

STATE OF CALIFORNIA

ANNUAL CAPACITY DEVELOPMENT PROGRAM IMPLEMENTATION REPORT

FY2017-2018



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STATE WATER RESOURCES CONTROL BOARD DIVISION OF DRINKING WATER

ANNUAL CAPACITY DEVELOPMENT PROGRAM IMPLEMENTATION REPORT

STATE FISCAL YEAR 2017-2018
(for the period of July 1, 2017 to June 30, 2018)

1 CAPACITY DEVELOPMENT PROGRAM OVERVIEW

1.1 LEGAL AUTHORITY

The State Water Resources Control Board (State Water Board) is designated as a primacy agency by the U.S. Environmental Protection Agency (USEPA), and is granted the regulatory and enforcement authority over drinking water standards and public water systems (PWS) in California. Within the State Water Board, the Division of Drinking Water (DDW) oversees enforcement of drinking water standards and requirements over PWSs in California, under the authority of the California Safe Drinking Water Act.

The federal Safe Drinking Water Act (SDWA) required states to incorporate technical, managerial, and financial (TMF) capacity into PWS operations. This requirement helps ensure that PWSs with TMF capacity have long term sustainability and are able to maintain compliance with all applicable drinking water laws and regulations.

The federal SDWA Amendments of 1996 were signed into law in part because of the significant problems that small public water systems (SWS) had in providing safe, reliable drinking water to their customers. It included mandates to the states to prevent new non-viable systems. It also mandated the development and implementation of a comprehensive capacity development strategy to assist PWSs in obtaining adequate capacity.

In 1997 [Senate Bill \(SB\) 1307](#) became law, enabling California to implement the provisions of the federal SDWA. This statute established a financial assistance program, entitled the Drinking Water State Revolving Fund (DWSRF), which included a comprehensive technical assistance program for small systems. In order to help ensure the provision of safe, reliable drinking water to customers on a long-term basis, this legislation was designed to prevent the formation of a new PWS or the approval of a PWS change of ownership unless that system is determined by the State to have adequate TMF capacity.

Section 116540 of the Health and Safety Code states:

“A public water system that was not in existence on January 1, 1998, shall not be granted a permit unless the public water system demonstrates to the state board that the water supplier possesses adequate financial, managerial, and technical capability to ensure the delivery of pure, wholesome, and potable drinking water. This section shall also apply to any change of ownership of a public water system,”

It should be noted that the California SDWA goes beyond the federal requirements by applying the TMF criteria to transient noncommunity water systems and to water systems changing ownership.

1.2 LEGISLATIVE MANDATES

On September 12, 2012, Governor Edmund G. Brown Jr. signed Assembly Bill (AB) 685, making California the first state in the nation to legislatively recognize the human right to water. Now in the Water Code as Section 106.3, the State statutorily recognizes that:

“...every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.”

The human right to water extends to all Californians, including disadvantaged individuals and groups and communities in rural and urban areas. Further, the bill required state agencies to consider this policy “when revising, adopting, or establishing policies, regulations, and grant criteria.

Under this law, the State Water Board has begun an evaluation of the cost of drinking water and the ability of customers to pay for water system maintenance and operation. Under AB 401 (2015), the State Water Board is developing a plan for statewide low-income rate assistance (LIRA) program. These issues significantly impact a community water system’s ability to maintain adequate financial capacity if the water rates are increased beyond the ability of customers to pay. Such increases may be due to increased costs for operation and maintenance, added treatment to meet drinking water standards, or increased cost to purchase or pump water.

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

Those steps include:

- Senate Bill 88 (2015), 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 PWS.
- Senate Bill 552 (2016) authorizes the State Water Board to require PWSs 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.
- Senate Bill 1263 (2016) will help to prevent the establishment of new, unsustainable PWSs.

On February 16, 2016, the State Water Board adopted a resolution identifying the Human Right to Water statute as a top priority and core value of the State Water Board and Regional Water Quality Control Boards (collectively the ‘Water Boards’). The resolution stated the Water Boards

will work “to preserve, enhance, and restore the quality of California’s water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.”

The resolution cements the Water Boards commitment to considering how its activities impact and advance the human right to safe, clean, affordable, and accessible water to support basic human needs. The Human Right to Water statute will be considered in actions taken by the Water Boards that pertain to sources of drinking water. These actions may include: revising or establishing water quality control plans, policies, and grant criteria; permitting; site remediation and monitoring; and water right administration.

Under the resolution, Water Boards staff will work with relevant stakeholders, as resources allow, to develop new systems or enhance existing systems to collect data and identify and track communities that do not have, or are at risk of not having, safe, clean, affordable, and accessible water for drinking, cooking, and sanitary purposes. Water Boards staff will also work with relevant groups to develop performance measures to evaluate the Water Boards’ progress toward making the human right to water a reality, and such information will be made available to the public.

The State Water Board has developed a Human Right to Water Portal, which provides information to the public related to water quality data, water system compliance status, and mapping of PWSs. The State Water Board is further evaluating the issues related to affordability and accessibility for posting on this website. The site can be found at:

http://waterboards.ca.gov/water_issues/programs/hr2w/index.shtml

On September 29, 2016, Senate Bill No. 1263 (SB-1263) was signed into law, effective January 1, 2017. It added Section 116527 and amended Section 116540 of the California Health and Safety Code. It also added Section 106.4 to the California Water Code.

SB-1263 makes three significant changes to California’s legal authority: (1) it requires a **preliminary technical report** from water supply permit applicants, (2) it prohibits local primacy agencies from issuing a permit to operate a PWS without the concurrence of the State Water Board, and (3) it prohibits the issuing of a building permit for residential development where the source of water supply is provided by a water hauler, bottled water, water vending machines, or retail water facility.

SB 1263 PRELIMINARY TECHNICAL REPORT

A preliminary technical report (PTR) is required to be completed by a domestic water supply applicant at least 6-months prior to construction of any water related infrastructure. The PTR must include an evaluation of physical and managerial consolidation potential with any other existing PWS within a 3-mile radius surrounding the location of the proposed water system. The PTR is to include the estimated costs to operate the proposed water system, and a comparison with the cost of consolidation if there is a PWS within the 3-mile radius. It must also include a source capacity evaluation for a 20-year period including multi-year droughts. Exemptions from the requirement for a PTR include water systems that are undergoing consolidations, extension of services and water systems that propose providing piped water service to replace individual private domestic wells.

1.3 CALIFORNIA'S TMF CAPACITY CRITERIA

The State Water Board has developed written criteria to evaluate the TMF capacity of PWSs. Thirteen elements are defined in the TMF Criteria that, when demonstrated by the PWS, would be an indication that it possesses adequate TMF capacity. Each of the thirteen TMF elements defined in this Criteria has three components: 1) a description of the importance of that element as it relates to the water system's capacity; 2) documentation requirements, which identifies the documents for each TMF element that need to be submitted to DDW or the Local Primacy Agency (LPA)¹; and 3) the criteria that DDW or the LPA will use to evaluate the water system's capacity for that TMF element.

