



## Agenda Report

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**FROM:** James D. Herberg, General Manager

**SUBJECT:**

**LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF FEBRUARY 2021**

**GENERAL MANAGER'S RECOMMENDATION**

RECOMMENDATION: Recommend to the Board of Directors to:

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

### **BACKGROUND**

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

### **RELEVANT STANDARDS**

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

### **PROBLEM**

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

### **PROPOSED SOLUTION**

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

## TIMING CONCERNS

N/A

## RAMIFICATIONS OF NOT TAKING ACTION

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

## ADDITIONAL INFORMATION

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

## FINANCIAL CONSIDERATIONS

N/A

## **ATTACHMENT**

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

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