Fund annually to the Department of Resources Recycling and Recovery for in-state organic waste recycling projects that reduce greenhouse gas emissions and achieve certain organic waste disposal goals, as specified. The bill, beginning in the 2020–21 fiscal year, would also continuously appropriate \$100,000,000 from the fund annually to the department for in-state recycling projects that reduce greenhouse gas emissions and help achieve a specified state policy relating to solid waste, as specified.	Dead	Watch	Guiding Principles: Seek funds for OCSD projects through grants, appropriations, or other means	ACCOC - NYC LOCC - Support CASA - Support ACWA - Watch CSDA - Watch
AB 2762	Muratsuchi [D]	Cosmetics: safety. The Sherman Food, Drug, and Cosmetic Law prohibits the manufacture, sale, delivery, holding, or offer for sale of adulterated cosmetics, and prescribes when a cosmetic is adulterated, including when it bears or contains a poisonous or deleterious substance that may render it injurious to users when used as directed in the cosmetic's labeling or advertising or under customary or usual conditions. Provisions of this law are enforced by the State Department of Public Health. This bill would, commencing January 1, 2025, prohibit a person or entity from manufacturing, selling, delivering, holding, or offering for sale, in commerce any cosmetic product that contains any of several specified intentionally added ingredients, except under specified circumstances.	Signed into law by the Governor	Support	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACCOC - NYC LOCC - NYC CASA - Support ACWA - NYC CSDA - NYC
AB 2943	Ting [D]	Surplus property: disposal Current law prescribes requirements for the disposal of surplus land, as defined, by a local agency, as defined. Current law requires land to be declared surplus land or exempt surplus land, as supported by written findings, before a local agency takes any action to dispose of it consistent with the agency's policies or procedures. This bill would provide that the provisions regulating the disposal of surplus land shall not be construed to require a local agency to dispose of land that is determined to be surplus.	Dead	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Watch

**OCSD
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
AB 3147	Gabriel [D]	Fees for development projects Would require a judicial action or proceeding to be conducted in accordance with other procedures that, among other things, require a protest to be filed within 90 days after the imposition of the fees and an action to attack, review, set aside, void, or annul the imposition of the fees to be filed within 180 days after delivery of a specified notice by the local agency. The bill would require revenues in excess of actual cost to be used to reimburse the payor of the fee or service charge.	Dead	Watch	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Oppose
AB 3163	Salas [D]	Energy: biomethane: procurement. Current law requires the Public Utilities Commission, in consultation with the State Air Resources Board, to consider adopting specific biomethane procurement targets or goals for each gas corporation so that each gas corporation procures a proportionate share, as determined by the commission, of biomethane annually, as specified. Current law defines "biomethane" for that purpose as biogas that meets specified standards adopted by the commission for injection into a common carrier pipeline. This bill would instead define "biomethane" for that purpose as methane produced from an organic waste feedstock, rather than biogas, that meets those specified standards and is either produced from the anaerobic decomposition of organic material or produced from the noncombustion thermal conversion of specified materials.	Signed into law by the Governor	Support	Legislative and Regulatory Policies: Biosolids and Biogas - Support streamlined legislation, regulations and policies that encourage the procurement of biogas, biosolids, and compost	ACCOC - NYC LOCC - Watch CASA - Support ACWA - NYC CSDA - Watch
AB 3256	Garcia [D]	Climate risks: bond measure The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide direct primary election, authorizes the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. This bill would state the intent of the Legislature to enact a bond measure that would address climate risks to the State of California.	Dead	Watch	Guiding Principles: Seek funds for OCSD projects through grants, appropriations, or other means	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Watch
ACA 1	Aguiar-Curry [D]	Local government financing: affordable housing and public infrastructure: voter approval. The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.	Dead	Watch	Guiding Principles: Seek funds for OCSD projects through grants, appropriations, or other means;	ACCOC - NYC LOCC - Support CASA - Support ACWA - NYC CSDA - Support

**OCS
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCS POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 667	Hueso [D]	Greenhouse gases: recycling infrastructure and facilities. Would require the Department of Resources Recycling and Recovery to develop, on or before January 1, 2021, and would authorize the department to amend, a 5-year needs assessment to support innovation and technological and infrastructure development, in order to meet specified organic waste reduction and recycling targets, as provided. The bill would require, on or before June 1, 2021, the department, in coordination with the Treasurer and the California Pollution Control Financing Authority, to develop financial incentive mechanisms, including, among other mechanisms, loans and incentive payments, to fund and accelerate public and private capital towards organic waste diversion and recycling infrastructure.	Dead	Support	Legislative and Regulatory Policies: Biosolids and Biogas - Support the promotion and funding of local pilot programs, studies, and research for the beneficial use of biosolids.	ACCOC - NYC LOCC - Support CASA - Support ACWA - NYC CSDA - NYC
SB 931	Wieckowski [D]	Local government meetings: agenda and documents This bill would require, if the local agency has an internet website, a legislative body or its designee to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. The bill would require, where the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a website link containing the documents by electronic mail or by other electronic means, the legislative body or its designee to send by electronic mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements.	Dead	Oppose	Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.	ACCOC - NYC LOCC - Oppose CASA - Oppose ACWA - Oppose CSDA - Oppose
SB 996	Portantino [D]	State Water Resources Control Board: Constituents of Emerging Concern Program Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on constituents of emerging concern in drinking water that may pose risks to public health. The bill would require the state board to establish the Stakeholder Advisory Group and, by an unspecified date, the Science Advisory Panel, both as prescribed, to assist in the gathering and development of information for the program, among other functions. The bill would require the program to provide opportunities for public participation, including conducting stakeholder meetings and workshops to solicit relevant information and feedback for development and implementation of the program.	Dead	Watch	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Watch