The specific elements of the TMF Criteria include the following:

Table 1. Elements of the TMF Criteria

Technical Capacity
Consolidation Feasibility
System Description
Certified Operators
Source Capacity
Operations Plan
Training
Managerial Capacity
Ownership
Water Rights
Organization
Emergency Response Plan
Policies
Financial Capacity
Budget/Capital Improvement Plan
Budget Control

TMF assessments must be completed by all new PWSs, PWSs applying for funding through the DWSRF, and PWSs that are undergoing a change of ownership. There are Mandatory, Necessary and Recommended TMF elements based on the action for that PWS – i.e., whether it is new, changing ownership or seeking DWSRF funding for a capital improvement project. Based upon the information provided via the water system's TMF assessment, DWSRF funding or the initial domestic water supply permit may be denied. In other cases, conditions are placed

¹ A Local Primacy Agency, or LPA, refers to a County Environmental Health Program that has received primacy from the State Water Board for small PWS regulatory oversight in California under a Primacy Delegation Agreement. Under this Primacy Delegation Agreement, the LPA will generally regulate systems serving less than 200 service connections. The State Water Board maintains a program to oversee these delegation agreements. There are currently 30 Counties in California that have been delegated primacy. For the remaining 28 Counties, DDW oversees the regulatory compliance for all PWSs, including small water systems.

in the initial domestic water supply permit requiring the PWS to take additional steps to maintain an acceptable level of capacity.

All the mandatory TMF elements must be completed prior to the issuance of a DWSRF funding agreement for a construction project or prior to obtaining a new system or change of ownership water supply permit. The Necessary TMF elements must be addressed satisfactorily within a timeframe determined by the regulatory agency which typically would be six months after funding project completion or permit issuance. A TMF elements chart is provided in **Appendix A** to illustrate the Mandatory and Necessary TMF elements needed for DWSRF funding projects, new water systems, and changes of ownership.

All of the current TMF assessment forms and guidance documents are posted on the State Water Board capacity development web page (provided below) for easy reference by PWS personnel, regulators, and other interested parties.

http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/TMF.shtml

2 NEW PUBLIC WATER SYSTEM TMF PROGRAM

2.1.1 CONTROL POINTS

The State Water Board uses the water supply permit as the control point for capacity development requirements for new PWSs. As part of the permit application package for a new PWS or change in ownership of a PWS, the State Water Board requires the applicant to prepare and submit documentation demonstrating that the legal owners of the water system possess adequate TMF. As previously discussed, SB-1263 adds an additional step for new water systems through the **preliminary technical report** process for new water supply permits.

2.1.2 NUMBER OF NEW PUBLIC WATER SYSTEMS DURING FY 17/18

The number of new PWS permitted for the period of July 1, 2017 through June 30, 2018, is summarized in Table 2 by PWS classification. The complete list of new PWSs during FY 17/18 is provided in **Appendix B**. These systems are identified as 'NEW' in the State Water Board's database of record, the Safe Drinking Water Information System (SDWIS) database. The TMF assessments for these new water systems are tracked at the State Water Board, DDW District Office and LPA level. Each permit for a new PWS must specify that adequate TMF capacity was demonstrated. During the annual LPA evaluation process, State Water Board staff reviews the completed TMF assessments for new systems permitted by LPAs for the previous years. DDW District Engineers are responsible for reviewing District staff evaluations of TMF Assessments.

Table 2: Summary of Newly Created PWSs During FY 17/18

PWS Classification	No. New PWSs	Population Served by New PWSs	No. New Service Connections Created
Community	4	184	33
Nontransient Noncommunity	14	815	45
Transient Noncommunity	23	2599	36
Total	41	3598	114

For comparison purposes, Table 3 presents the total number of PWSs regulated within California, based on PWS classification. This also shows the percentage of new PWSs for each classification.

Table 3: Total Number of Public Water Systems (As of June 2018)

PWS Classification	Total Number PWSs	Number New PWSs	% New of Total No. Systems
Community	2915	4	0.137%
Nontransient Noncommunity	1479	14	0.947%
Transient Noncommunity	3045	23	0.755%
Total number of PWSs	7439	41	0.551%

The following figures demonstrate the comparative numbers of new community and noncommunity water systems (Figure 1), and a comparison of new service connections and population by PWS classification (Figure 2). Figure 3 presents the number of new PWSs by County.

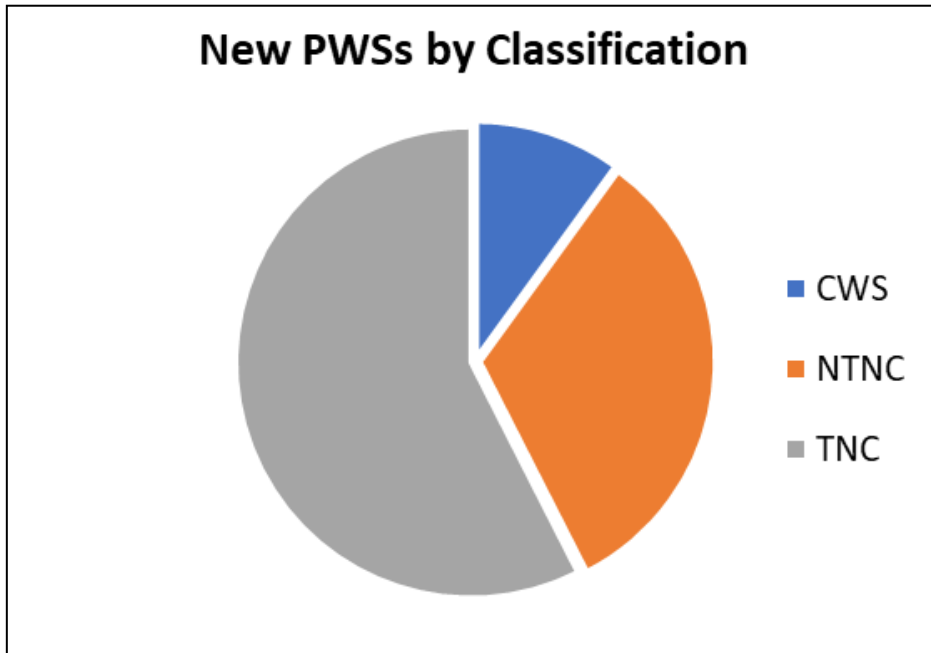


Figure 1: New PWSs in FY 17/18 (by Classification)

