

**MUNICIPAL SERVICE REVIEW  
FOR THE  
ORANGE COUNTY SANITATION DISTRICT**



**FINAL REPORT**

**September 9, 2020**

### **ACKNOWLEDGEMENT**

Orange County LAFCO acknowledges the time and effort of the staff of the Orange County Sanitation District in the preparation of this report and for the generating of specific data and oral and written responses for use by Orange County LAFCO.

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### **List of Acronyms and Abbreviations**

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AFY	Acre Feet per Year
AMP	Asset Management Plan
CENGEN	Central Generation Emission Control Project
CIP	Capital Improvement Program
CFCC	Capital Facilities Capacity Charges
CSDLA	County Sanitation Districts of Los Angeles
CKH Act	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
COP	Certificate of Participation
DUC	Disadvantaged Unincorporated Community
FY	Fiscal Year
FMP	Facilities Master Plan
FTE	Full Time Employee
GPCD	Gallons per capital per day
G.C.	Government Code
GFOA	Government Finance Officers Association
GPM	Gallon per Minute
GWRS	Groundwater Replenishment System
IRWD	Irvine Ranch Water District
LAFCO	Local Agency Formation Commission
MG	Millions of gallons
MGD	Million gallons per day
MSR	Municipal Service Review

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### **List of Acronyms and Abbreviations**

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OCSD	Orange County Sanitation District
OCWD	Orange County Water District
SAWPA	Santa Ana Watershed Project Authority
SCCWRP	Southern California Coastal Water Research Project
SFR	Single Family Residential User Fees
SOI	Sphere of Influence
SBSD	Sunset Beach Sanitary District
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids

## CHAPTER ONE | INTRODUCTION

### 1.0 History and Mission of Local Agency Formation Commissions

Local Agency Formation Commissions (LAFCOs) were created in 1963 by the California Legislature to oversee the logical formation and determination of local agency boundaries that encourage orderly growth and development which are essential to the social, fiscal and economic well-being of the State. LAFCOs' authority to carry out this legislative charge is codified in the Cortese-Knox Hertzberg Reorganization Act of 2000 ("CKH Act"). Over the past 57 years, the CKH Act has been amended to give more direction to LAFCOs and, in some cases, expand the authorities of the Commissions. One of the most important revisions to the CKH Act by the Legislature occurred in 2000. Among those revisions was a requirement that LAFCOs update the spheres of influence for all cities and special districts every five years, and in conjunction with this responsibility, prepare comprehensive studies that are known as "municipal service reviews."

### 1.1 Authority and Powers of LAFCOs

Codified within the CKH Act are the procedures and processes for LAFCOs to carry out their purposes that have been established by the Legislature. LAFCOs' purposes are guided and achieved through their regulatory and planning powers and acknowledge that the local conditions of the 58 California counties shall be considered in part to the Commissions' authorities. A description and distinctions of those powers are described below.

#### CKH Act (G.C. Section 56301) – Purposes of LAFCOs

*"Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, encouraging the efficient provision of government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances."*

#### 1.1.1 Regulatory Authorities

LAFCOs' regulatory authorities include the reviewing and approving or denying of proposals to change the jurisdictional boundaries of cities and special districts. Specifically, these types of boundary changes that are commonly referred to as "changes of organization" include:

- City Incorporation and Disincorporation
- District Formation and Dissolution
- City and District Annexations and Detachments
- City and District Consolidations



- Merger of a City and District
- Establishment of a Subsidiary District
- Activation of new or different functions or classes of services, or divestiture of power to provide services for special districts

Additionally, LAFCOs' regulatory authority includes overseeing the process for a city or special district to provide new or extended services by contract or agreement outside its jurisdictional boundaries. In addition to the laws under which they are governed, many LAFCOs have established local policies and procedures to support the efficient and effective processing of these changes of organization.

#### 1.1.2 Planning Authorities

From 1973 to present, LAFCOs' planning authorities are carried out through the establishment and updating of agencies' spheres of influence. A sphere of Influence (SOI) is a tool used by LAFCOs to define a city or special district's future jurisdictional boundary and service areas. Through the reform of the CKH Act in 2000, the preparation of comprehensive studies (Municipal Service Reviews or MSRs) that analyze service or services within the county, region, subregion, or other designated geographic area was added to the LAFCO's planning responsibility. The determinations that LAFCOs must review, analyze and adopt for SOIs and MSRs are discussed below.

#### *Spheres of Influence*

In order to carry out the purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies, LAFCOs are required to establish and determine the sphere of influence (SOI) of each city and special district in their respective county and enact policies that further support this authority. SOIs are established to identify the probable jurisdictional boundaries and service areas for these affected agencies. State law requires that all changes of organization (i.e. annexation, detachment) be consistent with the SOI independently established by the Commission for each city and special district. The statute further requires SOIs to be reviewed every five years and updated as conditions warrant.

With each SOI that is established, amended or updated, LAFCOs are required to consider and prepare written statements of its determinations with respect to the following factors codified in G.C. Section 56425:

- (1) Present and planned land uses in the area, including agricultural and open-space lands.
- (2) Present and probable need for public facilities and services in the area.

- (3) Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- (4) Existence of any social or economic communities of interest in the area.
- (5) If a city or special district provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

### *Municipal Service Reviews*

Municipal Service Reviews (MSRs) are the core of LAFCOs planning responsibility and are generally prepared in conjunction with SOI reviews and updates. MSRs involve comprehensive reviews and regional studies on future growth and how local agencies are planning for their municipal services and infrastructure systems. These studies are prepared before or in conjunction with the establishment, review or update of an SOI and are generally intended to inform in the areas of efficiency and affordability of infrastructure and municipal service delivery and assist LAFCOs in the review and initiation of changes of organization.

In accordance with G.C. Section 56430, with each MSR that is prepared, LAFCOs are required to prepare written statements of its determinations with respect to each of the following:

- (1) Growth and population projections for the affected area.
- (2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the affected sphere of influence.
- (3) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the affected sphere of influence.
- (4) Financial ability of agencies to provide services.
- (5) Status of, and opportunities for, shared facilities.
- (6) Accountability for community service needs, including governmental structure and operational efficiencies.
- (7) Any other matter related to effective or efficient service delivery, as required by commission policy.

## **1.2 Orange County Local Agency Formation Commission**

The Orange County Local Agency Formation Commission (Orange LAFCO) is responsible for overseeing the boundaries, establishing and updating SOIs, and preparing MSRs for the County's 34 cities and 34 independent and dependent special districts. Since its creation, the Commission has formed nine cities, approved several changes of organization and reorganization involving cities and special districts, and encouraged orderly development through the establishment of agency SOIs and preparation of numerous studies. Orange LAFCO has also provided proactive leadership on efficient government through its Unincorporated Islands Program and an innovative presence through its Shared Services and Fiscal Indicators Web-based programs. In addition to State law, the Commission's authority is guided through adopted policies and procedures that assist in the implementation of the provisions of the CKH Act and consideration of the local conditions and circumstances of Orange County.

### **1.2.1 Commission Composition**

Orange LAFCO is comprised of 11 members, with seven serving as regular members and four serving as alternate members. The members include: three county supervisors, three city council members, three independent special district members, and two at-large representatives of the general public. All members serve four-year terms and there are no term limits. In accordance with the statute, while serving on the Commission, all commission members shall exercise their independent judgement on behalf of the interests of residents, property owners, and the public as a whole. The current Orange LAFCO members are shown in Table 1.

Table 1: Orange County LAFCO – Commission Roster (as of July 1, 2020)		
Commissioner	Appointing Authority	Current Term
Cheryl Brothers, Chair <i>City Member</i>	City Selection Committee	2018-2022
Douglass Davert, Vice Chair <i>Special District Member</i>	Independent Special District Selection Committee	2018-2022
Derek J. McGregor, Immediate Past Chair <i>Public Member</i>	Commission	2018-2022
Lisa Bartlett, <i>County Member</i>	Board of Supervisors	2019-2023
Wendy Bucknum, <i>City Member</i>	City Selection Committee	2020-2024
James Fisler, <i>Special District Member</i>	Independent Special District Selection Committee	2020-2024
Donald P. Wagner, <i>County Member</i>	Board of Supervisors	2018-2022
Kathryn Freshley, <i>Alternate Special District Member</i>	Independent Special District Selection Committee	2018-2022
Lou Penrose, <i>Alternate Public Member</i>	Commission	2017-2021
Mike Posey, <i>Alternate City Member</i>	City Selection Committee	2020-2024
Michelle Steel, <i>Alternate County Member</i>	Board of Supervisors	2019-2023
Carolyn Emery, <b>Executive Officer</b> Scott Smith, <b>Legal Counsel</b>		

### 1.2.2 Meeting and Contact Information

The regular meetings of the Commission are held on the second Wednesday of the month at 8:15 a.m. The meetings are conducted in the Hall of Administration – Planning Commission Hearing Room located at 333 W. Santa Ana Boulevard, 10 Civic Center Plaza, Santa Ana, CA 92705. The Orange LAFCO administrative offices are centrally located at 2667 North Main Street, Suite 1050, Santa, CA 92701. Commission staff may be reached by telephone at (714) 640-5100. The agency’s agendas, reports and other resources are available online at [www.oclafco.org](http://www.oclafco.org).

## CHAPTER TWO | EXECUTIVE SUMMARY

### 2.0 Purpose of Review

Orange LAFCO is required to conduct an MSR for all cities and special districts within Orange County. Orange LAFCO's policy for MSRs involves preparing future-oriented studies that are educational and valuable to stakeholders and the public by raising awareness about effective service delivery and opportunities to provide municipal services efficiently, equitably, and reliably. Since 2003, Orange LAFCO has responded to this mandate by completing a review of each Orange County city and special district SOI and preparing regional MSRs.

This Municipal Service Review (MSR) provides a comprehensive review of the municipal services provided by the Orange County Sanitation District (OCSD) and a review of the District's current SOI. It has been prepared to assist the Orange LAFCO in meeting the requirements of G.C. Sections 56425 and 56430 and does not require LAFCO or OCSD to initiate changes of organization based on service review findings. The Public Draft of the MSR was made available on August 24, 2020 through the Orange LAFCO website for review and comment by affected agencies and the public. Comments submitted by September 2, 2020 have been addressed and, if warranted, incorporated into this report.

### 2.1 Agency Overview

The Orange County Sanitation District (OCSD) has operated as the successor agency to the previously established county sanitation districts since 1998. Formed under the County Sanitation District Act, the District's service area covers approximately 480 square miles and 2.6 million Orange County residents. With its headquarters in the City of Fountain Valley, OCSD provides regional sewer collection and treatment for 20 cities, four special districts (containing five cities), and several unincorporated areas generally located in the northern and central parts of the county. The District has two operating facilities that treat wastewater from residential, commercial and industrial sources and is the third largest wastewater treatment agency in the western United States. In addition to the management and operation of regional facilities, OCSD provides other key services and programs that include: ownership and operator of local sewers, biosolids management, urban runoff treatment, and legislative and community engagement. OCSD also partners with other agencies on issues involving recycled water and groundwater replenishment and other local and statewide regulatory matters.

