AGENDA

PLEDGE OF ALLEGIANCE:

DECLARATION OF QUORUM:

PUBLIC COMMENTS: If you wish to address the Committee on any item, please complete a Speaker’s Form (located at the table outside of the Board Room) and submit it to the Clerk of the Board or notify the Clerk of the Board the item number on which you wish to speak. Speakers will be recognized by the Chairman and are requested to limit comments to three minutes.

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

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 Any items withdrawn from the Consent Calendar for separate discussion will be considered in the regular order of business.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 (Clerk of the Board)

RECOMMENDATION: Approve minutes for the Committee meeting held on April 8, 2019.

2. POSITION LETTERS: ASSEMBLY BILL 405 AND SENATE BILLS 69 AND 667 (Jim Herberg)

RECOMMENDATION:

A. Approve letter of Support for Assembly Bill 405 - Sales and use taxes: exemption: water treatment (Rubio);

B. Approve letter of Oppose Unless Amended for Senate Bill 69 - Ocean Resiliency Act of 2019 (Wiener); and
C. Approve letter of Support for Senate Bill 667 - Greenhouse gases: recycling infrastructure and facilities (Hueso).

NON-CONSENT:

3. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF APRIL 2019
(Jim Herberg)

RECOMMENDATION: Recommend to the Board of Directors to: Receive and file the Legislative Affairs Update for the month of April 2019.

4. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF APRIL 2019
(Jim Herberg)

RECOMMENDATION: Recommend to the Board of Directors to: Receive and file the Public Affairs Update for the month of April 2019.

INFORMATION ITEMS:

None.

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

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

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

ADJOURNMENT:

The next Legislative and Public Affairs Committee meeting is scheduled for Monday, June 10, 2019 at 12:00 p.m.
Accommodations for the Disabled: Meeting Rooms are wheelchair accessible. If you require any special disability related accommodations, please contact the Orange County Sanitation District Clerk of the Board’s office at (714) 593-7433 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

Agenda Posting: In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted outside the main gate of the Sanitation District’s Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, and on the Sanitation District’s website at [www.ocsd.com](http://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.

NOTICE TO DIRECTORS: To place items on the agenda for the Committee Meeting, items must be submitted to the Clerk of the Board 14 days before the meeting.

Kelly A. Lore, MMC
Clerk of the Board
(714) 593-7433
Klore@ocsd.com

For any questions on the agenda, Committee members may contact staff at:

<table>
<thead>
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<th>Position</th>
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MINUTES OF THE
LEGISLATIVE AND PUBLIC AFFAIRS COMMITTEE

Orange County Sanitation District
Monday, April 8, 2019 at 3:30 p.m.

A meeting of the Legislative and Public Affairs Committee was called to order by Committee Chair Peter Kim on Monday, April 8, 2019 at 3:30 p.m. in the Administration Building of the Orange County Sanitation District. Chair Kim led the pledge of allegiance.

A quorum was declared present, as follows:

COMMITTEE MEMBERS PRESENT:
Peter Kim, Chair
Allan Bernstein, Vice-Chair
Lucille Kring, Member-At-Large
Erik Peterson, Member-At-Large
David Shawver, Board Chair
John Withers, Board Vice-Chair

STAFF PRESENT:
Jim Herberg, General Manager
Lorenzo Tyner, Assistant General Manager
Celia Chandler, Director of Human Resources
Kathy Millea, Director of Engineering
Kelly Lore, Clerk of the Board
Jennifer Cabral
Tanya Chong
Daisy Covarrubias
Rebecca Long
Mark Manzo

COMMITTEE MEMBERS ABSENT:
Chad Wanke, Member-At-Large

OTHERS PRESENT:
Brad Hogin, General Counsel
Eric Sapirstein, ENS Resources (via teleconference)
Eric O'Donnell, Townsend Public Affairs (TPA)

PUBLIC COMMENTS:
None.

REPORT OF COMMITTEE CHAIR:
Committee Chair Kim welcomed new member Director Erik Peterson to the Committee.

REPORT OF GENERAL MANAGER:
General Manager Jim Herberg provided a brief report of the recent trip to Sacramento with visits to: Sean Maguire, State Water Resources Control Board; Susan Chen, Consultant for Budget Subcommittee 3; offices of Assemblymember Phil Ting; Senator Robert Hertzberg; Senator Tom Umberg; Senator Richard Bloom; and Amanda Mattson with the Senate Judiciary Committee.
Board Chair Shawver complimented staff and TPA on the great preparatory work and success during the visits in Sacramento. Vice-Chair Withers also stated that throughout the seven meetings he noticed a great amount of turnover of staff, which he stated proves the importance of visiting regularly, with good talking points and information regarding the Sanitation District’s accomplishments.

CONSENT CALENDAR:

Committee Chair Kim indicated that Item No. 1 should be approval of the minutes for the Committee meeting held on March 11, 2019 not February 11, 2019.

1. APPROVAL OF MINUTES (Clerk of the Board)

MOVED, SECONDED, and DULY CARRIED TO: Approve minutes for the Committee meeting held on March 11, 2019.

AYES: Bernstein, Kim, Shawver and Withers
NOES: None
ABSTENTIONS: Kring and Peterson
ABSENT: Wanke

2. SUPPORT HOUSE OF REPRESENTATIVES BILL 1497 AND 1162 (Jennifer Cabral)

MOVED, SECONDED, and DULY CARRIED TO:

A. Approve letter of Support for House of Representatives Bill 1497 - Water Quality Protection and Job Creation Act of 2019 (DeFazio); and
B. Approve letter of Support for House of Representatives Bill 1162 - Water Recycling Investment and Improvement Act (Napolitano).

Bernstein, Kim, Kring, Peterson, Shawver and Withers

AYES: Withers
NOES: None
ABSTENTIONS: None
ABSENT: Wanke

Item pulled and heard separately.

3. POSITION LETTERS: ASSEMBLY BILL 292, ASSEMBLY BILL 1486, AND SENATE BILL 332 (Jennifer Cabral)

Public Affairs Supervisor Jennifer Cabral noted that after the recent visits to Sacramento, staff recommends taking a watch position on Item Nos 3.B. and 3.C., with no letters being sent at this time.
MOVED, SECONDED, and DULY CARRIED TO:

A. Approve letter of Support for Assembly Bill 292 - Potable Reuse Terminology (Quirk);
B. Take a watch position on Senate Bill 332 - Wastewater treatment: recycled water (Hertzberg and Wiener); and
C. Take a watch position on Assembly Bill 1486 - Local agencies: surplus land (Ting).

AYES: Bernstein, Kim, Kring, Peterson, Shawver and Withers
NOES: None
ABSTENTIONS: None
ABSENT: Wanke

NON-CONSENT:

4. LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF MARCH 2019 (Rebecca Long)

Senior Public Affairs Specialist Rebecca Long indicated that two letters have been sent in support of introduced bills AB 1672 (Bloom) and HR 1764 (Garamendi).

Eric Sapirstein provided a PowerPoint presentation and a brief overview of his monthly report including: infrastructure initiatives, permit terms legislation, and letters of support for key legislation.

Eric O'Donnell, TPA, provided a PowerPoint presentation with information including: current legislative schedule, Water Tax Update-SB 200, SB 669, AB 217, and 2019 Legislation AB 510 (Cooley). Mr. O'Donnell then provided a brief report of the recent Advocacy Day with meetings to State Water Resources Control Board member Sean Maguire and Assembly Budget Subcommittee 3 – Resources and Transportation.

Committee Chair Kim deemed the Legislative Affairs Update for the month of March 2019 received and filed.

5. PUBLIC AFFAIRS UPDATE FOR THE MONTH OF MARCH 2019 (Jennifer Cabral)

Ms. Cabral indicated that moving forward, informational items presented at this meeting will be received and filed and move to the Board of Directors for enhanced communication.

Ms. Cabral then provided a PowerPoint presentation which reviewed outreach efforts made and meetings attended over the last month. Ms. Cabral announced and provided a brief description of upcoming events including information on OCSD’s 65th Anniversary Open House which will take place on Saturday, July 27
from 9:00 a.m. to 12:00 p.m., along with the new Centrifuge Ribbon Cutting event. Ms. Cabral then announced recent awards received by the agency.

Committee Chair Kim deemed the Public Affairs Update for the month of March 2019 received and filed.

INFORMATION ITEMS:

None.

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

Director Kring reported that due to the recent rain, mosquitos are abundant in California and reminded the Committee to fix any torn screens and dump standing water.

Board Chair Shawver stated that Director Wanke will no longer be able to serve on the Legislative and Public Affairs Committee and that he will be making an alternate appointment in the near future.

Board Chair Shawver also announced that a new item will be added to all future agendas to allow any Board member to add an item to a future meeting.

ADJOURNMENT:

Committee Chair Kim declared the meeting adjourned at 4:32 p.m. to the next Legislative and Public Affairs Committee meeting, Monday, May 13, 2019 at 12:00 p.m.

Submitted by:

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

SUBJECT: POSITION LETTERS: ASSEMBLY BILL 405 AND SENATE BILLS 69 AND 667

GENERAL MANAGER’S RECOMMENDATION

A. Approve letter of Support for Assembly Bill 405 - Sales and use taxes: exemption: water treatment (Rubio);

B. Approve letter of Oppose Unless Amended for Senate Bill 69 - Ocean Resiliency Act of 2019 (Wiener); and

C. Approve letter of Support for Senate Bill 667 - Greenhouse gases: recycling infrastructure and facilities (Hueso).

BACKGROUND

A. Assembly Bill (A.B.) 405 provides a sales and use tax exemption for chemicals and other agents used to treat water, recycled water, or wastewater.

B. Senate Bill (S.B.) 69 includes a provision that would require the State Water Resources Control Board to amend the California Ocean Plan and the California Enclosed Bays and Estuaries Plan to include water quality objectives and effluent limitations that specifically address ocean acidification and hypoxia. Also, it would require all wastewater dischargers subject to the California Ocean Plan and the California Enclosed Bays and Estuaries Plan to adopt, incorporate, or improve denitrification protocols.

C. S.B. 667 would require CalRecycle to develop a five-year investment strategy to drive innovation and support technological development as well as infrastructure that would help California achieve its organic waste diversion and short-lived climate pollutants reduction goals.

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

If the Orange County Sanitation District (Sanitation District) does not take an active advocacy role, bills could pass that negatively affect the Sanitation District and the industry as a whole. Conversely, legislation might fail that could have otherwise benefitted the Sanitation District and the industry as a whole. As leaders in resource recovery, it is important that the Sanitation District take an active role in policy making decisions.

PROPOSED SOLUTION

Staff has drafted a letter of support for A.B. 405, a letter of oppose unless amended for S.B. 69, and a letter of support for S.B. 667 for the Committee’s consideration.

TIMING CONCERNS

It is important that the Sanitation District take a position on the bills as soon as possible to ensure that the Sanitation District’s position is considered when the bills are reviewed.

RAMIFICATIONS OF NOT TAKING ACTION

A. Assembly Bill 405 bill may not be signed into law.
B. Senate Bill 69 may be signed into law.
C. Senate Bill 667 may not be signed into law.

ADDITIONAL INFORMATION

N/A

PRIOR COMMITTEE/BOARD ACTIONS

N/A

ATTACHMENTS

The following attachments are included in hard copy and may also be viewed on-line at the OCSD website (www.ocsd.com) with the complete agenda package:

- Letter of Support for Assembly Bill 405
- Assembly Bill 405
- Letter of Oppose Unless Amended Senate Bill 69
- Senate Bill 69
- Letter of Support for Senate Bill 667
- Senate Bill 667
May 13, 2019

The Honorable Blanca Rubio
California State Assembly
State Capitol, Room 5175
Sacramento, CA 95814

RE: Support for Assembly Bill 405 (Rubio)

Dear Assembly Member Rubio:

On behalf of the Orange County Sanitation District (OCSD), I am pleased to support Assembly Bill 405, which provides a sales and use tax exemption for chemicals and other agents used to treat water, recycled water, or wastewater.

OCSD is a wastewater agency that serves 2.6 million people in north and central Orange County, California. The services that OCSD provides are critical to public health, water quality, and water supply in the region. As a resource recovery agency, we are partners with the Orange County Water District on the Groundwater Replenishment System (GWRS), the world's largest advanced water purification system for potable reuse. The GWRS takes highly treated wastewater that would have normally been released into the Pacific Ocean and produces up to 100 million gallons of high-quality water every day using a three-step advanced treatment process. This is enough water to meet the needs of nearly 850,000 residents in north and central Orange County.

By exempting vital chemicals that water and wastewater agencies use in bulk from sales and use tax, local agencies can save thousands of dollars per year that can be re-invested back into their water or wastewater treatment processes. The additional water or wastewater treated as a result of the savings far outweighs the minimal impact the tax from the sale of these chemicals generates for local taxing agencies every year.

For these reasons, the Orange County Sanitation District is pleased to support Assembly Bill 405.

Sincerely,

David John Shawver
Board Chairman
ASSEMBLY BILL No. 405

Introduced by Assembly Member Blanca Rubio

February 7, 2019

An act to amend Section 6353 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL’S DIGEST

AB 405, as introduced, Blanca Rubio. Sales and use taxes: exemption: water treatment.

The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. The law provides various exemptions from that tax, including an exemption for the sale of, or the storage, use, or consumption of, gas, electricity, and water when delivered to consumers, as specified.

This bill would exempt from that tax the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, chemicals used to treat water, recycled water, or wastewater regardless of whether those chemicals or other agents become a component part thereof and regardless of whether the treatment takes place before or after the delivery to consumers.

The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law, and existing laws authorize districts, as specified, to impose transactions and use taxes in accordance with the Transactions and Use Tax Law, which generally conforms to the Sales and Use Tax Law. Amendments to the Sales and Use Tax Law are automatically incorporated into the local tax laws.
Existing law requires the state to reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions. This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse any local agencies for sales and use tax revenues lost by them pursuant to this bill.
This bill would take effect immediately as a tax levy.


The people of the State of California do enact as follows:

SECTION 1. Section 6353 of the Revenue and Taxation Code is amended to read:

6353. There are exempted from the taxes imposed by this part the gross receipts derived from the sales, furnishing, or service of and the storage, use, or other consumption in this state of, all of the following:

(a) Gas, electricity, and water, including steam and geothermal steam, brines, and heat, when delivered to consumers through mains, lines, or pipes. This exemption includes chemicals and other agents used to treat water, recycled water, or wastewater, regardless of whether the chemicals and other agents become a component part thereof, and regardless of whether the treatment takes place before or after the delivery to consumers.

(b) (1) Liquefied petroleum gas, delivered to a qualified residence by the seller, that is sold for household use in the qualified residence, or liquefied petroleum gas that is purchased for use by a qualified person to be used in producing and harvesting agricultural products; provided, in either case, the liquefied petroleum gas is delivered into a tank with a storage capacity for liquefied petroleum gas that is equal to or greater than 30 gallons. This subdivision may not be construed to provide any exemption from any tax levied by a city, county, or city and county pursuant to Section 7284.3, or any successor to that section.

(2) For purposes of this subdivision:

(A) “Qualified residence” means a primary residence, not serviced by gas mains and pipes.

(B) “Qualified person” means any person engaged in a line of business described in Codes 0111 to 0291, inclusive, of the

(c) Water, when sold to an individual in bulk quantities of 50 gallons or more, for general household use in the individual’s residence if the residence is located in an area not serviced by mains, lines, or pipes.

(d) Exhaust steam, waste steam, heat, or resultant energy, produced in connection with cogeneration technology, as defined in Section 25134 of the Public Resources Code.

(e) The exemptions provided by subdivision (b) shall be effective starting September 1, 2001.

(f) The amendments made by the act adding this subdivision shall be operative on the effective date of the act adding this subdivision.

SEC. 2. Notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made by this act and the state shall not reimburse any local agency for any sales and use tax revenues lost by it under this act.

SEC. 3. This act provides for a tax levy within the meaning of Article IV of the California Constitution and shall go into immediate effect.
The Orange County Sanitation District (OCSD) provides wastewater collection, treatment, and recycling for approximately 2.6 million people in central and northwest Orange County. OCSD is respectfully opposed to Senate Bill (SB) 69 unless it is amended to address our concerns.

SB 69 is a comprehensive bill, which includes a provision that would require the State Water Resources Control Board (State Board) to amend the California Ocean Plan and the California Enclosed Bays and Estuaries Plan to include water quality objectives and effluent limitations that specifically addresses ocean acidification and hypoxia.

As proposed, SB 69 would require all wastewater dischargers subject to the California Ocean Plan and the California Enclosed Bays and Estuaries Plan to adopt, incorporate, or improve denitrification protocols. The potential impact from discharges of nitrates and remediation is a complicated issue for which there is a significant amount of research currently underway and for which many technological advances are being made relative to management options. OCSD recognizes that California is best served when environmental managers have access to holistic, science-based approaches that are effective and allow for consistency in reducing pollutants to the environment. This is especially needed and true for nutrients.

OCSD supports the approach laid out by the California Ocean Protection Council (OPC), a State agency established in 2004 to advance statewide compliance with the California Ocean Protection Act, of “…building the scientific foundation for criteria development - rather than revising criteria.” Specifically, the OPC convened a California Ocean Acidification and Hypoxia Science Task Force (OAH Task Force) in 2016 in accordance with AB 2139 to inform continued actions on ocean acidification and hypoxia in California and along the West Coast. The OAH Task Force is scheduled to deliver a summary report for the California Legislature in early 2020.

Current OPC OAH projects include development of integrated computer models for the West Coast that will evaluate nutrient discharge impacts from all sources to coastal biogeochemical cycling processes. The model outputs will be used to determine major nutrient sources and potential impacts when nutrient loads vary. These models will help state and federal regulators make timely and informed decisions on where to regulate and to what degree.

OCSD has also been actively participating in local and regional studies to better measure and understand nutrient inputs into the coastal environment. These efforts will provide data to support OPC’s OAH projects. In addition, OCSD is evaluating and modeling the environmental effects of its outfall and proactively managing nutrient output to the ocean environment. These studies will facilitate scientific data collection and support informed management decisions.

We respectfully encourage the Senator to grant State, local, and regional agencies time to complete on-going OAH research efforts to provide science-based mitigation and adaption options. We are
pleased to note that the OPC modeling effort is progressing well and we expect the State to soon begin implementing the Task Force’s recommendations and develop policy decisions using this tool. The wastewater industry recognizes the need to understand how nutrients from all sources are affecting our freshwater and ocean environments and OCSD is actively contributing towards greater scientific knowledge that would enable informed management decisions. By allowing these integrated research efforts to proceed prior to enacting legislation, we believe the findings will strengthen SB 69 and promote effective ocean protection.

In the interim, California’s Regional Water Quality Control Boards (RWQCB) currently have the authority to require wastewater agencies to comply with water quality requirements and can impose requirements for planning and implementation of processes to decrease nitrogen loadings in receiving waters. As an example, San Francisco RWQCB issued the first nutrient watershed permit in 2014, with the second watershed permit planned for adoption in May 2019.

In summary, OCSD believes effective safeguards and strategies are in place to establish water quality objectives and effluent limitations that specifically address ocean acidification and hypoxia. Enacting prescriptive legislation in advance of science-based regulations may lead to unintended economic and environmental consequences. Moreover, by utilizing region-specific models to assess and mitigate OAH, the regional and local agencies can collaborate to attain greater collective knowledge and develop integrated management strategies that would maximize benefit to stakeholders.

Based on the reasons presented above, OCSD respectfully requests that the bill be amended to remove Section 19 relative to the denitrification protocol requirement.

Thank you for your consideration of our concerns.

Sincerely,

David John Shawver
Board Chairman

(1) Existing law requires the Fish and Game Commission to establish fish hatcheries for the purposes of stocking the waters of California with fish, and requires the Department of Fish and Wildlife to maintain and operate those hatcheries.

This bill would require the department to undertake a pilot project to assess the effectiveness of parentage-based tagging, as defined, in improving the management of central valley Chinook salmon hatcheries
and in rebuilding salmon runs and the California salmon fishing industry. The bill would make the requirement to undertake the pilot project operative upon appropriation of funds by the Legislature for this purpose. The bill would require the department to enter into an agreement with the University of California, or a similar entity with a proven record of working with parentage-based tagging, to assist in the design, implementation, and evaluation of the pilot project. The bill would require the department to begin implementation of the pilot project by July 1, 2021, no later than 18 months after the operative date of the requirement to undertake the pilot project and to conclude the pilot project no later than 5 years after implementation of the pilot project has begun. The bill would require the department to submit to the Legislature a report by July 1, 2021, summarizing no later than 18 months after the operative date of the requirement to undertake the pilot project that summarizes the progress in implementing the pilot project and a final report no later than one year after the conclusion of the pilot project summarizing the results of the pilot project. The bill would make these provisions inoperative on July 1, 2028.

(2) Existing law requires the Department of Fish and Wildlife to examine, from time to time, all dams in all rivers and streams in the state naturally frequented by fish. This bill would instead specify that the department is required to undertake this duty at least every 5 years.

