
State Water Resources Control Board

NOTICE OF BOARD WORKSHOP AND OPPORTUNITY FOR PUBLIC COMMENT

Affordable, Safe Drinking Water Initiative

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will hold a public workshop on the Affordable, Safe Drinking Water (ASDW) Initiative. State Water Board staff will present needs assessments for providing affordable drinking water to low-income Californians and safe drinking water to disadvantaged communities served by public water systems. The workshop will also include expert panels on the topics of affordable and safe drinking water. The workshop is also an opportunity for interested persons to provide input to the State Water Board. While a quorum of the State Water Board may be present, this will be an informational workshop only, and the State Water Board will take no formal action. The workshop will be:

Wednesday February 8, 2017 – 9:00 a.m.
Joe Serna Jr. - CalEPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

NOTICE IS ADDITIONALLY HEREBY GIVEN that the State Water Board will continue to receive written public comments on the program in accordance with this notice.

Additional information on the public meetings can be found on the State Water Board web site at http://www.waterboards.ca.gov/board_info/calendar.

BACKGROUND

The State's Human Right to Water policy specifies that it is the "established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." For millions of Californians, however, the costs of drinking water are unaffordable, and many Californians do not have access to safe drinking water.

Costs of Safe Drinking Water Are Unaffordable for Many

Water in California is becoming more expensive. California's growing economy and population create continued demand for water. Meanwhile, climate change impacts, including longer and deeper droughts and loss of Sierra Nevada snowpack tighten available supplies. In addition, pipes and aging infrastructure result in water leaks and expensive repairs or replacements.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

Many water systems are incurring significant costs to pay for treatment systems to address contaminants such as arsenic and nitrates in their drinking water supplies. These conditions contribute to higher costs of drinking water. The higher costs of drinking water impact all low-income residents, but disproportionately affect disadvantaged communities because they are often served by small water systems that lack economies of scale and must distribute the high costs of treatment over a small, low-income rate base. As a result, the water rates that people pay in disadvantaged communities are often much higher than in other areas. Proposition 218 further complicates matters by placing restrictions on the ability of publicly-owned water systems to set “lifeline rates” for low-income households. [AB 401](#) (Dodd, 2015) requires the State Water Board to develop a plan for funding and implementing a statewide Low-Income Water Rate Assistance Program. The State Water Board currently is in the process of developing the plan, and has contracted with researchers from UCLA to analyze funding needs based on different levels of rate assistance. As required by AB 401, the State Water Board will submit a report to the Legislature with its recommendations by February 1, 2018.

Many Communities Do Not Have Access to Safe Drinking Water

Although most of the state’s residents receive drinking water that meets federal and state drinking water standards, many drinking water systems in the state consistently fail to provide affordable, safe drinking water to their customers. Lack of safe drinking water is a problem that disproportionately affects residents of California’s disadvantaged communities. The State Water Board has previously estimated that roughly 400 disadvantaged communities in the State receive water from a public water system that does not meet drinking water standards.

Many small public water systems in disadvantaged communities lack the technical, managerial and financial capacity to deliver safe drinking water at affordable rates. While larger systems have the financial resources to hire well-trained and technically competent water system operators, small systems may find it difficult to retain operators with sufficient expertise. Furthermore, these communities often lack the financial resources to absorb the significant additional costs required in order to treat their drinking water to meet standards. Although the State has been able to assist disadvantaged communities with paying for the capital costs of the treatment systems through financial assistance such as Proposition 1 and the Drinking Water State Revolving Fund, there are no funding sources available to provide funding for long-term operations and maintenance costs. Disadvantaged communities often lack the rate base to demonstrate that they can afford operations and maintenance costs related to treatment of the contaminants, with the result that they are effectively barred from accessing capital improvement funding for this purpose. In contrast, generally larger water systems have the financial capacity both to pay treatment costs and to provide for a well-trained and technically competent workforce of water system operators.

Types of Contaminants Impacting Drinking Water Supplies

Arsenic and Other Contaminants

Drinking water may also be contaminated by naturally-occurring sources. In January 2013, The State Water Board submitted a report to the Legislature titled “Communities That Rely on a Contaminated Groundwater Source for Drinking Water.” This report found that from 2002-2010, 680 (out of 3,037) community water systems serving nearly 21 million residents, relied on a contaminated groundwater source affected by one or more ‘principal contaminants’. A principal contaminant is a chemical detected above a public drinking water standard on two or more occasions during that cycle. Thirty-one principal contaminants were identified: arsenic was the most detected naturally-occurring principal contaminant (287 community water systems). The

report found that the other most common naturally-occurring sources of drinking water contamination were Gross alpha activity, uranium, and fluoride. After the report was published the state adopted a new maximum contaminant level for hexavalent chromium, another significant source of drinking water contamination that may be either naturally-occurring or human-caused.