OCS D
State
Bills of Interest

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCS D POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 1044	Allen [D]	Firefighting equipment and foam: PFAS chemicals. Would, commencing January 1, 2022, require any person, including a manufacturer, as defined, that sells firefighter personal protective equipment to any person or public entity to provide a written notice to the purchaser at the time of sale if the firefighter personal protective equipment contains perfluoroalkyl and polyfluoroalkyl substances (PFAS), and would provide that a violation of this requirement is punishable by a specified civil penalty. The bill would require the seller and the purchaser to retain the notice on file for at least 3 years and to furnish the notice and associated sales documentation to the State Fire Marshal within 60 days upon request, as provided.	Signed into law by the Governor	Watch	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Support
SB 1052	Hertzberg [D]	Water quality: municipal wastewater agencies Would establish municipal wastewater agencies and would authorize a municipal wastewater agency, among other things, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill.	Dead	Watch	Legislative and Regulatory Policies: Water Quality and Supply - Support measures that promote and provide for the use of reclaimed water	ACCOC - NYC LOCC - NYC CASA - Sponsor ACWA - Watch CSDA - Support
SB 1056	Portantino [D]	Drinking water: testing: perfluoroalkyl and polyfluoroalkyl substances. Would require the State Water Resources Control Board, on or before January 1, 2022, to certify a methodology or methodologies for testing drinking water, groundwater, and surface water for perfluoroalkyl and polyfluoroalkyl substances, as provided, and to accredit qualified laboratories in California to analyze perfluoroalkyl and polyfluoroalkyl substances pursuant to the adopted methodology or methodologies.	Dead	Watch	State Priorities: Monitor state legislation as well as State Water Resources Control Board (SWRCB) regulatory activity related to PFAS.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Watch
SB 1099	Dodd [D]	Emergency backup generators: critical facilities: exemption Would, consistent with federal law, require air districts to adopt a rule, or revise its existing rules, to allow critical facilities with a permitted emergency backup generator to use that emergency backup generator during a deenergization event or other loss of power, and to test and maintain that emergency backup generator, as specified, without having that usage, testing, or maintenance count toward that emergency backup generator's time limitation on actual usage and routine testing and maintenance. The bill would prohibit air districts from imposing a fee on the issuance or renewal of a permit issued for those critical facility emergency backup generators.	Dead	Watch	Guiding Principles: Oppose redundant regulatory and legislative requirements that cause undue constraints on efficient operations	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Support

**OCSD
State
Bills of Interest**

BILL	AUTHOR	SUMMARY	LATEST ACTION	OCSD POSITION	LEGISLATIVE PLAN	OTHER POSITIONS
SB 1159	Hill [D]	Workers' compensation: COVID-19: critical workers. Would, until an unspecified date, define "injury" for a critical worker, as specified, to include illness or death that results from exposure to coronavirus disease 2019 (COVID-19) under specified circumstances. The bill would create a disputable presumption, as specified, that an injury that develops or manifests itself while a critical worker is employed arose out of and in the course of the employment.	Signed into law by the Governor	Watch	Legislative and Regulatory Policies: Human Resources - Support measures to reform current workers compensation formulas that rely on a proportionate exposure formula.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Watch
SB 1352	Hueso [D]	Gas corporations: renewable gas procurement Would require the Public Utilities Commission to establish a renewable gas, as defined, procurement program that requires each gas corporation to procure renewable gas in an amount so that, by January 1, 2030, at least 20 percent of the total volume of gas delivered to core customers in California by that gas corporation is renewable gas. The bill would require the commission, in designing and implementing the program, to ensure that the renewable gas procurement program is a cost-effective means to achieve forecast reductions in emissions of short-lived climate pollutants pursuant to specified laws and that the program complies with all applicable state and federal laws.	Dead	Watch	Legislative and Regulatory Policies: Biosolids and Biogas - Support streamlined legislation, regulations and policies that encourage the procurement of biogas, biosolids, and compost	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - NYC CSDA - NYC
SB 1383	Jackson [D]	Unlawful employment practice: family leave Would revise and recast specified provisions to make it an unlawful employment practice for any employer to refuse to grant a request by an employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a new child of the employee or to care for themselves or a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as specified. The bill would require an employer who employees' both parents of a child to grant leave to each employee.	Signed into law by the Governor	Watch	Legislative and Regulatory Policies: Public Health - Monitor legislation that provides additional occupational safety and health standard requirements for employees, contractors, or subcontractors.	ACCOC - NYC LOCC - Watch CASA - Watch ACWA - Watch CSDA - Oppose

Legend:

ACC-OC - Association of California Cities, Orange County
LOCC - League of California Cities
NYC - Not Yet Considered
CASA - California Association of Sanitation Agencies
ACWA - Association of California Water Agencies
CSDA - California Special Districts Association