(3) The Salmon, Steelhead Trout, and Anadromous Fisheries Program Act requires the Department of Fish and Wildlife, with the advice of the Advisory Committee on Salmon and Steelhead Trout and the Commercial Salmon Trollers Advisory Committee, to prepare and maintain a detailed and comprehensive program composed of specified elements for the protection and increase of salmon, steelhead trout, and anadromous fisheries. The act requires the department to consult with every public agency whose policies or decisions may affect the goals of the program. The act declares it the policy of the state and the department to encourage specified nonprofit salmon release and return operations operated by, or on behalf of, licensed commercial salmon fishermen for the purpose of enhancing California’s salmon populations and increasing the salmon harvest by commercial and recreational fishermen. The act requires the department, to the extent that funds and personnel are available, to cooperate with fishing organizations in the siting and establishment of those operations to ensure the protection of natural spawning stocks of native salmon.
This bill would require the department, in coordination with the above-described advisory committees, to develop, as an element of the program, a policy by January 1, 2022, for the use of releases, including in-river and ocean net pen releases, of salmon produced in state managed and comanaged hatcheries during periods of drought or in other circumstances that result in significantly abnormal levels of mortality during onsite releases. The bill would also require the department, no later than January 1, 2022, in consultation with those advisory committees, to develop and implement at least one additional ocean-based offsite hatchery salmon release operation.

(4) Existing law requires the Director of Fish and Wildlife to identify and list those streams and watercourses in the state, meeting designated conditions, for which minimum flow levels need to be established in order to assure the continued viability of stream-related fish and wildlife resources. Existing law requires the director to prepare proposed streamflow requirements for each identified stream or watercourse and, upon completion of the proposed streamflow requirements for any individual stream or watercourse, to transmit these proposed requirements to the State Water Resources Control Board. Existing law requires the Department of Fish and Wildlife to initiate studies to develop those requirements for those streams or watercourses in each fiscal year for which funds are appropriated and to complete studies on each stream or watercourse within 3 years. Existing law declares legislative intent that the department develop a program that will initiate studies on at least 10 streams or watercourses in each fiscal year.

Existing law requires the department to impose and collect a filing fee of $850 from a user of water for certain types of permit applications filed with the state board to defray the cost of identifying streams and providing those studies. Existing law requires the state board to forward these fees to the department every 6 months.

This bill would name the list of streams and watercourses identified by the director for these purposes as the California Endangered Rivers List. The bill would require the department to develop a program that will initiate studies on at least 3 streams or watercourses in each fiscal year. The bill would require the department to return the filing fees collected in a fiscal year to the state board for deposit in the Water Rights Fund if the department fails to initiate studies on at least 3 streams or watercourses in that fiscal year.

(5) Existing law establishes the State Air Resources Board and vests the state board with regulatory jurisdiction over air quality issues.
Existing law generally designates air pollution control and air quality management districts (air districts) with the primary responsibility for the control of air pollution from all sources other than vehicular sources. This bill would require the state board, in coordination with affected air districts along the coast and in consultation with the national marine sanctuary program, to develop and implement a voluntary vessel speed reduction incentive program for the Santa Barbara Channel and San Francisco Bay area regions to reduce air pollution, the risk of fatal vessel strikes on whales, and harmful underwater acoustic impacts. The bill would require the state board to implement the program by May 1, 2021, and would require the state board to submit a report to the Legislature by December 31, 2022, regarding the implementation of the program. By adding to the duties of air districts, the bill would impose a state-mandated local program.

(6) Existing law requires the Natural Resources Agency to update all of the state’s existing wetlands inventory resources in order to prepare a study to accomplish specified goals, and to report the study to the Legislature no later than January 1, 2003.

This bill would require the agency to inventory the state’s existing coastal wetlands resources and prepare a new study that meets these goals, and to submit the study to the Legislature on or before January 1, 2023. The bill would require the study to be updated, at a minimum, once every 5 years after January 1, 2023.

(7) Under existing law, the Budget Act of 2018, $6,000,000 was appropriated to the State Coastal Conservancy for support or local assistance to implement a beneficial reuse pilot program for dredged sediment in the Redwood City Harbor. Under existing law, this money is available for encumbrance or expenditure until June 30, 2020, and for liquidation until June 30, 2023.

This bill would require the conservancy to submit a report, as provided, to the Legislature on that pilot program on or before December 31, 2022, and, upon appropriation by the Legislature, would require the conservancy to develop, in coordination with the United States Army Corps of Engineers, a beneficial reuse program to place and reuse dredged sediment for coastal wetland restoration projects.

(8) Existing law requires the Ocean Protection Council, in consultation with the State Coastal Conservancy and other relevant entities, to the extent funds are available from bonds or other sources, to establish and administer the Ocean Acidification and Hypoxia Reduction Program for the purposes of achieving specified goals.
On or before December 1, 2022, this bill would require the council, in consultation with independent scientists and experts, to submit a report, as provided, to the Legislature and relevant state entities on the state’s progress toward meeting specified goals regarding use of low-trophic mariculture to mitigate and adapt to climate change—impacts, such as ocean acidification and warming and sea level rise, acceleration of impacts and of assisting local restoration plans to restore 8,000 acres of San Francisco Bay shellfish, native oyster reefs, and kelp forests to sequester carbon, combat ocean acidification, and protect shorelines from sea level rise, and expansion of commercial low-trophic mariculture in the state. The bill would require the report to include other specified information.

(9) Existing law, subject to the availability of funding, authorizes the Ocean Protection Council to develop an ocean acidification and hypoxia science task force to ensure that decisionmaking is supported by the best available science, and requires the council to take specified actions to address ocean acidification and hypoxia, as prescribed, and, beginning January 1, 2018, and annually thereafter, at its first meeting of the year, adopt recommendations for further actions that may be taken to address ocean acidification and hypoxia.

This bill would require the council to, on or before December 31, 2020, establish a representative statewide advisory group to advise the state on its policy, management, science, and communications priorities and strategies to address ocean acidification and hypoxia. The bill would require the Secretary of the Natural Resources Agency to direct the council to, on or before December 31, 2021, conduct a statewide vulnerability assessment to identify the risks ocean acidification poses to the state’s biological resources, communities, and economies within the context of other ongoing environmental changes and hazards, and to identify priorities and options for actions to improve the state’s adaptive capacity to address ocean acidification and hypoxia.

(10) Existing law requires the Natural Resources Agency to update every 3 years the state’s climate adaptation strategy to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors.

This bill would require the Secretary of the Natural Resources Agency to implement a comprehensive, coordinated, and proactive program for ocean and coastal habitats to enhance the state’s ability to adapt to the unavoidable impacts of climate change, as specified. The bill would
provide that these provisions shall be implemented only to the extent that implementation of these provisions is consistent with federal law.

(11) Existing law, the Marine Invasive Species Act, requires the State Lands Commission to adopt specified regulations that require an owner or operator of a vessel carrying, or capable of carrying, ballast water that operates in the waters of the state to implement and comply with an interim performance standard, as prescribed, for specified periods and the final performance standard for the discharge of ballast water of zero detectable living organisms for all organism size classes by January 1, 2030: implement and administer laws regulating the uptake or discharge of ballast water from vessels that impact marine species in the state’s waterways. The act requires the Department of Fish and Wildlife, in consultation with the commission and the United States Coast Guard, to collect data necessary to establish and maintain an inventory of the location and geographic range of nonindigenous species in specified waters. The act requires the department to make the inventory and accompanying analysis available to the public on or before January 1, 2007, and to annually provide the public an update of that inventory. The act requires the department, in consultation with the commission and the United States Coast Guard, to assess the effectiveness of the ballast water and biofouling controls implemented pursuant to the act, as specified.

This bill would require the State Water Resources Control Board, instead of the commission, to adopt these regulations, as specified. California Water Quality Monitoring Council, instead of the department, to perform these duties, and would require the monitoring council to consult with State Water Resources Control Board instead of the commission. The bill would require the monitoring council to submit a report to the Legislature on or before December 31, 2021, assessing the effectiveness of the ballast water and biofouling controls implemented pursuant to the act.

This bill would establish the ballast water control technology review panel to provide ongoing evaluation of the improvements in ballast water control technology and the achievement of the policy objectives of the act. The bill would require the review panel to be composed of 3 members who have technical expertise on ballast water control technology with one member each to be appointed by the executive officer of the State Lands Commission, the executive director of the State Water Resources Control Board, and the executive director of the
California Ocean Science Trust. The bill would require the review panel to submit its evaluation to each of the appointing authorities on or before January 1, 2021, and every 4 years thereafter, and to make the evaluation publicly available on its internet website.

(12) Existing law requires the Department of Water Resources to supervise the maintenance and operation of dams and reservoirs as necessary to safeguard life and property. Under existing law, the department operates the State Water Resources Development System, also known as the State Water Project, composed of the state water facilities, including Oroville Dam.

Existing law requires the incorporation into certain water projects of features that the department determines necessary or desirable for the preservation of fish and wildlife, and necessary or desirable to permit, on a year-round basis, full utilization of the project for the enhancement of fish and wildlife and for recreational purposes to the extent that those features are consistent with other uses of the project, if any.

This bill would require the department to immediately reinitiate the effort, as described in a specified proposed settlement for Oroville Dam and related facilities, to select a final alternative and a final project design for the retrofit of Thermalito Afterbay to improve downstream temperature conditions on the Feather River for salmon and other species. The bill would require, on or before March 31, 2020, the department to appoint and convene an advisory committee to assist in the selection of a preferred alternative and a final project design for the Thermalito Afterbay retrofit. The bill would require the department to annually submit a report to the Legislature regarding progress toward the selection of a preferred alternative and a final project design for the Thermalito Afterbay retrofit.

(13) Under existing law, the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the 9 California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act requires the state board to formulate and adopt state policies for water quality control and to formulate, adopt, and review a water quality control plan for the ocean waters of the state, known as the California Ocean Plan, and a water quality control plan for enclosed bays and estuaries, known as the California Enclosed Bays and Estuaries Plan, as prescribed. The act required the state board, on or before January 1, 2013, to either amend the California Ocean Plan, or adopt
separate standards, to address water quality objectives and effluent limitations that are specifically appropriate to brackish groundwater treatment system facilities that produce municipal water supplies for local use.

This bill would require the state board, on or before December 31, 2022, to amend the California Ocean Plan and the California Enclosed Bays and Estuaries Plan to include water quality objectives and effluent limitations that specifically address ocean acidification and hypoxia. The bill would require the water quality objectives and effluent limitations to include implementation provisions, including, but not limited to, requiring all publicly operated wastewater treatment facilities that discharge to waters subject to the plans to adopt, incorporate, or improve denitrification protocols. By imposing additional requirements on publicly operated wastewater treatment facilities, the bill would impose a state-mandated local program. The bill would also require the state board to rescind a specified resolution relating to the California Ocean Plan.

(12) Existing law establishes the Marine Managed Areas Improvement Act, which, among other things, prescribes 6 classifications for designating managed areas in the marine and estuarine environments to ensure the long-term ecological viability and biological productivity of marine ecosystems and to preserve cultural resources in the coastal sea, including state water quality protection areas. The act defines state water quality protection areas for the purposes of the act as including areas of special biological significance.

This bill would prohibit waste from being discharged into areas of special biological significance, as provided. The bill would authorize the California regional water quality control boards, notwithstanding that prohibition, to approve waste discharge requirements or water quality certifications for limited-term activities in areas of special biological significance in accordance with specified conditions. The bill would require the State Water Resources Control Board to provide guidance to the regional boards on how to designate state water quality protection areas and would require a regional board to designate one state water quality protection area annually until all marine protected areas in the regional board’s jurisdiction have an associated state water quality protection area.

(15)
(13) The Z’berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The act requires the department, upon receipt of a timber harvesting plan, to transmit a copy to, among other entities, the appropriate California regional water quality control board, and prohibits a timber harvesting plan from being approved if the appropriate regional board finds, based on substantial evidence, that the timber operations proposed in the plan will result in a discharge into a watercourse that has been classified as impaired due to sediment pursuant to federal law, that causes or contributes to a violation of the regional water quality control plan. The act requires the State Board of Forestry and Fire Protection to adopt district forest practice rules and regulations, as provided, to ensure the continuous growing and harvesting of commercial forest tree species and to protect the soil, air, fish, wildlife, and water resources.

Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the regional boards prescribe waste discharge requirements for the discharge of waste that could affect the quality of the waters of the state.

This bill would instead prohibit a timber harvesting plan from being approved unless the appropriate regional board finds that the timber operations proposed in the plan will not result in a significant discharge into a watercourse that has been classified as impaired due to sediment pursuant to federal law, that causes or contributes to a violation of the regional water quality control plan, basin plan, approved total maximum daily load requirement, or approved waste discharge requirement.

The bill would impose various forest practice requirements on a person who discharges sediment into a Class I, II, or III watercourse pursuant to a timber harvesting plan and would require the regional boards to incorporate those requirements into any applicable waste discharge requirements to manage controllable sources of sediment, achieve water quality objectives, and protect beneficial uses. The bill would provide that any requirements in the forest practice rules adopted by the State Board of Forestry and Fire Protection that contain more stringent sediment control standards shall prevail over the requirements established in the bill, and would incorporate definitions from the forest practice rules and regulations into the bill’s provisions. The bill would limit the application of these forest practice requirements to fish-bearing
watercourses or watercourses that have historically been fish-bearing watercourses.

The bill would require a regional board, upon receipt of a timber harvesting plan submitted by the Department of Forestry and Fire Protection, to expeditiously review the plan for consistency with any applicable regional water quality control plan, basin plan, approved total maximum daily load requirement, or approved waste discharge requirement, and to notify the department of any inconsistencies it finds.

(14) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.


The people of the State of California do enact as follows:

SECTION 1. This act shall be known, and may be cited, as the Ocean Resiliency Act of 2019.

SEC. 2. The Legislature finds and declares all of the following:

(a) Coastal and ocean ecosystems are significantly impacted by climate change, which harms the industries and communities that depend on those ecosystems. These effects are expected to worsen without immediate and sustained action.

(b) Ocean acidification, hypoxia, and other changing ocean conditions in California waters present a significant and direct threat to marine life and ecosystems, fisheries, and farmed shellfish, negatively impact many shell-forming species, including oysters, mussels, abalone, crabs, and the microscopic plankton that form the base of the oceanic food chain, and cause significant changes in behavior and physiology of fish and invertebrates.

(c) Scientific evidence suggests that well-designed marine protected area networks can contribute to the protection and resilience of marine species as ocean conditions change. California has invested significant resources in establishing a globally recognized marine protected area network, which protects marine
species and habitats, and safeguards California’s coastal resources and economy.

(d) It is the policy of the state that the protection, enhancement, and management of coastal and ocean resources and anadromous fishery resources are critical to enhance climate resiliency and to improve the state’s ability to mitigate and adapt to the impacts of climate change. The protection, enhancement, and management of physical, biological, and chemical function of these resources can result in enhanced ecosystem function and carbon sequestration, which removes carbon from the atmosphere, while reducing ocean acidification and other harmful changes to ocean chemistry.

(e) The protection of riparian areas that facilitate the growth of anadromous fisheries is critically important for ocean and coastal ecosystem health and resilience. Most of the rivers in the State of California are known to be impaired by sediment pollution, and research and scientific evidence demonstrate that inappropriate timber harvesting practices are responsible for extensive water quality impairment due to ineffective and inconsistent oversight.

(f) Enhancing the resilience of coastal and ocean resources provides multiple public benefits, including, but not limited to, assisting with adaptation to the impacts of climate change, improving water quality and ecosystem health, conserving public trust fisheries resources, improving coastal economies, and helping communities become more resilient to climate change impacts.

(g) The state has an interest in protecting California waters from environmental impacts that would result from the continued introduction of nonnative marine and freshwater organisms by ships’ ballast water discharges; in protecting the state’s water supply system from disruptions and impediments that may result from those introductions; and in protecting California’s commercial and recreational fishing industries and agricultural industries from direct and indirect economic impacts that may result from those introductions. The state also has an interest in protecting California residents from infection by emerging strains of waterborne diseases and parasites, such as from the introduction of nonnative protozoans, bacteria, or viruses into California’s marine and coastal waters by way of ships’ ballast water discharges, including, but not limited to, ballast water discharges into the Sacramento and San Joaquin Rivers and the
Sacramento-San Joaquin Delta, which serve as the source of drinking water for tens of millions of Californians. However, recent federal legislation prohibits California from implementing ballast water discharge standards that are more stringent than federal discharge standards that the United States Environmental Protection Agency (EPA) has been directed to develop by December 2020.

(h) Furthermore, the state has an interest in assisting and encouraging the United States EPA to develop discharge standards that are based on the most effective water and wastewater treatment technologies and practices available.

(i) It is therefore the intent of the Legislature to encourage the development and adoption of the most effective possible federal ballast water discharge standards, including standards that are as stringent as the state’s existing performance standards under the Marine Invasive Species Act (Division 36 (commencing with Section 71200) of the Public Resources Code). It is the intent of the Legislature that this effort shall include analyzing and determining what are the most effective discharge standards to protect the environment and public health that available technologies and practices can achieve; communicating this analysis and determination to the United States EPA; advocating for the adoption of these standards by the United States EPA; and considering legal options available to the state to compel the United States EPA to adopt these standards or to enable the state to implement these standards, or both.

(j) It is also the intent of the Legislature to provide for an independent review of key elements of the state’s marine invasive species program and to make other changes to update and clarify the state program and address changes in federal law.

SEC. 3. Section 1127 is added to the Fish and Game Code, to read:

1127. (a) The department shall undertake a pilot project to assess the effectiveness of parentage-based tagging, as defined in subdivision (k), in improving the management of central valley Chinook salmon hatcheries and in rebuilding salmon runs and the California salmon fishing industry.

(b) The pilot project shall do all of the following:

(1) Include the development and implementation of a genetic testing protocol using parentage-based tagging to provide data
required to evaluate and improve hatchery and salmon management.
(2) Compare parentage-based tagging with the current tagging technologies used by central valley hatcheries.
(3) Evaluate the extent to which parentage-based tagging can increase the flexibility of hatchery managers to release juvenile salmon at optimal times.
(4) Evaluate whether earlier releases of hatchery-spawned juvenile salmon during high river flows can significantly increase the survival of juvenile hatchery salmon, both to increase spawning populations and to benefit the sport and commercial salmon fishing industry.
(5) Include the genetic testing of adult salmon, maintenance of a database of adult salmon that have been genetically tested, and analysis of the results of the pilot project.
(6) Make data and analysis completed for the pilot project publicly available in a timely manner on an internet website.
(c) The department shall enter into an agreement with the University of California, or a similar entity with a proven record of working with parentage-based tagging, to assist in the design, implementation, and evaluation of the pilot project. This subdivision shall apply to the University of California only if the Regents of the University of California, by resolution, make it applicable to the university.
(d) The department shall begin implementation of the pilot project by July 1, 2021, no later than 18 months after the operative date of this section. The pilot project shall conclude no later than five years after implementation of the pilot project has begun.
(e) The department shall select the central valley hatchery or hatcheries to be included in the pilot project. The department may modify hatchery facilities and operations as required to implement the pilot project.
(f) The department may collaborate with federal hatchery managers in designing and implementing the pilot project.
(g) The pilot project shall not include the use of parentage-based tagging to manage salmon fisheries.
(h) The department shall form an advisory committee for the pilot project, including scientists and representatives from salmon fishing community nongovernmental organizations. The department and the entity that the department enters into an agreement with
pursuant to subdivision (c) shall consult with the advisory committee during the design, implementation, and evaluation of the pilot project.

(i) (1) (A) No later than July 1, 2021, 18 months after the operative date of this section, the department shall submit a report to the Legislature summarizing the progress in implementing the pilot project.

(B) No later than one year after the conclusion of the pilot project, the department shall submit a final report to the Legislature that summarizes the results of the pilot project, including potential benefits for juvenile salmon survival and the salmon fishing industry, and includes recommendations, as appropriate, to expand the use of parentage-based tagging and to modify the use of existing tagging technology. Before submitting the final report to the Legislature, the department shall submit a copy of the final draft to the advisory committee formed pursuant to subdivision (h) and provide the advisory committee an opportunity to review and provide comments on the final draft. The department may take the advisory committee’s comments into consideration and may revise the final draft based on those comments before submitting the final report to the Legislature.

(2) The reports to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(j) It is the intent of the Legislature that the cost of the pilot project shall be shared equally between the department and the contractors of the State Water Project.

(k) For purposes of this section, “parentage-based tagging” means a genetic-based fish tagging method that involves DNA testing of broodstock whereby parent fish used for hatchery production are genetically sampled at spawning, allowing the parentage of adult salmon to be determined when they are harvested in the recreational or commercial fisheries, or after they return to spawn.

(l) This section shall become operative upon appropriation of funds by the Legislature to the department to undertake the pilot program described in this section.