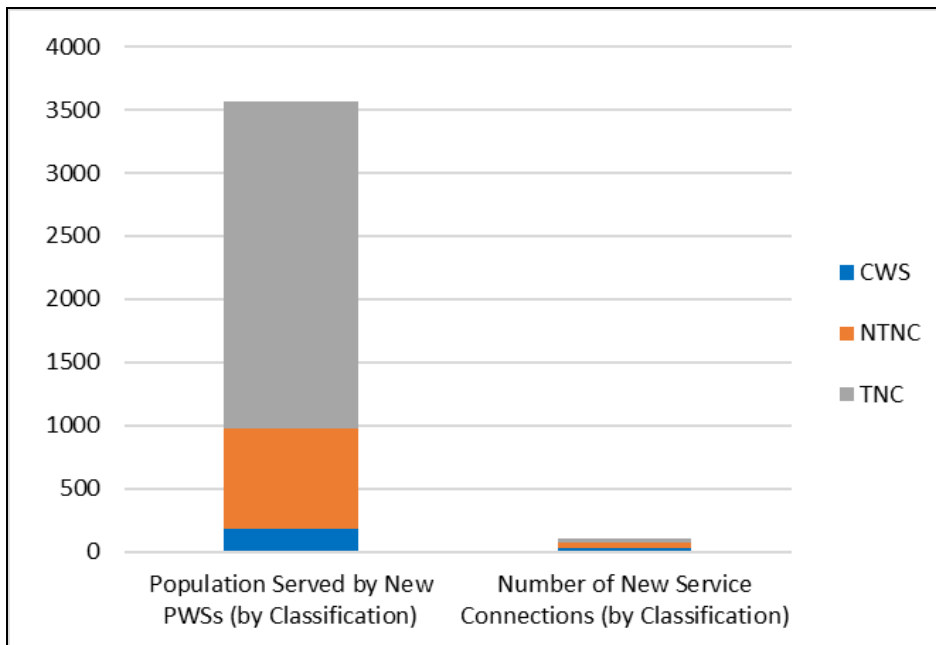


Figure 2: Comparison of Service Connections vs. Population in New PWSs (by Classification)

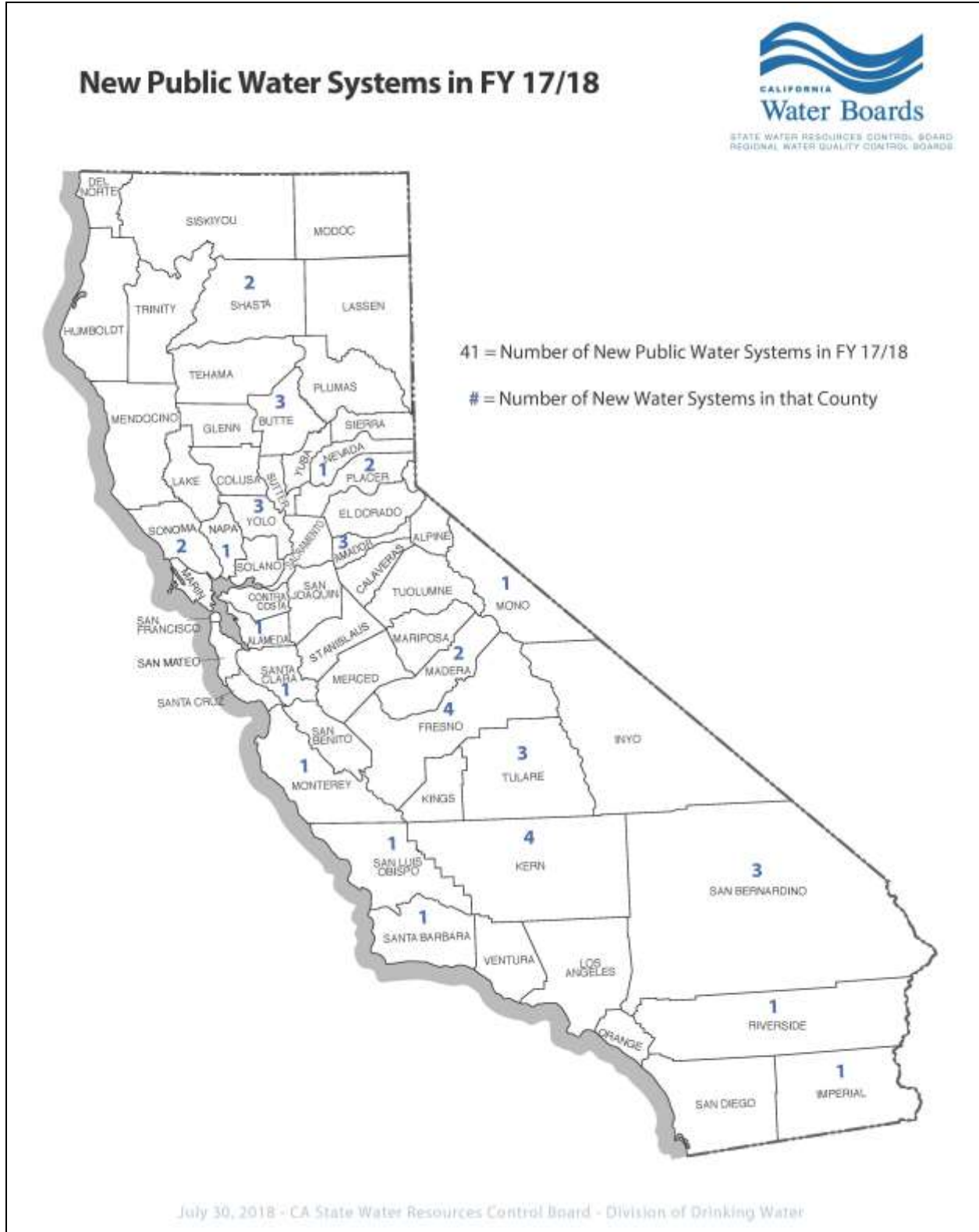


Figure 3: Locations of New PWSs by County

3 Existing Public Water System Capacity Development Program

3.1 LEGAL AUTHORITY

The State Water Board has recognized that some PWS violations are partially a result of inadequate TMF capacity by the operator, the water system owner, or governing Board.

Pursuant to California Health and Safety Code Sections 116650 and 116655, regarding authority for the issuance of enforcement Citations and Orders, the State Water Board has the ability to include requirements in enforcement actions that the PWS demonstrate some aspect of TMF capacity that may be pertinent to the violation. Additionally, the State Water Board has established in the DWSRF FY 17/18 Intended Use Plan that any state-funded water supply construction project applicant must demonstrate adequate TMF.

3.2 TMF REQUIREMENTS FOR STATE-FUNDED WATER SUPPLY PROJECTS

The State Water Board conducts TMF capacity evaluations of all DWSRF and Proposition 1 Drinking Water (Prop 1²) construction project applicants to ensure sustainability, resilience, and responsible use of public funds. Where a state agency applicant acts on behalf of a disadvantaged community in applying for Prop 1 grant funding, the State Water Board will analyze the TMF capacity of the appropriate PWS. If a PWS does not have adequate TMF capacity, DWSRF technical assistance may only be provided if it is a small PWS (serving less than 10,000 persons) and the assistance will help the PWSs achieve TMF capacity.

Full TMF assessments are not required for planning project funding agreements. However, development of the TMF Assessment and documentation required to make that project ready for construction funding is an eligible activity that can be funded in the planning project.

During the past fiscal year, State Water Board Division of Financial Assistance (DFA) financed 21 construction projects that required TMF documentation. Of those 21 projects, 14 projects were required to submit the standard TMF Assessment Form and attachments. The other seven construction projects (two with East Bay Municipal Utilities District) are large water systems that either stated the TMF files were located at DDW or filled-out the Alternative TMF Assessment Form.

Below is a summary of the expected TMF demonstration required for a DWSRF funding applicant.