Name of Grant/Loan	Synopsis of Grant/Loan	Amount of Grant/Loan	Amount Applying for	Applying Y/N	Project/Program	Reason	Match	Deadline	Category	Rcvd Grant/Financing Y/N
STATE										
Organics Grant Program	The Organics Grant Program is part of California Climate Investments, a statewide program that puts billions of cap-and-trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment - particularly in disadvantaged and/or low-income communities. The Cap-and-Trade program also creates a financial incentive for industries to invest in clean technologies and develop innovative ways to reduce pollution. California Climate Investments projects include affordable housing, renewable energy, public transportation, zero-emission vehicles, environmental restoration, more sustainable agriculture, recycling, and much more. At least 35 percent of these investments are made in disadvantaged and low-income communities.	Application materials for FY 2020-21 will tentatively be available summer 2020.	TBD	Yes	Food-Waste Co-Digestion facility at Plant No.2 in Huntington Beach to accept up to 150 wet tons per day (wtpd) of pre-processed source separated organics.	We will review the possible funding opportunity to determine if it is a fit for the Sanitation District.	TBD	TBD	Energy/Recycling	No
CalOES Grant- Community Power Resiliency Allocation to Special Districts Program	The purpose of the Community Power Resiliency Allocation to Special Districts Program is to support California special districts with additional preparedness measures in response to power outage events. Of the \$50 million overall appropriation for Community Power Resiliency funding, \$20 million has been reserved for special district needs.	\$300,000	\$300,000	No	Portable Generators	We did not meet the requirements of the grant.	NA	10/30/2020	Renewable energy	No
Integrated Regional Water Management (IRWM) Grant Program	The Proposition 1 IRWM Grant Program, administered by DWR, provides funding for projects that help meet the long term water needs of the state, including: Assisting water infrastructure systems adapt to climate change; Providing incentives throughout each watershed to collaborate in managing the region's water resources and setting regional priorities for water infrastructure	TBD	NA	No	NA	TPA and OCSD are monitoring the grant program development from the Santa Ana Watershed Project Authority (SAWPA). Currently, Round 2 has yet to be announced. TPA and OCSD will continue to watch this and other matches.	50%	NA. Will return in 2021 for Round 2	Water	No
FEDERAL										
The Water Infrastructure Improvements Act (WIIN)	The Title XVI Water Reclamation and Reuse Projects funding opportunity allows for sponsors of water reclamation and reuse projects that are congressionally authorized or are eligible under section 4009(c) of the WIIN Act to request cost-shared funding for planning, design and/or construction of those Projects. Water reclamation and reuse projects provide improved efficiency, flexibility during water shortages and diversifies the water supply.	Reclamation is making up to \$20 million available for those projects authorized under the WIIN Act.	\$3 million	Yes	Final Expansion of GWRS Headworks (P2-122)	The Sanitation District applied for Headworks Segregation project that will help to bring more water to the GWRS.	\$20mm or 25% of project costs whichever is less.	6/28/2019	Water/ Infrastructure	TBD We are waiting to hear back on this grant and anticipate to receive notice by Summer 2020 (Congress has demanded that project recommendations be transmitted to without delay as part of USBR FY 2021 Spending Bill)
Stormwater and CSO Grant Program	USEPA is authorized to provide grants assistance of public agencies to control stormwater flows and CSO's. Funding through state awards.	Funding cost-share is not identified in the law	TBD	TBD. We will monitor for possible funding opportunities/A	TBD	FY 2020 - \$28 million	Yes	Anticipate by July 2020	Water/ Infrastructure	USEPA published allocation formula with deadline for public comments 9/3/2020. Expect formal allocation to State as early as 45 days after 9/3/2020

Name of Grant/Loan	Synopsis of Grant/Loan	Amount of Grant/Loan	Amount Applying for	Applying Y/N	Project/Program	Reason	Match	Deadline	Category	Rcvd Grant/ Financing Y/N
The Department of Energy (DOE), USBR and USEPA	The DOE's Office of Energy Efficiency is likely to continue to be funded by Congress to support such efforts as biogas, biosolids and green energy.	Through the WaterSmart program, USBR will issue solicitations for innovative approaches to managing water and water treatment through technology and processes for FY 2020 - \$60 million	TBD	TBD. We will monitor for possible funding opportunities	Project Funding Opportunity: Energy production to reduce costs of recycled water through innovative technologies. Innovative water monitoring technology that can produce efficient real time monitoring and data analysis, Biogas Management and Use Improvements.	We will review the possible funding opportunity to determine if it is a fit for the Sanitation District.	N/A	TBD	Energy/Water/Infrastructure	TBD
The Environmental Protection Agency (EPA)	Supporting Anerobic Digestion in Communities.	\$300,000	\$300,000	No	The goal of this funding opportunity is to increase use of AD to manage food waste. Another goal is to support the development of new AD infrastructure in the U.S. EPA is interested in funding projects that increase anaerobic digestion capacity in the United States.	We will not be applying for this grant as after further research we do not feel we will be qualified as there is an educational component that we do not meet	No	7/14/2020	Energy/Recycling	No
Other										
Community Partnering Program Grant	Metropolitan Water District	The primary focus of the Community Partnering Program (CPP) is sponsorship of water conservation and water-use efficiency programs and activities. Applications must be submitted 30 days prior to the start date of the event or program. Requests for a maximum \$2,000 award will be reviewed year-round and funds are awarded throughout the year. Funds are limited, however, and may be depleted prior to the ending of this fiscal year (June 30).	\$2,000	Yes	For Plant No. 1 Signage	Applied	Match	ongoing	Education	Yes
Mass Timber Competition	CalGovOps	The California Government Operations Agency (GovOps) will award \$500,000 in grants as part of the statewide California Mass Timber Building Competition. Grants will be awarded to selected proponent teams presenting viable and repeatable mass timber solutions for commercial and multi-family projects in California. The competition is being hosted by GovOps and administered by WoodWorks – Wood Products Council.	\$40,000	Yes	Headquarters Building	Applied	No	03/18/19	Environment	Yes



Orange County Sanitation District

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

LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE

Agenda Report

File #: 2020-1265

Agenda Date: 11/9/2020

Agenda Item No: 5.