(m) This section shall become inoperative on July 1, 2028, and, as of January 1, 2029, is repealed.
SEC. 4. Section 5930 of the Fish and Game Code is amended to read:

5930. The department shall, at least every five years, examine all dams in all rivers and streams in this state naturally frequented by fish.

SEC. 5. Section 6921.5 is added to the Fish and Game Code, to read:

6921.5. No later than January 1, 2022, the department shall, in consultation with the Advisory Committee on Salmon and Steelhead Trout and the Commercial Salmon Trollers Advisory Committee, develop and implement at least one additional ocean-based offsite hatchery salmon release operation.

SEC. 6. Section 6922 of the Fish and Game Code is amended to read:

6922. The program shall include, but is not limited to, all of the following elements:

(a) Identification of streams where the natural production of salmon and steelhead trout can be increased primarily through the improvement of stream and streambank conditions without effect on land ownership, land use practices, or changes in streamflow operations.

(b) Identification of streams where the natural production of salmon and steelhead trout can be increased only through the improvement of land use practices or changes in streamflow operations.

(c) Identification of streams where the protection of, and increase in, salmon and steelhead trout resources require, as a result of significant prior loss of stream habitat, the construction of artificial propagation facilities.

(d) A program element for evaluating the effectiveness of the program.

(e) Recommendations for an organizational structure, staffing, budgeting, long-term sources of funding, changes in state statutes and regulations and federal and local government policy and such other administrative and legislative actions as the department finds to be necessary to accomplish the purposes of this chapter.

(f) Identification of measures to protect and increase the production of other anadromous fisheries consistent with policies set forth in Section 6902.
(g) Identification of alternatives to, or mitigation of, manmade factors which cause the loss of juvenile and adult fish in California’s stream system.

(h) Development of a policy by January 1, 2022, for the use of releases, including in-river and ocean net pen releases, of salmon produced in state managed and comanaged hatcheries during periods of drought or in other circumstances that result in significantly abnormal levels of mortality during onsite releases.

In developing this policy, the department shall coordinate with the Advisory Committee on Salmon and Steelhead Trout and the Commercial Salmon Trollers Advisory Committee and may coordinate with other state agencies, the United States Fish and Wildlife Service, and the National Marine Fisheries Service.

SEC. 7. Chapter 9 (commencing with Section 39950) is added to Part 2 of Division 26 of the Health and Safety Code, to read:

Chapter 9. Voluntary Vessel Speed Reduction Incentive Program

39950. (a) The state board shall, in coordination with affected districts along the coast and in consultation with the national marine sanctuary program, develop and implement a voluntary vessel speed reduction incentive program for the Santa Barbara Channel and San Francisco Bay area regions to reduce air pollution, the risk of fatal vessel strikes on whales, and harmful underwater acoustic impacts.

(b) As part of the program, the state board shall do, or provide grants for, all of the following:

1. Collect data on ship speeds along the California coast in order to analyze the program for future refinement or expansion, or both.

2. Provide financial incentives to program participants during peak ozone and whale seasons.

3. Provide financial incentives to program participants based on percent of distance traveled by a participating vessel through a vessel speed reduction zone established by the state board at 10 knots or less.

(c) The state board may impose additional qualifying criteria on individual transit speeds, for example, maximum speed in transit
or maximum transit average speed, in order to receive financial
incentives under the program.
(d) The state board shall provide financial incentives pursuant
to this section upon appropriation by the Legislature of funds made
available for this program.
(e) The state board shall implement the program by May 1,
2021, and report to the Legislature regarding the implementation
of the program by December 31, 2022. The report required by this
subdivision shall be submitted in compliance with Section 9795
SEC. 8. Section 4582.71 of the Public Resources Code is
amended to read:
4582.71. (a) A timber harvesting plan shall not be approved
unless the appropriate regional water quality control board finds
that the timber operations proposed in the plan will not result in a
significant discharge into a watercourse that has been classified
as impaired due to sediment, pursuant to subsection (d) of Section
303 of the Federal Water Pollution Control Act, that causes or
contributes to a violation of the regional water quality control plan,
basin plan, approved total maximum daily load requirement, or
approved waste discharge requirement.
(b) The exercise of a regional water quality control board’s
authority pursuant to subdivision (a) may be delegated to the
executive officer of that regional water quality control board as
long as the executive officer’s determination is subject to review
by that regional water quality control board upon request of the
person that has submitted the timber harvesting plan or upon
motion of that regional water quality control board.
(c) If the appropriate regional water quality control board makes
a finding that a timber harvesting plan will result in a discharge
into a watercourse that has been classified as impaired due to
sediment, pursuant to subsection (d) of Section 303 of the Federal
Water Pollution Control Act, that causes or contributes to a
violation of the regional water quality control plan, basin plan,
approved total maximum daily load requirement, or approved
waste discharge requirement, the executive officer of that regional
water quality control board shall, before the close of the public
comment period under Section 4582.7, notify the director in writing
of the finding and advise the director that the timber harvesting
plan shall not be approved. If the issues that lead to a regional
water quality control board’s finding pursuant to subdivision (a) cannot be resolved during the director’s determination period under Section 4582.7 or a longer period that is mutually agreeable to the director and the person that submitted the timber harvesting plan, the director shall deny the timber harvesting plan and return the plan to the person that submitted it. The director shall advise the person that submitted the timber harvesting plan of the reasons why the plan is being returned.

SEC. 9. Section 5814.5 is added to the Public Resources Code, to read:

5814.5. (a) It is the policy of the state that all state government coastal wetland programs and policies ensure an overall net gain of coastal wetlands.

(b) The agency shall inventory the state’s existing coastal wetlands resources and prepare a study that meets the goals specified in paragraphs (1) to (8), inclusive, of subdivision (a) of Section 5814. On or before January 1, 2023, the agency shall submit the study to the Legislature, pursuant to Section 9795 of the Government Code. The agency, in coordination with the State Coastal Conservancy, the Department of Fish and Wildlife, and the state’s wetland and riparian area monitoring program and surface water ambient monitoring program, shall include both of the following in the study:

(1) A determination of a baseline for coastal wetlands, including intertidal and subtidal eelgrass beds.

(2) An implementation plan to achieve an annual net gain of ecologically functioning coastal wetlands within the state.

(c) The agency shall update the study described in subdivision (b), at a minimum, once every five years after January 1, 2023.

(d) For purposes of this section, “coastal wetlands” means lands within the coastal zone that may be covered periodically or permanently with shallow water and includes saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

SEC. 10. Section 5818.3 is added to the Public Resources Code, to read:

5818.3. (a) On or before December 31, 2022, the State Coastal Conservancy shall submit a report to the Legislature, pursuant to Section 9795 of the Government Code, on the conservancy’s beneficial reuse pilot program for dredged sediment in Redwood
City Harbor that received six million dollars ($6,000,000) pursuant to Item 3760-101-0001 of Section 2.00 of Chapter 29 of the Statutes of 2018. The report shall include how these funds were used, how these funds were leveraged with federal partnerships, the benefits obtained by the pilot program, budget estimates to make the pilot program permanent, and recommendations to the Legislature on how to improve the pilot program.

(b) Upon appropriation by the Legislature, the State Coastal Conservancy, in partnership with the United States Army Corps of Engineers, shall develop a beneficial reuse program to place and reuse dredged sediment for coastal wetland restoration projects.

SEC. 11. Section 10001 of the Public Resources Code is amended to read:

10001. The Director of Fish and Wildlife shall establish a California Endangered Rivers List. The director shall identify and include in the California Endangered Rivers List those streams and watercourses throughout the state for which minimum flow levels need to be established in order to assure the continued viability of stream-related fish and wildlife resources. The director shall include in the California Endangered Rivers List those streams and watercourses the director determines are significant, along with a statement of findings as to why that stream or watercourse was selected. The California Endangered Rivers List required by this section shall rank the streams and watercourses beginning with those where the need for establishing minimum flow levels is the greatest. The director may revise the California Endangered Rivers List and may add or delete streams or watercourses as circumstances require. The director shall annually post the California Endangered Rivers List on the Department of Fish and Wildlife’s internet website.

SEC. 12. Section 10004 of the Public Resources Code is amended to read:

10004. The Department of Fish and Wildlife shall initiate studies to develop proposed streamflow requirements for those streams or watercourses in each fiscal year for which funds are appropriated from revenues from fees imposed pursuant to Section 10005 and shall complete studies on each stream or watercourse within three years. The department shall develop a program that will initiate studies on at least three streams or watercourses in each fiscal year.
SEC. 13. Section 10005 of the Public Resources Code is amended to read:

10005. (a) The Department of Fish and Wildlife shall impose and collect a filing fee of eight hundred fifty dollars ($850) to defray the costs of identifying streams and providing studies pursuant to this division.

(b) The filing fee shall be proportional to the cost incurred by the Department of Fish and Wildlife and shall be annually reviewed and adjustments recommended to the Legislature in an amount necessary to pay the costs of the Department of Fish and Wildlife as specified in subdivision (a).

(c) Any user of water, including a person or entity holding riparian or appropriative rights, shall pay the filing fee to the Department of Fish and Wildlife upon application to the State Water Resources Control Board for any permit, transfer, extension, or change of point of diversion, place of use, or purpose of use, if there is a diversion of water from any waterway where fish reside. No permit, or other entitlement identified in this section, is effective until the filing fee is paid. The State Water Resources Control Board shall, every six months, forward all fees collected to the Department of Fish and Wildlife and provide the location for each entitlement for which a filing fee has been collected.

(d) The fee imposed by this section shall not be imposed on the following applications filed with the State Water Resources Control Board:

(1) Small domestic use registrations and livestock stockpond certificates submitted pursuant to Article 2.7 (commencing with Section 1228) of Chapter 1 of Part 2 of Division 2 of the Water Code.

(2) The first application for an extension of time for an individual permit if no change in point of diversion, place of use, or purpose of use is included in the application.

(3) Water applications that, in the opinion of the Department of Fish and Wildlife, are filed for administrative and technical clarification purposes only.

(4) Water applications or petitions, the primary purpose of which is to benefit fish and wildlife resources. The determination of the benefit to fish and wildlife shall be made, in writing, by the Department of Fish and Wildlife in order to be exempt from the fee.
(e) If an applicant or petitioner files multiple applications or petitions for the same appropriation, transfer, extension, or change, and the State Water Resources Control Board reviews and considers the applications or petitions together, only one filing fee is required for those applications or petitions.

(f) If the Department of Fish and Wildlife fails to initiate studies for at least three streams or watercourses in a fiscal year in accordance with Section 10004, the Department of Fish and Wildlife shall return any filing fees received pursuant to subdivision (c) for that fiscal year to the State Water Resources Control Board. The State Water Resources Control Board shall deposit any funds received pursuant to this subdivision in the Water Rights Fund and may use those funds, upon appropriation by the Legislature, for the purposes specified in Section 1257.5 of the Water Code.

SEC. 14. Section 35626 is added to the Public Resources Code, to read:

SEC. 35626. (a) On or before December 1, 2022, the council shall submit a report to the Legislature, pursuant to Section 9795 of the Government Code, and relevant state entities on the state’s progress toward meeting the following goals:

(1) Using low-trophic mariculture, such as shellfish, kelp, and seaweed production, to mitigate and adapt to climate change impacts, such as ocean acidification and warming and sea level rise.

(2) Accelerating local restoration plans to restore 8,000 acres of San Francisco Bay shellfish, native oyster reefs, and kelp forests to sequester carbon, combat ocean acidification, and protect shorelines in the face of sea level rise.

(3) Expanding commercial low-trophic mariculture in the state.

(b) The report described in subdivision (a) shall include, at a minimum, all of the following:

(1) A report on the state’s progress toward meeting the goals described in paragraphs (1) to (3), inclusive, of subdivision (a) and the main barriers to reaching these goals both statewide and within the state’s regions.

(2) Consideration of the beneficial use of low-trophic mariculture systems to help address ocean acidification, habitat loss, nitrification, and pollution; movement of marine sediments,
sea level rise, and storm preparedness; and food security and access to farming opportunities.

(3) A discussion of potential improvements to the current leasing, permitting, and oversight processes in connection with the low-trophic mariculture industry, including, but not limited to, all of the following:

(A) The potential of pilot programs to test such potential improvements.

(B) Increased funding to relevant agencies and the feasibility of transitioning to a fee-for-service model in different aspects of the low-trophic mariculture industry.

(C) The increased use of experimental or proof of concept permits.

(D) Improved federal partnerships.

(E) Development of a single permit application process.

(4) Workforce development and access to capital among potential mariculturalists.

(5) Ultimate potential size and scope of the low-trophic mariculture industry, both statewide and within the state’s regions, and future goal setting.

SEC. 14. Section 35626 is added to the Public Resources Code, to read:

35626. (a) On or before December 1, 2022, the council, in consultation with independent scientists and experts, shall submit a report to the Legislature, pursuant to Section 9795 of the Government Code, and relevant state entities regarding the feasibility and potential of all of the following:

(1) Using low-trophic mariculture, such as shellfish, kelp, and seaweed production, to mitigate and adapt to climate change impacts, such as ocean acidification and warming, and sea level rise. The council shall, as appropriate, incorporate into the report an analysis of the full carbon and nitrogen lifecycle of low-trophic mariculture and an economic analysis of low-trophic mariculture and shall, as appropriate, include in the report quantitative estimates of carbon sequestration, reduction in ocean acidification, ecosystem benefits, and shoreline protection. The council shall identify in the report gaps in scientific knowledge necessary to fully evaluate the activities described in this paragraph.

(2) Assisting local restoration plans to restore 8,000 acres of San Francisco Bay shellfish, native oyster reefs, and kelp forests
to, where feasible, sequester carbon and combat ocean acidification, as well as protect shorelines in the face of sea level rise.

(b) The report described in subdivision (a) shall also include all of the following:

(1) A report on the state’s progress toward meeting the goals described in paragraphs (1) and (2) of subdivision (a) and the main barriers to reaching these goals both statewide and within the state’s regions.

(2) An objective analysis of whether the use of low-trophic mariculture systems may help address any of following:

(A) Ocean acidification, habitat loss, nitrification, and pollution.

(B) Movement of marine sediments, sea level rise, and storm preparedness.

(C) Food security and access to farming opportunities.

(3) The ultimate potential size and scope of the low-trophic mariculture industry, both statewide and within the state’s regions, and future goal setting with regard to low-trophic mariculture.

SEC. 15. Section 35633 is added to the Public Resources Code, to read:

35633. On or before December 31, 2020, the council shall establish a representative statewide advisory group that includes the diverse interests that will affect and be affected by ocean acidification and technical and policy experts, including fishing, aquaculture, agriculture, Indian tribes, municipalities, counties, water management, conservation, and wastewater treatment experts, representatives of relevant state and, if possible, federal agencies, and scientists from relevant disciplines. The statewide advisory group shall advise the state on its policy, management, science, and communications priorities and strategies to address ocean acidification and hypoxia.

SEC. 16. Section 35634 is added to the Public Resources Code, to read:

35634. The Secretary of the Natural Resources Agency shall direct the council to, on or before December 31, 2021, conduct a statewide vulnerability assessment to identify the risks ocean acidification poses to the state’s biological resources, communities, and economies within the context of other ongoing environmental changes and hazards, and to identify priorities and options for
action to improve the state’s adaptive capacity to address ocean
acidification and hypoxia.

SEC. 17. Chapter 5 (commencing with Section 35655) is added
to Division 26.5 of the Public Resources Code, to read:

CHAPTER 5. NATURAL RESOURCES AGENCY BLUE CARBON
STRATEGY

35655. This chapter shall be known, and may be cited, as the
Natural Resources Agency Blue Carbon Strategy.
35656. For purposes of this chapter, “secretary” means the
Secretary of the Natural Resources Agency.
35657. (a) The secretary shall implement a comprehensive,
coordinated, and proactive program for ocean and coastal habitats
to enhance the state’s ability to adapt to the unavoidable impacts
of climate change, with a special focus on vulnerable communities;
ecological habitats, and industries that are disproportionately
affected by climate change.

(b) In implementing the program described in subdivision (a),
the secretary shall emphasize a blue carbon strategy to improve
ocean and coastal habitats and ecosystems’ abilities to sequester
carbon, especially by ensuring a healthy biomass of ocean
vegetation and associated food webs. The strategy shall include,
at a minimum, policies that identify and reduce ocean acidification
hot spots, improve water quality in the state’s marine protected
areas, improve the ecological health of coastal ecosystems, remove
barriers to improve river flows, and protect and restore ocean and
coastal vegetated habitats that are important for carbon storage,
including coastal marshes, seagrass meadows, and kelp forests.

(c) To maximize impact and coordination, the secretary shall
coordinate with, among other entities, the State Air Resources
Board, the California Environmental Protection Agency, the
council, the Office of Planning and Research, the State Water
Resources Control Board, and appropriate state conservancies to
implement this section.

35658. The secretary shall use the best available science,
including the following plans or reports, to implement this chapter:

(a) The plan adopted pursuant to Section 71153.

(b) The California Ocean Acidification Action Plan developed
pursuant to subdivision (b) of Section 35631.
(c) The California’s Fourth Climate Change Assessment report.
(d) The Readying California Fisheries for Climate Change report.
35659. To maximize the impact, coordination, and efficient implementation of this chapter, the secretary shall do all of the following:
(a) Coordinate with the Governor’s cabinet members to implement this chapter.
(b) Communicate and enter into agreements with other states and international coalitions to further the policies of this chapter.
(c) Upon appropriation by the Legislature of funds under Chapter 4.1 (commencing with Section 39710) of Part 2 of Division 26 of the Health and Safety Code, direct the State Coastal Conservancy to work with other state conservancies and the State Water Resources Control Board to develop and implement a climate resiliency grant program to assist with the implementation of this chapter.
(d) Use information and resources made available pursuant to Section 71360.
(e) On or before March 31, 2021, and on or before March 31 of every year thereafter, present progress on implementation of this chapter to appropriate policy and budget committees of the Legislature.
(f) Support efforts of, and coordinate with, the Department of Fish and Wildlife, the Department of Water Resources, and the State Water Resources Control Board to support healthy riparian corridors that improve water quality, water flow, and enhanced species protections.
(g) Work with the council to implement the California Ocean Acidification Action Plan developed pursuant to subdivision (b) of Section 35631.
(h) Identify and suggest regulatory and statutory changes required to minimize existing policies that reduce the ability for the coast and ocean ecosystems to adapt to climate change.
35660. The provisions of this chapter shall be implemented only to the extent that implementation of the provisions of this chapter is consistent with federal law.
SEC. 18. Section 71205.3 of the Public Resources Code is amended to read:
71205.3. (a) The board shall adopt regulations that do all of the following:

(1) Except as provided in Section 71204.7, require an owner or operator of a vessel carrying, or capable of carrying, ballast water that operates in the waters of the state to implement the interim performance standards for the discharge of ballast water recommended in accordance with Table x-1 of the California State Lands Commission Report on Performance Standards for Ballast Water Discharges in California Waters, as approved by the commission on January 26, 2006.

(2) Except as provided in Section 71204.7, require an owner or operator of a vessel carrying, or capable of carrying, ballast water that operates in the waters of the state to comply with the interim performance standards by the applicable following date:

(A) Upon first arrival at a California port for new vessels constructed on or after January 1, 2021.

(B) As of the first scheduled drydocking on or after January 1, 2021, for all other vessels.

(3) Notwithstanding Section 71204.7, require an owner or operator of a vessel carrying, or capable of carrying, ballast water that operates in the waters of the state to meet the final performance standard for the discharge of ballast water of zero detectable living organisms for all organism size classes by January 1, 2030.

(b) (1) Not less than 18 months before January 1, 2020, and January 1, 2030, the commission, in consultation with the board, the United States Coast Guard, and the advisory panel described in subdivision (b) of Section 71204.9, shall prepare, or update, and submit to the Legislature a review of the efficacy, availability, and environmental impacts, including the effect on water quality, of currently available technologies for ballast water treatment systems. If technologies to meet the performance standards are determined in a review to be unavailable, the commission shall include in that review an assessment of why the technologies are unavailable.

(2) (A) The requirement for submitting a report imposed under this subdivision is inoperative on January 1, 2024, for the interim performance standards, and January 1, 2034, for the final performance standard, pursuant to Section 10231.5 of the Government Code.
(B) A report to be submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 17. Section 71211 of the Public Resources Code is amended to read:

71211. (a) (1) The Department of Fish and Wildlife, California Water Quality Monitoring Council, in consultation with the commission board and the United States Coast Guard, shall collect data necessary to establish and maintain an inventory of the location and geographic range of nonindigenous species populations in the coastal and estuarine waters of the state that includes open coastal waters and bays and estuaries. In particular, data shall be collected that does both of the following:

(A) Supplements the existing baseline of nonindigenous species previously developed pursuant to this section, by adding data from investigations of intertidal and nearshore subtidal habitats along the open coast.

(B) Monitors the coastal and estuarine waters of the state, including, but not limited to, habitats along the open coast, for new introductions of nonindigenous species or spread of existing nonindigenous species populations.