OCSD is a dependent special district governed by a 25-member Board of Directors comprised of one County Supervisor, 20 city council members, and representatives from

four independent special districts within the District's service territory. The District's profile is shown in the table below.

Table 2: Agency Profile	
District	Orange County Sanitation District
Agency Type	Dependent Special District
Principal Act	Sanitary District Act of 1923
Address	10844 Ellis Ave, Fountain Valley, CA 92708
Date Formed	1954
Key Services	Regional and local wastewater collection, treatment, and conveyance; water resource recovery.
Service Area	
Location	Central, northwest, and South (small portion) of Orange County.
Service Area	480 square miles
Land Uses	Residential, commercial, industrial, institutional, and open space.
Population Served	Regional: 2.6 million people (81% of the County's population).
Last MSR Conducted	May 9, 2007
Sewer Infrastructure	
Facilities	2 reclamation treatment plants; 15 pump stations; 386 miles of regional sewer pipelines; 1.2 miles of local pipelines
Governance	
Local Representation	25-member Board of Directors comprised of elected officials from 20 cities, 2 sanitary special districts, 2 water special districts, and one representative from the Board of Supervisors.
Board Compensation	Board members are compensated \$212.50 per meeting for up to six meetings a month. Each director may elect to reduce their compensation by participating in the District's 457 (b) deferred compensation plan. Board members do not receive health or dental benefits.
Meeting	Monthly Board meetings on the 4 <sup>th</sup> Wednesday of every month at 6:00 p.m. at OCSD Administrative Offices, located at 10844 Ellis Avenue, Fountain Valley, CA 92708
Website	<a href="http://www.ocsd.com">www.ocsd.com</a>
Agency Contact	Jim Herberg, General Manager



## 2.2 What Did We Learn?

During the conducting of the MSR for OCSD, there were many notable areas discovered:

- A review of OCSD's sphere of influence revealed that several parcels within the cities of Anaheim and Yorba Linda are located outside of the District's service boundary but are currently receiving regional wastewater services from the District and are not being assessed fees for the service. Annexation of the areas should be initiated by OCSD in order for the District to collect fees for the regional service being provided to property owners within these areas.
- In 2007, OCSD adopted a strategic initiative to move away from operating and maintaining local sewers. Over the past several years, the District has divested from owning and maintaining local sewers that are connected directly to properties. However, OCSD continues to maintain approximately 1.2 miles of local sewers that are owned by other public agencies. OCSD is collaboratively working with the agencies to transition the maintenance of those local sewers.
- In 2012, OCSD amended the agreement with the County Sanitation Districts of Los Angeles (CSDLA) to collect sewer flows along the Coyote Creek and the San Gabriel River bisect in accordance with the geography. The agreement allows both agencies to maximize efficiency and minimize cost. This area includes a small unincorporated island that currently receives local wastewater service through a County Service Area (CSA 13) and is within the sphere of influence of the City of Buena Park. Last year, Commission staff approached the City to explore annexation of the island and assume the provision of local wastewater service. Because of costs associated with annexation, the City indicated that it was not interested in moving forward with annexation of the island. During the preparation of OCSD's MSR, staff inquired with OCSD about assuming local wastewater service within the island. The District has indicated that assuming responsibility for the local infrastructure does not align with OCSD's strategic initiative of divesting from the provision of local wastewater service.
- In accordance with board adopted policies, the District's reserves total approximately \$843 million as of 2020. Through metrics set by the State of California Auditor's Office, the District's reserves are considered "high"<sup>1</sup> as the total amount is above 80% of its annual operating expenditures. However, the OCSD reserve established by the Board sufficiently maintains a 20-year Capital

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<sup>1</sup> California State Auditor's Office, State Auditor Risk Factors Revenue Trends.

Improvement Program that supports the improvements, rehabilitation, replacement, expansion, and upgrades to the District's treatment plants, 386 miles of regional and 1.2 miles of local infrastructure. It is expected that the \$843 million in reserves will decrease as capital improvement projects are completed over the next 20 years.

- In response to the State Legislature enacting legislation to reduce methane emissions, OCSD is currently constructing a facility that will facilitate the processing of organic food waste. Once completed, the processing plant will assist Orange County local government agencies with reducing the disposal of food waste to the County's local landfills and further assist agencies in meeting the State's mandate to minimize greenhouse gas emissions.
- OCSD, in partnership with the Orange County Water District (OCWD), sponsors the Groundwater Replenishment System Final Expansion Project. This effort has resulted in the replenishing of the Orange County Groundwater Basin to increase the production of purified water from 100 to 130 million gallons per day.

### **2.3 Municipal Service Review Statement of Determinations**

The municipal services provided by OCSD were first reviewed by Orange LAFCO in 2007. Subsequent reviews for the District were done in 2013 and 2016. This section includes the Statement of Determinations for the 2020 comprehensive review of services provided by OCSD. The seven determinations are examined in more detail beginning on page 15 of this report.

#### **RECOMMENDATION**

Staff recommends the Commission adopt the MSR Statement of Determinations for the Orange County Sanitation District (OCSD) shown in Exhibit 1.



***Exhibit 1***

**Orange County Sanitation District  
Municipal Service Review (MSR)**

**STATEMENT OF DETERMINATIONS**

**DETERMINATION 1: GROWTH AND POPULATION PROJECTIONS FOR THE AFFECTED AREA**

OCSD currently provides regional wastewater service to approximately 2.6 million people comprising approximately 81% of Orange County's population. By 2030, the population served by the District is expected to increase by five percent and by 2040, the OCSD service area will include 2.8 million Orange County residents and 940,653 housing units. With these respective modest increases, the District's existing and planned operations and infrastructure are expected to meet the service demands of its member agencies and the public.

**DETERMINATION 2: THE LOCATION AND CHARACTERISTICS OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AFFECTED SPHERE OF INFLUENCE**

The OCSD sphere of influence includes a total of seven disadvantaged unincorporated communities (DUCs) adjacent to and within the spheres of influence of the cities of Anaheim, Stanton, and Westminster. The communities are part of a larger unincorporated area and substantially or completely surrounded by the adjacent city. The land use within the DUCs include residential, commercial, industrial and recreational.

**DETERMINATION 3: PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES, ADEQUACY OF PUBLIC SERVICES, AND INFRASTRUCTURE NEEDS OR DEFICIENCIES INCLUDING NEEDS OR DEFICIENCIES RELATED TO SEWERS, MUNICIPAL AND INDUSTRIAL WATER, AND STRUCTURAL FIRE PROTECTION IN ANY DISADVANTAGED, UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE AFFECTED SPHERE OF INFLUENCE**

The OCSD extensive infrastructure includes 386 miles of regional pipelines, 1.2 miles of local sewer pipelines, 15 pump stations, and two treatments plants. Serving over 80% of the County's population, the District completes deliberative planning for the maintaining of its infrastructure through the agency's Capital Improvement Program and the Facilities Master Plan. The planning for present and planned capacity of facilities involves a 20-

*Exhibit 1*

**Orange County Sanitation District  
Municipal Service Review (MSR)**

**STATEMENT OF DETERMINATIONS**

year program for capital improvement projects and facilities with budgets ranges from \$147 million to \$350 million annually. As the average age of OCSD infrastructure is 41 years, the program funding will support the replacement, rehabilitation and improvement of the District's infrastructure in the next 20 years to ensure that it meets the future regulatory requirements and levels of service and demands of customers.

Additionally, OCSD has planned accordingly for the disadvantaged unincorporated communities within the District's service boundary. Each of these communities, with the exception of the parcels connected to septic systems, are connected to the OCSD regional system. The Planning relative to the regional sewer system for these DUCs is appropriately addressed in the OCSD Facilities Maintenance Plan and the Capital Improvement Program.

**DETERMINATION 4: FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES**

In 2020, OCSD adopted a two-year budget for fiscal years 2020-2021 and 2021-2022. The current fiscal year budget totals approximately \$1.3 billion that includes \$484 million for funding sources and \$843 million for funding of reserves. The District's budget development includes assessing and establishing the resources needed to respond to regulatory requirements while meeting the needs and expectations of the customers through reliable, responsive, and affordable services. OCSD's key funding sources include fees collected for regional and local wastewater services and its two percent share of the County's ad valorem property tax.

In 2017, OCSD commissioned a cost of service rate study for the District's rates, fees and charges. The study generally concluded that the District needed to increase regional user rates, capital facilities capacity charges and supplemental capital facilities capacity charges to distribute cost in accordance with relative capacity and establish a regional rate structure. In response to the study, OCSD has implemented the changes in rates and capacity charges through 2023 to ensure adequate maintenance of facilities and infrastructure and delivery of service efficiently to OCSD member agencies and customers. More recently, in response to the recent impacts of COVID-19, the OCSD Board of Directors approved to delay the scheduled rate increase for FY 2020-2021.

*Exhibit 1*

**Orange County Sanitation District  
Municipal Service Review (MSR)**

**STATEMENT OF DETERMINATIONS**

**DETERMINATION 5: STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES**

OCSD exists to operate and maintain the regional sewers and treatment facilities that are shared by the cities and wastewater agencies within the District's service area. Additionally, OCSD participates in joint agreements and partnerships that support the efficient operation and management of these infrastructure systems. These collaborative efforts include participation in the Santa Ana Watershed Project and agreements with Irvine Ranch Water District, Sunset Beach Sanitary District and the County Sanitation Districts of Los Angeles County involving the collection and treatment of sewer flows to support efficiency and more cost-effective services. OCSD is also partnering with the Orange County Water District on the replenishing of the Orange County Groundwater Basin to increase the production of purified water from 100 to 130 million gallons per day.

OCSD is currently working on the construction of a small facility that will be able to process the diversion of food waste from landfills. This project is a potential shared opportunity that would allow cities and other solid waste agencies to address the California Legislature's mandate to minimize greenhouse gas emissions by adequately disposing of waste away from County landfills. OCSD also assists Cities and the County during dry weather by receiving and treating urban runoff that would flow into rivers and beaches. This process allows for less urban runoff to reach rivers and beaches and increase the water quality.

**DETERMINATION 6: ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENTAL STRUCTURE AND OPERATIONAL EFFICIENCIES**

OCSD is a dependent special district that serves 20 cities, four independent special districts, and several unincorporated County areas. Every city or agency served by OCSD is represented on its Board of Directors by an elected official of the city or agency. Unincorporated areas are represented by a County Supervisor.