FROM: James D. Herberg, General Manager

SUBJECT:

PUBLIC AFFAIRS UPDATE FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2020

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Public Affairs Update for the months of September and October 2020.

BACKGROUND

Staff will provide an update on recent public affairs activities.

RELEVANT STANDARDS

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

PROBLEM

The Orange County Sanitation District (Sanitation District) is well-recognized within the water/wastewater industry; however, within our service area there is limited knowledge by our customers of the important work we do to protect public health and the environment. In general, the customers we serve do not realize that when they improperly dispose of waste into the sanitation system, it can negatively affect our sewer lines, our treatment plants, and the quality of water we supply for the Groundwater Replenishment System.

PROPOSED SOLUTION

By providing tours, community outreach, education, and general communication via the Sanitation District's website, social media outlets, and direct mailings, we have the ability to educate the community, local agencies, and businesses on our messaging such as the What2Flush program, energy production, water recycling, biosolids, and our source control program. This, in turn, helps improve the quality of wastewater that is recycled or released to the ocean.

TIMING CONCERNS

N/A

RAMIFICATIONS OF NOT TAKING ACTION

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

PRIOR COMMITTEE/BOARD ACTIONS

N/A

ADDITIONAL INFORMATION

Current activities for the months of September and October

Outreach Report

Staff has created a new outreach report that includes tours, website postings, social media postings, construction notifications, speaker engagements, and more. This report is included as an attachment to this Agenda Report.

Virtual Tours

Due to the COVID-19 pandemic, our Plant tours have been temporarily suspended. To continue engaging with the community and our stakeholders, staff has developed virtual tours of the Plant which has allowed participants an opportunity to remotely visit the Sanitation District and learn how we protect public health and the environment. Over the last two months, nine virtual tours have taken place reaching 368 people with more coming in the future.

OC Polling

As a follow-up to the poll conducted in March 2020 to determine the service area's awareness of the Sanitation District, a new poll took place to identify any changes or improvements in the awareness level. The polling was conducted via social media and direct phone calls, and a verbal report will be given at the Committee meeting.

Inside the Outdoors

Inside the Outdoors has continued to reach out to our community to help spread the Sanitation District's messaging. Over the 2019-2020 school year a total of 2,550 students were reached: 944 elementary students for our *Scientist of the Sewers* program and 1,606 high school students for our *Drip Drop* program. Most of the participating schools are in Anaheim, Buena Park, Garden Grove, Newport-Mesa, Orange, Santa Ana, and Westminster.

Volunteer Incentive Program Virtual Event

In September we celebrated our employees who volunteer their time and effort to support the Sanitation District's educational mission through the Volunteer Incentive Program (VIP). Due to COVID-19 restrictions, we were unable to gather in person as we typically do for the annual luncheon, however, we held a virtual celebration to recognize our VIPs. The Board Chair and Vice

Chair participated in the celebration to help recognize our staff. We had over 800 hours of volunteer time dedicated to support 112 tours, eight community events, and 20 speaking engagements. Through these efforts, it is estimated that the Sanitation District reached 3,690 people in fiscal year 2019/20.

The Sanitation District Has a New Logo

In September, the Board of Directors approved a new logo and name for the Sanitation District. We will officially be referred to as OC San and discontinue using OCSD. The new logo and name will be more reflective of the modern agency that we are and allow us to continue to stand out from the crowd. The new logo is easy to recognize and the revised branding and imaging will slowly be rolled out over the next two years.

Member Agency Outreach Toolkit

To continue spreading our messaging, the third outreach toolkit was distributed to our member agencies to use in their communication platforms. This toolkit highlights the Sanitation District's general focus on FOG (Fats, Oils and Grease). A series of videos, graphics, and fact sheet were provided that can be used on social media, websites, and local cable channels.

Awards:

- **Excellence in Management Award**

The Sanitation District was recently given the Excellence in Management Gold Recognition which acknowledges the significant achievements of agencies in the utility management arena. The program honors member agencies that are implementing management practices that address a range of challenges.

- **Utility of the Future**

The Sanitation District has once again been recognized by various national water sector organizations including the Water Environment Federation (WEF) and the National Association of Clean Water Agencies (NACWA) as a "Utility of the Future Today". The Utility of the Future award highlights the progress and exceptional performance of achievements of water utilities that transform from the traditional wastewater treatment system to a resource recovery center and leader in the overall sustainability and resilience of the communities they serve.