(2) Whenever possible, the study shall use appropriate, existing data, including data from previous studies made pursuant to this section. The Department of Fish and Wildlife California Water Quality Monitoring Council shall make the inventory and accompanying analysis available to the public through the Internet on or before January 1, 2007, July 1, 2020, and annually shall provide to the public an update of that inventory.

(b) (1) The Department of Fish and Wildlife, California Water Quality Monitoring Council, in consultation with the commission board and the United States Coast Guard, shall assess the effectiveness of the ballast water and biofouling controls implemented pursuant to this division by comparing the status and establishment of nonindigenous species populations, as determined from the data collected pursuant to subdivision (a), with the baseline data collected pursuant to this division and submitted in a report to the Legislature in 2003.

(2) Whenever possible, this research shall utilize appropriate, existing data.
(3) The California Water Quality Monitoring Council shall submit a report presenting its assessment to the Legislature and the public on or before December 31, 2021. The report to be submitted pursuant to this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(c) Information generated by the research conducted pursuant to this section shall be of the type and in a format useful for subsequent studies and reports undertaken for any of the following purposes:

1. The determination of alternative discharge zones.
2. The identification of environmentally sensitive areas to be avoided for uptake or discharge of ballast water.
3. The long-term effectiveness of biofouling management and ballast water discharge control measures.
4. The determination of potential risk zones where uptake or discharge of ballast water shall be prohibited.
5. The rate and risk of establishment of nonindigenous species in the coastal waters of the state, and resulting impacts.

(d) The California Water Quality Monitoring Council shall consider authorizing, and may authorize, a regional joint powers authority in the San Francisco Bay area and in the region of the Southern California Bight to conduct the sampling and data collection necessary to fulfill the requirements of subdivisions (a) and (b).

SEC. 18. Section 71214 is added to the Public Resources Code, to read:

71214. (a) The ballast water control technology review panel is hereby created to provide ongoing evaluation of the improvements in ballast water control technology and the achievement of the policy objectives set forth in this division. The review panel shall provide the appointing authorities with the best available scientific and technical information along with any suggestions to improve state law and shall make this information publicly available.

(b) The executive officer of the State Lands Commission, the executive director of the State Water Resources Control Board, and the executive director of the California Ocean Science Trust shall each appoint one person with technical expertise on ballast water control technology to serve on the review panel. Each
member of the review panel shall serve at the pleasure of their
appointing authority.

(c) The deliberations of the review panel shall be conducted in
a public forum or conducted by teleconference in which the public
is able to join. All materials submitted to, or relied upon by, the
review panel shall be posted on the internet website of one of the
appointing authorities, which shall thereafter serve as the official
internet website of the review panel.

(d) The review panel shall submit its evaluation to each of the
appointing authorities on or before January 1, 2021, and every
four years thereafter, and shall make the evaluation publicly
available on its internet website.

(e) The review panel may form an advisory committee of expert
stakeholders.

(f) The review panel may request the participation of any federal
or state agency or other interested stakeholder.

(g) For purposes of this section, “review panel” means the
ballast water control technology review panel established pursuant
to subdivision (a).

SEC. 19. Section 11916 is added to the Water Code, to read:
11916. (a) The Department of Water Resources shall
immediately reinitiate the effort, as described in the proposed 2006
Federal Energy Regulatory Commission settlement for Oroville
Dam and related facilities, to select a final alternative and a final
project design for the retrofit of Thermalito Afterbay. The purpose
of this retrofit is to improve downstream temperature conditions
on the Feather River for salmon and other species. This subdivision
does not modify either of the following:

(1) The requirement for authorization from the Federal Energy
Regulatory Commission for the selected Thermalito Afterbay
retrofit alternative before construction may begin.

(2) The financing proposal for the Thermalito Afterbay retrofit,
as provided in the proposed 2006 Federal Energy Regulatory
Commission settlement.

(b) On or before March 31, 2020, the Department of Water
Resources shall appoint and convene an advisory committee to
assist in the selection of a preferred alternative and a final project
design for the Thermalito–Afterbay retrofit. To the extent
practicable, this advisory committee shall be consistent with the
Ecological Committee included in the proposed 2006 Federal
Energy Regulatory Commission settlement, except that the Department of Water Resources may appoint additional members to the advisory committee that are not included in the Ecological Committee.

(c) The Department of Water Resources shall annually submit a report to the Legislature in compliance with Section 9795 of the Government Code regarding progress toward the selection of a preferred alternative and a final project design for the Thermalito Afterbay retrofit. This requirement shall become inoperative upon the approval of a renewed Federal Energy Regulatory Commission license for Oroville Dam and related facilities.

SEC. 20.

SEC. 19. Section 13170.3 of the Water Code is amended to read:

13170.3. (a) On or before January 1, 2013, the state board shall either amend the California Ocean Plan, or adopt separate standards, to address water quality objectives and effluent limitations that are specifically appropriate to brackish groundwater treatment system facilities that produce municipal water supplies for local use.

(b) On or before December 31, 2020, the state board shall rescind Resolution No. 2012-0012.

(c) Waste shall not be discharged into areas of special biological significance, as defined in subdivision (f) of Section 36700 of the Public Resources Code. Waste discharges shall be located a sufficient distance from areas of special biological significance to ensure maintenance of natural water quality conditions in those areas.

(d) Notwithstanding subdivision (c), a regional board may approve waste discharge requirements or water quality certifications for limited-term activities in areas of special biological significance in accordance with both of the following conditions:

1. Water quality degradation shall be limited to the shortest possible time.

2. The waste discharge activities shall not permanently degrade water quality.

(e) On or before December 31, 2022, the state board shall provide guidance to the regional boards on how to designate state water quality protection areas, as defined in subdivision (f) of...
Section 36700 of the Public Resources Code. On or before December 31, 2023, and each year thereafter, a regional board with a marine protected area, as defined in subdivision (c) of Section 2852 of the Fish and Game Code, within its jurisdiction that does not have an associated state water quality protection area shall designate one state water quality protection area annually until all marine protected areas in the jurisdiction have an associated state water quality protection area.

SEC. 21.

SEC. 20. Section 13170.4 is added to the Water Code, to read:

13170.4. (a) On or before December 31, 2022, the state board shall amend the California Ocean Plan and the California Enclosed Bays and Estuaries Plan to include water quality objectives and effluent limitations that specifically address ocean acidification and hypoxia.

(b) In conjunction with the development of the water quality objectives and effluent limitations pursuant to subdivision (a), the state board shall develop implementation provisions for complying with those objectives and limitations. The implementation provisions shall include, but are not limited to, requiring all publicly operated wastewater treatment facilities that discharge to waters subject to the California Ocean Plan or the California Enclosed Bays and Estuaries Plan to adopt, incorporate, or improve denitrification protocols to meet the water quality objectives and effluent limitations adopted pursuant to subdivision (a).

SEC. 22.

SEC. 21. Section 13247.5 is added to the Water Code, to read:

13247.5. (a) Upon receipt of a timber harvesting plan submitted by the Department of Forestry and Fire Protection pursuant to subdivision (a) of Section 4582.6 of the Public Resources Code, a regional board shall expeditiously review the plan for consistency with any applicable regional water quality control plan, basin plan, approved total maximum daily load requirement, or approved waste discharge requirement.

(b) If, while reviewing a timber harvesting plan pursuant to subdivision (a), a regional board makes a finding of inconsistency with a regional water quality control plan, basin plan, approved total maximum daily load requirement, or approved waste discharge requirement, the regional board shall notify the
Department of Forestry and Fire Protection in accordance with subdivision (c) of Section 4582.71 of the Public Resources Code.

(c) If a regional board transmits a finding pursuant to subdivision (b), the regional board shall include a description of the specific components of the timber harvesting plan that are inconsistent with the applicable regional water quality control plan, basin plan, approved total maximum daily load requirement, or approved waste discharge requirement and a recommendation for how the plan could be revised to achieve consistency.

SEC. 23.
SEC. 22. Article 4.5 (commencing with Section 13278) is added to Chapter 4 of Division 7 of the Water Code, to read:

Article 4.5. Dischargers of Sediment Into Class I, II, and III Watercourses

13278. A person who discharges sediment into a Class I watercourse pursuant to a timber harvesting plan is subject to all of the following requirements within the watercourse and lake protection zone (WLPZ) for the Class I watercourse:

(a) The minimum WLPZ width shall be 150 feet from the watercourse transition line or lake transition line. At least 85 percent overstory canopy shall be retained within 100 feet of the watercourse transition line or lake transition line, with a 30-foot no-cut buffer existing in the first 30 feet measured from the watercourse transition line or lake transition line, and at least 65 percent overstory canopy within the remainder of the WLPZ, composed of a minimum of 30 percent conifers. The overstory canopy shall be comprised of at least 25 percent overstory conifer canopy postharvest.

(b) Recruitment of large woody debris to a Class I watercourse shall be ensured by retaining the 10 largest-diameter conifers, live or dead, on each side of the watercourse, per 330 feet of stream channel length, within 50 feet of the watercourse transition line or lake transition line.

(c) All new crossings across a Class I watercourse shall either span the Class I watercourse or use an arched culvert with a natural bottom.

(d) Where an inner gorge extends beyond a WLPZ for a Class I watercourse and slopes are greater than 55 percent, a special
A person who discharges sediment into a Class II watercourse pursuant to a timber harvesting plan is subject to all of the following requirements within the watercourse and lake protection zone (WLPZ) for the Class II watercourse:

(a) At least 85 percent overstory canopy shall be retained within 50 feet of the watercourse transition line or lake transition line. In an additional outer zone, overstory canopy closure shall be at least 65 percent. The overstory canopy in each zone shall be comprised of at least 25 percent overstory conifer canopy postharvest. The outer zone shall be 25 feet in width where the side slope class is less than 30 percent. The outer zone shall be 50 feet in width where the side slope class is 30 to 50 percent, inclusive. The outer zone shall be 75 feet in width where the side slope class is greater than 50 percent.

(b) Recruitment of large woody debris to Class II watercourses shall be ensured by retaining the five largest-diameter conifers, live or dead, on each side of the watercourse per 330 feet of stream channel length, within 50 feet of the watercourse transition line or lake transition line.

(c) All permanent Class II watercourse crossings that are constructed or reconstructed shall be placed in the bottom of the natural channel and capable of capturing low flows.

(d) Where an inner gorge extends beyond a WLPZ for a Class II watercourse and slopes are greater than 55 percent, a special management zone shall be established beyond the WLPZ where the use of even-aged regeneration methods is prohibited. This zone shall extend upslope to the first major break in slope where the slope is less than 55 percent for a distance of 100 feet or more, or 200 feet as measured from the watercourse transition line or lake transition line, whichever is less. Within this zone, the methods and retention standards described in Sections 913.2, 933.2, and 953.2 of Title 14 of the California Code of Regulations shall apply.
A person who discharges sediment into a Class III watercourse pursuant to a timber harvesting plan is subject to all of the following requirements within the watercourse and lake protection zone (WLPZ) for the Class III watercourse:

(a) At least a 25-foot protection zone shall be maintained on each side of the watercourse for slopes less than 30 percent and at least a 50-foot protection zone on each side of the watercourse shall be maintained for slopes equal to or greater than 30 percent. All trees situated within the channel zone and trees that have boles that overlap the edge of the channel zone shall be retained. Within the protection zones, at least 50 percent of the understory vegetation shall be left postharvest in an evenly distributed condition. All regeneration conifers, snags, large woody debris, and hardwoods shall be retained within the Class III protection zones except when removal is necessary for yarding and crossings.

(b) Commercial timber operations may yard through a Class III riparian management zone. Burning for purposes of site preparation shall not be initiated in the protection zones and new construction of tractor roads shall not be commenced. Ground-based equipment shall not be permitted on slopes greater than 50 percent, and ground-based operations shall be limited to existing stable tractor roads that show no visible evidence of sediment deposition being transported into the adjacent watercourse or to the use of feller bunchers or shovel yarding.

(c) All permanent Class III watercourse crossings that are constructed or reconstructed shall be placed in the bottom of the natural channel and capable of capturing low flows.

A person who discharges sediment into a Class I, II, or III watercourse pursuant to a timber harvesting plan is subject to all of the following requirements within the watercourse and lake protection zone (WLPZ) for the Class I, II, or III watercourse:

(a) All permanent Class I, II, or III watercourse crossings that are constructed or reconstructed shall accommodate the estimated 100-year flood flow, including debris and sediment loads.

(b) Use of any unpaved road segments within or appurtenant to a timber harvesting plan area shall cease when precipitation is sufficient to generate overland flow off the road surface or when use of any portion of the road results in rutting of the road surface. In either of these instances, road use shall not resume until the road is dry. Access for road inspection and access to correct
emergency road-related problems or to respond to human
emergency situations shall be allowed at any time by a vehicle
rated one ton or less.
(c) While participating in a timber harvesting plan preharvest
inspections review team, a person subject to this section shall place
a high priority on the appropriate classification of all Class I, II,
and III watercourses and identification and remediation of
road-related sources of sediment likely to recruit into watercourses.
(d) Areas proposed for timber operations shall be assessed for
erosion potential using all available tools and methods, including,
but not limited to, soils and features maps, ocular assessment, Light
Detection and Ranging (LIDAR), aerial photos, and satellite
imagery. Road construction and reconstruction shall not be
undertaken on erosive and unstable areas. Timber harvesting
activity shall not be undertaken on ground that shows evidence of
high erosion potential, including, but not limited to, slide areas,
areas shown to be slipping, and areas of disrupted ground.
(e) Historic erosion sites and sites with a high potential for
erosion shall be stabilized, if feasible.
13278.4. A California regional water quality control board
shall incorporate the requirements of this article into any applicable
waste discharge requirements adopted pursuant to Section 13263
to manage controllable sources of sediment, achieve water quality
objectives, and protect beneficial uses.
13278.5. Any requirements in the forest practice rules adopted
by the State Board of Forestry and Fire Protection pursuant to
Section 4551 of the Public Resources Code that contain more
stringent sediment control standards than those established in this
article shall prevail.
13278.6. For purposes of this article, the following definitions
shall apply:
(a) “Canopy” has the same meaning as defined in Section 895.1
of Title 14 of the California Code of Regulations.
(b) “Channel zone” has the same meaning as defined in Section
895.1 of Title 14 of the California Code of Regulations.
(c) “Class I watercourse” has the same meaning as described
in Section 916.6 of Title 14 of the California Code of Regulations.
(d) “Class II watercourse” has the same meaning as described
in Section 916.6 of Title 14 of the California Code of Regulations.
(e) “Class III watercourse” has the same meaning as described in Section 916.6 of Title 14 of the California Code of Regulations.

(f) “Dry” means a road surface that is well drained and is not rutting, discharging fine sediments, or causing a visible turbidity increase in a ditch or on a road surface that drains into a Class I, II, or III watercourse.

(g) “Inner gorge” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(h) “Overstory” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(i) “Permanent watercourse crossing” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(j) “Person” has the same meaning as defined in Section 4525 of the Public Resources Code.

(k) “Regeneration method” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(l) “Riparian” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(m) “Site preparation” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(n) “Slide area” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(o) “Snag” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(p) “Timber harvesting plan” means the plan filed pursuant to Section 4582 of the Public Resources Code.

(q) “Timber operations” has the same meaning as defined in Section 4527 of the Public Resources Code.

(r) “Understory” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(s) “Watercourse” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(t) “Watercourse and Lake Protection Zone (WLPZ)” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(u) “Watercourse transition line” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.
(v) “Woody debris” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

(w) “Yarding” has the same meaning as defined in Section 895.1 of Title 14 of the California Code of Regulations.

This article only applies to fish-bearing watercourses or watercourses that have historically been fish-bearing watercourses.

SEC. 23. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
May 13, 2019

The Honorable Ben Hueso
California State Senate
State Capitol, Room 4035
Sacramento, CA 95814

RE: Support for Senate Bill 667 (Hueso)

Dear Senator Hueso:

On behalf of the Orange County Sanitation District (OCSD), I am pleased to support Senate Bill 667, which would require CalRecycle to develop a five-year investment strategy to drive innovation and support technological development, as well as infrastructure, that would help California achieve its organic waste diversion and short-lived climate pollutants reduction goals.

OCSD is a wastewater agency that serves over 2 million people in North and Central Orange County. The services that OCSD provides are critical to public health, water quality, and water supply in the region. As a resource recovery agency, the work that OCSD does is fundamental to the water supply reliability and resiliency of the entire region. In addition to its water quality services, OCSD also operates anaerobic digestors that take organic waste and convert it into energy that is used in the wastewater treatment process.

Over the last 24 years, roughly 180 active anaerobic digesters and compost facilities have been built in the State. To meet the 75 percent organics reduction goal set by SB 1383 in 2016, local agencies will need to finance, site, permit, and build at least double that number of facilities in the next 5-7 years at a cost of around $3 billion in capital investment. In order to meet the aggressive goals set forth by SB 1383, local agencies such as OCSD who are willing and able to operate anaerobic digestors need additional financial tools and support. SB 667 provides the necessary investment and forward-thinking innovation that the State needs in order to achieve its organic waste diversion and short-lived climate pollutants reduction goals.

For these reasons, OCSD is pleased to support Senate Bill 667.

Sincerely,

David John Shawver
Board Chairman
An act to amend Section 26002 of, and to add Section 42999.5 to, the Public Resources Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL’S DIGEST


(1) The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as a part of the market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund.

Existing law establishes the CalRecycle Greenhouse Gas Reduction Revolving Loan Program, administered by the Department of Resources Recycling and Recovery, to provide loans to reduce the emissions of greenhouse gases by promoting in-state development of infrastructure to process organic and other recyclable materials into new value-added products.

Existing law requires the department, with additional moneys from the Greenhouse Gas Reduction Fund that may be appropriated to the department, to administer a grant program to provide financial assistance, in the form of grants, incentive payments, contracts, or other funding mechanisms, to reduce the emissions of greenhouse gases by
promoting in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste or process organic and other recyclable materials into new, value-added products.

This bill would require the department to develop, on or before January 1, 2021, and would authorize the department to amend, a 5-year investment strategy to drive innovation and support technological development and infrastructure, 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, to develop financial incentive mechanisms, including, but not limited to, loans and incentive payments, to fund organic waste recycling infrastructure, in accordance with the investment strategy. The bill would state the intent of the Legislature that, commencing with the 2020–21 fiscal year, through the 2024–25 fiscal year, an unspecified amount be appropriated in the annual Budget Act from the Greenhouse Gas Reduction Fund to the department to be expended for the loan and grant programs described above and to be transferred into the California Recycling Infrastructure Investment Account, which this bill would create in the State Treasury. The bill would authorize moneys in that account to be expended by the Treasurer for the financial incentive mechanisms developed pursuant to this bill, in accordance with the investment strategy and other specified requirements. The bill would create the California Recycling Infrastructure Investment Account in the State Treasury, to be administered by the Treasurer. The bill would require the Treasurer to coordinate with the States of Nevada, Oregon, and Washington on infrastructure financing to support the recycling needs of the region and to create an advisory stakeholder committee to support development of interstate recycling infrastructure and markets for recyclable materials.

(2) The California Alternative Energy and Advanced Transportation Financing Authority Act creates the California Alternative Energy and Advanced Transportation Financing Authority to provide financial assistance for the development and deployment of alternative energy and renewable energy technologies, and provides that it is the purpose of the act to advance the state’s goals of reducing the levels of greenhouse gas emissions and increasing the deployment of sustainable and renewable energy sources, among other things.

This bill would additionally provide that it is the purpose of the act to provide an alternative method of financing in providing and promoting
the establishment of facilities needed to develop local and regional recycling markets. organic waste diversion technologies.


The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Organic waste is a key source of methane emissions, a powerful climate forcer for greenhouse gases and short-lived climate pollutants that significantly impact air quality, public health, and climate change.

(2) The state has been a leader in advancing policies that drastically divert organic waste from landfills and recycle it, including by mandating a 40-percent reduction in methane emissions by 2030, compared to 2013 levels.

(3) The state is facing a crisis due to international dynamics that have critically impacted our traditional recycling markets.

(4) The state, in coordination with the States of Nevada, Oregon, and Washington, requires a stable, multiyear incentive program that leverages private and other additional public funds to build infrastructure to meet the needs of the state’s organic waste diversion mandate and recycling market crisis.

(b) It is the intent of the Legislature that moneys subsequently appropriated for the Organic Waste Diversion Infrastructure Act of 2019, including, but not limited to, any moneys appropriated from the Greenhouse Gas Reduction Fund, established pursuant to Section 16428.8 of the Government Code, be expended for grants pursuant to Section 42999 of the Public Resources Code, and, notwithstanding subdivision (a) of Section 42999 of the Public Resources Code, for loans pursuant to Section 42997 of the Public Resources Code.