3.2.1 TECHNICAL CAPACITY

To demonstrate technical capacity, PWSs must show that their systems' drinking water sources are adequate; that the treatment, distribution, and storage infrastructure are adequate; and that system personnel have the technical knowledge to efficiently operate

² Proposition 1 (Prop 1) authorized \$7.545 billion in general obligation bonds for water projects including surface and groundwater storage, ecosystem and watershed protection and restoration, and drinking water protection. Prop 1 requires the State Water Board to operate a multidisciplinary technical assistance (TA) program for small disadvantaged communities, and allows for the State Water Board to fund TA.

and maintain the system. As part of reviewing a funding application, the State Water Board will review the engineering reports, plans and specifications as well as the PWS's records to verify that the system is being properly operated and maintained.

3.2.2 MANAGERIAL CAPACITY

To demonstrate managerial capacity, the PWS must have personnel with expertise to manage the operation of the entire water system. The State Water Board will review the PWS's managerial capacity to assure that management is (1) involved in the day-to-day supervision of the water system, (2) compliant with all required regulations, (3) available to respond to emergencies, and (4) capable of identifying and addressing all necessary capital improvements and assuring financial viability. The State Water Board will also review records to ensure that the PWS is staffed with a qualified water operator in accordance with the State's Operator Certification Program.

3.2.3 FINANCIAL CAPACITY

A PWS must demonstrate it has the financial capacity to own and operate its water system, including the proposed construction project, as a condition for the award of construction financing from the DWSRF or Prop 1. The PWS must show that the system has sufficient revenues to cover necessary operation and maintenance costs and demonstrate credit worthiness with adequate fiscal controls. The PWS must also demonstrate financial planning for future capital improvements, including providing any water rate studies to demonstrate overall financial capacity. The State Water Board will review the PWS's project budget, audited annual financial reports, and other financial information to determine the PWS has adequate financial capacity to operate and maintain its system, including the proposed infrastructure project. A PWS may not be required to demonstrate financial capacity to operate and maintain its water system, including a proposed infrastructure, in order to receive planning funds from the DWSRF or Prop 1. DWSRF or Prop 1 planning funds may be used to assist a PWS in establishing its financial capacity to operate and maintain its system, including the proposed infrastructure project, in preparation for eventual construction financing. Examples of tasks financed with DWSRF or Prop 1 planning funds may include water rate studies, budget development, Prop 218 technical assistance, and capital improvement planning.

3.3 CAPACITY DEVELOPMENT FOR EXISTING PUBLIC WATER SYSTEMS

There is a need to ensure that there are adequately trained and informed operators, water system owners and water utility Boards to ensure water systems within our State are fully in compliance with the California Safe Drinking Water Act. The State Water Board identifies PWSs in need of capacity development assistance through use of the methods and tools discussed below.

3.3.1 APPROACH FOR PROVIDING CAPACITY DEVELOPMENT ASSISTANCE

The State Water Board uses a number of approaches for identifying statewide PWS TMF capacity concerns and providing PWS capacity development assistance:

- a. The State Water Board capacity development website provides tools for water systems to use to assist in developing TMF capacity. These tools include the current TMF Assessment forms, various budget templates, an equipment life expectancy chart, sample emergency notification letters, and operations plan and emergency response

plan templates. In addition, links to the websites of organizations that provide services for small water systems are provided. The website for the tools is:

http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/TMF.shtml

- b. The State Water Board's Program Liaison Unit (PLU), which resides within the DDW Quality Assurance Section, is designated to develop and maintain the State Water Board's Drinking Water Capacity Development Strategy. The PLU currently provides support to the LPAs and DDW District Offices that regulate small water systems. The PLU staff provide ongoing consultation and oversight to assist the regulators in maintaining small water systems in compliance with all standards.
- c. CalTAP is the stakeholder advisory committee that is comprised of all the organizations who have contracts with the State Water Board to provide technical assistance to PWS under the DWSRF program. The CalTAP organizations include California Rural Water Association, Rural Community Assistance Corporation, Self Help Enterprises, and University of California-Davis. The CalTAP Workgroup is a subcommittee that does not include the regulators. CalTAP affords these entities a forum to discuss drinking water issues and to work together toward solving mutual concerns.
- d. State Water Board staff presented information at seven California Financing Coordinating Committee Funding Fairs offered throughout the state in FY 17/18. These events enable PWS personnel to obtain information about various infrastructure funding sources including the DWSRF program. This is especially helpful for water systems whose projects are large or do not meet California funding program criteria as they are able to learn about additional funding sources for their project outside of the State Water Board.

3.3.1.1 TMF Tune-Up

California's baseline capacity assessment tool is known as the TMF Tune-up. Over 1,000 PWSs have used the TMF Tune-Up since its inception. The State Water Board will use the information provided by water systems via the TMF Tune-Up for statistical purposes in order to plan for future types of assistance that could be provided to water systems by the DWSRF Capacity Development Program. The TMF Tune-up is also intended to be a tool that individual water systems can use to identify areas where improvement is needed and to offer suggestions as to the resources that are available in order to enable the water system to make those improvements.

The State Water Board has in the past required water systems to complete a TMF Tune-Up prior to receiving technical assistance. Systems that have low scores are assigned to technical assistance

What is the TMF Tune-Up?

The TMF Tune-up is an online diagnostic tool that individual PWSs in California can use to determine their relative strengths and weaknesses with regard to the TMF elements. The development of the TMF Tune-Up was funded under the USEPA Capacity Development set-aside in the DWSRF funds. This program strives to show water systems how they can manage their systems as well as fund needed capital improvements over time in order to provide safe drinking water to their customers. On completion of the online TMF Tune-Up, a water system is provided with an Individualized Development Plan (IDP). This IDP includes a series of relative scores for the water system in each of the TMF categories as well as pertinent combined scores. In addition to the scores, the IDP provides a list of resources including free workshops, technical assistance, as well as links to various organizations and agencies that specialize in providing materials and services to drinking water systems.

providers to improve the weak areas. The State Water Board will continue encouraging all water systems to complete the TMF Tune-Up in addition to the TMF assessments to improve the overall capacity of water systems in California.

Currently, the TMF Tune-up remains offline due to technical difficulties. It was anticipated that the TMF Tune-Up would be online by December 2015 but has been delayed due to the transition of the Drinking Water Program from CDPH to the State Water Board. The format of the TMF Tune-Up was not supported by the State Water Board's online system. DDW is on a path to recreate and re-envision this tool. It may be available sometime in 2020.

3.3.1.2 Drinking Water Regulatory Program Staff (DDW & LPA)

During FY 17/18, the State Water Board DDW staff provided direct technical assistance, which leads to increased capacity development to PWSs regulated by the State Water Board. The State Water Board's DARTS Time Accounting System tracks the staff work hours that are categorized as Technical Assistance. In addition, State Water Board staff provided technical assistance to many PWSs regulated by the LPAs, in cooperation with the LPAs. The LPAs also provide technical assistance to PWSs that they regulate.