- **Excellence in Procurement Award**

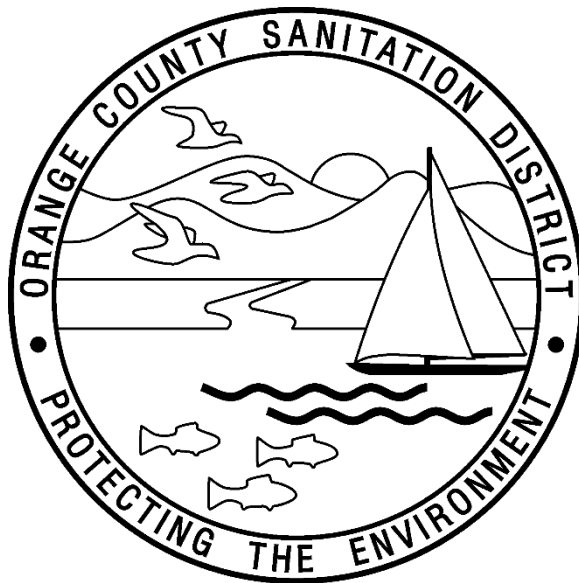
The Sanitation District has received the 2020 Achievement of Excellence in Procurement (AEP) Award from the National Procurement Institute. The AEP Award is earned by public and non-profit agencies that demonstrate a commitment to procurement excellence and recognizes organizations that embrace innovation, professionalism, productivity, leadership, and e-procurement.

ATTACHMENTS

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

- Outreach and Media Summary Report September-October 2020

Outreach and Media Summary



September - October 2020

OCSD Public Affairs Office

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Outreach Report September-October 2020

Date	Tours	Attendees	Tour Guide
9/12/2020	OCSD Virtual Tour	52	Cortney Light
9/16//2020	OCSD / OCWD Virtual Tour	36	Jim Herberg/Mike Markus
9/30/2020	OCSD/ OCWD Nursing Virtual Tour	75	Cortney Light
10/5//2020	Boy Scouts Virtual Tour	33	Belen Carrillo
10/7/2020	Grand Jury Tour	6	Jim Herberg/Rob Thompson
10/13//2020	OCSD Virtual Tour	55	Dickie Fernandez
10/14/2020	UCI Virtual Tour	46	Dickie Fernandez
*10/30/2020	State of the District Virtual Tour	15	Jim Herberg/ Rob Thompson
*10/31/2020	OCSD Virtual Tour	50	Cortney Light
Date	Speaking Engagements	Attendees	Presenter
9/2/2020	SCAP- Effluent Limit Impacts When Moving to 100% Reuse	30	George Robertson/ Jim Herberg
9/12/2020	Citizens Climate Lobby	10	Director Glenn Parker
9/21/2020	University of Mass. Amherst	20	Violet Renick
10/1/2020	North American Society for Trenchless Technology presentation	200	Raul Cuellar/ Brad Moore
10/13/2020	Rossmoor Community Services District Board presentation	15	Kathy Millea
10/15/2020	Orange Coast College Marine Policy and Conservation.	37	Jeff Armstrong
*10/21/2020	UCI- Wastewater Treatment and Challenges	20	Tom Meregillano
*10/23/2020	Society of Women's Engineers: Evening with the Industry	100	Valerie Ratto
*10/27/2020	OCWD Webinar: Careers in Water/Wastewater Industry	100	Mary Farazmehr
*10/29/2020	CASQA Quarterly Meeting on Urban Runoff Program	40	Lan Wiborg
*10/30/2020	OCSD State of the District	150	Jim Herberg/ Chair Shawver
	*These events have not occurred at time of this report, therefore # of attendees is estimated.		

	Construction Outreach Notifications		
Project Area	Number of Construction Notices	# of People Reached	Website Posts and Text Alerts
Newport Beach	1 notification	15	
Westminster	Electronic Communication		2 website posts/ 2 text alerts
Huntington Beach	1 notification	200	
Anaheim	4 notifications	2260	4 website posts/ 4 text alerts
Seal Beach	1 notification	9,000	
External Communications	Distribution	# of People Reached	
5 Minutes Per Month	Four	1,276	
Board Member Talking Points	Two	50	
Member Outreach Toolkit	One	25	
Website Posts	12 posts	129 views	
Facebook	46 posts	5k people	
Twitter	40 tweets	15k people	
Instagram	40 posts	7k people	

Facebook Posts

Sept-Oct 2020

Page Summary Last 28 days ↕

Export Data 

Results from Sep 21, 2020 - Oct 18, 2020

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

■ Organic ■ Paid

Actions on Page

September 21 - October 18

1

Total Actions on Page ▲ 100%



Page Views

September 21 - October 18

258

Total Page Views ▼ 28%



Page Previews

September 21 - October 18

3

Page Previews ▲ 0%



Page Likes

September 21 - October 18

3

Page Likes ▼ 50%



Post Reach

September 21 - October 18

1,426

People Reached ▼ 10%



Story Reach

September 21 - October 18

Get Story Insights

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

[Learn More](#)

Recommendations

September 21 - October 18



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

Post Engagement

September 21 - October 18

458

Post Engagement ▼ 27%



Videos

September 21 - October 18

721

3-Second Video Views ▼ 22%



Page Followers

September 21 - October 18

2

Page Followers ▼ 67%



Page Summary Last 28 days

Results from Sep 17, 2020 - Oct 14, 2020

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

Actions on Page i

September 17 - October 14

1

Total Actions on Page ▲ 100%



Page Views i

September 17 - October 14

270

Total Page Views ▼ 24%



Page Previews i

September 17 - October 14

3

Page Previews ▼ 40%



Page Likes i

September 17 - October 14

2

Page Likes ▼ 67%



Post Reach i

September 17 - October 14

1,634

People Reached ▲ 20%



Story Reach i

September 17 - October 14

Get Story Insights

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

[Learn More](#)