SECTION 1.
SEC. 2. Section 26002 of the Public Resources Code is amended to read:

26002. It is the purpose of this division to advance the state’s goals of reducing the levels of greenhouse gas emissions, increasing the deployment of sustainable and renewable energy sources, implementing measures that increase the efficiency of the use of
energy, creating high quality employment opportunities, and
lessening the state’s dependence on fossil fuels and to that end to
provide an alternative method of financing in providing and
promoting the establishment of all of the following:
(a) Facilities utilizing alternative methods and sources of energy.
(b) Facilities needed for the development and commercialization
of advanced transportation technologies.
(c) Facilities needed to develop local and regional recycling
markets; organic waste diversion technologies.

SEC. 2.

SEC. 3. Section 42999.5 is added to the Public Resources Code,
to read:
42999.5. (a) This section shall be known, and may be cited,
as the Organic Waste—Recycling Diversion Infrastructure
(b) The Legislature finds and declares all of the following:
(1) Organic waste is a key source of methane emissions, a
powerful climate forcer that significantly impacts air quality, public
health, and climate change.
(2) The state has been a leader in advancing policies that
dramatically divert organic waste from landfills and recycle it,
including by mandating the reduction of methane emissions 40
percent lower than 2013 levels by 2030.
(3) The state is facing a crisis due to international dynamics that
have critically impacted our traditional recycling markets.
(4) The state, in coordination with the States of Nevada, Oregon,
and Washington requires a stable, multiyear incentive program
that leverages private and other additional public funds to build
infrastructure to meet the needs of the state’s organic waste
diversion mandate and recycling market crisis.
(b) The department shall support technology advancement and
infrastructure to meet the state’s 2025 organic waste reduction
target pursuant to Section 39730.6 of the Health and Safety Code
and the state’s recycling goals pursuant to Section 41780.01.
(c) The department shall develop, on or before January 1, 2021,
and may amend, a five-year investment strategy to drive innovation
and support technological development and infrastructure, in order
to meet the state’s 2025 organic waste reduction target pursuant
to Section 39730.6 of the Health and Safety Code and the state’s
recycling goals pursuant to Section 41780.01. The investment strategy shall do all of the following:

1. Set forth a five-year plan for the expenditure of moneys appropriated pursuant to subdivision (g) for purposes of this section.
2. An eligible expenditure may occur over multiple fiscal years.
3. The department may make multiyear funding commitments over a period of more than one fiscal year.

(2) Assess the amount of money needed to build the infrastructure necessary to achieve the waste reduction target pursuant to Section 39730.6 of the Health and Safety Code through building infrastructure.

(3) Identify priorities and strategies for financial incentive mechanisms authorized to be funded by the moneys appropriated pursuant to subdivision (g): to help achieve the organic waste reduction target pursuant to Section 39730.6 of the Health and Safety Code and the state’s recycling goals pursuant to Section 41780.01.

(d) On or before June 1, 2021, the department, in coordination with the Treasurer, shall develop financial incentive mechanisms, including, but not limited to, loans and incentive payments, to fund organic waste diversion and recycling infrastructure, in accordance with the investment strategy developed pursuant to subdivision (c).

(e) (1) There is hereby established in the State Treasury the California Recycling Infrastructure Investment Account, which the Treasurer shall administer. Moneys transferred into the account pursuant to subdivision (g) may be expended by the Treasurer for the financial incentive mechanisms developed pursuant to subdivision (d), in accordance with the investment strategy developed pursuant to subdivision (e) and the requirements specified in paragraph (2).

(2) In providing any financial incentives pursuant to this subdivision, the Treasurer, in providing any financial incentives pursuant to this subdivision, coordination with the department, shall do all of the following:

(A) Ensure that a recipient of a financial incentive leverages local, state, federal, and private funding sources to maximize investment in organic waste diversion and recycling infrastructure.
(B) Prioritize projects that have multiple benefits, including, but not limited to, reducing greenhouse gas emissions pursuant to Section 39730.6 of the Health and Safety Code, increasing recycling pursuant to Section 41780.01, emissions, increasing solid waste diversion, increasing workforce training and development, reducing collection and recycling costs to local governments, and creating jobs.

(C) Prioritize projects that maximize benefits while minimizing negative consequences to disadvantaged communities, as identified pursuant to Section 39711 of the Health and Safety Code.

(D) Seek to achieve a portfolio approach to funding pursuant to this subdivision that supports a diverse set of projects.

(f) The Treasurer shall coordinate with the States of Nevada, Oregon, and Washington on infrastructure financing to support the recycling needs of the region and shall create an advisory stakeholder committee to support development of interstate recycling infrastructure and markets for recyclable materials.

(g) It is the intent of the Legislature that, commencing with the 2020–21 fiscal year, through the 2024–25 fiscal year, the sum of ____ dollars ($____) shall be appropriated annually from the Greenhouse Gas Reduction Fund in the annual Budget Act to the department. Moneys appropriated in those Budget Acts pursuant to this subdivision may be expended for grants pursuant to Section 42999, and, notwithstanding subdivision (a) of Section 42999, for loans pursuant to Section 42997 and may be transferred into the California Recycling Infrastructure Investment Account and expended pursuant to subdivision (e).
FROM: James D. Herberg, General Manager

SUBJECT: LEGISLATIVE AFFAIRS UPDATE FOR THE MONTH OF APRIL 2019

GENERAL MANAGER’S RECOMMENDATION

Receive and file the Legislative Affairs Update for the month of April 2019.

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 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

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.

**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, this could affect our chances of receiving grant funding.

**ADDITIONAL INFORMATION**

On April 24, staff and Board Vice-Chair John Withers attended Congressman Rouda’s roundtable on infrastructure. During the event, the Sanitation District had the opportunity to thank the Congressman for the opportunity to discuss the Sanitation District’s current Capital Improvement Program and the importance of funding opportunities for infrastructure. Additionally, the Congressman was invited for a Plant No. 1 tour, which has been scheduled for May 29 at 9 a.m.

Staff is currently monitoring Senate Bill (SB) 332 by Senator Hertzberg that, in its current state, would mandate a 50 percent reduction of baseline volume by January 1, 2030, and a 95 percent reduction of baseline volume by January 1, 2040. As leaders in resource recovery, the Sanitation District is participating in the California Association of Sanitation Agencies SB 332 workgroup helping to create a framework for the author that represents water and wastewater agencies and the work the agencies do.

Staff and the Sanitation District’s lobbyist recently met with the Natural Resources Defense Council (NRDC), the sponsor of the Hertzberg bill (SB 332), to discuss how the Sanitation District can serve as a resource to the author and NRDC. During the meeting, suggestions were offered on the bill and how it can be more workable for all water and wastewater agencies. The Sanitation District also committed to continue working with the NRDC and to serve as a resource as this bill continues through the process.

The Washington D.C. Advocacy Days has been scheduled for June 17-19, during which current legislation, regulatory affairs, and possible funding opportunities will be discussed.

**ATTACHMENT**

The following attachment(s) are included in hard copy and may also be viewed on-line at the OCSD website (www.ocsd.com) with the complete agenda package:

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

To: Rebecca Long  
From: Eric Sapirstein  
Date: April 22, 2019  
Subject: Washington Update

Because Congress was on its annual Spring Recess, legislative activities were limited to only the first half of the month. Nonetheless, it is becoming increasingly clear that the legislative agenda is shaping up to focus on two policy matters. The first is the development and passage of the fiscal year 2020 budget. The second involves finding common ground between the two parties to fashion an infrastructure assistance bill that could garner overwhelming support in both the House and the Senate. The following provides a brief summary of the status of these matters as well as actions taken on the regulatory front.

Fiscal Year 2020 Budget Hearings Illustrate Minimal Support for Administration Requests

As expected, both the House and Senate Committees on Appropriations and the Committees on Transportation & Infrastructure and Environment and Public Works that hold authority over USEPA's water quality programs kicked off formal reviews of the budget request that the White House transmitted to Congress in March. During these hearings, there was no bipartisan support for the requests to significantly reduce spending on USEPA's water infrastructure-related programs, such as the Clean Water State Revolving Loan Fund (SRF) and the Water Infrastructure Finance and Innovation Act (WIFIA). Instead, the committees' members voiced strong support to at least maintain current year spending, rather than reduce funding by more than a billion dollars.

Similarly, support for water recycling assistance programs was voiced when discussions on funding priorities for the U.S. Bureau of Reclamation that has
provided OCSD with funding for its project. In tandem with this support, a new priority has been identified in the budget process. This involves funding needs associated with the presence of the chemical PFAS in the environment and water supplies. With more than 5,000 known PFAS compounds, the growing concern on the need to develop treatment and removal processes from waters is expected to play a significant role in the debate to provide for additional funding for research and treatment needs, as well as potentially new regulatory mandates to control for the discharge into the environment (see infrastructure discussion below). As of this writing, House consideration of the twelve spending bills remains on schedule with passage by the House by July 1. Senate action that would follow House passage could occur by early September, but given the narrow Senate majority, it is unclear if final passage might happen before the end of fiscal year 2019, delaying any final spending decisions until after November.

**Infrastructure Legislation Continues to Evolve in House as Senate Action Remains Work in Progress; OCSD Receives Plaudits for Water Recycling Partnership**

The House Committee on Transportation & Infrastructure continued its review of approaches to address infrastructure needs of the nation. Representative Harley Rouda (D-CA), who sits on the key Subcommittee on Water Resources and Environment with jurisdiction on wastewater infrastructure needs, has sought input on what kinds of issues should be addressed in a committee infrastructure package. OCSD will have the opportunity to discuss what needs and priorities need to be addressed when Rouda visits to tour the facilities.

It is clear that the foundation of any wastewater legislation will be a reinvigoration of the SRF program. Under legislation (H.R. 1497) pending before the subcommittee, the program would be authorized at $4 billion annually. Additionally, renewal of the Alternative Water Sources Act, providing direct grants assistance to agencies to construct water recycling facilities and other innovative water supply projects, as well as strengthening subsidized assistance to disadvantaged communities to comply with water quality mandates will likely be part of any infrastructure bill.

One new focus is whether the management and treatment of PFAS contaminated waters might become part of a wastewater infrastructure bill. Earlier statements from committee staff that the infrastructure measure would simply be a funding bill seem to be shifting. It has been reported that subcommittee staff are requesting policy options to address water quality improvement needs. One concept that has been floated could have a direct impact upon OCSD. Under current thinking, a mandate could be developed to require industrial dischargers to remove PFAS compounds from a discharge to reduce the introduction of the chemicals into a treatment works. While this would eliminate impacts upon clean water agencies, it could lead to calls to address clean water agency discharges and biosolids, although this has not been advocated to date.

In addition to developing infrastructure for water quality needs, the House Committee on Natural Resources has begun establishing a legislative record on the value of water recycling that is expected to be the run-up to approving a new water
recycling program. In a hearing on water recycling and other options to develop sustainable water supplies, Representatives Mike Levin (D-CA) and Alan Lowenthal (D-CA), each cited the incredible accomplishments that OCSD and OCWD achieved through GWRS. These comments came as a follow-up to formal testimony presented by OCWD during which it was noted that without the collaboration of OCSD, GWRS would have been unlikely to be realized. Based upon the hearing, it seems increasingly likely that Representative Grace Napolitano’s (D-CA) Water Recycling Investment and Improvement Act (H.R. 1162) will become the legislative vehicle to enhance the federal support of local agencies’ efforts to construct water recycling facilities and could assist OCSD’s efforts. Under H.R. 1162, federal assistance would be authorized at $500 million over five years through the U.S. Bureau of Reclamation’s WIIN Act program. OCSD already received funding for feasibility studies under this program and enactment of H.R. 1162 could lead to a new, robust source of funding assistance that OCSD could seek given the award of study funding assistance.

Regulation of Groundwater Contamination of Surface Waters

As reported in prior updates, a judicial decision, known as the Maui Decision, found that the transport of pollutants by groundwater into a surface water, absent a National Pollutant Discharge Elimination System (NPDES) permit, is a violation of the Clean Water Act. Under California’s Porter Cologne water law, this circumstance already exists. However, the decision, currently under appeal to the U.S. Supreme Court, would, if allowed to stand, allow the use of the Clean Water Act’s citizen suit provisions for any such violation as well as a violation of any subsequently imposed permit conditions. The past month saw USEPA draw a line in the proverbial sand with policy guidance, stating that the agency disagrees with the Maui Decision. In the guidance, the agency states that it will not consider the introduction of a pollutant into surface waters through groundwater a violation of the Clean Water Act’s mandate that a permit is required.
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<tbody>
<tr>
<td>H.R. 1497</td>
<td>Rep. Peter DeFazio (D-OR)</td>
<td>Water Quality Protection and Job Creation Act of 2019. Provides nearly $23.5 billion in direct infrastructure investment over the next five years to address wastewater infrastructure and local water quality challenges. This bill allocates $20 billion in grants for the Clean Water State Revolving Fund.</td>
<td>House - 03/06/2019 Referred to the Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
<td>CASA SUPPORTS</td>
</tr>
<tr>
<td>H.R. 535</td>
<td>Rep. Debbie Dingell (D-MI)</td>
<td>To require the Administrator of the Environmental Protection Agency to shall designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.</td>
<td>House - 2/7/19 Referred to Subcommittee on Railroads, Pipelines, and Hazardous Materials</td>
<td>Watch</td>
<td>NYC</td>
</tr>
<tr>
<td>H.R. 876</td>
<td>Rep. Peter DeFazio (D-OR)</td>
<td>Pacific Northwest Earthquake Preparedness Act of 2019. Requires the FEMA to develop a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone. The term “Cascadia Subduction Zone”</td>
<td>House - 2/6/19 Passed House by voice vote, received in Senate and referred to Committee on Homeland Security and Governmental Affairs</td>
<td>Watch</td>
<td>NYC</td>
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<td>H.R. 667</td>
<td>Rep. Jaime Herrera Beutler (R-WA)</td>
<td>Regulatory Certainty for Navigable Waters Act. Repeals the Waters of the United States rule and amends the Federal Water Pollution Control Act definition of navigable waters, and for other purposes.</td>
<td>House - 2/7/19 Referred to Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>S. 403</td>
<td>Sen. Sheldon Whitehouse (D-RI)</td>
<td>A bill to encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes.</td>
<td>Senate - 2/7/19 Referred to Committee on Environment and Public Works</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>H.R. 977</td>
<td>Rep. Brian Mast (R-FL)</td>
<td>To require the Corps of Engineers to notify affected communities before releasing water contaminated with cyanobacteria from flood risk management projects, and for other purposes.</td>
<td>House - 2/7/19 Referred to Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>H.R. 892</td>
<td>Rep. Duncan Hunter (R-CA)</td>
<td>To amend the Federal Water Pollution Control Act to limit attorney fees and penalties in citizen suits, and for other purposes.</td>
<td>House - 2/7/19 Referred to Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>H.R. 358</td>
<td>Rep. Juan Vargas (D-CA)</td>
<td>California New River Restoration Act of 2019. Requires the USEPA to establish a California New River restoration program for the New River. USEPA must (1) implement projects, plans, and initiatives for the New River supported by the California-Mexico Border Relations Council; and (2) provide grants and technical assistance for coordinating restoration and protection activities.</td>
<td>House - 2/7/19 Referred to Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
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## Federal Bills of Interest

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<tr>
<td>S. 376</td>
<td>Sen. Rand Paul (R-KY)</td>
<td>A bill to amend the Federal Water Pollution Control Act to clarify the definition of navigable waters, and for other purposes.</td>
<td>Senate - 2/7/19 Referred to Committee on Environment and Public Works</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>H.R. 1317</td>
<td>Rep. Harley Rouda (D-CA)</td>
<td>Coastal Communities Adaption Act. Improves the resilience of the built and natural environment to natural disasters and climate change using, among other measures, natural and nature-based features, and for other purposes.</td>
<td>House - 3/6/19 Referred to Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>S. 638</td>
<td>Sen. Tom Carper (D-DE)</td>
<td>A bill to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, Liability Act of 1980, and for other purposes.</td>
<td>Senate - 2/28/19 Referred to Committee on Environment and Public Works</td>
<td>Watch</td>
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<tr>
<td>S. 611</td>
<td>Sen. Bernie Sanders (I-VT)</td>
<td>A bill to provide adequate funding for water and sewer infrastructure, and for other purposes.</td>
<td>Senate - 2/28/19 Referred to Committee on Environment and Public Works</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>H.R. 1331</td>
<td>Rep. Angie Craig (D-MN)</td>
<td>To amend the Federal Water Pollution Control Act to reauthorize certain programs relating to nonpoint source management, and for other purposes.</td>
<td>House - 4/9/19 Passed House 329-56. Received in Senate, referred to Committee on Environment and Public Works</td>
<td>Watch</td>
<td>NYC</td>
</tr>
<tr>
<td>H.R. 1764</td>
<td>Rep. John Garamendi (D-CA)</td>
<td>To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.</td>
<td>House - 3/15/19 Referred to Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
<td>CASA - Support</td>
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<tr>
<td>H.R. 1764</td>
<td>Rep. John Garamendi (D-CA)</td>
<td>To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.</td>
<td>House - 3/15/19 Referred to Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
<td>CASA, NACWA, ACWA - Support</td>
</tr>
<tr>
<td>S. 950</td>
<td>Sen. Debbie Stabenow (D-MI)</td>
<td>PFAS Detection Act of 2019. Requires the Director of the United States Geological Survey to perform a nationwide survey of perfluorinated compounds, and for other purposes.</td>
<td>Senate - 3/28/19 Referred to Committee on Environment and Public Works</td>
<td>Watch</td>
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<tr>
<td>S. 914</td>
<td>Sen. Roger Wicker (R-MS)</td>
<td><strong>Coordinated Ocean Observations and Research Act of 2019.</strong> Reauthorizes the Integrated Coastal and Ocean Observation System Act of 2009, to clarify the authority of the Administrator of the National Oceanic and Atmospheric Administration with respect to post-storm assessments, and to require the establishment of a National Water Center, and for other purposes.</td>
<td>Senate - 4/3/19 Referred to Committee on Commerce, Science, and Transportation</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>H.R. 2205</td>
<td>Rep. David McKinley (R-WV)</td>
<td><strong>Water Quality Certification Improvement Act of 2019.</strong> Amends the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.</td>
<td>House - 4/11/19 Referred to Subcommittee on Water Resources and Environment</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>H.R. 2189</td>
<td>Rep. Dutch Ruppersberger (D-MD)</td>
<td><strong>Digital Coast Act.</strong> Requires the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.</td>
<td>House - 4/9/19 Referred to Committee on Natural Resources</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>S. 1069</td>
<td>Sen. Tammy Baldwin (D-WI)</td>
<td>A bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.</td>
<td>Senate - 4/9/19 Referred to Committee on Commerce, Science, and Transportation</td>
<td>Watch</td>
<td>NYC</td>
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<tr>
<td>S. 1087</td>
<td>Sen. John Barrasso (R-WY)</td>
<td>A bill to amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.</td>
<td>Senate - 4/9/19 Referred to Committee on Environment and Public Works</td>
<td>Watch</td>
<td>NYC</td>
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Legend:
ACC-OC- Association of California Cities, Orange County
LOCC- League of California Cities
NYC- Not Yet Considered
CASA- California Association of Sanitation Agencies
NACWA - National Association of Clean Water Agencies
ACWA- Association of California Water Agencies
CSDA- California Special Districts Association

Updated April 2019
State Political Update

In April, the Legislature has been focused on passing bills out of their policy committees before the deadline on April 26. Due to the way Easter fell on the 2019 calendar, the Legislature only has one week when they return from Spring Recess on Monday April 22 to consider all policy bills that have been tagged as fiscal. They will have an additional week to consider all policy bills that have not been tagged as fiscal. Once those fiscal bills have passed their policy committee, they must also pass their respective appropriations committees before being considered on the Assembly or Senate Floor.

Below is a list of key upcoming deadlines in the Legislature:

- **April 22** – Legislature reconvenes from Spring Recess
- **April 26** – Last day for policy committees to hear and report fiscal bills to fiscal committees
- **May 3** – Last day for policy committees to hear and report non-fiscal bills to the floor
- **May 31** – Last day to pass bills introduced in their house of origin

Economic Update

In April, the California Department of Finance released its third economic update of 2019. The report analyzes economic data from March 2019 as the report runs about one to two months behind the month in question.

Preliminary General Fund agency cash for the first nine months of the fiscal year is $2.22 billion below the 2019-20 Governor’s budget forecast of $93.74 billion. Revenues for March 2019 were only $89 million below the Governor’s budget, due primarily to a shortfall in personal income tax estimated payments. Sales tax revenues, corporation tax revenues, and insurance tax revenues accounted for approximately $600 million in revenue above forecast, which was offset by personal income tax revenues falling to $2.88 billion below forecast.

In January, Governor Newsom anticipated a budget surplus of nearly $22 billion and is relying on that amount to pay for all of his proposals. The same holds true for Legislative Democrats as they also craft their budget priorities. The Governor’s revised budget proposal based on the new revenue projections is due out in early May. According to updated data from the Franchise Tax Board, tax revenues for the month of April through late last week are at $12.2 billion. This number is significantly higher than the $10 billion that had been projected to date.