The District is accountable to the service needs of its community through board approved policies that support the efficient and transparent operations of the agency. The OCSD

*Exhibit 1*

**Orange County Sanitation District  
Municipal Service Review (MSR)**

**STATEMENT OF DETERMINATIONS**

Board of Directors conduct monthly and committee meetings and maintains a robust website that contains a wide range of information on the District's programs and services. The Board and committee meetings are open to the public and are conducted in accordance with the provisions of the Ralph M. Brown Act.

Board of Directors are paid \$212.50 per meeting attended, up to six meetings per month. The Chair of the Board receives the same compensation per meeting attended, up to 10 meetings per month. OCSD does not provide benefits to its Board Directors. However, they may elect to reduce their meeting compensation by participating in the District's deferred compensation plan.

The District has received awards and has been acknowledged for its efforts in promoting transparency. Additionally, member agency and public outreach is an important component of the District's mission. OCSD maintains various programs and resources to support this effort that include facility tours, the Speaker's Bureau and other communication to keep member agencies and the public informed of current events and news involving the agency's key matters.

**DETERMINATION 7: ANY OTHER MATTER RELATED TO EFFECTIVE OR  
EFFICIENT SERVICE DELIVERY, AS REQUIRED BY COMMISSION POLICY**

Currently, OCSD, provides regional sewer service to four communities within the Cities of Yorba Linda and Anaheim that are not within the District's jurisdictional boundary. Because these areas are not within the OCSD boundary, the District is unable to bill the property owners within these areas for service. In order to align the District's SOI and its service boundary to allow OCSD to appropriately charge the property owners within these areas, the annexation of these communities should be initiated by OCSD.

Additionally, OCSD also maintains local sewers located throughout OCSD's service area and owned by other public agencies. Over the past several years, the District has worked collaboratively with cities to transfer local sewers located within their respective jurisdictions. OCSD will need to continue to plan and budget for the maintenance of these local sewers until they are successfully transferred to other public agencies.

## **2.4 Sphere of Influence Statement of Determinations**

The Commission first established the sphere of influence (SOI) of the Orange County Sanitation District (OCSD) in 1998. Since that time, the District's SOI has been reviewed and updated in conjunction with boundary change applications and during the preparation of previous MSRs. The most recent comprehensive review of the District's SOI was completed in 2007. This section includes the Statement of Determinations for the 2020 review of OCSD's SOI. The five determinations are examined in more detail beginning on page 20 of this report.

### **RECOMMENDATION**

Staff recommends the Commission adopt the Statement of Determinations as shown in Exhibit 2 and reaffirm the District's SOI.

## ***Exhibit 2***

### **Orange County Sanitation District Sphere of Influence (SOI)**

#### **STATEMENT OF DETERMINATIONS**

##### **DETERMINATION 1: THE PRESENT AND PLANNED LAND USES IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS**

Encompassing approximately 480 square miles, the OCSD service area includes the boundaries of 20 cities, four special districts (containing five cities), and several unincorporated areas generally located in the northern and central portions of Orange County. Land use within the affected area is governed by the County and respective cities and varies to include: residential (single and multi-family), commercial, industrial, public, park and recreation, and open space. By 2040, the number of housing units within the OCSD service area is expected to increase from approximately 884,039 to 940,653. Based on the projected housing unit increase of approximately 6% by 2040, there will be a continuing need for the OCSD's regional collection and treatment systems. OCSD continues to address the present and future needs of the services the District provides through the Facilities Master Plan (FMP) and capital improvement program. The FMP was last prepared in 2017 and is updated every 10 years. The capital improvement program (CIP) is a 20-year program that identifies the financial and staffing resources needed to operate, repair and replace and the District's infrastructure.

##### **DETERMINATION 2: THE PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA**

OCSD provides regional wastewater collection and treatment services throughout the northern and central region and a small portion located in south Orange County. These systems are heavily regulated and must comply with federal and state laws. To comply with these regulations, OCSD has conducted the planning and assessment of its operations and facilities to accommodate the needs of the District's service population through 2040. The need for new and expanded facilities to accommodate future growth is addressed in the District's 20-year CIP. The District's CIP also addresses the impacts of the drought and water conservation on sewer flows and is budgeted at \$147.6 million for the current fiscal year projects. Projects primarily consist of the rehabilitation and replacement of existing facilities within the treatment plants and collection system over the next 20 years.

*Exhibit 2*

**Orange County Sanitation District  
Sphere of Influence (SOI)**

**STATEMENT OF DETERMINATIONS**

**DETERMINATION 3: THE PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE**

The capacity of the OCSD regional wastewater collection, treatment and disposal systems is commensurate with the population it currently serves. The District's current CIP budget includes the resources that are needed for the investment in the renovation, replacement and improvements to the OCSD facilities.

In addition to regional facilities, OCSD maintains local sewers located throughout OCSD's service area and owned by other public agencies. Over the past several years, the District has worked collaboratively with cities to transfer local sewers located within their respective jurisdictions. OCSD will need to continue to plan and budget for the maintenance of these local sewers until they are successfully transferred to other public agencies.

**DETERMINATION 4: THE EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA, IF THE COMMISSION DETERMINES THAT THEY ARE RELEVANT TO THE AGENCY**

Residential, commercial, and industrial facilities located in 20 cities, four special districts and unincorporated Orange County are connected to the OCSD regional wastewater, treatment and collection systems. The social interest for these communities involves the provision and maintenance of these systems and compliance with existing federal and state regulations in a manner that protects the public health and the environment. The economic interest involves achieving these goals by delivering this critical service through the most cost-effective means. OCSD has demonstrated the ability to provide for the efficient and cost-effective management of the regional wastewater systems within its service area through deliberative technical and fiscal short and long-term planning while complying with existing regulations.

There are four communities of interest located within the cities of Yorba Linda and Anaheim. Currently, OCSD, by default, provides regional sewer service to these areas but the systems were built by the respective cities. As the areas are not a part of the



*Exhibit 2*

**Orange County Sanitation District  
Sphere of Influence (SOI)**

**STATEMENT OF DETERMINATIONS**

OCSD parcel inventory, the District is unable to bill the residents of these areas for service. Annexation of the areas should be initiated by OCSD in order for the District to collect fees for the regional service being provided to property owners within these areas.

**DETERMINATION 5: IF A CITY OR SPECIAL DISTRICT PROVIDES PUBLIC FACILITIES OR SERVICES RELATED TO SEWERS, MUNICIPAL AND INDUSTRIAL WATER, OR STRUCTURAL FIRE PROTECTION, THE PRESENT AND PROBABLE NEED FOR THOSE FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE**

There is a total of seven disadvantaged unincorporated communities within the OCSD service area. Each of the communities, with the exception of the parcels connected to septic systems, are connected to the OCSD regional system and the respective city or special district's local sewer system. The planning relative to the sewer systems for DUCs is appropriately addressed in the OCSD's FMP and CIP and in the respective local agency's General Plan, Sewer Master Plan, and other planning documents. Septic system conversions to a local sewer system within an OCSD member agency are automatically connected to OCSD's regional sewer.



## CHAPTER THREE | AGENCY OVERVIEW

### 3.0 History, Mission, and Powers

In 1946, the Orange County Board of Supervisors commissioned the Orange County Sewerage Survey Report that initiated the formation of the first county sanitation districts. Following the report, the first three sanitation districts in Orange County were formed in 1947, and five additional districts were established in 1948 under the County Sanitation District Act of 1923. By 1954, seven of the eight districts were operated by a single agency known as the County Sanitation District of Orange County. Although the districts operated under a single agency, each district had its Board of Directors and separate user fees. To improve the efficiency in the areas of governance and regional fees, in 1998, the Orange County LAFCO approved the consolidation of the sanitation districts, designating the Orange County Sanitation District (OCSD) as a dependent special district <sup>2</sup> and successor agency.

OCSD's mission is to protect public health and the environment by providing effective wastewater collection, treatment, and recycling. To enhance OCSD's mission, OCSD adopted a vision statement and core values. The vision statement supports OCSD's mission statement by stating its broad philosophy of what it strives to achieve in the delivery of services to its customers, vendors, other agencies, the general public, and staff. The core values support OCSD's

#### OCSD Key Vision and Core Value Areas:

##### *Vision*

- Providing reliable, responsive, and affordable services in line with customer needs and expectations.
- Protecting public health and the environment utilizing all practical and effective means for wastewater, energy, and solids resource recovery.
- Continually seeking efficiencies to ensure that the public's money is wisely spent.
- Communicating our mission and strategies with those we serve and all other stakeholders.
- Partnering with others to benefit our customers, this region, and our industry.
- Creating the best possible workforce in terms of safety, productivity, customer service, and training.

##### *Core Values*

- Honesty, Trust, and Respect: We aspire to reach OCSD goals through cooperative efforts and collaboration with each other, our suppliers, our customers, and our community.
- Teamwork and Problem Solving: We strive to reach OCSD goals through cooperative efforts and collaboration with each other and our constituencies. We work to solve problems in a creative, cost-effective, and safe manner, and we acknowledge team and individual efforts.
- Leadership and Commitment: We lead by example, acknowledging the values of our resources and using them wisely and safely to achieve our objectives and goals. We are committed to act in the best interest of our employees, our organization, and our community.

<sup>2</sup>Per Government Code Section 56032.5: "Dependent special district" or "dependent district" includes any special district that has a legislative body that consists, in whole or part, of ex officio members who are officers of a county or another local agency, or who are appointees of those officers, and who are not appointed to fixed terms. "Dependent special district" or "dependent district" does not include any district excluded from the definition of district contained in Section 56036 and 56036.6.

mission and vision statement by expressing the values, beliefs, and philosophy that guide the District's actions.