Recommendations i

September 17 - October 14



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










Post Engagement i

September 17 - October 14

497

Post Engagement ▼ 14%



<p>Actions on Page August 20 - September 16</p>  <p>We have insufficient data to show for the selected time period.</p>	<p>Page Views August 20 - September 16</p> <p>354 Total Page Views ▲ 30%</p> 	<p>Page Previews August 20 - September 16</p> <p>5 Page Previews ▼ 28%</p> 
<p>Page Likes August 20 - September 16</p> <p>6 Page Likes ▲ 20%</p> 	<p>Post Reach August 20 - September 16</p> <p>1,366 People Reached ▲ 9%</p> 	<p>Story Reach August 20 - September 16</p> <p>Get Story Insights See stats on how your Page's recent stories have performed.</p> <p>Learn More</p>
<p>Recommendations August 20 - September 16</p>  <p>We have insufficient data to show for the selected time period.</p>	<p>Post Engagement August 20 - September 16</p> <p>575 Post Engagement ▲ 28%</p> 	<p>Videos August 20 - September 16</p> <p>859 3-Second Video Views ▲ 66%</p> 
<p>Page Followers August 20 - September 16</p> <p>7 Page Followers ▲ 40%</p> 	<p>Orders August 20 - September 16</p> <p>0 Number of Orders ▲ 0%</p> <p>0 Earnings from Orders ▲ 0%</p>	Empty cell

All Posts Published



■ Reach: Organic / Paid ▼
■ Post Clicks ■ Reactions, Comments &

Published	Post	Type	Targeting	Reach	Engagement
10/19/2020 2:12 PM	 It's #MemberMonday! Our member this week is Tustin, in 2016 OCSD			44 ■	0 2 ■ ■
10/18/2020 11:51 AM	 Join us for our live virtual State of the District event. Everyone is			80 ■	0 2 ■ ■
10/17/2020 10:27 AM	 The sun goes down and the ghouls come out to play. Can you find the			216 ■	13 18 ■ ■
10/15/2020 7:33 PM	 Construction Alert for the City of Anaheim- Municipal Government -			117 ■	8 5 ■ ■
10/14/2020 9:00 AM	 Hoot, Hoot, Hooray! OCSD received the 2020 Achievement of Excellence			103 ■	9 8 ■ ■
10/12/2020 11:47 AM	 #MemberMonday. Connected through pipes! Did you know that			127 ■	4 2 ■ ■
10/11/2020 12:52 PM	 We would like to invite you to our first-ever live virtual State of the			106 ■	3 4 ■ ■
10/09/2020 10:49 AM	 Hours' worth of work squeezed into 30 seconds of video. These are			366 ■	43 34 ■ ■
10/08/2020 9:48 AM	 You've heard of the Cha Cha slide, the Nae Nae, and maybe even the			210 ■	31 8 ■ ■
10/07/2020 11:31 AM	 It's the little things like clean fresh air that many of us look forward to at the			101 ■	2 3 ■ ■
10/06/2020 8:33 AM	 They clean, they treat, they work in a team. Those are just some of the			343 ■	20 18 ■ ■
10/05/2020 8:58 AM	 Did you know OCSD owns and maintains approximately 54 miles of			138 ■	2 6 ■ ■
10/02/2020 11:07 AM	 No job is too big for OCSD! Our Headworks, the first stop for the 120			164 ■	13 5 ■ ■
09/30/2020 8:39 AM	 #OCSDJobs are the best jobs, but that's jut our opinion. Check out			62 ■	3 1 ■ ■
09/28/2020 3:07 PM	 Another #MemberMonday with the #CityOfBuenaPark. Did you know			136 ■	5 6 ■ ■

09/27/2020 9:12 AM	 Ever wondered why you can only flush Toilet Paper and not other kinds			117		5 5	 
09/25/2020 9:23 AM	 OCSD Enhances the Local Economy and Captures it all in Capital			144		12 7	 
09/23/2020 4:32 PM	 Traffic impacts at State Blvd and Lincoln Ave in City of Anaheim-			133		4 3	 
09/23/2020 9:45 AM	 Always remember the 3 Ps when flushing your toilet. It keeps that toilet			331		40 30	 
09/21/2020 2:22 PM	 This week, for our #MemberMonday, we are highlighting the City of			130		6 5	 
09/19/2020 11:23 AM	 What time is it? #CoastalCleanup Time! There's still time to head on			153		9 6	 
09/18/2020 9:21 AM	 Do you know how the regional sewer system is maintained? OCSD has			390		25 20	 
09/16/2020 11:38 AM	 Back to back! The Steering committee (5 p.m.) and Board			88		1 1	 
09/15/2020 4:56 PM	 It's that time again, #NationalITProfessionalsDay. OCSD			296		31 15	 
09/14/2020 4:12 PM	 City of Newport Beach - City Hall was one of our favorites, Balboa Island			164		13 11	 
09/14/2020 2:02 PM	 It's all virtual now. Register and join the meeting here:			99		1 1	 
09/13/2020 7:16 PM	 Construction Alert in City of Anaheim- Municipal Government. Restricted			117		7 2	 
09/13/2020 12:34 PM	 The time has come. Nightwork on the Westminster Blvd. Sewer Project			123		3 1	 
09/11/2020 10:17 AM	 #NeverForget			153		8 11	 
09/09/2020 1:59 PM	 In exactly 1 week! OCSD and OCWD will be doing a LIVE Joint Virtual			191		7 11	 
09/09/2020 11:38 AM	 September 14 at noon is the next Legislative and Public Affairs			113		5 1	 
09/07/2020 1:32 PM	 Stay Safe, Stay Healthy this Labor Day. Here's a quick message from			128		3 3	 