If the revenues continue on the same pace, not only is there the potential to eclipse the $14.2 billion monthly total that had been projected in April, but it also could effectively start to eliminate the approximately $2.22 billion shortfall in the General Fund.
**Cap and Trade**

In February, the California Air Resources Board (CARB) conducted their first Cap and Trade auction of 2019 and the first since Governor Gavin Newsom took office. For the eighth auction in a row, all available emission credits were sold. The State expects to receive over $850 million from the February 2019 auction. Revenues generated from the Cap and Trade program currently go toward the Brown Administration’s High-Speed Rail project, various transportation improvements, affordable housing, and sustainable community programs. 40 percent of the revenues are available for future appropriation for projects that will reduce greenhouse gas emissions. Governor Newsom has already announced his desire to slow down the High-Speed Rail project as currently planned and focus on completing the Bakersfield to Merced segment. It is anticipated that this could result in the Governor redirecting some of the annual $250 million in Cap and Trade funding to other public transportation purposes. It is anticipated that the May Budget Revise may introduce an updated expenditure plan of Greenhouse Gas Reduction Funds that will shift the conversation toward these new priorities.

The next Cap and Trade auction will occur in May 2019.

**Safe Drinking Water Proposals**

TPA has been closely monitoring legislation for the last two years regarding taxes on urban water system users and fees on the agricultural and dairy industry. Legislation introduced last year by Senator Monning, SB 623, would have added these fees and taxes to help pay for safe drinking water projects in the State’s most severely disadvantaged communities. This bill failed to advance, even with attempts to include it as part of a budget trailer bill.

In 2019, Senator Monning introduced SB 200, which would establish the Safe and Affordable Drinking Water Fund to be administered by the State Water Resources Control Board and to be used to secure access to safe drinking water for all Californians. While SB 200 provides a continuous appropriation to fund activities, so far, the bill does not yet identify the revenue source for the funding. On March 20, SB 200 (Monning) was approved by the Senate Environmental Quality Committee.

In his 2019-2020 January Budget, Governor Newsom also proposed to establish the Safe and Affordable Drinking Water program to increase access to safe drinking water for Californians. Similar to Governor Brown’s proposal last year and SB 623, the program would provide certain local water agencies—particularly ones in disadvantaged communities—with grants, loans, contracts, or services to help support their operations and maintenance costs.

This funding would be supported by new charges proposed by the Governor on water system ratepayers (roughly $1 per residential meter per month), fertilizer sales, and certain agricultural entities. In total, the Administration estimates that the various proposed charges would generate roughly $110 million to $140 million annually when fully implemented. Charges on fertilizer and agricultural entities would sunset 15 years after they go into effect.
In late March, Assembly Member Eduardo Garcia amended his AB 217 to add language regarding a tax on water and solution to the safe drinking water problems in some of the most disadvantaged communities across the state. Specifically, AB 217 takes an all-encompassing approach to the issue, and brings funding sources together from the agricultural industry (similar to SB 623), a $200 million/year appropriation from the General Fund for the next 5 years, and (future amendments will come forward) a $0.50 drinking water tax on urban water system customers per month.

It is still unclear what the final vehicle for a water tax will be, however these recent amendments show Assembly Member Eduardo Garcia’s intention to be a part of the conversation. AB 217 passed the Assembly Environmental Safety and Toxic Materials Committee on a party line vote of 6-3.

Additional Priority Legislation

*AB 510 (Cooley) – Local government records: destruction of records. (OCSD Support)*

AB 510, sponsored by CSDA and the Municipal Information Systems Association of California (MISAC), would exempt the head of a department of a county or city, or the head of a special district from existing recording retention requirements if the county, city, or special district adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications. **AB 510 has been pulled by the Author and will be a two-year bill.**

*AB 1672 (Bloom) – Solid waste: flushable products (OCSD Support)*

AB 1672 would establish performance and labeling standards for flushable wipes that would help prevent the flushing of wipes down the drain. AB 1672 would also define a flushable wipe and a nonflushable wipe for the purposes of the bill. This bill seeks to apply the standards created by the International Water Services Flushability Group to products sold in California. TPA has been aggressively advocating OCSD’s position on AB 1672 in Sacramento. **AB 1672 is currently in the Assembly Judiciary Committee and will be heard on April 23.**

*SB 332 (Hertzberg) – Wastewater treatment: recycled water*

SB 332 requires wastewater treatment facilities and affiliated water suppliers that discharge through ocean outfall to reduce the overall volume of the facility’s annual flow by at least 50% by January 1, 2030, and by at least 95% by January 1, 2040 and imposes a penalty of $2,000 per acre-foot of water above the required reduction for failure to comply. TPA has worked with the author’s office to set up a meeting with the bill sponsor, the Natural Resources Defense Council, to express our concerns and start a dialogue that can result in positive change. **SB 332 is currently in the Senate Judiciary Committee and will be heard on April 23.**
SB 667 (Hueso) – Greenhouse gases: recycling infrastructure and facilities.

SB 667 would require CalRecycle in coordination with the Treasurer to develop financial incentive mechanisms, including, but not limited to, loans and incentive payments, to fund organic waste diversion and recycling infrastructure. This bill also requires CalRecycle to develop and amend a 5-year investment strategy to drive innovation and support technological development and infrastructure. SB 667 is currently in the Senate Environmental Quality Committee and will be heard on April 24.
## Bills of Interest

### Proposed Legislation 2019-2020

#### High Priority

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<tr>
<th>BILL</th>
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<tr>
<td>AB 11</td>
<td>Chiu [D]</td>
<td><strong>Community Redevelopment Law of 2019</strong> Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Community Redevelopment Law of 2019, would authorize a city or county, or two or more cities acting jointly, to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision, as defined.</td>
<td>Currently in the Assembly Local Government Committee</td>
<td>Watch</td>
<td>State Priorities: Continue to monitor the state budget process and actively protect the allocation of local property taxes to special districts.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Oppose unless amended</td>
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<p>| AB 68 | Ting [D] | <strong>Land use: accessory dwelling units.</strong> The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth required ordinance standards, including, among others, maximum unit size, parking, and height standards. This bill would prohibit an ordinance from imposing requirements on minimum lot size, lot coverage, or floor area ratio, and would prohibit an ordinance from establishing size requirements for accessory dwelling units that do not permit at least an 800 square feet unit of at least 16 feet in height to be constructed. | Currently in the Assembly Local Government Committee | 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 - Watch |</p>
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<tr>
<td>AB 69</td>
<td>Ting [D]</td>
<td>Land use: accessory dwelling units. Would authorize the Department of Housing and Community Development to submit written findings to a local agency as to whether the local ordinance complies with state law, and to notify the Attorney General if the ordinance violates state law. The bill would require a local agency to consider the department's findings and would authorize the local agency to amend its ordinance to comply with state law or adopt a resolution with findings explaining why the ordinance complies with state law, and addressing the department's findings.</td>
<td>Currently in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch</td>
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<td>AB 129</td>
<td>Bloom [D]</td>
<td>Waste management: plastic microfiber. Would declare the intent of the Legislature to, among other things, enact legislation to recognize the emerging threat that microfibers pose to the environment and water quality and would make related findings and declarations.</td>
<td>Hearing canceled at the request of the Author</td>
<td>Watch</td>
<td>State Priorities: Support legislation or regulations that restrict the use of microplastics in any product that is disposed of through the sewer system.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch</td>
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<td>AB 134</td>
<td>Bloom [D]</td>
<td>Safe, clean, affordable, and accessible drinking water. Would state findings and declarations relating to the intent of the Legislature to adopt policies to ensure that every Californian has the right to safe, clean, affordable, and accessible drinking water.</td>
<td>Currently in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td>State Priorities: Support legislation or regulations that restrict the use of microplastics in any product that is disposed of through the sewer system.</td>
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<td>AB 217</td>
<td>Garcia [D]</td>
<td><strong>Safe and Affordable Drinking Water Fund</strong> Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are available, upon appropriation by the Legislature, to the board to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure.</td>
<td>Currently in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td>State Tactics: Support tax reform that protects public agencies</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch</td>
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<tr>
<td>AB 223</td>
<td>Stone [D]</td>
<td><strong>California Safe Drinking Water Act: microplastics</strong> The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires the state board, on or before July 1, 2020, to adopt a definition of microplastics in drinking water and, on or before July 1, 2021, to adopt a standard methodology to be used in the testing of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water, including public disclosure of those results. This bill would require the state board, to the extent possible, and where feasible and cost effective, to work with the State Department of Public Health in complying with those requirements.</td>
<td>Hearing canceled at the request of the Author</td>
<td>Watch</td>
<td>State Priorities: Support legislation or regulations that restrict the use of microplastics in any product that is disposed of through the sewer system.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch</td>
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<td>AB 231</td>
<td>Mathis [R]</td>
<td><strong>California Environmental Quality Act: exemption: recycled water.</strong> Would exempt from CEQA a project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions for which a state of emergency was proclaimed by the Governor if the project meets specified criteria. Because a lead agency would be required to determine if a project qualifies for this exemption, this bill would impose a state-mandated local program. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.</td>
<td>Failed passage in the Assembly Natural Resources Committee</td>
<td>Watch</td>
<td>State Priorities: 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.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Support</td>
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<td>AB 233</td>
<td>Cooley [D]</td>
<td><strong>Insurance: independent contractors</strong> Current case law creates a presumption that a worker who performs services for a hirer is an employee. Current case law requires a 3-part test to establish that a worker is an independent contractor, including that the worker is free from the control and direction of the hirer in performing the work. This bill would clarify the application of the case law described above to persons licensed by the Department of Insurance to transact insurance in specified capacities by providing that those persons are not employees when they have entered into a written agreement with an insurer or organizational licensee that includes specified provisions, including that the worker is classified as an independent contractor, that each party has the right to terminate the agreement upon notice to the other party, and that the worker is responsible for the payment of necessary expenditures and applicable taxes.</td>
<td>Currently in the Assembly Insurance Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Public Works - Monitor legislation connected with government claims against special districts regarding risk and wrap-up insurance</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - NYC</td>
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<td>AB 291</td>
<td>Chu</td>
<td><strong>Emergency preparedness</strong> 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 require the Office of Emergency Services to distribute funds to lead agencies, as defined, throughout the state. The bill would require lead agencies to further distribute those funds to local governments pursuant to a specified schedule for specified purposes, and impose various requirements on local governments that receive funds pursuant to these provisions.</td>
<td>Currently in the Assembly Governmental Organization Committee</td>
<td>Watch</td>
<td>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.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch</td>
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# OCSD
## State
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<tr>
<td>AB 292</td>
<td>Quirk [D]</td>
<td>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.</td>
<td>Currently in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Water Quality and Supply - Support measures that promote and provide for the use of reclaimed water</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Support</td>
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<td>AB 405</td>
<td>Rubio [D]</td>
<td>Sales and use taxes: exemption: water treatment. Would exempt from Sales and Use Tax the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, chemicals used to treat water, recycled water, or wastewater regardless of whether those chemicals or other agents become a component part thereof and regardless of whether the treatment takes place before or after the delivery to consumers.</td>
<td>Currently in the Assembly Revenue and Taxation Committee</td>
<td>Watch</td>
<td>Guiding Principles: Seek funds for OCSD projects through grants, appropriations, or other means;()</td>
<td>ACCOC - NYC LOCC - Watch CASA - Support ACWA - NYC CSDA - Support</td>
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<td>AB 510</td>
<td>Cooley [D]</td>
<td>Local government records: destruction of records. Current law authorizes the head of a department of a county or city, or the head of a special district to destroy recordings of telephone and radio communications maintained by that county, city, or special district after 100 days if that person receives approval from the legislative body and the written consent of the agency attorney. This bill would exempt the head of a department of a county or city, or the head of a special district from these recording retention requirements if the county, city, or special district adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications.</td>
<td>Two-year bill</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Security - Support legislation that would create efficiencies around the retention policy of surveillance video for innocuous recordings.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Sponsor</td>
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<td>AB 587</td>
<td>Friedman [D]</td>
<td>Accessory dwelling units: sale or separate conveyance Current property tax law establishes a welfare exemption under which property is exempt from taxation if the property is owned and operated by a nonprofit corporation that is organized and operated for the purpose of building and rehabilitating single-family or multifamily residences for sale, as provided, at cost to low-income families. This bill would authorize an accessory dwelling unit that was ministerially approved pursuant to the process described above to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met.</td>
<td>Currently in the Assembly Local Government Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.</td>
<td>ACCOC - NYC LOCC - Watch CASA - Work w/ author ACWA - NYC CSDA - Watch</td>
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<td>AB 992</td>
<td>Mullin [D]</td>
<td>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.</td>
<td>Currently in the Assembly Local Government Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.</td>
<td>ACCOC - NYC LOCC - Watch CASA - Approve ACWA - NYC CSDA - Support</td>
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<td>AB 1080</td>
<td>Gonzalez [D]</td>
<td>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 regulations to source reduce and recycle 75% of single-use packaging and products sold or distributed in California by 2030.</td>
<td>Currently in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td>State Priorities: Support legislation or regulations that restrict the use of microplastics in any product that is disposed of through the sewer system.</td>
<td>ACCOC - NYC LOCC - Support CASA - NYC ACWA - NYC CSDA - NYC</td>
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<td>AB 1180</td>
<td>Friedman [D]</td>
<td><strong>Water: recycled water</strong></td>
<td>Currently in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Recycled Water - support measures that promote and provide for the use of reclaimed water.</td>
<td>ACCOC - NYC LOCC - Watch CASA - Support ACWA - NYC CSDA - Support</td>
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<td>The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified. This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.</td>
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<td>AB 1588</td>
<td>Gloria [D]</td>
<td><strong>Drinking water and wastewater operator certification programs</strong></td>
<td>Currently in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.</td>
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<td>Current law requires a person who operates a nonexempt wastewater treatment plant to possess a valid, unexpired wastewater certificate or water treatment operator certificate of the appropriate grade. This bill, when applying for certification by the board as a water treatment operator, distribution system operator, or wastewater operator, would require operators of complex industrial facilities, including members of the military and military service veterans, to receive full equivalent experience credit and education credit for work and tasks performed that are directly related to the operation of water or wastewater facilities, as specified.</td>
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<td>ACA 1</td>
<td>Aguiar-Curry [D]</td>
<td><strong>Local government financing: affordable housing and public infrastructure: voter approval.</strong> 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.</td>
<td>Currently in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td>Guiding Principles: Seek funds for OCSD projects through grants, appropriations, or other means;</td>
<td>ACCOC - NYC LOCC - Support CASA - Support ACWA - NYC CSDA - Support</td>
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<td>SB 5</td>
<td>Beall [D]</td>
<td><strong>Local-State Sustainable Investment Incentive Program</strong> Would establish in state government the Local-State Sustainable Investment Incentive Program, which would be administered by the Sustainable Investment Incentive Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority or transit village development district to apply to the Sustainable Investment Incentive Committee to participate in the program and would authorize the committee to approve or deny applications for projects meeting specific criteria.</td>
<td>Currently in the Senate Appropriations Committee</td>
<td>Watch</td>
<td>State Priorities: Continue to monitor the state budget process and actively protect the allocation of local property taxes to special districts.</td>
<td>ACCOC - NYC LOCC - Support CASA - Watch ACWA - NYC CSDA - Watch</td>
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<td>SB 13</td>
<td>Weickowski [D]</td>
<td><strong>Accessory dwelling units</strong> Would express the intent of the Legislature to enact legislation that would reduce impact fees and other existing barriers for homeowners seeking to create accessory dwelling units for the purpose of creating additional residential housing within their neighborhoods.</td>
<td>Currently in the Senate Appropriations Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Special Districts - Oppose further state regulations that adversely impact special district financing, operations, and administration.</td>
<td>ACCOC - NYC LOCC - Oppose unless amended CASA - Work w/ author ACWA - NYC CSDA - Oppose</td>
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<td>SB 33</td>
<td>Skinner</td>
<td><strong>Solid waste: reduction and recycling.</strong> 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 state the intent of the Legislature to enact legislation that would address the collapse of foreign recycling markets by reducing solid waste generation, encouraging transition to compostable or recyclable materials, and fostering domestic recycling markets. 53231</td>
<td>Currently in the Senate Rules Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Biosolids and Biogas - Limit redundant reporting requirements on organics, recyclable material, and solid waste as mandated by AB 901.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch</td>
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## OCSD
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<td>SB 134</td>
<td>Hertzberg [D]</td>
<td>Water conservation: water loss performance standards: enforcement. Current law authorizes the State Water Resources Control Board to issue information orders, written notices, and conservation orders to an urban retail water supplier that does not meet its urban water use objective, and existing law authorizes the board to impose civil liability for a violation of an order or regulation issued pursuant to these provisions, as specified. Current law requires the board, no earlier than January 1, 2019, and no later than July 1, 2020, to adopt rules requiring urban retail water suppliers to meet performance standards for the volume of water losses. This bill would prohibit the board from imposing liability for a violation of the performance standards for the volume of water losses except as part of the enforcement of an urban water use objective.</td>
<td>Currently in the Senate Appropriations Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Water Supply - Support legislation and regulation that necessitate the responsible use of water in residential, commercial, and industrial areas</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Support</td>
</tr>
<tr>
<td>SB 200</td>
<td></td>
<td>Safe and Affordable Drinking Water Fund. Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are available, upon appropriation by the Legislature, to the State Water Resources Control Board to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure.</td>
<td>Introduced</td>
<td>Watch</td>
<td>State Tactics: Support tax reform that protects public agencies</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - Watch</td>
</tr>
<tr>
<td>SB 332</td>
<td>Hertzberg [D]</td>
<td>Wastewater treatment: recycled water. Would declare, except in compliance with the bill’s provisions, that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require each wastewater treatment facility that discharges through an ocean outfall and affiliated water suppliers to reduce the facility’s annual flow as compared to the average annual wastewater discharge baseline volume, as prescribed, by at least 50% on or before January 1, 2030, and by at least 95% on or before January 1, 2040. The bill would subject the owner or operator of a wastewater treatment facility, as well as the affiliated water suppliers, to a civil penalty of $2,000 per acre-foot of water above the required reduction in overall volume discharge for the failure to meet these deadlines.</td>
<td>Introduced</td>
<td>Watch</td>
<td>State Legislation: Work with legislators who introduced legislation such as SB 163 (Hertzberg, 2015) in order to ensure that no unrealistic regulations are placed on wastewater treatment facilities, including OCSD</td>
<td>ACCOC - NYC LOCC - Oppose CASA - Oppose ACWA - NYC CSDA - Oppose</td>
</tr>
<tr>
<td>BILL</td>
<td>AUTHOR</td>
<td>SUMMARY</td>
<td>LATEST ACTION</td>
<td>OCSD POSITION</td>
<td>LEGISLATIVE PLAN</td>
<td>OTHER POSITIONS</td>
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<tr>
<td>SB 457</td>
<td>Hueso [D]</td>
<td><strong>Biomethane: gas corporations</strong> Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations. Existing law authorizes the commission to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable. Existing law requires the commission to adopt policies and programs that promote the in-state production and distribution of biomethane, as defined, and that facilitate the development of a variety of sources of in-state biomethane. This bill would require the Public Utilities Commission to extend the program until December 31, 2026. This bill contains other related provisions and other existing laws.</td>
<td>Currently in the Senate Appropriations Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Biosolids and Biogas - Support streamlined legislation, regulations and policies that encourage the procurement of biogas, biosolids, and compost.</td>
<td>ACCOC - NYC LOCC - Watch CASA - Refer to Committee ACWA - NYC CSDA - NYC</td>
</tr>
<tr>
<td>SB 667</td>
<td>Hueso [D]</td>
<td><strong>Greenhouse gases: recycling infrastructure and facilities.</strong> 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 investment strategy to drive innovation and support technological development and infrastructure, 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, to develop financial incentive mechanisms, including, but not limited to, loans and incentive payments, to fund organic waste diversion and recycling infrastructure.</td>
<td>Currently in the Senate Environmental Quality Committee</td>
<td>Watch</td>
<td>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.</td>
<td>ACCOC - NYC LOCC - Support CASA - Support ACWA - NYC CSDA - NYC</td>
</tr>
<tr>
<td>BILL</td>
<td>AUTHOR</td>
<td>SUMMARY</td>
<td>LATEST ACTION</td>
<td>OCSD POSITION</td>
<td>LEGISLATIVE PLAN</td>
<td>OTHER POSITIONS</td>
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<tr>
<td>SB 732</td>
<td>Allen [D]</td>
<td>Transactions and use tax. Current law authorizes cities, counties, and certain districts to impose a transactions and use tax in accordance with procedures set forth in the Transactions and Use Tax Law, which conforms to the Sales and Use Tax Law. This bill would make a technical, nonsubstantive change to the Transactions and Use Tax Law.</td>
<td>Currently in the Senate Governance and Finance Committee</td>
<td>Watch</td>
<td>Legislative and Regulatory Policies: Air Quality - 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.</td>
<td>ACCOC - NYC LOCC - Watch CASA - NYC ACWA - NYC CSDA - No position</td>
</tr>
</tbody>
</table>