### **3.1 Board Composition and Staff**

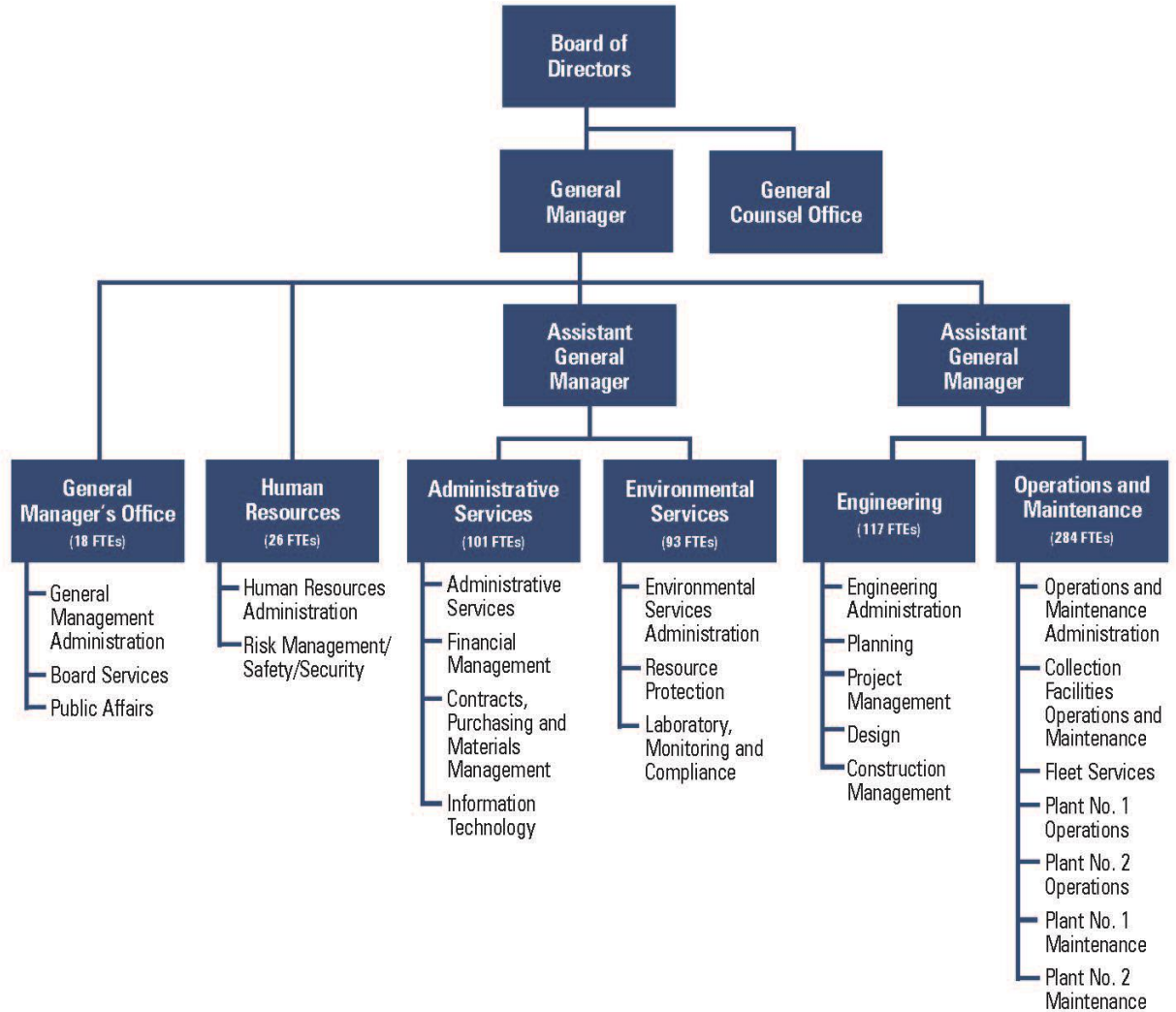
OCSD was formed under the Sanitary District Act of 1923. Under the act, OCSD is generally, authorized to provide wastewater collection, treatment, and recycling to its consumers within a defined geographic area. The Act also establishes the governing board, outlines election requirements and identifies the range and limits of a special district's functions.

The District is governed by a 25-member Board of Directors, comprised of appointed representatives from the Orange County Supervisors, cities, and special districts within the District's service territory. The Board of Directors is confirmed annually by their respective agency.

The OCSD operations is supported by 639 full-time employees and two part-time employees. The staff is divided into six departments that include the General Manager's Office, Human Resources, Administrative Services, Environmental Services, Engineering, and Operations and Maintenance.

**Figure 1: OCSD Organization Chart**

## ORGANIZATION CHART



### 3.2 Member Agencies

OCSO provides regional and local wastewater collection, treatment, recycling, and water resource recovery for a service area of 480 square miles that includes a population of approximately 2.6 million people. The District's member agencies consist of 20 cities, 4 special districts and several County unincorporated areas.

Table 3: OCSD Member Agencies				
Cities				
Anaheim	Brea	Buena Park	Cypress	Fountain Valley
Fullerton	Garden Grove	Huntington Beach	Irvine	La Habra
La Palma	Los Alamitos	Newport Beach	Orange	Placentia
Santa Ana	Seal Beach	Stanton	Tustin	Villa Park
Special Districts				
Irvine Ranch Water District	Yorba Linda Water District	Costa Mesa Sanitary District	Midway City Sanitary District	
County of Orange (Unincorporated Areas)				

# Orange County Sanitation District Service Area and Treatment Plant Locations in Orange County, California



## CHAPTER FOUR | MUNICIPAL SERVICE REVIEW

### 4.0 MSR History

The first MSR for OCSD was conducted in June 2007. The District's MSR determinations were subsequently reconfirmed in 2013. In 2015, a focused MSR was prepared in response to an application filed by the East Orange County Water District and Irvine Ranch Water District. The scope of the MSR included a review of the District's provision of local sewer service to unincorporated areas (OCSD Service Area 7) within the Cities of Tustin and Orange SOIs and potential alternative service providers. In 2018, OCSD's sphere and jurisdictional boundary were subsequently amended to remove OCSD Service Area 7, and the area was transferred to East Orange Municipal Water District.

### 4.1 Growth and Population Projections

The efficient delivery of municipal services is dependent upon the deliberative planning for the existing population and expected growth within the affected area. Understanding the impacts of the current and future levels of demands for services assist municipal service providers with the planning, maintenance, and expansion of adequate service infrastructure.

According to the California State Department of Finance, the Orange County population of 3,268,084 is expected to increase by approximately five percent by the year 2030 and an additional three percent by 2040. The current population places Orange County as the third and sixth most populous County in California and the United States, respectively. The County's housing is also projected to increase by approximately three percent by the year 2030 and an additional three percent by 2040.

Similar to the County as a whole, OCSD's service area population and housing are projected to increase by approximately five percent by the year 2030 and three percent by 2040. With these projected moderate increases, it is expected that the OCSD operations and infrastructure will continue to efficiently meet the service demands of the District's consumers.

**Table 4: Growth and Population Projections**

	2020 Population	2020 Housing	2030 Population	2030 Housing	2040 Population	2040 Housing
Orange County Sanitation District	2,661,308	884,039	2,793,650	912,224	2,864,409	940,653
Orange County	3,268,084	1,122,178	3,440,882	1,159,026	3,531,540	1,194,168



## 4.2 Capacity and Adequacy of Public Facilities and Services

OCSD provides wastewater service by collecting, transporting, and treating wastewater. The wastewater is treated to remove the solids per federal, state, and local laws and regulations. OCSD wastewater collection system is an extensive infrastructure that includes sewers, pipelines, and pump stations. Most of the wastewater flows move through OCSD's pipeline system by gravity flow. However, those areas that have high topographical elevation, pump stations assist with pumping the wastewater flows over the elevated regions. The wastewater flows are treated at two treatment facilities located in the City of Fountain Valley and the City of Huntington Beach. OCSD's treatment plants and pump stations are supervised, operated, and maintained by trained professionals with appropriate certification from the California State Water Resource Control Board and California Water Environment Association.

OCSD completes the planning and maintaining of the District's wastewater infrastructure through its Capital Improvement Program (CIP) and the 2017 Facilities Master Plan approved in 2017. The District's Program and Plan involves a 20-year program for capital improvement projects and facilities to meet the future regulatory requirements, levels of service, and strategic initiatives.

### 4.2.1 OCSD Services and Facilities

The OCSD services and facilities include extensive wastewater collection and outfall systems, treatment plants and biosolids program, and a partnership with the Orange County Water District (OCWD) on groundwater replenishment. To maintain its operations and infrastructure, OCSD adopts an annual CIP outlay. The CIP outlay is created to support the improvements, rehabilitation, replacement, expansion, and upgrades to the

**Table 5: OCSD Facilities Inventory**

<b>Regional Pipelines</b>	OCSD maintains approximately 386 miles of regional sewer pipeline infrastructure.
<b>Local Pipelines</b>	OCSD maintains approximately 1.2 miles of local sewer pipelines connected to properties throughout its service area that are owned by other public agencies.
<b>Pump Stations</b>	OCSD maintains 15 pump stations throughout its service area that pump sewer flows over elevated terrain that poses a gravitational barrier.
<b>Resource Recovery Plant No. 1</b>	Reclamation Treatment Plant No. 1 is in the City of Fountain Valley. This plant has a treatment capacity of 182 million gallons per day. After the wastewater is treated at this plant
<b>Resource Recovery Plant No. 2.</b>	Treatment Plant No. 2 is in the City of Huntington Beach. This plant has a treatment capacity of 150 million gallons per day.

District's facilities. The CIP's expenditures for FY 2020-21 and FY 2021-22 are \$147,600,000 and \$240,800,00 respectively.

OCSD utilizes four planning documents to guide the agencies near term and long-term decision-making process. The Strategic Plan defines the strategic initiatives adopted by the Board of Directors that will be pursued by OCSD and provides a basis for long-term financial, capital, and operating planning. The annual budget document presents the capital, operational, and debt service expenditures necessary to support the strategic plan within a framework that enables clear understanding by the OCSD Board of Directors, employees, and ratepayers. The Facilities Master Plan (FMP) identifies long term capital improvement projects to address treatment and collection system infrastructure needs for a twenty-year planning period. These capital improvement projects will help assure the strategic plan initiatives and level of service obligations are met. In 2019, OCSD issued its first Asset Management Plan (AMP). This Plan, updated on an annual basis, provides an annual overview of the condition of OCSD's assets and describes near term operation strategies, maintenance plans, and capital project implementation. The AMP ensures that assets can meet OCSD's levels of service in both the short term and long term. In turn, the AMP monitors, updates, cancels, and adds Capital Projects from the FMP. This ensures that all Capital Projects from the FMP are relevant and will not become stale before a new FMP is generated (typically on a 10-year cycle). The District's facilities are discussed in the next section of this report.

### *Regional Collection System*

OCSD's 480-square-mile service encompasses 386 miles of gravity trunk sewer system, force mains, and numerous access and flow diversion structures. The trunk sewer system consists of pipelines, inverted siphons, manholes, and flow diversion structures divided into eight collection service areas that line-up with OCSD's member agencies. The size of each trunk sewer pipeline varies in size from 12 inches to 120 inches in diameter, with 21 to 30 inches being the most prevalent. The trunk sewer system carries approximately 188 million gallons per day from residential, commercial, and industrial sources. The sewer flows are divided between Reclamation Treatment Plant No. 1 in the City of Fountain Valley and Treatment Plant No. 2 in the City of Huntington Beach. Table 6 provides the composition of OCSD's pipeline infrastructure by pipeline diameter, number of miles of each type of pipeline, and the percentage of the District's total system.



