

State Water Resources Control Board
SAFER Drinking Water Advisory Group Meeting
Meeting Notes
January 13, 2020

NOTES SUMMARY

Action and Follow-up Items Summary:

Meeting Process. Board staff have created plans to provide the following at each Advisory Group meeting:

1. Ensure translation and ADA requirements are met, as possible
2. Confirm enough sign-in sheets are printed
3. Provide meeting participation platforms for each meeting (e.g., Slido, QR code)

SAFER Process. Board staff are developing these items:

1. Clarify SAFER process and purpose.
2. Develop SAFER timeline visual.
3. Create SAFER calendar with key dates.
4. Schedule Advisory Group meetings earlier.
5. Develop and roll-out SAFER communications plan.
6. Update SAFER webpage (waterboards.ca.gov/safer)

Policy Items. Board staff will be considering how to incorporate the following comments as we revise the Expenditure Policy:

1. 5-year horizon for Fund Expenditure Plan
2. Call out domestic wells and state smalls
3. Identify funding strategies (e.g., regional planning)
4. Consideration of emergency projects
5. Ways to incentivize consolidation
6. Include additional metrics (e.g., application processing time, measurable goals)
7. Consider other prioritization criteria (e.g., vulnerability, length of time in violation)
8. Homelessness and sanitation
9. Policy/strategy on Operations and Maintenance (O&M)
10. Define “pure and wholesome”
11. Considerations for systems with “high” water rates
12. Disadvantaged Communities (DAC)/non-DAC eligibility
13. Consideration of households with many people in income determination
14. Consideration of how to approach unregulated contaminants
15. More detail on funding recipient requirements (e.g., Technical, Managerial, and Financial (TMF) assessment, rate setting, asset management plan, reserves)
16. Consideration of financial capacity of systems to fund/self-fund
17. Clear policy for Tribal lands.

Questions to Answer

1. How to accelerate project readiness and implementation, especially for consolidations?
2. For systems that need funding assistance, how to assess system efficiency and the long-term effectiveness of solutions that are funded?
3. How to enable more regional solutions/projects, including multiple consolidations and extension of services to private well areas?
4. How to best integrate and support strategies to address private wells and state smalls (e.g., testing, interim solutions, long-term solutions and extension of services)?
5. How to best enable SAFER to serve the needs of tribes in a way that complements other federal and state resources?
6. How to best support interim solutions:
 - a. How are strategies developed with communities?
 - b. What is adequate
 - c. How do SAFER solutions integrate with other interim solution efforts (i.e. early action plans for CV Salts, enforcement settlements, etc.)?
7. How to best support workforce development benefits?
8. How to best support effective community engagement to accelerate effective solutions?
9. What resources are available (e.g., community tools (including petitions), accessing information, etc.)?
10. How to develop affordability threshold and TMF requirements for funded projects (e.g., re there ways to address issues like financial reserve tools, etc.)?
11. How does access to water by those experiencing homelessness fit into SAFER?
12. How are DACs defined in areas with mixed income households and/or multi-family households?
13. How do unregulated contaminants fit in?
14. How to address issues of criminal activity (embezzlement, etc.) related to funding or in general for water systems receiving funding?
15. How do water supply challenges fit into this program?
16. How do SAFER activities (including needs assessment and funding analysis) fit into Groundwater Sustainable Plan (GSP) development/evolutions and Sustainable Groundwater Management Act (SGMA) implementation in general?
17. How will Cleanup and Abatement Account (CAA) be used to complement this effort?
18. What implementation tools are available to implement solutions for communities without a legal entity or TMF capacity?
19. How will the public be able to track implementation and get updates?

Detailed Notes by Agenda Item are below.