**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
### OCSD's Grant and Loan Funding Tracker 2018-2019

<table>
<thead>
<tr>
<th>Name of Grant/Loan</th>
<th>Synopsis of Grant/Loan</th>
<th>Amount of Grant/Loan</th>
<th>Amount Applying for</th>
<th>Applying Y/N</th>
<th>Project/Program</th>
<th>Reason</th>
<th>Match</th>
<th>Deadline</th>
<th>Category</th>
<th>Rcvd Grant/Financing Y/N</th>
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</thead>
<tbody>
<tr>
<td><strong>STATE</strong></td>
<td></td>
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<tr>
<td>Cap and Trade Funding</td>
<td>$1 billion from the Cap and Trade program (Greenhouse Gas Reduction Fund) was proposed to be appropriated in the Governor’s January Budget. A Cap and Trade Expenditure plan will be considered later this legislative session.</td>
<td>$25 million - Waste Diversion Projects. Specifics TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>The Cap and Trade Expenditure Plan will need to go through the legislative process. It is uncertain how much funding will be available for the District’s projects, or what the funding will be used for.</td>
<td>TBD</td>
<td>Unknown at this time</td>
<td>Energy/Recycling</td>
<td>TBD</td>
</tr>
<tr>
<td>Integrated Regional Water Management (IRWM) Grant Program</td>
<td>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.</td>
<td>NA</td>
<td>NA</td>
<td>No</td>
<td>NA</td>
<td>TPA and OCSD are monitoring the grant program development from the Santa Ana Watershed Project Authority (SAWPA). The solicitation for bids was announced by SAWPA and staff determined that an application for funding was not warranted due to a lack of eligible and competitive projects.</td>
<td>50%</td>
<td>NA. Will return in 2021 for Round 2</td>
<td>Water</td>
<td>TBD</td>
</tr>
<tr>
<td><strong>FEDERAL</strong></td>
<td></td>
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<tr>
<td>The Water Infrastructure Improvements Act (WIIN)</td>
<td>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.</td>
<td>$550,000</td>
<td>Yes</td>
<td>Final Expansion of GWRS Headworks (P2-122)</td>
<td>The Sanitation District is applying for Headworks Segregation project that will help to bring more water to the GWRS. Title 16 will pay up to 25 percent of the available money</td>
<td>TBD</td>
<td>7/27/2018</td>
<td>Water/Infrastructure</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Stormwater and CSO Grant Program</td>
<td>USEPA is authorized to provide grants assistance of public agencies to control stormwater flows and CSO’s</td>
<td>Funding cost-share is not identified in the law</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>Funding must be appropriated as part of current FY 2019 budget impasse</td>
<td>TBD</td>
<td>TBD</td>
<td>Water/Infrastructure</td>
<td>TBD</td>
</tr>
<tr>
<td>The Department of Energy (DOE), USBR and USEPA</td>
<td>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. A minimum of $20 million to as much as $100 million based upon prior years’ budgets. USBR could receive as much as $130 million in support of the WaterSmart (due to increased funding under WIIN) during the next several years. USBR will issue solicitations for innovative approaches to managing water and water treatment through technology and processes.</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>Project Funding Opportunity: Energy production to reduce costs of recycled water through innovative technologies like Aquacritox, 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.</td>
<td>TBD</td>
<td>TBD</td>
<td>Energy</td>
<td>TBD</td>
<td></td>
</tr>
</tbody>
</table>

Updated 6/26/2019
FROM: James D. Herberg, General Manager

SUBJECT: PUBLIC AFFAIRS UPDATE FOR THE MONTH OF APRIL 2019

GENERAL MANAGER’S RECOMMENDATION

Receive and file the Public Affairs Update for the month of April 2019.

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

Many Orange County residents are not aware of the Orange County Sanitation District (Sanitation District) and the important work the agency does to protect public health and the environment. The public is unaware that the Sanitation District is a resource recovery facility that, aside from collecting and treating wastewater generated by 2.6 million people in the service area, the Sanitation District also creates energy, recycles water for further treatment, and generates nutrient-rich biosolids.

In general, the community does not realize the implications of improperly disposing of waste into the sanitation system. They are unaware that the treatment process can be negatively impacted, thus affecting the quality of water the Sanitation District supplies 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 mainstream media, the Sanitation District has the ability to educate the community, local agencies, and businesses on the What2Flush program, energy production, water recycling, biosolids, and the source control program. This, in turn, results in a better quality of wastewater.
TIMING CONCERNS

N/A

RAMIFICATIONS OF NOT TAKING ACTION

If the community, local agencies, and area businesses do receive education about the Sanitation District, the opportunity to educate thousands of people about the Sanitation District’s plants, source control, and the wastewater industry as a whole is lost.

PRIOR COMMITTEE/BOARD ACTIONS

N/A

ADDITIONAL INFORMATION

April 2019

<table>
<thead>
<tr>
<th>Activity</th>
<th>#</th>
<th># of Guests</th>
</tr>
</thead>
<tbody>
<tr>
<td>OCSD/OCWD Tours</td>
<td>5</td>
<td>91</td>
</tr>
<tr>
<td>OCSD Tours</td>
<td>17</td>
<td>305</td>
</tr>
<tr>
<td>Speaking Engagements</td>
<td>4</td>
<td>310</td>
</tr>
<tr>
<td>Outreach Events</td>
<td>2</td>
<td>400</td>
</tr>
</tbody>
</table>

Current Activities – April 2019:
- Construction Network speaking engagement
- AAEES Student Chapter Annual Conference
- Orange County Council of Government General Assembly
- Westminster Spring Festival
- Plant No. 2 neighborhood tour
- Irvine Earth Day Event
- Fountain Valley Crossing Stakeholders Meeting
- AAEES Annual Conference and Awards Banquet

Honor Walk Ceremony
The Honor Walk program will recognize two former employees on Wednesday, May 22 in a brief ceremony prior to the Steering Committee meeting. Ingrid Hellebrand and Chris Cervellone will both be recognized for their contributions to the Sanitation District. Both will receive a permanent engraved brick in front of the main entrance to the Administration Building at Plant No. 1.

Silver Mercury Award for GWRS Bottled Water Campaign
The Sanitation District and OCWD were selected as the winners of the Silver Mercury Award for the GWRS bottled water campaign. The campaign was created when AB 2022 was signed by the California Governor saying that highly treated water could be bottled to be used for educational purposes, hence the beginning of a year-long promotion. The
promotions included a Hollywood media kick-off event, a California bottled water tour, the GWRS 10th Anniversary Winter Fest celebration as thanks for local support, and the Guinness World Record for the most wastewater recycled into drinking water within a 24-hour period.

Upcoming Activities - May 2019
- Crisis/Risk Communications Strategy for PFAS - The Emerging Public Issue
- Plant No. 2 neighborhood tour
- Public Works Week
- Honor Walk
- Southeast Area (Huntington Beach) Council Committee Meeting

CEQA
N/A

FINANCIAL CONSIDERATIONS
N/A

ATTACHMENTS
The following attachments are attached in hard copy and may also be viewed on-line at the OCSD website (www.ocsd.com) with the complete agenda package:
- Outreach Report April 2019
- Media Clips April 2019
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/1/19</td>
<td>USC Tour</td>
<td>18</td>
</tr>
<tr>
<td>4/2/19</td>
<td>CSULB Nursing Tour</td>
<td>12</td>
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<tr>
<td>4/3/19</td>
<td>Home School Group Tour</td>
<td>15</td>
</tr>
<tr>
<td>4/4/19</td>
<td>Tarbut School Tour</td>
<td>12</td>
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<tr>
<td>4/8/19</td>
<td>Construction Network Speaking Engagement</td>
<td>30</td>
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<tr>
<td>4/8/19</td>
<td>Hope University Tour</td>
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<tr>
<td>4/9/19</td>
<td>Engineering Tour</td>
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<td>4/9/19</td>
<td>Golden West College Tour</td>
<td>25</td>
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<td>4/11/19</td>
<td>Anaheim Public Works Tour</td>
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<td>4/11/19</td>
<td>Speaking Engagement - UCI</td>
<td>200</td>
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<td>4/12/19</td>
<td>OCC Tour</td>
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<td>4/12/19</td>
<td>OCCOFG Speaking Engagement</td>
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<td>4/13/19</td>
<td>Westminster Spring Festival</td>
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<td>4/13/19</td>
<td>Plant 2 Tour</td>
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<td>4/15/19</td>
<td>CSULB Nursing Tour</td>
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<tr>
<td>4/18/19</td>
<td>CSULB Nursing Tour</td>
<td>12</td>
</tr>
<tr>
<td>4/18/19</td>
<td>Cub Scout Tour</td>
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<td>4/19/19</td>
<td>Santiago Canyon College Tour</td>
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<td>4/22/19</td>
<td>Western HS Tour</td>
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<td>4/22/19</td>
<td>Irvine Earth Day</td>
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<tr>
<td>4/23/19</td>
<td>OCC Tour</td>
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<tr>
<td>4/24/19</td>
<td>Speaking Engagement - FV</td>
<td>50</td>
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<tr>
<td>4/25/19</td>
<td>Gilbert HS Tour</td>
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<td>4/26/19</td>
<td>Fullerton HS Tour</td>
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<td>4/29/19</td>
<td>Beckman HS Tours</td>
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<td>4/30/19</td>
<td>Beckman HS Tours</td>
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By: Cindy Wallis-Lage  
**Water Online**

April 9, 2019  
OCWD President Vicente Sarmiento Testifies before Congress about safe and reliable water in the western US  
By: Water Online Staff  
**Water Online**

April 16, 2019  
Annual Conference 2019 Recap  
By: Megan Barillo  
**CWEA.com**

April 17, 2019  
Announcing the 209 CWEA Award Winners  
By: Megan Barillo  
**CWEA.com**

April 23, 2019  
Orange County Water District and Orange County sanitation District Receive Mercury Award  
By: Dianne Pinnick/Jennifer Cabral  
**Press Release**
Newport adds $357,000 to Jamboree and Bayside road improvement project after water main break

By HILLARY DAVIS
APR 10, 2019 | 12:25 PM
A water main break and manhole adjustments will add more than $350,000 to the budget for a road improvement project in Newport Beach. Work was nearly done on the Jamboree Road, Bayside Drive and Marine Avenue area when the main, which is 18 inches in diameter, burst under Jamboree near Bayside on Feb. 12. The break caused significant roadway damage in the construction zone, in addition to the time and cost to get the water main back online.

The city had already been drawing on a $300,000 contingency for adjustments unrelated to the water main break, such as water meter relocations, landscaping changes and unforeseen storm drain repairs. The City Council unanimously agreed Tuesday to boost the project funding by $357,000, including $300,000 for repairs related to the break and $57,000 for manhole modifications. The Orange County Sanitation District will reimburse the city for the manhole component.

The original $2.9-million construction contract was for narrowing lanes on Bayside and rehabilitating segments of Jamboree and Marine. The work is expected to be completed by next week.

**Home reconstruction time limit**

The council agreed Tuesday to limit homeowners to three years when rebuilding as the city looks to tighten the time frame for what can seem like interminable neighborhood construction projects.

The original $2.9-million construction contract was for narrowing lanes on Bayside and rehabilitating segments of Jamboree and Marine. The work is expected to be completed by next week.
Home reconstruction time limit

The council agreed Tuesday to limit homeowners to three years when rebuilding as the city looks to tighten the time frame for what can seem like interminable neighborhood construction projects.

One-off home reconstruction or remodeling is common in Newport, which had 2,557 active building permits as of Monday, and the limit is part of a plan to ameliorate nuisance impacts on neighbors.

Under a new ordinance, homeowners will have three years to complete their projects, with the possibility of two six-month extensions at the discretion of a hearing officer.

The city currently doesn’t have a time limit for finishing construction. The council agreed to the changes on a 6-1 vote, with Councilman Marshall “Duffy” Duffield dissenting. He previously had said that even three years is too long.

The ordinance will return to the council for a final vote April 23. Regulations on construction worker parking are pending.

MacArthur and University repaving

The council unanimously approved repaving MacArthur Boulevard between Bonita Canyon Drive and the 73 Freeway and nearby University Drive between Jamboree Road and the city limits just east of the 73.

The $2.3-million contract went to Orange-based R.J. Noble Co. With contingencies, geotechnical services and incidentals, both segments of the project — combined for efficiency — will cost $2.6 million total. Work is scheduled to begin in late May and be completed by September.
Serving the Mandate of World Water Day

By Cindy Wallis-Lage, President, Black & Veatch Water Business

The UN’s Sustainable Development Goals (SDGs) have shined new light on steps that must be taken to safeguard our world’s critical resources. Addressing everything that impacts the health and economic growth of communities, the SDGs embed sustainability in the global consciousness and offer nations a roadmap for tackling the key challenges of our time.

As we celebrate World Water Day 2019, we can’t help but focus on SDG No. 6: ensuring safe and plentiful water, along with the sustainable means to treat that supply for everyone — regardless of their place in the developed or developing world. SDG No. 6 is either directly or indirectly linked to all other SDGs.

As outlined in a review of the goal’s progress, water scarcity, flooding, and lack of proper wastewater management hinder social and economic development. Increasing water
efficiency and improving water management are critical in the effort to balance competing and growing water demands from various sectors and users.

The question, from many different angles, is, how do we do it?

- How do we ensure a resilient and abundant supply amid frequent drought cycles in the American West?
- How does a highly water-stressed country like Singapore ensure water sustainability?
- How do we prevent flooding in Hong Kong, a megacity often strained to protect its urban density from inundation?
- How do we create resilient systems to protect U.S. coastal residents from storm surge and high tides?
- How can we efficiently capitalize on the renewable resource opportunities present in wastewater?

The problems — and solutions — are as varied as the geographies where they occur and the communities they serve.

**Reuse: The Ultimate Sustainability Tool**

Most people outside of California don’t realize the state’s arid climate. Frequent drought cycles have made water an ever more critical resource, especially in Southern California.

That’s where officials with the Orange County Water District worked to expand their Groundwater Replenishment System (GWRS), which has made the world’s largest advanced water purification system for potable reuse even bigger in a region where supply is an acute and everyday challenge.

Just over 10 years ago, treated wastewater effluent from the Orange County Sanitation District (OCSD) was discharged into the Pacific Ocean. Today, after wastewater is treated, it flows back into the system at the GWRS. Here, the treated wastewater undergoes an extensive purification process consisting of microfiltration, reverse osmosis, and advanced oxidation using hydrogen peroxide and ultraviolet light.

The end product is currently 100 MGD of water that exceeds all state and federal drinking water standards, enough to meet the needs of nearly 850,000 residents in north and central Orange County — proving that finding new ways to safely use what we already have is the ultimate definition of sustainability and resilience. The final expansion of the GWRS, expected to be complete in 2023, will boost its capacity to 130 MGD.
In Singapore, where water catchment areas are limited due to lack of land space, its National Water Agency, PUB, undertakes the responsibility to collect every drop of rain water, reuse water endlessly, and desalinate seawater.

Namely, its Four National Taps are: local catchment water, imported water, high-grade reclaimed water known as NEWater, and desalinated water.

Water demand in Singapore is currently about 430 MGD. By 2060, its total water demand is projected to double. NEWater and desalination are integral to Singapore’s water strategy to meet future water demand.

To ensure water sustainability, PUB has been strengthening its water reuse capabilities. Today, it has five water reclamation facilities. The NEWater plants allow used water, which would otherwise be lost to the sea, to be treated and reused as process water by local industry. Its three-stage process is one of the most efficient ways to recycle used water, and has a recovery rate of 75 percent, although the goal is a sustainable 90 percent rate. NEWater production also requires significantly less energy than seawater desalination.

**Pioneering Flood Control**

Happy Valley, located in the Wan Chai District of Hong Kong, is a cultural, economic, and entertainment center. Despite its metropolitan development, the area is prone to flooding as it is located at low-lying ground near the Victoria Harbor. The Happy Valley Racecourse, one of Hong Kong’s most popular attractions, was submerged under nearly three feet of stormwater during a severe rainfall event in 2008.

Instead of throwing more drains at the problematic spots, leaders understood such a strategy would not effectively reduce flooding risks because the downstream drains adjacent to the sea would have already been submerged by seawater at high tide, thus reducing the flood protection efficiency.

Engineers set out to implement a pioneering underground storage scheme, comprising a large underground tank to store stormwater runoff for reduction of flooding risk during severe rainfall events. The strategy included an integrated 1D network, 2D overland flow, and 3D computational fluid dynamics models. There is also a network of sensors capturing tidal level in Victoria Harbor and water levels at several strategic locations, including the storage tank and the upstream and downstream of the drainage culvert.
During heavy rain, water level rises and SCADA sensors would trigger the adjustable weir system in which excess runoff would enter the storage tank. After the rainfall event when the water level in the culvert drops, the adjustable weirs would be lowered to drain out part of the stored stormwater to the downstream drainage network by gravity. The remaining stormwater in the tank will then be drained out by pumping.

The solution prevents serious disruption to the nearby racecourse and recreational grounds, as well as to traffic along the surrounding roads.

‘A Stormy Reality’

From the Atlantic seaboard to the Gulf Coast, images of a bucolic ocean lifestyle hide a stormy reality. Take Charleston, SC, for instance: Perched on a harbor inlet of the Atlantic Ocean, locals enjoy the temperate conditions common to southern climes, yet they wrestle with the wet-weather consequences of life by the sea.

Statistics revealed by city leaders recently showed that by 2040, Charleston’s water conveyance systems will be impacted by elevated waters on 180 days of each year — a stark data point for an exposed city already coping with a rising sea. Respecting and understanding the threat, city leaders began a massive large-diameter tunneling project to increase stormwater management capacity. In Houston, where Hurricane Harvey besieged residents in 2017, officials announced a feasibility study to determine whether a large-scale tunneling system could help it cope with future storms.

More broadly, some U.S. cities which had once tacked strategic resilience planning onto the job description for broader managerial roles are now devoting new positions to resilience alone that are focused on water supply and management. In South Florida, multiple jurisdictions have begun appointing “Chief Resilience Officers” to take leadership roles in managing long-term resilience-focused water infrastructure strategy.

The city of Miami, Miami Beach, Broward County, Miami-Dade County, and Palm Beach County all have CROs. After Superstorm Sandy battered New York City in 2012, the city created the Mayor’s Office of Recovery and Resiliency, which has aggressively pursued projects aimed at shielding Manhattan from the effects of major storms and climate change.

Preserving Quality Of Life

The safe disposal of municipal wastewater is vital to preserving the environment and protecting the health of communities. As previously discussed, wastewater can be treated and
safely reused for potable and non-potable applications. But are there other ways in which we can turn wastewater from a “waste” into a valuable, renewable resource?

Yorkshire Water is one of many UK water utilities making investments to unlock wastewater’s power generation potential. At Knostrop Wastewater Treatment Works, in the northern city of Leeds, Yorkshire Water is spending £72 million on an upgrade project that will enable the works to meet 55 percent of its own electricity needs — equivalent of providing power to 8,000 homes — through advanced wastewater treatment.

Sludge, a byproduct of the sewage treatment process, is the main source of biogas. At Knostrop, a new state-of-the-art sludge treatment and anaerobic digestion facility are at the heart of the drive to unlock what the utility refers to as “poo-power.”

The new treatment process will have other environmental benefits, in addition to generating renewable energy. The site’s carbon emissions will be reduced by 15 percent, and 94 percent of Leeds’ sewage sludge will be safely recycled.

Looking ahead, the design of the new treatment process has used the limited space available efficiently to allow for future expansion. In the present, the efficient design also ensures that the operation and maintenance of the new equipment is not compromised. This has been enabled, in part, by the innovative use of new digital technologies to create intelligent piping and instrumentation diagrams — iP&IDs. Knostrop is one of the first water projects to benefit from iP&IDs.

The Interconnectedness Of Sustainability

Securing our water supply is a high calling on its own, but what happens when we draw new connections?

Let’s start at the intersection of water and energy: Black & Veatch recently began exploring how the installation of large-scale floating solar panels could help reduce water loss, suppress algae growth, and minimize erosion. Preliminary results at one site in Asia indicate water loss through evaporation can be reduced by as much as 70 percent, a critical benefit in water-scarce regions relying on surface water reservoirs.

Water can return the favor: A 2018 report by the National Renewable Energy Laboratory (NREL) concluded that solar projects placed at reservoirs in the U.S. would have the potential to meet as much as 10 percent of the nation’s energy supply while saving millions of acres of land.
Thinking holistically — how water, power, and all resources are connected — can unlock a wealth of engineering innovation, provided we are open to the possibilities.

**Accounting for The Human Element**

The water industry is at a turning point. Utilities recognize the power in making their operations more efficient through strategies that maximize data, manage assets, and more effectively engage with customers — all while doing more with less. A new water economy is encouraging modern tools and efficient technologies to address old problems of resource and cost.