**Table 6: OCSD Pipeline Infrastructure**

<b>Diameter (inches)</b>	<b>Miles of Pipeline</b>	<b>Percentage of Total System</b>
<b>&lt;12</b>	8	2%
<b>12-20</b>	59	15%
<b>21-30</b>	119	31%
<b>32-39</b>	57	15%
<b>41-54</b>	67	17%
<b>60-69</b>	27	7%
<b>72-120</b>	51	13%

### *Local Collection System*

In 2007, the OCSD Board of Directors adopted a strategic initiative focused on divesting the District from operating and serving local sewers. There are two types of local sewers, 1) those that serve properties directly and 2) mains that do not primarily serve properties directly and only serve a single public agency (no regional purpose). For example, a regional sewer would contain wastewater from multiple agencies. As one of the largest regional wastewater providers in the Country, the goal was supported by the Board to allow local providers, such as cities and special districts, to deliver the local service and for OCSD to focus on operating the regional systems. Since that time, OCSD has transferred 154 miles of local sewers located in cities of Tustin, Santa Ana, and Newport Beach and the County's unincorporated areas. Those local sewers were transferred to the Irvine Ranch Water District, East Orange Water District, City of Newport Beach, and the City of Santa Ana. Today, OCSD no longer owns and operates local sewers that serve properties directly. However, there are numerous lengths of the second type of local sewers throughout the OCSD service area and OCSD will continue to work with those agencies to transfer the remaining mains.

OCSD service area includes a small unincorporated island located within the City of Buena Park sphere of influence. The island's local sewer infrastructure and service are funded and provided through a County Service Area known as CSA 13. CSA 13 was established in 1967 to collect fees from the property owners of the area for the maintaining and provision of local sewer service. The local sewer system is not connected to OCSD's regional infrastructure due to the topography surrounding the island and instead is connected to the Los Angeles County Sanitation Districts. In the past year, Commission staff has proactively reached out to the City of Buena Park to explore potential annexation

of the area to the City. However, the City has indicated that due to the high costs associated with assuming the infrastructure and services within the island that it is not interested in annexing the area at this time. Subsequently and in part to the MSR process, staff discussed with OCSD the potential of assuming local sewer service provision to the small island OCSD staff indicated that assuming the service and infrastructure would be costly and does not align with the District's effort of divesting from the provision of local sewer service. A recent study by the County's public works department revealed that the local sewer infrastructure within the island is adequate and does not require any major repairs. The County Board of Supervisors recently approved an increase in the annual sewage unit fee of \$53.80 for each parcel for continued maintenance of the infrastructure.

Most of the properties within OCSD receive wastewater service through a local sewer pipeline connection. However, there are properties throughout the district that have an onsite septic system for wastewater service. As septic systems fail or property owners request to be connected to a local sewer system, the same properties will need to connect to the OCSD regional system. It is important that local sewer agencies and OCSD coordinate this process.

### *Treatment Plants*

The wastewater flows from residential, commercial, and industrial generators are collected through OCSD's 386 miles of trunk pipelines converge at its two treatment plants. Plant No. 1 receives wastewater flows from the eastern, western, and inland parts of OCSD's service area. The plant has a primary treatment capacity of 208 million gallons of water per day and a secondary treatment capacity of 182 million gallons of water per day. The processes at Plant No. 1 include chemically enhanced primary treatment, and secondary treatment, solids treatment, and digester gas recovery. Plant No. 2 receives wastewater flows from the western and coastal parts of OCSD's service area. The plant has a primary treatment capacity of 168 million gallons per day and a secondary treatment capacity of 150 gallons per day. The processes at Plant No. 2 include chemically enhanced primary treatment, secondary treatment, biosolid treatment, and digester gas recovery.

At each treatment plant, OCSD collects gas created through the treatment of wastewater and stored in a storage tank, compressed, and discharged into a high-pressure gas line. Digester gas produced during the treatment of wastewater generates approximately 65 percent methane and 35 percent carbon dioxide that is used as a source of fuel. The digester gas is used as a source of fuel to propel OCSD's Central Generation System (CENGEN) facilities and heating boilers at both plants. The CENGEN facilities produce electricity that allows OCSD to achieve their productivity and energy conservation goals.

Currently, the CENGEN system generates approximately 65 percent of the power required to run the two treatment plants.

Table 7 outlines the total number of wastewater connections and the total gallons of wastewater treated per day.

Table 7: OCSD Wastewater Treatment Connections			
Fiscal Year	Residential/Commercial Connections	Industrial Connections	Gallons of Wastewater Treated per Day (in the millions) <sup>3</sup>
2014-15	824,465	467	187
2015-16	863,317	450	183
2016-17	859,869	466	188
2017-18	871,338	473	185
2018-19	871,312	476	191

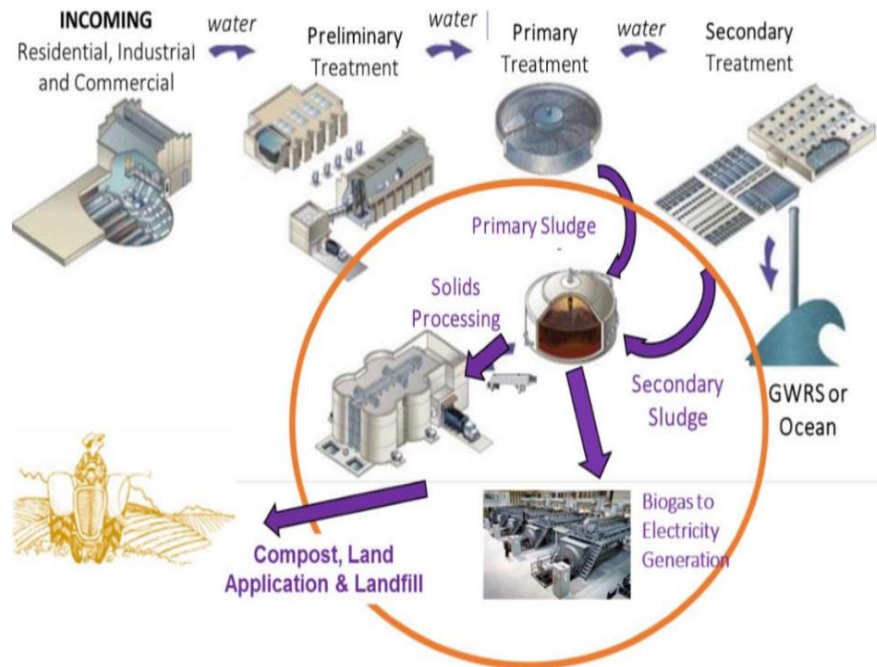
### Outfall System

OCSD's treated wastewater is used for reclamation, plant needs, or it is disposed of through its Ocean Outfall System. The Outfall system is located at Plant No. 2. The system pumps treated wastewater to a surge tower and flows by gravity through an outfall pipe into the Pacific Ocean. OCSD operates two outfalls. One is a 120-inch pipeline that discharges five miles offshore and serves as the primary outfall during normal operations. The second outfall is a 78-inch pipeline that discharges one mile off-shore and is used only under exceptional circumstances. Each of the outfall systems has a diffuser that disperses the effluent evenly throughout the area.

<sup>3</sup> Total gallons of wastewater treated by both Plant No. 1 and Plant No. 2 with the ability to divert excess between the plants.

### *Biosolids Program*

OCSD began its recycling biosolid program for beneficial use in 1971. Wastewater is collected at the two treatment plants operated by OCSD and treated to separate the solids from the stream. Biosolids are dewatered and transported to management sites. Currently, OCSD's daily treatment of biosolids is approximately 600 wet tons per day. The disposal options for the biosolids include composting, land application, and landfill. Processed biosolids assist with the production of a soil enhancement that is combined with soil to maintain and increase the health of farm fields and produce a soil additive that is used for agricultural, commercial, and residential use.



### *Groundwater Replenishment System*

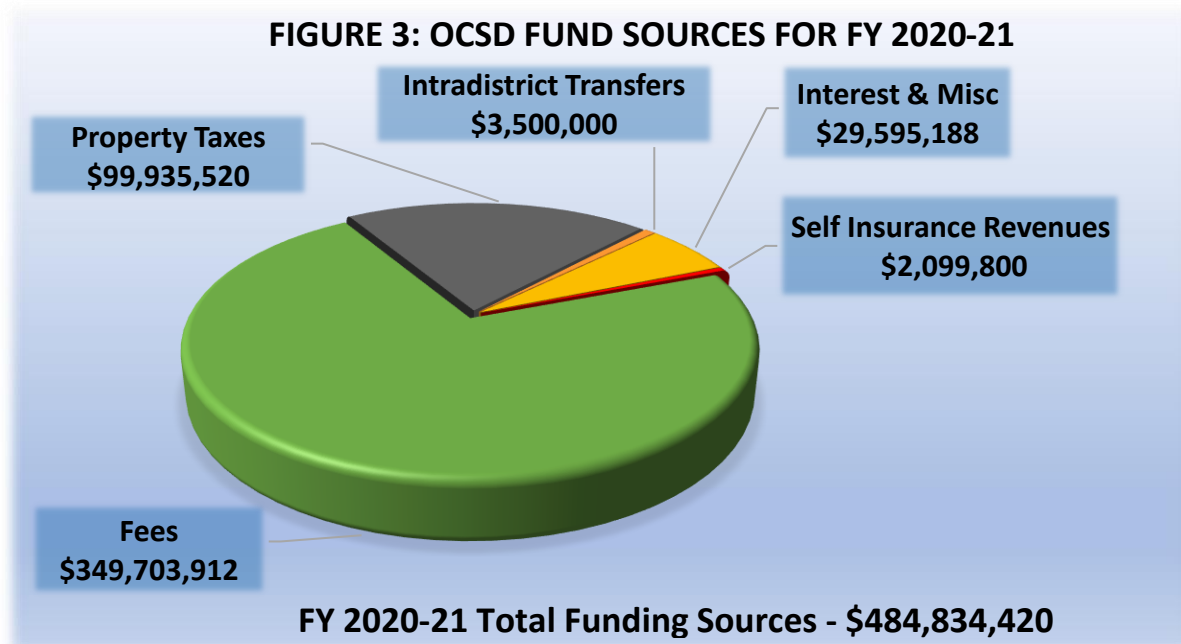
OCSD participates in a partnership with the Orange County Water District (OCWD) on the Groundwater Replenishment System (GWRS). Through this collaborative effort, OCSD treats wastewater through a thorough clarifying and disinfecting process prior to sending to OCWD for the GWRS. During FY 2018-19, OCSD routed approximately 117 million gallons per day of treated wastewater to the facilities operated by OCWD.

The project supplements the existing water supply by providing a new, reliable, high-quality source of water to recharge the Orange County Groundwater Basin and protection from seawater intrusion.