The following are some of the typical elements of the Technical Assistance and Capacity Development categories within the State Water Board Time Accounting System:

- Recommendations to water system staff during inspections and sanitary surveys
- Education about the regulatory requirements specific to individual water systems
- Consultation regarding water system upgrades and potential funding projects
- Evaluation of TMF assessments
- Issuance of permit amendments following construction projects
- Assistance in leak detection and water conservation
- Review and set up financial planning and Capital Improvement Plan
- Assistance in establishing operations plans, strategic planning, emergency response plans and other policies
- Activities related to technical support of funding projects (DWSRF & Prop1)

Table 4: Actual DDW Hours Spent in TA Related Activities in FY 17/18

Fee Category	LWS	SWS	Total	Equivalent PY ³
Assistance/Consultation	7,983	9,697	17,680	10
Information or Corrective Letters	647	706	1,353	1
Sanitary Surveys	9,903	16,322	26,225	15
Emergency Response	47		47	0
Funding Project Technical Support	1,554		1,554	1
LPA Oversight & Support	5,602		5,602	3
Total Hours			52,461	30

The technical assistance hours represented in Table 4 represent work performed only by DDW and do not include similar work performed by LPA's. Additionally, DDW is able to track the numbers of sanitary surveys completed in a time period, based on information derived from SDWIS. Table 5 shows the number of sanitary surveys completed during FY 17/18, and the numbers completed during the required time frame of 3 years for community water systems and 5 years for noncommunity water systems.

Table 5. Numbers of Sanitary Surveys Completed

Community Water Systems				
Regulatory Agency	No. Community Water Systems	Inspections completed FY 2017-18	No. Water Systems Inspected Within the Last 3 FYs	Percentage of Water Systems Inspected Within the Last 3 FYs
DDW	1974	650	1594	80.7%
LPAs	939	254	780	83.1%
Total	2913	904	3604	81.5%
Noncommunity Water Systems				
Regulatory Agency	No. Non-Community Water Systems	Inspections completed FY 2017-18	No. Water Systems Inspected Within the Last 5 FYs	Percentage of Water Systems Inspected Within the Last 5 FYs
DDW	1991	487	1792	90.0%
LPAs	2531	560	2279	90.0%
Total	4522	1047	4071	90.0%

³ Based on state direct cost hours of 1776 hours

3.3.2 CONTRACTED TECHNICAL ASSISTANCE PROVIDERS

Technical assistance is provided to PWSs under the DWSRF Technical Assistance Set-Aside Program, currently managed by the State Water Board's Division of Financial Assistance (DFA), by third party providers that include Rural Community Assistance Corporation (RCAC), the California Rural Water Association (CRWA), and Self-Help Enterprises (SHE) under contract with the State Water Board.

The State Water Board's Office of Sustainable Water Solutions (OSWS), housed within DFA, continues to administer technical assistance (TA) resources to support drinking water, wastewater, stormwater, and groundwater quality needs. OSWS uses the Universal TA Request Form (Attachment C) that can be submitted by the system or by others on their behalf. As a result of the Prop 1 TA Program, services such as legal and engineering support may be available for small disadvantaged communities pursuing funding. TA can also be provided to help with more general capacity development needs, such as compliance audits, rate studies, board or operator training, Technical Managerial, or Financial (TMF) assessments, etc.

Demand for TA is extremely high. Moving forward, requests relating to one or more of the following will generally be given higher priority: systems that are out of compliance or experiencing insufficient water delivery capabilities, extension of service for drought/contamination impacted communities, consolidation projects, systems serving less than 200 connections (including public schools), and applicants with small or relatively low cost needs that will enable an otherwise complete funding application to move forward (for example: income survey, rate study, federal crosscutters for environmental clearance, etc.). Leak detection requests are also approved as resources allow.

Currently, the TA contracts with RCAC, CRWA, and SHE that are managed by DFA, have expired as of 6/30/18. Revised contracts have not been approved by the State Water Board's Contract Unit for FY18/19. This lack of a FY18/19 contract has put all assistance activities, listed above, by the TA providers on hold until they are approved. At this time, the State Water Board does not have an estimated timeframe for when the contracts will be approved and executed. This will result in water systems' path to return to compliance being extended, planning and construction project applications not being submitted or not completed correctly, delays with document submittals required for water system supply permit issuance, water system certified operators will not be able to get free training and obtain continuing education units to meet certification requirements, and the lack of available capacity development activities to water systems.

3.3.2.1 Universal Technical Assistance Request Process

The Assistance Request (AR) database, managed by the Division of Financial Assistance, is the primary system that the State Water Board uses to address the need for capacity development in existing PWSs. Technical assistance assignments to contracted technical assistance providers are derived from this list. The AR is generated with input from DDW and LPA staff and identifies five main concerns:

- Serious health deficiencies
- Noncompliance with drinking water standards
- Funding applications
- TMF deficiencies

- Waterworks standards issues

A sample AR form is provided in Appendix C.

3.3.2.2 California Rural Water Association (CRWA)

During FY 17/18, CRWA staff provided technical assistance to 93 small public water systems (SWS), with a total of 5,760 hours, averaging 62 hours per system. Of these, 65 were specifically targeted to assist in preparing a planning or construction funding application. CRWA activities included:

- State Funding Application Submittals
- SRF Planning Applications
- SRF Construction Applications
- Water Rate Studies
- TMF Assessments
- TMF Tune Up
- Cross Connection Control Programs
- Emergency Response Plans
- Operations Plans
- Board Training
- Permit Amendments
- New Permits
- TA for Compliance issues
- Capacity Development

WHO ARE THE SWS TECHNICAL ASSISTANCE PROVIDERS?

CALIFORNIA RURAL WATER ASSOC.

Incorporated in 1990, the California Rural Water Association (CRWA) is a multi-dimensional, organization with a proven history of providing high quality training and technical assistance that is tailored to rural water and wastewater systems, targeting operators, managers and decision makers, throughout the State of California. CRWA uses professionals with experience in these utility services.

3.3.2.3 Rural Community Assistance Corporation (RCAC)

During FY 17/18, RCAC provided technical assistance to 16 small PWSs, performed 10 Median Household Income (MHI) Surveys, and completed 11 financial analyses with one in varying degrees of completion. RCAC offers on-site guidance and demonstrations to SWS for budget development, capital improvement plans and presentations to water system constituents and management staff regarding the need for a plan to develop increased sources of revenues.

In addition to the individual SWS technical assistance, RCAC is contracted to provide training throughout California related to TMF and capacity building. The following is a summary of sessions provided:

- 73 online workshops, with 2,854 participants from 1,641 systems.
- 49 classroom workshops, with 1,153 participants from 561 systems.
- 2 water symposiums, with 55 participants from 34 systems.
- 2 CalTAP Fairs, with 114 participants from 65 systems.

RCAC Training Workshops

The Rural Community Assistance Corporation (RCAC) develops and conducts statewide classroom and online training workshops that focus on building the TMF capacity of PWSs. In addition, this organization develops and presents at California Technical Assistance Providers (CalTAP) Fairs that showcase the free services and materials of organizations having agreements or contracts through the SRF Program and water fairs that present information on various current issues.

During FY 17/18, RCAC presented a total of 49 onsite and 73 online workshops as well as two CalTAP Fairs and two Distribution system symposia. Onsite events averaged 24 attendees per workshop, online events averaged 40 attendees per workshop, symposia averaged 28 attendees and the CalTAP Fairs averaged 57 attendees per event.