But something else is stirring.

The human element, which has always been at the center of the engineering solutions that safeguard our water supply, is coming into even sharper focus. Solutions account not just for the hard work of moving and treating water itself, but also for human impact and benefit. How do these solutions integrate, supplement — and, whenever possible, complement — our communities and way of life?

That is the mandate of World Water Day, and indeed, every day.

*Cindy Wallis-Lage is President of Black & Veatch’s water business, leading the company’s efforts to address billions of dollars in water infrastructure needs around the world. Wallis-Lage joined the company in 1986 and has provided leadership and project expertise to more than 100 municipal and industrial facilities throughout North America, South America, the United Kingdom, Asia Pacific, and India. Wallis-Lage joined the Black & Veatch Board of Directors in 2012. A licensed professional engineer, she earned a Bachelor of Science in Civil Engineering from Kansas State University in 1985 and her Master of Science in Environmental Health Engineering from the University of Kansas.*
OCWD President Vicente Sarmiento Testifies Before Congress About Safe and Reliable Water in the Western United States

April 9, 2019

Recently, Orange County Water District (OCWD; the District) President Vicente Sarmiento appeared in Washington D.C. to testify before the House Subcommittee on Water, Oceans, and Wildlife. President Sarmiento spoke about one of the most pressing issues—the provision of a safe and reliable water supply in the western United States.

As a leader in water recycling and groundwater management, OCWD was invited to discuss the projects and programs it has implemented that have helped the region to better weather drought and that have created a long-term reliable water supply for the 2.5 million people it serves in north and central Orange County.

OCWD’s most notable accomplishment is its award-winning Groundwater Replenishment System (GWRS), the world’s largest water purification project. A joint project of OCWD and the Orange County Sanitation District, the GWRS has become a global model for water reliability. Seeing wastewater as a resource, the two agencies made history when they brought a 70-million-gallon-a-day (MGD) project online in 2008 and a 30-MGD expansion online in 2015. Today, the GWRS produces 100 MGD and a final expansion of the project will be implemented in 2023 that will bring total water production to 130 million gallons of water a day—enough water for one million people.

“The GWRS is a solution to water supply challenges, increasing water demands, local control, and long-term reliability,” said President Sarmiento. “There is no one-size-fits-all solution when it comes to water recycling, but the GWRS is one of the most valuable assets in Orange County and it is a project that can be replicated locally, nationally and globally. The potential
for water recycling is tremendous and when implemented, these projects will result in water security.”

Since, 1933 OCWD has managed and protected the Orange County Groundwater Basin, which provides water to 2.5 million people in north and central Orange County. Nineteen cities and water districts water districts pump 77 percent of their water supply out of the groundwater basin. OCWD’s proactive approach to planning and investment resulted in a groundwater basin that is protected against seawater intrusion and has doubled its annual yield since the 1960s.

For decades, OCWD has worked with the U.S. Army Corps of Engineers (Corps) to capture more stormwater behind Prado Dam to minimize the loss of stormwater to the ocean and maximize what is put into the groundwater basin. Additional efforts with the Corps include increasing water supply reliability and flood control management through advanced forecasting tools such as Forecast Informed Reservoir Operations (FIRO) that allows improved forecasts and new tools to be used by water managers for water operations. Increased forecast ability (longer lead time) will allow the Corps and OCWD to update operations at Prado Dam to improve water supply reliability in a changing climate, thereby reducing demands on imported water and saving energy.

“OCWD was truly honored to testify before the subcommittee and will continue to collaborate and share information in the interest of providing water reliability for all,” added President Sarmiento. “OCWD’s innovation, along with state and federal support, are the reasons why OCWD’s projects and programs are in place.”

As leaders in the water industry, OCWD is a supporter of legislation currently pending before the Subcommittee, H.R. 1162, that would reinvigorate the United States Bureau of Reclamation’s Title XVI water recycling program, authorizing $500M dollars in competitive grants assistance and, for the first time, increasing the ceiling on project assistance to $30M. The District requested that the sub-committee move to approve H.R. 1162 so that many more projects like the GWRS may be built.

The Orange County Water District appreciates the opportunity to testify before Congressional and state committees to share information, new research, best practices, and lessons learned.

About the Subcommittee on Water, Oceans, and Wildlife
The Subcommittee on Water, Oceans, and Wildlife is part of the House Committee on Natural Resources and is responsible for overseeing the agencies that manage America’s water resources, hydropower development, and federal transmission lines. To view today's full testimony, please visit https://youtu.be/0RpK6SsrxGs.

About OCWD
The Orange County Water District is committed to enhancing Orange County’s groundwater quality and reliability in an environmentally friendly and economical manner. The following cities rely on the groundwater basin, managed by OCWD, to provide 77 percent of their
water demands: Anaheim, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Garden Grove, Huntington Beach, Irvine, La Palma, Los Alamitos, Newport Beach, Orange, Placentia, Santa Ana, Seal Beach, Stanton, Tustin, Villa Park, Westminster and Yorba Linda. For more information, visit www.ocwd.com.
Annual Conference 2019 Recap

By Megan Barillo · April 16, 2019 · Views: 203

The 2019 Annual Conference (held at the Renaissance Palm Springs and Palm Springs Convention Center) included tracks on Leadership, Water Reuse, Biosolids, Pump Basics, Laboratory TNI Standards, Declining Flows, Asset Management, just to name a few. With over 1,000 attendees and 720 vendor attendees, the week was full of energy, learning, networking and fun! You can download conference presentations here.

The conference started off on a sweet note with Drew Dudley of Day One Leadership defining what a lollipop moment was. He shared inspiring stories on leadership, recognizing leadership in ourselves, raising leaders, working with leaders and ultimately changing our view on how we see leadership.

This was the second year CWEA held the Women Impacting Water breakfast meeting to a sold out group. Megan Yoo Schneider lead the audience on an interactive journey of networking and discussion with California water leaders, engineers, operators and scientists. It was a high energy discussion where participants shared how they achieve work life balance, why having mentors are so important and to keep looking for the opportunities. Thank you United Rentals, ARUP, DN Tanks, Woodard & Curran and V&A Consulting for sponsoring this event.

The Conference Committee put together an outstanding program. New and exciting events and items worth mentioning:

- Several hands-on workshops for pumps, microbiology and process optimization
- Truck Maintenance training
- More hotels to select from
- You Don’t Know Pooh Game Show
• CWEA Sewer Hunt: Journey of a Thousand Pipes Scavenger Hunt
• Chief Plant Operators Networking
• Mobile Tech Tours
• Partnering with CA-NV AWWA to Launch AWT Operator Certification
• More Wednesday networking lunches

This year, CWEA recognized 10 5S new inductees. All of these individuals are recognized for being active in protecting the water environment through participation in Local, State, and/or Federal sponsored activities. The 2019 shovel took on the form of the California grizzly bear. These new shovels are available to any 5S recipient wanting to upgrade or collect this new shovel. It’s a limited availability and can be purchased for a donation of $25 to the Kirt Brooks Scholarship fund. Contact mbarillo@cwea.org for information.

The week continued with some bittersweet moments, as we said “so long” to CWEA’s Executive Director, Elizabeth Allan as she enters retirement after 17 years with CWEA. Read her interview here.

The first ever You Don’t Know 💩 game show was a stinking hit! Two days full of wastewater trivia and prizes galore, including the coveted 💩 emoji trophy! Congratulations to WEF President Tom Kunetz and his various team members for wiping the slate clean with his wastewater knowledge two days in-a-row.

But those weren’t all the prizes that were in store. The Students and Young Professionals Committee put on a flawless scavenger hunt through the exhibit hall. The Journey of a Thousand Pipes Sewer Hunt attracted almost 40 participants. Each participant was required to engage with exhibitors to extract an answer from them in order to win points and ultimately, prizes! All of this was done in the CWEA Conference App.
Debbie Webster of Central Valley Clean Water Association (left) won the Grand Prize iPad.

Check out the feedback we’re receiving on the scavenger hunt!

“The Scavenger Hunt was a fun thing to play. I hope it continues at future CWEA Conferences.”
“Great conference, great idea on the scavenger hunt and the app.”
Thank you Dudek for sponsoring this fun event!

The week ended on a high note with the voting in of the new CWEA Board during the Annual Business Meeting and the cheers and applause for all the deserving water professionals being awarded at the Annual Awards Celebration. More than 30 CWEA State award winners were recognized, 10 Kirt Brooks Scholarship winners and several WEF winners. The complete list of winners of CWEA and WEF awards given, including new 5S inductees can be found here. Thank you Xylem, Inc. for sponsoring the awards events.

Thank you Tom Kunetz for sharing words of wisdom on what an actual Diva is and for sharing your story on how nothing should be standing in your way. With the right amount of determination, anything can be done.
We will all take these words of wisdom, lessons learned, tips, tricks and more with us as we level up in our sector. Thank you to all AC19 sponsors.

And to top that all off, thanks to the generous donations from Local Sections and collections from CWEA members during the week, almost $30,000 was raised for the Kirt Brooks Memorial Water Scholarship Fund!

CWEA would like to extend a big “thank you” to Ddaze Phuong of Orange County Sanitation District and Ralph Palomares of El Toro Water District for their continuous support in capturing these moments so we can share and look back on them in future years.

This conference wouldn’t have been successful if it wasn’t for these people. Thank you Conference Education Program Team!

- Chairs: Brian Peck, SOCWA and Monica Myhill, CWEA
- CWEA President: Connie Leonard, PE, BCEE, CDM Smith
- Education Program Team:
  - Gary Warren, EBMUD – Chair
  - Laurie Brenner, Union Sanitary District
  - Howard Brewen, Jacobs
  - Steve Cano, Central Marin Sanitation District
  - Thomas Falk, CDM Smith
  - Kathryn Gies, West Yost Associates
  - Chris Newton, South Coast Water District
  - Amy Omae, HDR
• John Robinson, John Robinson Consulting
• Wendy Wert, LACSD
• Andrea White, Moleaer
• Exhibits: Denis Pollak, Retired; Brian Villacorta, Coombs-Hopkins and Christine Carchia CWEA
• Women’s Networking Breakfast and Volunteer Reception: Berlinda Blackburn, City of Coachella
• Opening General Session: Megan Yoo Schneider, Seven Management Consulting Inc. and Municipal Water District of Orange County
• Technical Tours: Charles Greely Dudek
• Awards Lunch: Ian Mackenzie, Hazen and Megan Barillo, CWEA
• Track Facilitator Co-Chairs: Bryce Danker, Hazen; Sheba Haviz, Arup and Roni Young, SOCWA
• SYP: Veronica Astells, Town of Windsor
• Golf Tournament: Steve Agor, Skanska
• Photo & Video: Ralph Palomares, El Toro Water District and Ddaze Phuong, Orange County Sanitary District

To volunteer for AC20 Education Program Team taking place in Reno, NV on March 31 – April 3 contact Gary Warren, EBMUD.
Announcing the 2019 CWEA Award Winners

By Megan Barillo · April 17, 2019 · Views: 171

The California Water Environment Association (CWEA) announced the winners of its 2019 awards program at its Annual Conference in Palm Springs on April 12.

Nominations that advance through CWEA’s 17 local sections’ awards programs plus a select group of special awards are eligible to compete statewide.

CWEA officers are available to make a presentation to CWEA award recipients at agency board or City Council meetings. Please contact Victoria Thornton at vthornton@cwea.org or (510) 382-7800 x 113.

Congratulations to these agencies and individuals leading the way in the protection and enhancement of our water environment.

Supervisor of the Year: Ted Gerber, Orange County Sanitation District
Quarter Century from the South:

- Tony Lee, Orange County Sanitation District
PRESS RELEASE

FOR IMMEDIATE RELEASE

Contacts: Diane Pinnick, (714) 378-3228 or dpinnick@ocwd.com
Jennifer Cabral, (714) 593-7581 or jcabral@ocsd.com

Orange County Water District and Orange County Sanitation District Receive Mercury Award

FOUNTAIN VALLEY, Calif. (April 23, 2019) — The Orange County Water District (OCWD; the District) and the Orange County Sanitation District (OCSD) received a Silver Mercury Award for their Groundwater Replenishment System (GWRS) Bottled Water Campaign. The International Mercury Awards competition honors the best in public relations, public affairs and corporate communications.

The GWRS Bottled Water Campaign spanned a year and included a Hollywood media kick-off event, a California bottled water tour, the GWRS 10th anniversary Winter Fest celebration as thanks for local support, and the garnering of the Guinness World Records™ title for the most wastewater recycled to drinking water in 24 hours.

The two agencies collaborated on the creation of the Groundwater Replenishment System (GWRS), the world’s largest advanced water purification project for drinking water. Since it came online in 2008, it has produced 282 billion gallons of near-distilled quality water that was added to the Orange County Groundwater Basin and later pumped by 19 cities and water agencies to supply 77 percent of the water needs for 2.5 million people in north and central Orange County. The GWRS currently produces 100 million gallons per day of water.

“The GWRS Bottled Water Campaign drew tens of thousands of peoples’ attention to state and local water needs and provided knowledge about water reuse as a viable new source of drinking water,” said
OCWD President Vicente Sarmiento. “OCWD and OCSD were the first to bottle advanced recycled water in the Western Hemisphere. Since bottling, people from as far away as Spain and England have been able to sample reused water for themselves. The GWRS is paving the way for other projects like it around the world and we believe that support begins with tasting and seeing the water.”

“Educating people that wastewater is a resource is critical to the success of water reuse projects,” said OCSD Chairman David Shawver. “This project has helped Orange County create a reliable water supply and we look forward to the project’s final expansion in 2023, which will bring total water production to 130 million gallons a day—enough water for one million people. At that time, we can proudly say that we have met OCSD’s 100 percent recycling goal.”

The annual International Mercury Award is named for the Roman god who was the messenger of the other gods and symbolizes the spirit of the message communicated. Judging is based on the values of ADD 1-1-1 Orange County Water District and Orange County Sanitation District Receive Mercury Award For creativity, effectiveness, performance, and success. Visit https://www.mercommawards.com/mercury.htm for more information about the award.

About Orange County Water District (OCWD)
The Orange County Water District is committed to enhancing Orange County’s groundwater quality and reliability in an environmentally friendly and economical manner. The following cities rely on the groundwater basin, managed by OCWD, to provide 77 percent of their water demands: Anaheim, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Garden Grove, Huntington Beach, Irvine, La Palma, Los Alamitos, Newport Beach, Orange, Placentia, Santa Ana, Seal Beach, Stanton, Tustin, Villa Park, Westminster and Yorba Linda. For more information about OCWD, please visit www.ocwd.com, like @OCWaterDistrict on Facebook, follow @OCWDWaterNews on Twitter, follow Orange County Water District on LinkedIn, and follow @OCWD on Instagram.

About Orange County Sanitation District (OCSD)
OCSD is a public agency that provides wastewater collection, treatment, and recycling for approximately 2.6 million people in central and northwest Orange County. OCSD is a special district that is governed by a 25-member Board of Directors comprised of 20 cities, four special districts, and one representative from the Orange County Board of Supervisors. OCSD has two operating facilities that treat wastewater from residential, commercial and industrial sources. For more information, about the Orange County Sanitation District visit www.ocsd.com or call (714) 962-2411.
28 day summary with change over previous period

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<td>20 ↓31.0%</td>
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<td>1,560 ↑15</td>
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Apr 2019 • 21 days so far...

**Top Tweet** earned 1,148 impressions:

Yesterday our Board Chair & Vice Chair spent the day in Sacramento mtg with the offices of @PhilTing, @AsmRichardBlooom, @SenateHertzberg, @SenatorUmberg, the @CaWaterBoards, Budget Sub-Committee 3, & the Senate Judiciary Cmte. Thank you for mtg with us to learn about #OCSD. pic.twitter.com/tvX9pP8HuJ

**Top mention** earned 168 engagements:

Las Virgenes MWD @LVMWD • Apr 2

Single-use wipes that say “flushable” may go down the toilet, but they end up clogging sewer pipes and treatment equipment. #NoWipesInThePipes #WhatToFlush #WipesClogPipes #NotSoFlushable @CentralSan @OCSewers @CASA_CleanWater @LADWP #GoletaSanitation pic.twitter.com/wV07ri3KEK

**Top Follower** followed by 2,251 people

Dustin Gomez @EmpyrealMotion

Empyreal Motions is a digital marketing firm for businesses looking to grow their audience online and as a result of that, their client base as well.

**Top media Tweet** earned 1,088 impressions

It's #NationalSiblingsDay so we're giving a big shoutout to our sister agency the @OCWDOWaterNews! Our bond led to our partnership in #GWR5. #WeLikeEachOther pic.twitter.com/aQF5iTXHEY
Top Tweet earned 2,457 impressions
Construction Alert for @City_of_Anheim. Weekend work is scheduled at the intersection of State College & Katella. Lane reductions and turn restrictions, please use alternate routes. More info at ocسد.com/StateCollege #OCSDStateCollege #OCSDConstruction pic.twitter.com/52rdJlzGczn

Top mention earned 156 engagements
Rep. Harley Rouda @RepHarley · Mar 7
At the @transportdems hearing today I called for funding for @OCWDWaterNews and @OCSewers water recycling projects. We’ve got to consider #climatechange when we think about how to spend infrastructure dollars, and I’m pleased OC is taking the lead. pic.twitter.com/J4RQ7OPyn

Top Follower followed by 3,162 people
Fox Social Media @FoxSocialMedia FOLLOW ME
Helping businesses share their story online & attract their ideal patients, clients & customers. #SocialMediaMarketing #OnlineMarketing #Advertising #Training

Top media Tweet earned 2,198 impressions
Enough already, don't flush wipes. Please! #NationalGetOverItDay #NoWipesInThePipes #What2Flush pic.twitter.com/3P9r3yOaQ
### Facebook Posts
March/April 2019

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<tr>
<td>04/22/2019</td>
<td>It's National Environmental Education Week so come take a tour and learn all about wastewater, we promise</td>
</tr>
<tr>
<td>04/21/2019</td>
<td>When someone says wipes are flushable. #NoWipesInThePipes #WipesClogPipes #GoT</td>
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<tr>
<td>04/21/2019</td>
<td>Happy Easter from the Orange County Sanitation District!</td>
</tr>
<tr>
<td>04/19/2019</td>
<td>Construction Alert: Sewer installation work on State College in City of Anaheim- Municipal Government is</td>
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<tr>
<td>04/19/2019</td>
<td>Did you know that in 2016 the Governor of California signed Assembly Bill 22 which allows Californians to</td>
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<tr>
<td>04/18/2019</td>
<td>A big high five to our awesome staff for being part of the 2019/20 Board for California Water Environment</td>
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<tr>
<td>04/18/2019</td>
<td>Join us on Wednesday, April 24 at Plant No. 1 for the Steering Committee and Board meeting starting at 4 p.m.</td>
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<tr>
<td>04/10/2019</td>
<td>Banner</td>
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<td>04/15/2019</td>
<td>Sometimes people lie, we would never lie to you. Believe us when we say that &quot;flushable&quot; wipes aren't flushable.</td>
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<tr>
<td>04/15/2019</td>
<td>Wondering what is going on at State College and Bail Rd in City of Anaheim- Municipal Government? It's a jack</td>
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<td>04/14/2019</td>
<td>Today is National Gardening Day so let's talk! Biosolids. Biosolids are nutrient-rich, treated organic matter</td>
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<td>04/13/2019</td>
<td>As we wrap up National Volunteer Week we want to thank our awesome volunteers who participated in</td>
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<tr>
<td>04/13/2019</td>
<td>Just another beautiful Saturday at our Huntington Beach facility. Don't be jealous that we get to work here!</td>
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<td>04/11/2019</td>
<td>Our Laboratory has always been accredited by the State, but now we are the first municipal lab in California to be</td>
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<td>It's National Siblings Day so we're giving a big shoutout to our sister agency the Orange County Water District</td>
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<tr>
<td>APWA</td>
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<td>BOD</td>
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<td>FOG</td>
<td>Fats, Oils, and Grease</td>
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<tr>
<td>gpd</td>
<td>gallons per day</td>
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<tr>
<td>GWR S</td>
<td>Groundwater Replenishment System</td>
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<tr>
<td>ICS</td>
<td>Incident Command System</td>
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<tr>
<td>IERP</td>
<td>Integrated Emergency Response Plan</td>
</tr>
<tr>
<td>JPA</td>
<td>Joint Powers Authority</td>
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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 the Orange County Sanitation District 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 Groundwater Replenishment System process and is eliminated using hydrogen peroxide with extra ultra-violet treatment.

NATIONAL BIOSOLIDS PARTNERSHIP (NBP) – An alliance of the National Association of Clean Water Agencies and Water Environment Federation, with advisory support from the US Environmental Protection Agency. 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.

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. Combined sewers carry both wastewater and urban runoff.

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.

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. The Orange County Sanitation District’s service area is in the Santa Ana River Watershed.