### 4.3 Financial Overview

On June 24, 2020, OCSD adopted a two-year budget (Fiscal Years 2020-21 and 2021-22). The approved 2020-2021 budget totals \$1,328,033,153 composed of \$484,834,420 for funding sources and OCSD's reserves of \$843,198,733. The approved budget supports the resources required by the District to efficiently provide cost-effective and quality levels of services to OCSD's member agencies and customers. Figures 3 and 4 depict the District's projected source of funding and use of funds for the 2020-2021 fiscal year. The District's key fund sources total \$484,834,420 and include the following:

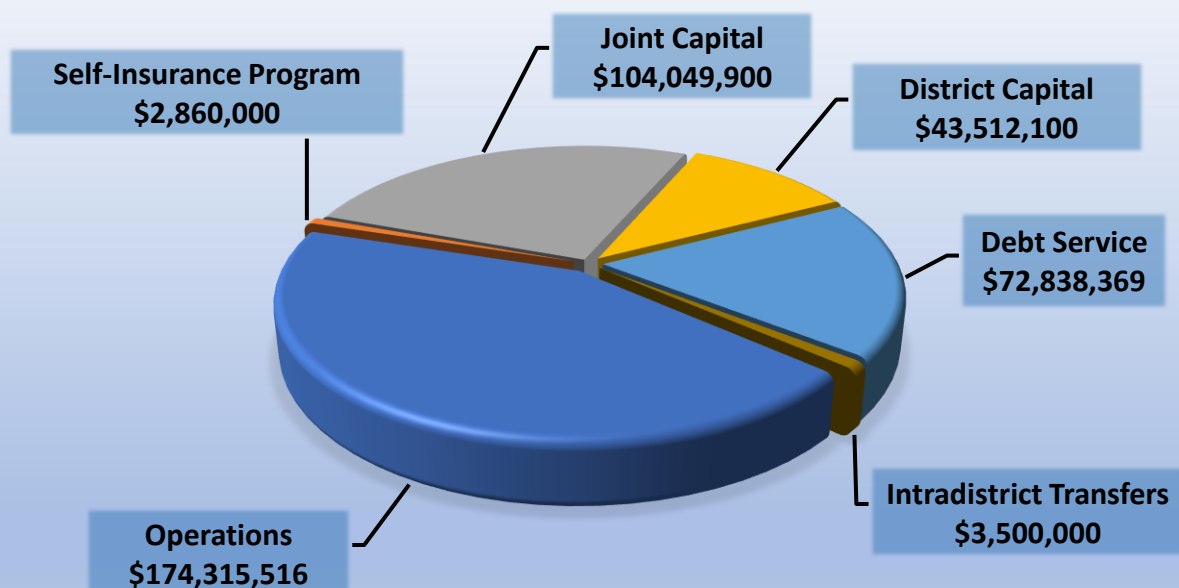
- **Fees**  
Fees collected for regional and local wastewater services, general user and permit, and capital facilities capacity charge.
- **Property Taxes**  
OCSD's share of the one percent ad valorem property tax is two percent.
- **Interest and Miscellaneous**  
Interest earned from District's investment portfolio, capital project reimbursements and other miscellaneous revenues.
- **Intradistrict Transfers**  
OCSD has joint agreements with Irvine Ranch Water District (IRWD) for the use of its infrastructure that generate revenues.
- **Self-Insurance Revenues**  
In-lieu premiums and charges to the revenue areas or operating divisions.



OCSD's projected expenses for fiscal year 2020-2021 total \$401,075,885 and include the following key uses:

- **Operations**  
Administrative, operations and maintenance, and program costs for collecting treating and recycling of wastewater.
- **Self-Insurance Program**  
General Liability & Property and Workers' Compensation insurance programs costs, including premiums, claims settlement, and legal fees.
- **Joint Capital**  
Planned capital improvement for facilities that have a shared cost or reimbursement agreement with other agencies.
- **District Capital**  
Planned capital improvements for the wholly owned OCSD collection system.
- **Debt Service**  
Annual debt service principal and interest payments.
- **Intradistrict Transfers**  
OCSD has joint agreements with Irvine Ranch Water District (IRWD) for the use of IRWD's infrastructure that generate costs.

**FIGURE 4: OCSD FUND USES FOR FY 2020-21**



**FY 2020-21 Total Funding Uses - \$401,075,885**



### *Reserves*

OCSD maintains a reserve policy that includes seven criterion used to identify the minimum reserve levels necessary for adequate operations and delivery of wastewater services by the District. The following is a summary of each criterion:

- *Debt Covenants and Other Requirements*

As OCSD issues debt, it is required to maintain certain levels of reserves specifically for repayment of that debt. The reserve levels for this purpose cannot be reduced or reserve fund used before repayment of all outstanding debt issuances. These levels are set by the numerous bond covenants.

- *“Dry Period” – Property Tax Payments*

The most substantial portion of OCSD revenues are user fees. These fees are listed and collected through the County property tax bill. Since the District receives payments twice each year, it holds 50% and 100% of funds in reserve specifically to pay for current operating expenses and debt service respectively, pending receipt of those payments.

- *Operating Budget*

Non-recurring and unanticipated expenditures. Reserve level is set at 10% of current operating budget.

- *Capital Improvement Budget*

Fund at 5% of the District’s 10-year capital improvement effort at current cost of \$2 billion.

- *Rehabilitation and Refurbishment*

Funds District rehabilitation efforts at \$50 million. Projected costs are based on real-time restoration or replacement costs.

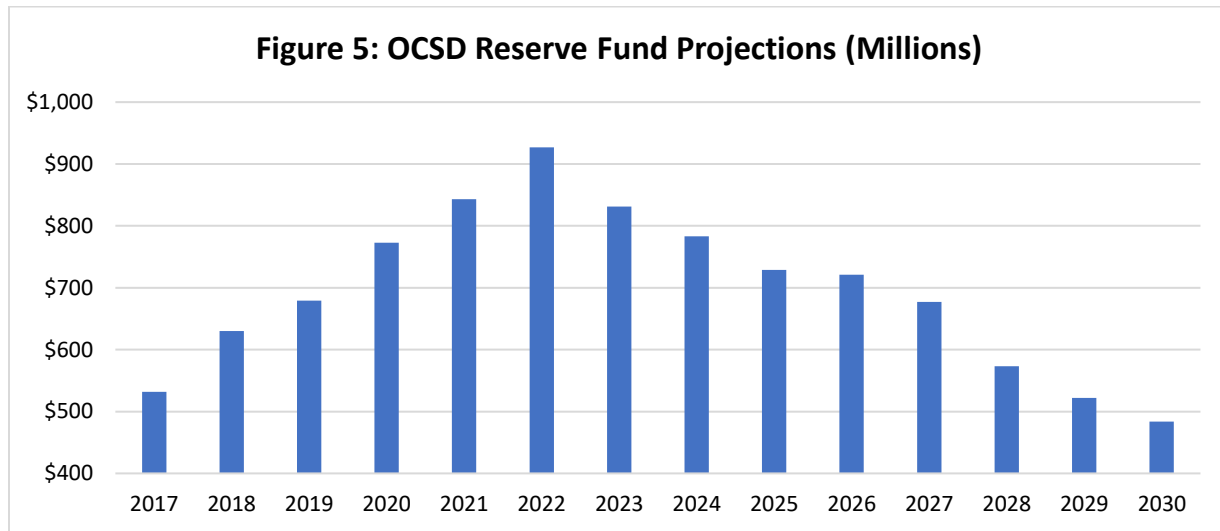
- *Catastrophic Loss / Self Insurance*

Funds catastrophic losses at \$57 million. OCSD is self-insured.

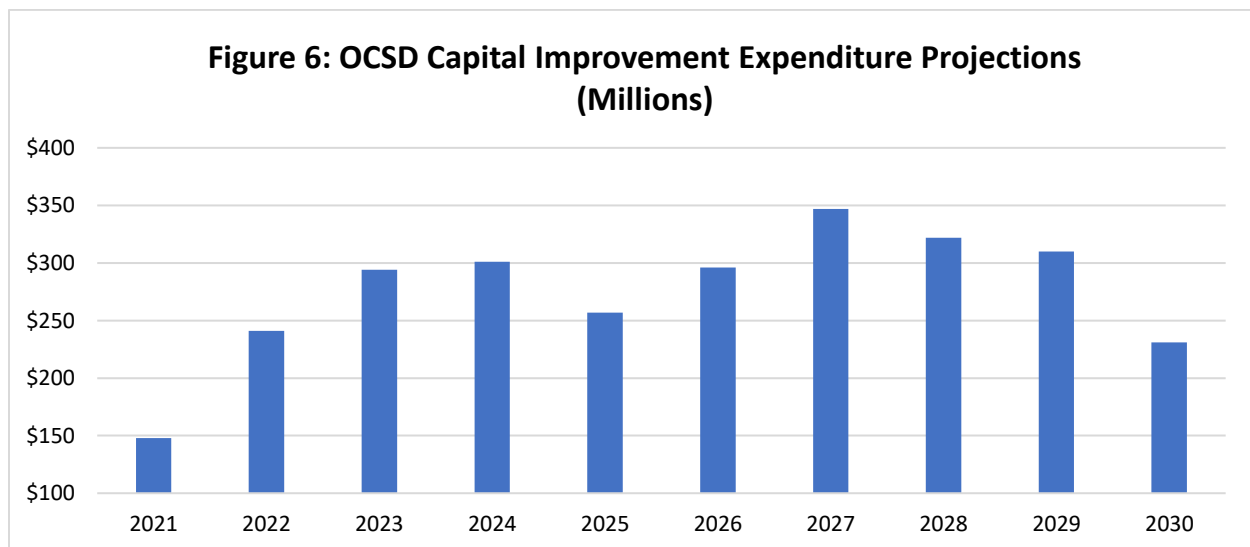
- *Accumulated Funds*

Funds that exceed the targets will be maintained for future years CIP needs due to the timing of outlays and to moderate rate fluctuations.

OCSD previously conducted an in-depth review of the agency’s reserve policies. This review included a survey of the reserve policies of 23 other public agencies and is periodically updated. It serves as a tool to assist in the evaluation of the underlying economic reasons supporting OCSD’s reserve policies. The figure below indicates OCSD’s reserve fund projections to the year 2030. The total reserves for each fiscal year meet OCSD reserves policy.



Peaks and valleys in the reserve levels are primarily the result of fluctuation in the capital improvement expenditures. In 2020-21, the Sanitation District is forecasting \$147 million in capital improvement expenditures. However, the annual average over the subsequent five-year period is over \$300 million. The capital improvement expenditures peak in 2026-27 at approximately \$350 million before returning to baseline levels (See Figure 6). As a result, OCSD reserves will drop by nearly 50%. This reduction is planned as part of the 20-year capital improvement program. The planned build up and reduction of reserves is a rate stabilization tool which allows OCSD's rate to avoid large swings in the rates charged to its customers. Additionally, OCSD is self-insured for most of the \$11 billion in assets and are required by bond covenants to keep minimum reserve levels to cover debt service payments.