Nitrate

Contamination of drinking water supplies from use of nitrogen-based fertilizers in irrigated agriculture, waste from dairies, and other sources of nitrates is a serious problem in many areas of the state, particularly in the Tulare Lake Basin and Salinas Valley where about 2.6 million people, including many of the poorest communities in California, rely on groundwater for their drinking water. In these areas, more than 250,000 people are at risk for nitrate contamination of drinking water. Nitrates affect the ability of human blood cells to carry oxygen, causing health problems that include “blue baby syndrome” in infants.

Many other areas of the state, however, also have nitrate-contaminated groundwater, making it the most frequently detected human-caused chemical above a maximum contaminant level in drinking water sources. Between 2002 and 2010, more than 200 water systems in California had nitrate levels that exceeded the drinking water standard. According to a UC Davis report, contamination in some areas will likely worsen for years to come, as nitrates applied decades ago continue to infiltrate local aquifers.

Progress Towards Implementation of the Human Right to Water

In 2015, the Administration developed its “Resilient, Affordable, Safe Drinking Water for Disadvantaged Communities Framework,” which identified a series of measures necessary to ensure that all communities have access to safe and affordable water. Over the past two years, the Legislature and the Governor have taken important steps toward implementing the actions specified in the Framework.

- Chapter 27, Statutes of 2015 ([SB 88](#), Senate Committee on Fiscal Review), authorizes the State Water Board to require certain water systems that consistently fail to provide safe drinking water to [consolidate](#) with, or receive an extension of service from, another public water system.
- Chapter 773, Statutes of 2016 ([SB 552](#), Wolk), authorizes the State Water Board to require public water systems that serve disadvantaged communities and that consistently fail to provide an adequate and affordable source of safe drinking water, to obtain administrative and managerial services from an administrator selected by the State Water Board.
- Chapter 843, Statutes of 2016 ([SB 1263](#), Wieckowski), will help prevent the establishment of new, unsustainable public water systems.

As stated in the 2016 Summary of Accomplishments of the California Water Action Plan Implementation Report, the two most important remaining challenges are making water affordable for low-income customers and financing the operation and maintenance of critical system improvements.

Public and Stakeholder Outreach

State Water Board staff conducted public meetings during October and November of 2016 in Fresno, Redding, Inglewood, Oakland and Bakersfield to solicit public input on the Low-Income Water Rate Assistance Program, including input on the types of assistance, eligibilities, funding sources, and technical administration. More information on the State Water Board's Low-Income Rate Assistance Program can be found here:

http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/assistance/

State Water Board staff have also met with stakeholders representing water suppliers and environmental justice organizations regarding methodologies and data for estimating operations & maintenance costs for supplying safe drinking water to disadvantaged communities.

WORKSHOP OVERVIEW

The workshop will include a staff presentation followed by expert panels on the topics of affordable and safe drinking water. The panels will be followed by public comments and Board member discussion.

PROCEDURAL MATTERS

The workshop will be informational only. While a quorum of the State Water Board may be present, the State Water Board will not take formal action at the workshop. There will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions. The workshop is an opportunity for interested persons to provide input to the State Water Board. To ensure a productive and efficient workshop, oral comments may be limited to three (3) minutes or otherwise limited at the discretion of the Board Chair or any Board member present. So that all commenters have an opportunity to participate, presentations and questions may be time-limited.

SUBMISSION OF WRITTEN COMMENTS

The Board will accept written comments on an on-going basis, until otherwise noticed.

Written comments should be submitted to the Clerk of the Board via email (15 megabytes, or less, in size) at: commentletters@waterboards.ca.gov. Please indicate in the subject line **"Comment Letter – Affordable, Safe Drinking Water Workshop."**

Written comment letters must be submitted to the attention of:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th floor
Sacramento, CA 95814

Comment letters may also be submitted by fax at (916) 341-5620 or may be hand delivered. Couriers delivering comment letters must check in with lobby security personnel on the first floor of the CalEPA Building at the above address.

Previously-submitted comments may be viewed at:

http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/assistance/ab401_public_comments.shtml.

Questions on comment submittals may be directed to Ms. Townsend, at (916) 341-5600.

PARKING AND ACCESSIBILITY

For directions to the CalEPA Building and public parking information, please refer to the map on the State Water Board Web site:

<http://www.calepa.ca.gov/EPABldg/location.html>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

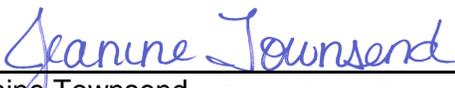
All visitors must check-in upon arrival to CalEPA and then proceed to the meeting room. Individuals who require special accommodations are requested to contact the Clerk to the Board at (916) 341-5600.

ADDITIONAL INFORMATION

Please direct other questions about this notice to Max Gomberg at (916) 322-3052 or max.gomberg@waterboards.ca.gov.

Date

January 23, 2017



Jeanine Townsend
Clerk to the Board