Staff and Operators from 2,301 individual water systems participated in these events during this time period. During FY17/18, the Water Board worked with RCAC to revise the schedule of training to provide greater focus on financial capacity efforts, such as water rate setting and Asset Management Planning.

WHO ARE THE SWS TECHNICAL ASSISTANCE PROVIDERS?

RURAL COMMUNITY ASSISTANCE CORP.

RCAC works with low-income rural communities, where unemployment rates are high, housing is often sub-standard, and poverty is commonplace. Many of these communities also face daunting challenges to access affordable, safe drinking water and other vital infrastructure. Rural communities are often overlooked in the policy arena because they lack the resources, training or social network that larger communities have in place. RCAC includes Tribes and Native communities in all program areas. RCAC provides training, technical and financial resources and advocacy so rural communities can achieve their goals and visions.

3.3.2.4 Self Help Enterprises (SHE)

SHE provided technical assistance to water systems that have specific TMF needs or that have applied for State Water Board funding in the counties of Stanislaus, Merced, Mariposa, Madera, Fresno, Kings, Tulare, and Kern. Often this assistance consisted of community outreach in which SHE works closely with water system decision makers and constituents to facilitate the acquisition of funding. SHE also provided assistance in completing the required TMF assessments and other documents for funding. During FY 17/18, SHE provided assistance to 40 PWSs, totaling 4,858.25 hours of direct assistance provided.

Examples of TA provided during FY17/18 by SHE are listed below. All of the following projects addressed drinking water and/or drought related problems for small disadvantaged communities, and/or supported the governing boards of those communities to improve their technical, managerial and financial capabilities. The following projects highlight Self-Help Enterprises' provision of technical assistance and support in a number of key areas:

- Construction of Capital Projects (Ducor and Lebec)
- Construction of Consolidation Projects (Weldon)
- Technical, Managerial and Financial Development (Ariel Acres, Athal, and Lanare)
- Emergency Water Assistance (Teviston)
- Water Connections (Newman)

WHO ARE THE SWS TECHNICAL ASSISTANCE PROVIDERS?

SELF HELP ENTERPRISES

SHE was formed in 1964 to help three low-income families build their own homes in Goshen, CA. SHE has provided technical assistance for reliable access to safe drinking water and sanitary sewer infrastructures to small communities; provides resources and training for individuals to build capacity to be highly effective leaders in communities; and promotes collaborative solutions for improving communities. SHE serves the eight counties in the San Joaquin Valley – Fresno County, Kern County, Kings County, Madera County, Mariposa County, Merced County Stanislaus County and Tulare County.

3.3.3 MODIFICATION TO THE EXISTING CAPACITY DEVELOPMENT STRATEGY

During FY 16/17, the State Water Board revised its Capacity Development Strategy. The revision primarily combined Clean Water Small Communities strategy and Drinking Water Capacity Development Strategy and simplified the format, which was overseen by the State Water Board's Division of Financial Assistance. The actual direction and goals stayed the same. The materials presented at the Board meeting are available here:

http://www.waterboards.ca.gov/board_info/agendas/2016/may/051816_7_cw_dw_strategy.pdf

http://www.waterboards.ca.gov/board_info/agendas/2016/may/051816_7.pdf

The Capacity Development program was moved from DFA to DDW in FY17/18. For State Fiscal Year 18/19, the State Water Board Division of Drinking Water will do the following:

- Develop a DDW Drinking Water Capacity Development Strategy.

- Ensure that regulatory staff are fully aware and knowledgeable of the TMF assessment process including the various levels of TMF assessments and associated triggering events.
- That there is an effective tracking system in place to monitor capacity development progress, identify issues and facilitate report preparation.
- Facilitate implementation of legislation related to consolidations through the two Consolidation Specialist staff, District Offices and LPAs. Continue documentation of efforts taken and consolidations completed.
- Identify and implement tools for evaluating Financial Capacity during routine sanitary surveys.

3.3.4 VOLUNTARY AND MANDATORY CONSOLIDATION

The State Water Board makes extensive efforts to support water systems through capacity development, as discussed in the previous sections. However, the State Water Board also recognizes that the significant responsibility and costs to operate a PWS are often overwhelming for small water systems with poor economies of scale, particularly in financially disadvantaged communities. As a result, the State Water Board encourages voluntary consolidation whenever feasible.

The State Water Board has two staff dedicated to facilitating consolidations. During FY 17/18, these staff updated webpages to assist water systems that may be interested in water partnerships and consolidation. The link to the consolidation webpages are located below:

https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/waterpartnership.shtml

As of January 1, 2017, the State Water Board has begun tracking consolidation projects. A summary of the water systems that voluntarily consolidated between January 1, 2018 and June 30, 2018 are provided in Table 6.

Additionally, on September 28, 2016, Senate Bill No. 552 was passed clarifying previously enacted legislation regarding mandatory consolidation, amending Section 116681 of the Health and Safety Code. Under Section 116681, the State Water Board has authority to order physical or operational consolidation for disadvantaged community water systems that have water quality or quantity failures and have nearby functioning water systems, for which consolidation is the most cost-effective solution.

The State Water Board completed its first mandatory consolidation on June 1, 2016. Pratt Mutual Water Company was mandatorily consolidated with the City of Tulare due to the presence of arsenic in the drinking water. During FY 17/18, the State Water Board has moved forward on nine additional mandatory consolidations, identified in Table 7.

Additional information regarding these mandatory consolidations can be found on our website:

http://www.waterboards.ca.gov/drinking_water/programs/compliance/index.shtml

**Table 6: List of Voluntary Consolidated Water Systems
between July 1, 2017 and June 30, 2018**

PWS Number	PWS Name	PWS Class	Conn	Pop	County
1310017	CHP CALEXICO PORT OF ENTRY	NTNC	1	223	IMPERIAL
1700501	ADAMS SPRINGS WATER DISTRICT	C	77	99	LAKE
0707602	BEACON WEST	C	17	45	CONTRA COSTA
4000512	BELLA VISTA MOBILE LODGE	C	84	200	SAN LUIS OBISPO
2710706	CAMP ROBERTS WELL 6A	NC	6	115	MONTEREY
3400198	CARA BAY APARTMENTS	C	85	500	SACRAMENTO
2410307	CDPR-DINOSAUR POINT	NP	3	350	MERCED
2410306	CDPR-MEDEIROS	NP	3	540	MERCED
4200647	COMMUNITY CHRISTIAN SCHOOL	NTNC	4	80	SANTA BARBARA
0400066	DURHAM UNIFIED SCHOOL DISTRICT	NTNC	18	1200	BUTTE
3310015	ELSINORE VALLEY MWD - TEMESCAL	C	696	2294	RIVERSIDE
3302027	EMPIRE POLO CLUB *OOB*	NC	1	50	RIVERSIDE
1900122	ENVIRONMENTAL CARE INDUSTRIES-VLY CREST	NTNC	4	100	LOS ANGELES
2900540	FOREST LAKE CHRISTIAN SCHOOL	NTNC	3	300	NEVADA
3303085	HITS, INC. - OOB	NC	5	900	RIVERSIDE
3301566	LAKE CAHUILLA COUNTY PARK	NC	61	500	RIVERSIDE
0900548	MARK TWAIN MOTEL	NC	21	25	EL DORADO
0900555	MATTERHORN INN	C	2	40	EL DORADO
2910007	NEVADA ID - CASCADE SHORES	C	393	959	NEVADA
2000614	OAK CREEK INTERMEDIATE SCHOOL	NTNC	7	190	MADERA
3400332	OXBOW MARINA (SWS)	C	95	200	SACRAMENTO
1700526	PINE GROVE WATER SYSTEM	C	90	352	LAKE
5403149	RANCHO LOPEZ WATER SYSTEM	C	11	50	TULARE
5403212	RESIDENTS OF MONSON-INDIVIDUAL WELL CONSOLIDATION PROJECT	C	34	140	TULARE
3601055	ROADRUNNER MHP	C	59	150	SAN BERNARDINO
3601060	ROBERTSON'S READY MIX INC	NTNC	1	100	SAN BERNARDINO
5403038	SPRINGVILLE WATER CO	C	5	50	TULARE
1502664	STONYBROOK CORPORATION - LA PAZ	NP	36	1	KERN
1000624	SUNNYSIDE MARKET	NC	2	429	FRESNO
0900539	SUNRAY TAHOE HOTEL	NC	3	120	EL DORADO
0900636	TRUCKEE CREEK COTTAGES	NC	30	6	EL DORADO
2702624	UNI-KOOL WS	NTNC	6	180	MONTEREY
4000743	UPS - SAN LUIS OBISPO	NTNC	1	35	SAN LUIS OBISPO
5400507	VISALIA/ SEQUOIA SOUTH KOA	NC	83	169	TULARE
1805009	WEST PATTON VILLAGE CSD	C	155	465	LASSEN

C = Community Water System

NC = Transient Noncommunity Water System

NTNC = Nontransient Noncommunity Water System
 NP = Not a Public Water System

**Table 7: List of Mandatory Consolidations Ordered
 between July 1, 2017 and June 30, 2018**

PWS Number	PWS Name	PWS Class	Conn	Pop	County	Status
1502744	60TH STREET ASSN	C	10	44	Kern	Public meeting held June 12, 2018. Public Hearing scheduled for September 5, 2018.
5000077	CERES WEST MOBILE HOME PARK	C	46	161	Stanislaus	Public meeting held May 30, 2018. Voluntary consolidation period ends August 24, 2018. Public hearing scheduled for October 1, 2018.
1502247	DESERT BREEZE	C	63	82	Kern	Public meeting held June 12, 2018. Public Hearing scheduled for September 5, 2018.
1502569	FIRST MUTUAL WC	C	15	35	Kern	Public meeting held June 12, 2018. Public Hearing scheduled for September 5, 2018.
1500571	LUCKY 18	C	60	73	Kern	Public meeting held June 12, 2018. Public Hearing scheduled for September 5, 2018.
2000612	NORTH FORK UNION SCHOOL	NTNC	3	350	Madera	Parties have resolved to consolidate voluntarily.
1502232	ROSAMOND MHP	C	79	175	Kern	Public meeting held June 12, 2018. Public Hearing scheduled for September 5, 2018.
1502231	ROSAMOND SCHOOL	NTNC	2	940	Kern	Public meeting held June 12, 2018. Public Hearing scheduled for September 5, 2018.
2000567	YOSEMITE HIGH SCHOOL	NTNC	1	796	Madera	Parties have resolved to consolidate voluntarily.

3.4 TMF WORKGROUP

During FY 17/18, the State Water Board created a workgroup of DDW and DFA staff to strengthen their methods for evaluating an existing water system's financial capacity. The tmF workgroup has created draft forms to analyze a system's financial documents and activities, including their asset and capital improvements plans, reserve management, and financial planning and reporting.

Beginning in Fall 2018, the workgroup is planning to pilot the first version of their financial capacity assessment template during sanitary surveys at approximately ten water systems state-wide, including various governance types, economic status, and sizes. Afterwards, the assessment template will be revised, and a larger pilot project will begin, including larger stakeholder input including PWSs, California Conference of Environmental Health Directors and LPAs in the process. Once complete, the workgroup will discuss metrics for long-term effectiveness of financial assessment and will reflect on potential regulatory needs based on the pilot results and stakeholder input. When the pilot phase is completed, training will be given to field staff to improve their review of financial capacity of water systems and give them tools to provide water systems with support.

3.5 REPORTING PERIOD AND SUBMITTAL DATES

The annual capacity development implementation reporting period reflects information covering the state fiscal year of July 1, 2017 to June 30, 2018 (referred to as FY 17/18 in this report). This report has been prepared for submission to the United States Environmental Protection Agency (USEPA) Region IX, as a requirement set forth by the FY 17/18 Public Water System Supervision Grant Workplan between the State Water Board and USEPA.

APPENDIX A
DOCUMENTATION REQUIREMENTS FOR TMF ASSESSMENTS

Documentation Requirements for TMF Assessments

TMF ELEMENTS		DWSRF FUNDING PROJECTS	NEW WATER SYSTEMS	CHANGES OF OWNERSHIP
TECHNICAL	1. Consolidation Feasibility	Mandatory	Mandatory	Mandatory
	2. System Description	Necessary	Mandatory	Mandatory
	3. Certified Operators	Necessary	Mandatory	Mandatory
	4. Source Capacity	Necessary	Mandatory	Necessary
	5. Operations Plan	Necessary	Mandatory	Necessary
	6. Training	Necessary	Necessary	Necessary
MANAGERIAL	7. Ownership	Mandatory	Mandatory	Mandatory
	8. Water Rights	Mandatory	Mandatory	Mandatory
	9. Organization	Necessary	Mandatory	Mandatory
	10. Emergency Response Plan	Necessary	Mandatory	Necessary
	11. Policies	Necessary	Necessary	Necessary
FINANCIAL	12. Budget Projection/ Capital Improvement Plan	Mandatory	Mandatory	Mandatory
	13. Budget Control	Necessary	Mandatory	Mandatory