### *Debts and Assets*

As of June 30, 2019, OCSD had an outstanding debt of \$972.8 million, a net decrease of \$39.3 million from the fiscal year 2017-18. The debt financing mechanism used by OCSD is Certificates of Participation (COP). COPs are repayment obligations based on lease or installment sale agreements. OCSD selected the COP structure because COPs are not viewed as debt by the State of California, as the purchaser does not receive a “bond,” but rather a share in an installment sale arrangement where OCSD serves as the purchaser. COPs can be issued with fixed or variable interest rates. OCSD’s AAA rating was recently reaffirmed by “Moody’s,” “Standard and Poor’s,” and “Fitch Ratings.”

### *Rate Studies or Assessment Overview*

In 2017, OCSD retained the services of a consultant to conduct a five-year (2019 through 2023) cost of service rate study for the District’s rates, fees, and charges. The purpose of the study was to provide an update to sewer service rates, to justifiably distribute the cost in accordance with capital capacity for each customer and develop OCSD’s regional rate structure over five years. The study concluded that the District needed take the following actions:

- Increase the regional user rate by 1.2 percent over five years (2019-2023).
- Increase the Capital Facilities Capacity Charges from \$3,855 to \$5,719 per equivalent residential dwelling unit and from \$2,000 to \$3,639 per 1,000 square feet for commercial and industrial dwellings by 2023.
- Over five years, gradually increase the Supplemental Capital Facilities Capacity Charge to \$0.001996 per gallon, \$0.481 per lbs. of Biochemical Oxygen Demand, and \$0.271 per lbs. of Total Suspended Solids by FY 2023.

The findings of the rate study were approved by the OCSD Board and implemented to adequately maintain facilities and infrastructure and deliver services efficiently to OCSD member agencies and customers. In response to the recent impacts of COVID-19, the OCSD Board of Directors approved to delay the scheduled rate increase for FY 2020-2021.

## **4.4 Status of and Opportunities for Shared Facilities, Programs and Services**

The sharing of resources, which may include staffing, facilities, and programs, may result in the reduction of service costs and potentially improve efficiencies of service delivery. Sharing of resources through excess system and other capacities may also decrease duplicative efforts and result in a more cost-effective function of services.

OCSD participates in numerous joint agreements and arrangements with other public agencies. The collaborative efforts involve shared services and facilities. Table 8 depicts OCSD's current shared services participation.

<b>Table 8: OCSD Shared Services and Facilities Agreements</b>	
<b>Agency</b>	<b>Description</b>
<b>Orange County Water District</b>	Through a partnership between the two agencies, OCSD provides treated wastewater to the Groundwater Replenishment System (GWRS) managed by the Orange County Water District to produce high quality purified water for indirect potable reuse. Currently, both agencies are collaboratively working on expanding the GWRS that will increase the production of purified water from 100 to 130 million gallons per day.
<b>Santa Ana Watershed Project</b>	OCSD shares the ownership of a sewer line that allows for the movement of brine and other discharges from the Santa Ana Watershed Authority (SAWPA). The sewer line is within the Counties of Riverside and San Bernardino. The sewer line allows the removal of 500,000 pounds of salt per day from the watershed. The flows are collected and treated at Plant No. 2 and then are discharged through OCSD's 5-mile long outfall located in the Pacific Ocean.
<b>Irvine Ranch Water District</b>	The Irvine Ranch Water District (IRWD) provides local and regional sewer service within OCSD's Revenue Area 14. Depending on the geography and the location of facilities, IRWD directs sewer flows to OCSD for treatment and OCSD diverts flows to IRWD.
<b>County Sanitation Districts of Los Angeles</b>	Through an agreement between OCSD and County Sanitation Districts of Los Angeles (CSDLA), the agencies agreed that it was more beneficial to collect sewer flows along the Coyote Creek and the San Gabriel River bisect in accordance with the geography. It was determined that this agreement would minimize the construction of facilities that would be too costly and less efficient. Therefore, depending on the topography flows from CSDLA are directed to OCSD and OCSD diverts flows to CSDLA.
<b>Sunset Beach Sanitary District</b>	The Sunset Beach Sanitary District (SBSD) service area is outside of OCSD's southwest jurisdictional boundary. Since SBSD is not within this service area, an agreement has been established to allow OCSD to receive wastewater flows.
<b>Costa Mesa Sanitary District</b>	Through a shared agreement between OCSD and the Costa Mesa Sanitary District (CMSD) established in March 2015, the District provides staff to review and comment involving project designs in accordance with CMSD's standards. The agreement was formed to avoid any conflict of interest involving the CMSD's District Engineer and a private development located within CMSD's service area and will sunset in 2021.

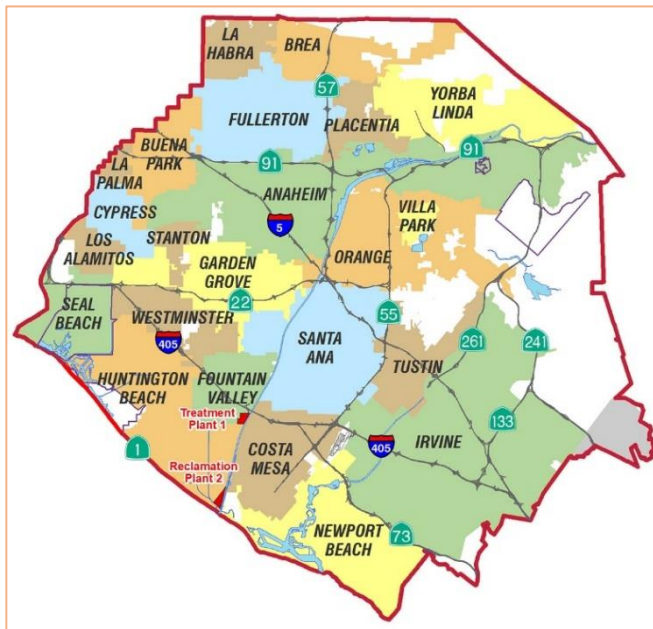
### *Potential Shared Service Opportunities*

Orange County cities are mandated by the Legislature to minimize greenhouse gas emissions by adequately disposing of organic material (food waste) away from landfills. OCSD has committed to serve a vital role in assisting the agencies by taking in food waste for processing at the District's treatment plant in the City of Huntington Beach. The food waste will be treated through anaerobic digestion that will produce additional gas that can be repurposed to power OCSD's plants. OCSD is currently working on the construction of a small facility that will be able to process the diversion of food waste from landfills. Construction for the facility is set to start during the 2020-21 fiscal year. OCSD plans to use the facility as an interim facility that will allow for processing the food waste. The food waste processing facility will allow OCSD to further evaluate technologies, operational impacts, and digester capacity.

## **4.5 Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies**

OCSD is a dependent special district established in 1998 under the County Sanitation District Act. The District provides regional wastewater services to approximately 2.6 million Orange County residents located within the jurisdictional boundaries of 20 cities, four independent special districts, and several unincorporated areas.

The internal operations and board approved policies are supported and implemented by OCSD's 639 full-time and two part-time employees. The District's accountability to community service needs and its governmental structure and operational efficiencies are reviewed in the following key areas: 1) Accessibility, 2) Accountability and Transparency, and 3) Member Agency and Public Outreach.



### *Accessibility*

The District's website ([ocsd.com](https://www.ocsd.com)) offers a wide range of information including services and programs provided, description and map of service area, meeting agendas, public

notices, and minutes, and reports. The website includes a 2020-2021 calendar containing the meeting dates and locations for board and committee meetings. The OCSD Board meets on the fourth Wednesday of each month at the District's headquarters, 10844 Ellis Avenue, Fountain Valley, CA 92708. The meetings begin at 6:00 p.m. and are open and accessible to the public. Committee meetings are also open to the public, although meeting dates and times vary and are posted on the District's website. In compliance with State and Federal guidelines for the preventative measures of the Coronavirus pandemic, the District is currently conducting the board and other public meetings telephonically to protect the health and safety of its members, staff, and the public.

### *Accountability and Transparency*

The OCSD 25-member Board of Directors is comprised of one County Supervisor, 20 city council members, two sanitary districts, and two water district representatives. Board members are appointed by their respective local agency and do not have fixed terms. Each agency also appoints an Alternate Director that serves in the absence of the Active Director. The District's current board roster and compensation are provided in Table 9.

Table 9: OCSD Board of Directors			
<b>Date Formed:</b>		June 11, 1998	
<b>Principal Act:</b>		Sanitary District Act of 192	
<b>Board Meetings:</b>		4 <sup>th</sup> Wednesday, 6:00	
Cities	Active Director	Active Director	Compensation
Stanton	David Shawver, Chair	Carol Warren	<p>\$212.50 per meeting (up to 6 meetings per month; up to 10 meetings per month for Chair)</p> <p>Benefits available: The Board of Directors do not receive benefits. Each director may elect to reduce their compensation by participating in the District's 457 (b) deferred compensation plan.</p>
Anaheim	Lucille Kring	Denise Barnes	
Brea	Glenn Parker	Cecilia Hupp	
Buena Park	Fred Smith	Connor Traut	
Cypress	Mariellen Yarc	Stacy Berry	
Fountain Valley	Steve Nagel	Patrick Harper	
Fullerton	Jesus J. Silva	Jan Flory	
Garden Grove	Steve Jones	John O'Neill	
Huntington Beach	Erik Peterson	Lyn Semeta	
Irvine	Christina Shea	Anthony Kuo	
La Habra	Tim Shaw	Rose Espinoza	
La Palma	Peter Kim	Nitesh Patel	
Los Alamitos	Richard Murphy	Dean Grose	
Newport Beach	Brad Avery	Joy Brenner	
Orange	Mark Murphy	Kim Nichols	
Placentia	Chad Wanke	Ward Smith	
Santa Ana	Nelida Mendoza	David Penaloza	
Seal Beach	Sandra Massa-Lavitt	Schelly Sustarsic	
Tustin	Allan Bernstein	Chuck Puckett	
Villa Park	Robert Collacott	Chad Zimmerman	
Agencies	Active Director	Active Director	Compensation
Irvine Ranch Water District	John Withers, Vice Chair	Douglas Reinhart	<p>\$212.50 per meeting (up to 6 meetings per month; up to 10 meetings per month for Chair)</p> <p>Benefits available: The Board of Directors do not receive benefits. Each director may elect to reduce their compensation by participating in the District's 457 (b) deferred compensation plan.</p>
Costa Mesa Sanitary District	James M. Ferryman	Robert Ooten	
Midway City Sanitary District	Andrew Nguyen	Margie L. Rice	
Yorba Linda Water District	Brooke Jones	Phil Hawkins	
County Board of Supervisors	Doug Chaffee	Donald P. Wagner	

In 2018, OCSD received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA). The award was established by the GFOA in 1945 and recognizes individual governments that succeed in going beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure. Additionally, the District has been acknowledged by the Special District Leadership Foundation (SDLF) for its commitment to promoting the transparency of OCSD's operations and governance to the public. SDLF is an independent, non-profit organization formed to promote good governance and best practices among California's special districts.