09/05/2020 3:00 PM	 You have 1 week left until the Live OCSD Virtual Tour on Sat. Sept. 12			362		29 21	
09/04/2020 9:04 AM	 When we say we're prepared, we mean it! The New York Times			255		22 24	
09/03/2020 3:09 PM	 Watch the Meeting the Moment video put together by California Association			172		24 8	
09/03/2020 10:57 AM	 The Administration Committee Meeting is happening next week on			110		2 1	
09/03/2020 8:37 AM	 Join virtually! Learn more and ask questions regarding the Bay Bridge			113		2 1	
09/01/2020 10:01 AM	 You've been behind the scenes before, but have you been "above			177		35 18	
08/31/2020 3:56 PM	 Cityof Fullerton, home of #CalStateFullerton AND an OCSD			179		26 7	
08/29/2020 9:15 AM	 Did someone say Tour Time? We're in! Are you? Join Cortney, a Tour			157		6 3	
08/27/2020 1:12 PM	 Can you say: "I applied at OCSD in 2020?" Because all our new hires			208		24 11	
08/26/2020 3:23 PM	 Join in on our Operations Committee Meeting on Wednesday, Sept. 2 at 5			76		1 1	
08/26/2020 3:02 PM	 And the CWEA Presidents Award goes too... Source Control			551		36 42	
08/25/2020 11:53 AM	 On Wednesdays we watch Webinars. Register now! Join our very own			130		12 5	
08/24/2020 12:31 PM	 City of Huntington Beach - Government is known as #SurfCity			149		9 5	
08/22/2020 10:40 AM	 We can basically smell it! Can you? Coffee in the morning is like a dream,			145		11 6	

Graphs of Page Likes, Post Reach and Total Views for Sept-Oct 2020

Total Page Likes: 964



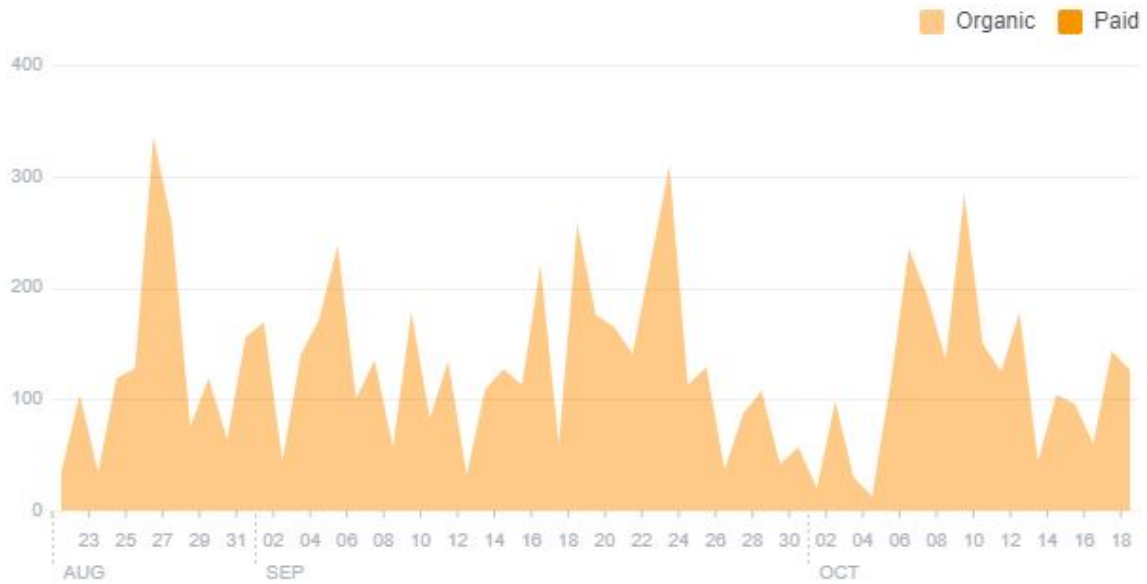
Page Likes

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



Post Reach

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



Total Views

By Section



Twitter Posts Sept- Oct 2020

28 day summary with change over previous period



Oct 2020 · 18 days so far...

TWEET HIGHLIGHTS

Top Tweet earned 813 impressions

You've heard of the Cha Cha slide, the Nae Nae, and maybe even the famous TikTok Renegade, but have you heard of the churn and turn move? That's the latest rage at OCSD. See it here first.
[#WaterprofessionalsWeek](#)
[#WeAreCAWater](#) [#CAWaterWeek](#)
[#WorkForWater](#)
pic.twitter.com/OzeIGOB5w7

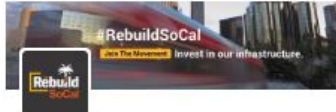


3 16

[View Tweet activity](#)

[View all Tweet activity](#)

Top Follower followed by 10.4K people



Rebuild So Cal

@RebuildSoCal follows you

#RebuildSoCal raises public awareness and educates elected officials about the infrastructure issues impacting Southern California. RTs are not endorsements.

