



Orange County Sanitation District

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Agenda Report

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FROM: James D. Herberg, General Manager

SUBJECT:

LEGISLATIVE AFFAIRS UPDATE FOR THE MONTHS OF MARCH THROUGH JUNE 2020

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Receive and file the Legislative Affairs Update for the months of March through June 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 missing out on funding opportunities.

ADDITIONAL INFORMATION

Staff has been working with Senators Feinstein and Harris, and our House congressional delegation, to address issues of concern. The Sanitation District was notified that the proposed House Fourth Phase of assistance (Heroes Act), provides a total of \$3 trillion, including paid leave tax credits and low-income ratepayer assistance. Final passage and enactment of this bill is anticipated by early August with Senate Majority Leader McConnell's pledge to take up the bill. The House passed an infrastructure bill, Invest in America Act (H.R. 2), setting the stage for Senate action later this year. H.R. 2 provides \$40 billion for clean water infrastructure assistance as well as grants to support smart water technologies adoption.

In support of potential funding opportunities through the COVID-19 stimulus bills, two Cares Act comment letters have been sent into the Orange County Congressional Delegation. An additional comment letter was sent to both Senator Feinstein and Senator Harris for consideration when crafting the Heroes Act. These letters asked that when developing these bills for COVID-19 stimulus legislation, Special Districts like the Sanitation District be considered.

On Tuesday, June 30 the Sanitation District submitted a letter of support to Speaker Pelosi and Leader McCarthy for the Moving Forward Act (H.R. 2). This bill would provide important funding to the core federal water infrastructure programs, which could help with potential Sanitation District projects. Additionally, if passed, H.R. 2 would help to close the funding gap to meet the country's demand for reliable water/wastewater infrastructure while stimulating employment that has been devastated by COVID-19.

Additionally, during the past few months, staff and TPA have been working on bill positions for two state bills and monitoring many others:

- On June 5, the Sanitation District sent a letter of support for Assembly Bill 2762 (Muratsuchi) - Cosmetics: Safety. AB 2762 will expand the definition of adulterated cosmetics to include those that have per- and polyfluoroalkyl substances (PFAS) as ingredients. Toxic substances, such as those found in cosmetic products, that enter the wastewater stream through domestic or residential sources are among the most difficult for the Sanitation District to regulate and control. AB 2762 would help reduce the amount of toxic substances, including PFAS, in the wastewater influent that the Sanitation District receives.
- On June 8, the Sanitation District sent a letter of support for Assembly Bill 3163 (Salas) - Energy: Biomethane: Procurement. AB 3163 will redefine biomethane to include methane produced from organic waste feedstock including sludge and food waste digestion. This

change would allow this product to be eligible for gas utility procurement, expanding its value to the Sanitation District.

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
- H.R. 2 Support Letter
- H.R. 2 Summary
- Cares Act Letter
- Cares Act Letter Two
- Heroes Act Letter
- Federal Legislative Matrix - ENS Resources
- State Update - Townsend Public Affairs
- Assembly Bill 2762 (Muratsuchi): Cosmetics
- Assembly Bill 3163 (Salas) - Energy: Biomethane: Procurement
- State Legislative Matrix - Townsend Public Affairs
- Grant Matrix