**APPENDIX B
NEW PUBLIC WATER SYSTEMS IN FY 17/18**

PWS NUMBER	PWS NAME	CLASSIFICATION	ACTIVATION DATE	POPULATION	SERVICE CONNECTIONS	NUMBER OF SOURCES	COUNTY	DISTRICT or LPA
CA4200969	AAA KINDNESS CARE HOME	C	4/6/2018	30	2	1	SANTA BARBARA	LPA72 - SANTA BARBARA COUNTY
CA4301014	ALMA LATTER-DAY SAINTS CHURCH	NC	1/3/2018	40	1	1	SANTA CLARA	DISTRICT 17 - SANTA CLARA
CA1504009	ARCO AMPM #42924	NC	9/18/2017	25	1	1	KERN	DISTRICT 12 - VISALIA
CA5700523	BOGLE VINEYARDS TASTING ROOM	NC	1/31/2018	225	3	1	YOLO	LPA87 - YOLO COUNTY
CA1300685	BRANDT CATTLE	NTNC	1/25/2018	50	1	1	IMPERIAL	LPA43 - IMPERIAL COUNTY
CA1503685	CALIFIA FARMS WATER SYSTEM	NTNC	1/4/2018	120	1	1	KERN	DISTRICT 19 - TEHACHAPI
CA5403153	CIRCLE J - NORRIS RANCH	NC	5/29/2018	25	1	1	TULARE	DISTRICT 24 - TULARE
CA3600490	CRAB FLATS CAMPGROUND	NC	6/19/2018	100	1	1	SAN BERNADINO	LPA66 - SAN BERNARDINO COUNTY
CA0409195	CRAIN PARK WATER SYSTEM	NC	10/24/2017	40	1	1	BUTTE	LPA34 - BUTTE COUNTY
CA2800064	DAKOTA SHY WINERY	NC	9/19/2017	30	1	1	NAPA	LPA58 - NAPA COUNTY
CA1000646	E-Z TRIP	NC	4/27/2018	25	1	1	FRESNO	DISTRICT 23 - FRESNO
CA0409194	FEDEX GROUND	NTNC	6/5/2018	120	2	1	BUTTE	LPA34 - BUTTE COUNTY
CA3301176	GRIMMWAY ENTERPRISES - CAL ORGANIC THERM	NTNC	6/7/2018	126	1	1	RIVERSIDE	LPA63 - RIVERSIDE COUNTY
CA4500344	HAVEN HUMANE WATER SYSTEM	NTNC	4/2/2018	60	3	1	SHASTA	LPA75 - SHASTA COUNTY
CA1000644	IMMANUEL SPORTS COMPLEX	NC	2/7/2018	25	1	1	FRESNO	DISTRICT 23 - FRESNO
CA0300110	IRON HUB WINERY	NC	10/12/2017	25	3	1	AMADOR	LPA33 - AMADOR COUNTY
CA3107345	KINGVALE SHELL	NC	2/15/2018	25	1	1	PLACER	LPA61 - PLACER COUNTY
CA1000641	LARRY A SHEHADEY DAIRY	NTNC	8/7/2017	95	2	2	FRESNO	DISTRICT 23 - FRESNO
CA5700617	MARIANI NUT COMPANY - BUCKEYE RD	NTNC	6/5/2018	50	5	1	YOLO	LPA87 - YOLO COUNTY
CA5700522	MINER'S LEAP WINERY	NC	2/20/2018	125	2	1	YOLO	LPA87 - YOLO COUNTY
CA3601184	MOJAVE SOLAR PROJECT ALPHA POWER PLANT	NTNC	8/18/2017	25	1	3	SAN BERNARDINO	LPA66 - SAN BERNARDINO COUNTY
CA3601185	MOJAVE SOLAR PROJECT BETA POWER PLANT	NTNC	8/18/2017	25	1	2	SAN BERNARDINO	LPA66 - SAN BERNARDINO COUNTY
CA2702708	OLD STAGE RD WS #21	NTNC	7/12/2017	25	1	1	MONTEREY	LPA57 - MONTEREY COUNTY

PWS NUMBER	PWS NAME	CLASSIFICATION	ACTIVATION DATE	POPULATION	SERVICE CONNECTIONS	NUMBER OF SOURCES	COUNTY	DISTRICT or LPA
CA1503684	ONE FORTY EIGHT EAST WATER SYSTEM	C	12/1/2017	35	13	1	KERN	DISTRICT 19 - TEHACHAPI
CA1000643	OPEN SKY RANCH	NTNC	1/4/2018	29	6	2	FRESNO	DISTRICT 23 - FRESNO
CA1504010	PANCINI ST. WATER WELL ASSOCIATION	C	1/4/2018	25	5	1	KERN	DISTRICT 12 - VISALIA
CA0300112	PAUL J. WINES	NC	3/27/2018	25	1	1	AMADOR	LPA33 - AMADOR COUNTY
CA2000956	QUADY RESIDENCE AND WNERY	NC	8/30/2017	25	2	1	MADERA	LPA50 - MADERA COUNTY
CA4901452	QUARRYHILL BOTANICAL GARDEN	NC	12/4/2017	50	2	1	SONOMA	DISTRICT 18 - SONOMA
CA0300108	RANCHO VICTORIA TASTING ROOM	NC	9/26/2017	25	1	1	AMADOR	LPA33 - AMADOR COUNTY
CA3107347	RIEGO MARKET	NC	2/15/2018	25	1	1	PLACER	LPA61 - PLACER COUNTY
CA4500343	SHINGLETOWN STORE WATER SYSTEM	NC	7/27/2017	1017	5	1	SHASTA	LPA75 - SHASTA COUNTY
CA2600700	SIERRA BUSINESS PARK OWNER'S ASSOCIATION	NTNC	2/15/2018	25	15	1	SAN BERNARDINO	DISTRICT 13 - SAN BERNARDINO
CA2901530	SIERRA KNOLLS WINERY WATER SYSTEM	NC	8/15/2017	110	1	1	NEVADA	LPA59 - NEVADA COUNTY
CA0409197	SIERRA NEVADA BREWING CO.	NTNC	10/13/2017	30	3	1	BUTTE	LPA34 - BUTTE COUNTY
CA4901451	SPIDER WEB RANCH	NC	8/31/2017	32	2	1	SONOMA	DISTRICT 18 - SONOMA
CA0105019	SUNOL SUPER STOP	NC	2/1/2018	155	1	1	ALAMEDA	DISTRICT 04 - SAN FRANCISCO
CA2000961	TALLEY TRANSPORTATION INC	NTNC	4/2/2018	35	3	1	MADERA	LPA50 - MADERA COUNTY
CA5403213	TEEN CHALLENGE	C	7/17/2017	94	13	1	TULARE	DISTRICT 24 - TULARE
CA5403214	THREE RIVERS HISTORICAL MUSEUM	NC	11/20/2017	25	2	1	TULARE	DISTRICT 24 - TULARE
CA4000829	VINES R.V. RESORT	NC	8/25/2017	400	1	1	SAN LUIS OBISPO	LPA70 - SAN LUIS OBISPO COUNTY

APPENDIX C
TECHNICAL ASSISTANCE REQUEST FORM

REQUEST FOR TECHNICAL ASSISTANCE

Instructions: If an item is not relevant or unknown enter "not applicable" or "unknown."

Please e-mail the completed form to: DFA-TArequest@waterboards.ca.gov

An electronic copy of this form can be obtained at:

http://www.waterboards.ca.gov/water_issues/programs/grants_loans/proposition1/tech_asst_funding.shtml

Community, System, or School Name:

Public Water System ID No. (if applicable):

Service Area Population:

County:

Number of Service Connections:

Estimated Median Household Income (MHI) of Service Area:

MHI Source:

Check the box that best describes the type of organization in need of TA:

Tribe Municipal entity Private entity, nonprofit Private entity, for profit

School/School District/Local Education Agency Other

Type of TA Need: Drinking Water Wastewater Storm Water Groundwater

Problem/Request. Briefly summarize the problem or the need for technical assistance. If enforcement has been taken, please provide a copy of enforcement documentation or enforcement order number. Provide any deadlines or time schedules (if applicable):

Possible Next Steps or Solutions (if known):

Please provide a contact for correspondence regarding this request:

Name

Title

Mailing Address

City/State

Zip Code

Phone Number

E-mail Address