OCSD encourages the participation of the member agencies, public, and other interested parties through its website that provides an understanding of the District's resources and how it operates. The following key documents are available on the District's website:

- Board and staff salaries and benefits
- Sewer Fees and Rates for 2020-2021
- Financial and Budget Information (FYs 2008-2022)
- Audited Financial Statements (FYs 2010-2019)
- Policies: Investment, Safety and Human Resource, Board of Directors Personnel and Expense Reimbursement

### *Member Agency and Public Outreach*

Through various programs and resources, OCSD proactively engages in outreach efforts to its member agencies and the public. The District informs interested parties of its operations and resources through key educational programs and activities that include: State of the District's presentation, facility tours (on-site and virtual), and the Speaker's Bureau. Each of these efforts represents the District's effort to make individuals and agencies more aware of OCSD's programs, services, and challenges as the County's key regional wastewater provider. Additionally, the District conducts proactive outreach through regular messages from the General Manager, press releases, public noticing, and quarterly newsletters to keep member agencies and the public informed of current events and news involving the agency key matters.



## CHAPTER FIVE | SPHERE OF INFLUENCE (SOI) REVIEW AND UPDATE

### 5.0 Agency SOI History

In 1972, the State Legislature directed LAFCOs to adopt spheres of influence (SOIs) relative to their planning responsibility of identifying the probable and physical boundaries and service areas for each local government agency. Government Code Section 56425 requires that in determining the SOI of each local agency, the Commission shall consider and prepare a written statement of its determinations with respect to each of the following:

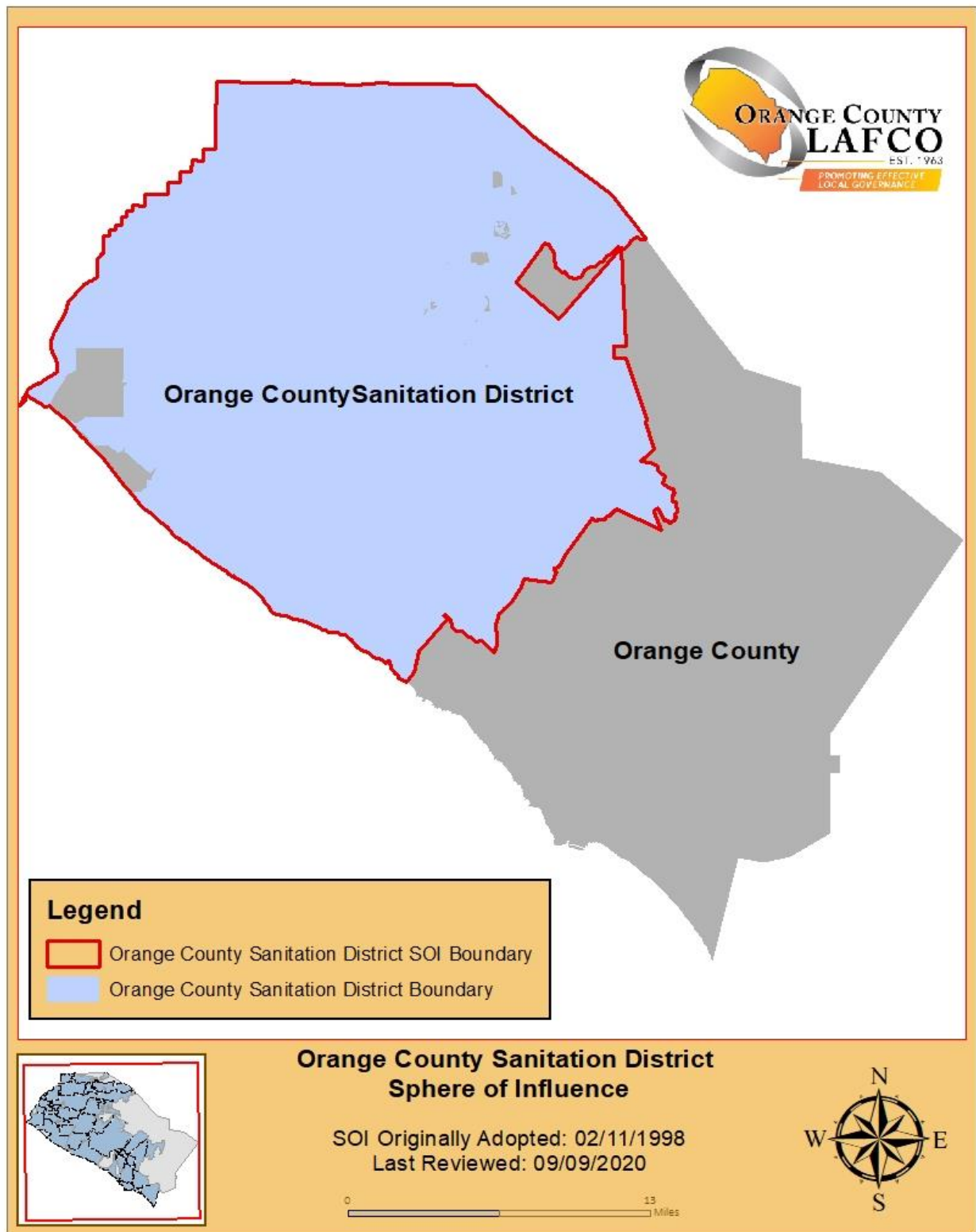
- (1) The present and planned land uses in the area, including agricultural and open-space lands.
- (2) The present and probable need for public facilities and services in the area.
- (3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- (4) The existence of any social or economic communities of interest in the area, if the Commission determines that they are relevant to the agency.
- (5) If a city or special district provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

For close to 50 years, Orange LAFCO has met the requirements of this mandate and adopted local policy and guidelines by establishing and reviewing the spheres of influence (SOI) of the County's cities and special districts every five years and updating SOIs as conditions warrant. In accordance with G.C. Section 56425, the Commission first established the SOI of the Orange County Sanitation District in 1973. The most recent comprehensive review of the District's SOI was completed in 2007.

The statement of determinations discussed in this section is based on the review of the Orange County Sanitation District's provision of services preceding this section of the report. Staff recommends that the Commission reaffirm the OCSD's current sphere of influence, as shown in Figure 7.



**Figure 7: OCSD Sphere of Influence Map**



**Orange County Sanitation District  
Sphere of Influence (SOI)**

**STATEMENT OF DETERMINATIONS**

**DETERMINATION 1: THE PRESENT AND PLANNED LAND USES IN THE AREA,  
INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS**

Encompassing approximately 480 square miles, the OCSD service area includes the boundaries of 20 cities, four special districts (containing five cities), and several unincorporated areas generally located in the northern and central portions of Orange County. Land use within the affected area is governed by the County and respective cities and varies to include: residential (single and multi-family), commercial, industrial, public, park and recreation, and open space. By 2040, the number of housing units within the OCSD service area is expected to increase from approximately 881,484 to 937,907. Based on the current and projected increase of approximately 6% for housing, there will be a continuing need for the OCSD's regional collection and treatment systems. OCSD continues to address the present and future needs of the services the District provides through the Facilities Master Plan (FMP) and capital improvement program. The FMP was last prepared in 2017 and is updated every 10 years. The capital improvement program (CIP) is a 20-year program that identifies the financial and staffing resources needed to operate, repair and replace and the District's infrastructure.

**DETERMINATION 2: THE PRESENT AND PROBABLE NEED FOR PUBLIC  
FACILITIES AND SERVICES IN THE AREA**

OCSD provides regional wastewater collection and treatment services throughout the northern and central region and a small portion located in south Orange County. These systems are heavily regulated and must comply with federal and state laws. To comply with these regulations, OCSD has conducted the planning and assessment of its operations and facilities to accommodate the needs of the District's service population through 2040. The need for new and expanded facilities to accommodate future growth is addressed in the District's 20-year CIP. The District's CIP also addresses the impacts of the drought and water conservation on sewer flows and is budgeted at \$147.6 million for the current fiscal year projects. Project primarily consist of the rehabilitation and replacement of existing facilities within the treatment plants and collection system over the next 20 years.

**Orange County Sanitation District  
Sphere of Influence (SOI)**

**STATEMENT OF DETERMINATIONS**

**DETERMINATION 3: THE PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES THAT THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE**

The capacity of the OCSD regional wastewater collection, treatment and disposal systems is commensurate with the population it currently serves. The District's current CIP budget includes the resources that are needed for the investment in the renovation, replacement and improvements to the OCSD facilities.

In addition to regional facilities, OCSD maintains local sewers located throughout OCSD's service area and owned by other public agencies. Over the past several years, the District has worked collaboratively with cities to transfer local sewers located within their respective jurisdictions. OCSD will need to continue to plan and budget for the maintenance of these local sewers until they are successfully transferred to other public agencies.

**DETERMINATION 4: THE EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA, IF THE COMMISSION DETERMINES THAT THEY ARE RELEVANT TO THE AGENCY**

Residential, commercial, and industrial facilities located in 20 cities, four special districts and unincorporated Orange County are connected to the OCSD regional wastewater, treatment and collection systems. The social interest for these communities involves the provision and maintenance of these systems and compliance with existing federal and state regulations in a manner that protects the public health and the environment. The economic interest involves achieving these goals by delivering this critical service through the most cost-effective means. OCSD has demonstrated the ability to provide for the efficient and cost-effective management of the regional wastewater systems within its service area through deliberative technical and fiscal short and long-term planning while complying with existing regulations.

There are four communities of interest located within the cities of Yorba Linda and Anaheim. Currently, OCSD, by default, provides regional sewer service to these areas but the systems were built by the respective cities. As the areas are not a part of the OCSD parcel inventory, the District is unable to bill the residents of these areas for

**Orange County Sanitation District  
Sphere of Influence (SOI)  
STATEMENT OF DETERMINATIONS**

service. Annexation of the areas should be initiated by OCSD in order for the District to collect fees for the regional service being provided to property owners within these areas.

**DETERMINATION 5: IF A CITY OR SPECIAL DISTRICT PROVIDES PUBLIC FACILITIES OR SERVICES RELATED TO SEWERS, MUNICIPAL AND INDUSTRIAL WATER, OR STRUCTURAL FIRE PROTECTION, THE PRESENT AND PROBABLE NEED FOR THOSE FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE**

There is a total of seven disadvantaged unincorporated communities within the OCSD service area. Each of the communities, with the exception of the parcels connected to septic systems, are connected to the OCSD regional system and the respective city or special district's local sewer system. The planning relative to the sewer systems for DUCs is appropriately addressed in the OCSD's FMP and CIP and in the respective local agency's General Plan, Sewer Master Plan, and other planning documents. Septic system conversions to a local sewer system within an OCSD member agency are automatically connected to OCSD's regional sewer.

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