[View profile](#)

Top mention earned 13 engagements

Districts Make the Difference
 @YourCADistricts · Oct 8

Join @OCSEwers for its first-ever live virtual State of the District event on Friday, October 30. The event will showcase exciting advances and include a special presentation from @RepLouCorrea.

Register: conta.cc/30ENwUA

[#DistrictsMakeTheDifference](#)
[#OrangeCounty](#)
pic.twitter.com/fjSGawE8Jwd



3 3

[View Tweet](#)

Top media Tweet earned 271 impressions

#MemberMonday. Connected through pipes! Did you know that OCSD owns a sewer line on Brea Boulevard in the City of Brea that continues into Fullerton, Anaheim, Garden Grove and ends at our Plant No. 1 in Fountain Valley. This sewer line is called the Euclid Sewer Trunk. #CityofBrea
pic.twitter.com/xznBNspCRG



4

[View Tweet activity](#)

[View all Tweet activity](#)

ADVERTISE ON TWITTER

Get your Tweets in front of more people

Promoted Tweets and content open up your reach on Twitter to more people.

[Get started](#)

OCT 2020 SUMMARY

Tweets 12	Tweet Impressions 4,626
Profile visits 51	Mentions 4
New followers 1	

Sep 2020 · 30 days

TWEET HIGHLIGHTS

Top Tweet earned 558 impressions

We ❤️ our GWRs water.
[twitter.com/OCWDWaterNews/...](https://twitter.com/OCWDWaterNews/)

🔄 2 · ❤️ 6

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Top Follower followed by 12K people



Dan Albano

@ocvarsityguy [Follows you](#)

O.C. Register sportswriter Trinity Football Pod (6/20)
<https://t.co/qh0tPwy7W> IG ocvarsityguy

[View profile](#)

Top mention earned 84 engagements



Orange County Water District
@OCWDWaterNews · Sep 16

OCWD General Manager Mike Markus and @OC Sewers General Manager Jim Herberg quench their thirst with a delicious sip of GWRs water during today's joint virtual tour.

#gwr #ocwd #ocsewers #waterreuse
#drinkingwater #virtualltour
#ocwdeducation
pic.twitter.com/mfy64IPj55



🔄 2 · ❤️ 10

[View Tweet](#)

SEP 2020 SUMMARY

Tweets
28

Tweet Impressions
10.5K

Profile visits
62

Mentions
10

New followers
3

Top media Tweet earned 483 impressions

#AwardSeason we received the Platinum Peak Performance Award, which recognizes member agencies for achieving 100% water discharge permit compliance over 5 years, & the Utility of the Future Award, which highlights the exceptional performance of water utilities, from @NACWA @wef_org
pic.twitter.com/shAHCP9i9z



❤️ 5

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**Instagram Posts
Sept- Oct 2020**

Instagram

Search

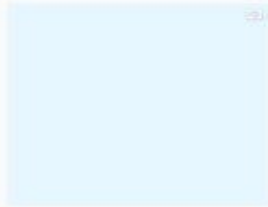


ocsewers Edit Profile

458 posts 1,086 followers 65 following

OC Sanitation District
The OC Sanitation District provides wastewater collection, treatment, and recycling for approx 2.6 million people in central & north Orange County.
www.ocsewers.com

POSTS IGTV SAVED TAGGED





Article	Date	Resource	Link
Its Electric Grid Under Strain, California Turns to Batteries	3-Sep-20	New York Times	https://www.nytimes.com/2020/09/03/business/energy-environment/california-electricity-blackout-battery.html?searchResultPosition=1
Orange County saves ratepayers money with WIFIA loan update	8-Sep-20	Water Finance Management	https://waterfm.com/orange-county-saves-ratepayer-money-with-wifia-loan-update/
RO Provides Promising Win in Battle against Water Scarcity	14-Sep-20	Water World	https://www.waterworld.com/wastewater/treatment/article/14182398/ro-provides-promising-win-in-battle-against-water-scarcity
Brown & Caldwell, Black & Veatch team up for next-generation Class A wastewater digester facility	23-Sep-20	Smart Water Magazine	https://smartwatermagazine.com/news/brown-and-caldwell/brown-caldwell-black-veatch-team-next-generation-class-a-wastewater-digester
Brown and Caldwell/OCSD Press Release: Brown & Caldwell, Black & Veatch team up for next-generation Class A wastewater digester facility	21-Sep-20	Press Release	https://www.ocsd.com/Home/ShowDocument?id=29997
Brown and Caldwell, Black & Veatch team up for Orange County digester facility	24-Sep-20	Daily Commercial News	https://canada.constructconnect.com/dcn/news/projects/2020/09/brown-and-caldwell-black-veatch-team-up-for-orange-county-digester-facility
Brown and Caldwell, Black & Veatch to develop next-generation Class A wastewater digester facility	24-Sep-20	Water World	https://www.waterworld.com/wastewater/treatment/press-release/14184110/brown-and-caldwell-black-veatch-to-develop-nextgeneration-class-a-wastewater-digester-facility
Temperature-phased AD project gets underway at California wastewater plant	1-Oct-20	Bioenergy Insight	https://www.bioenergy-news.com/news/temperature-phased-ad-project-gets-underway-at-california-wastewater-plant/
Brown and Caldwell, Black & Veatch team up for 'next-generation' wastewater digester facility	5-Oct-20	Water Finance Management	https://waterfm.com/brown-and-caldwell-black-veatch-team-up-for-next-generation-wastewater-digester-facility/

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.