MEETING NOTES

Time: 9:30am-4:30pm

Location: Central Valley Water Quality Control Board
 11020 Sun Center Dr, #200
 Rancho Cordova, CA 95670

Agenda Summary

Lobby Check-in

Item #1: Welcome/Introductions/Overview of the Advisory Group

Item #2: SAFER Drinking Water Program Framing

Break and Photos

Item #3: Needs Assessment Discussion and Public Comment

Lunch and Photos

Item #4: Fund Expenditure Policy Discussion and Public Comment

Break

Item #5: Next Steps, Future Meetings and Public Comment

Adjourn

9:00am – 9:30am

9:30am - 10:45am

10:45am – 11:15am

11:15am – 11:25am

11:25am – 12:45pm

12:45pm – 1:15pm

1:15pm – 3:15pm

3:15pm – 3:25pm

3:25pm – 4:30pm

4:30pm

Advisory Group Members in Attendance	
First	Last
Horacio	Amezquita
Sergio	Carranza
Michael	Claiborne
David	Cory
Benjamin	Cuevas
Castulo	Estrada
Lucy	Hernandez
Don	James
Everett	McGhee
Maria	Olivera
Camille	Pannu
Katie	Porter
Emily	Rooney
Elena	Saldivar
Nicholas	Schneider
Jessi	Snyder
Isabel	Solorio
Dawn	White

Item #1:		
	Welcome/Introductions/Overview of the Advisory Group	Time 9:30 - 10:45am (75 min)
Meeting Notes	<u>Welcome</u>	
	<p><i>Jessica Bean, Office of Public Participation</i></p> <p><i>Board members E. Joaquin Esquivel and Laurel Firestone</i></p>	

Item #2: SAFER Drinking Water Program Framing		
	Time	10:45 – 11:15am (30 min)
Meeting Notes	<u>SAFER Program Overview</u>	
	<p><i>Andrew Altevogt, Assistant Deputy Director, SAFER Drinking Water Program</i></p>	
	<u>Advisory Group Discussion</u>	
	<p>A. How is the Board identifying high risk areas?</p> <ul style="list-style-type: none"> • Mapping data from wells can lead to a risk score <p>B. Will funding for training be provided? Any locally or logistics?</p> <ul style="list-style-type: none"> • Ongoing discussions with CCs, CalWorks, and Workforce Development Board <p>C. It is important to align SAFER with other funding sources and programs</p> <p>D. SAFER’s intersection with homelessness issues</p> <p>E. Mixture of disadvantaged and not... which communities are prioritized and how?</p> <ul style="list-style-type: none"> • Water quality for disadvantaged communities (DACs) and non-DACs <p>F. Mixed income households can be disqualified for funding due to disproportionate household size and income</p> <p>G. How will Board work with communities dealing with unregulated contaminants</p> <ul style="list-style-type: none"> • Emerging contaminants will be considered <p>H. How do we deploy resources faster?</p> <ul style="list-style-type: none"> • Regulatory and funding sides will be looked at <p>I. Private well owners can be elderly with fixed income can experience financial difficulty when wells dry</p> <ul style="list-style-type: none"> • Are there any immediate number(s) to call or resources to access? • Not enough money for the need • For Central Valley residents, it is recommended to call Self Help for information regarding grants and loans <p>J. How will Board and communities address O&M and TMF issues?</p> <ul style="list-style-type: none"> • How is it defined? How to get funding to consolidate? <p>K. Can strategies for project readiness be discussed?</p> <p>L. How do we measure effectiveness of a program?</p> <p>M. When to decide filtration system vs new wells?</p> <p>N. What actions can be taken to not replicate services and systems?</p> <ul style="list-style-type: none"> • Think comprehensively and with long-term solutions in mind <p>O. How can we deploy resources faster for frontline families?</p>	

- P. What role does long-term play in expenditure plan?
 - Think, what makes sense in the long-term to fund; Be proactive; More transparent tracking
- Q. Will Board consider creating new satellite community water systems, if it pencils out?
 - Different solutions will be examined if it makes sense long-term
- R. Split between capital and noncapital in how we use funds is predetermined
- S. If we move project to project, what role will impact fees play?
- T. Systems that can't be recovered... how do we get funding to those systems that still have a chance?
 - Board wants to be proactive and visit systems ahead of time
- U. Project timeline, logistics and strategies? What are strategies to accelerate timelines?
 - Funding-wise, Board is waiting to see if provided money will come from the state or federal government; internal procedures can also be re-examined
 - Regulatory-wise, can planning be done by technical assistance (TA), through long-term regional and collaborative efforts?
 - TMF = financial uncertainty and failed systems and timing?

	Item #3: Needs Assessment Discussion and Public Comment	Time	11:25am -12:45pm (80 min)
Meeting Notes	<p><u>Needs Assessment Overview</u></p> <p><i>Andrew Altevogt, Assistant Deputy Director, SAFER Drinking Water Program</i></p> <p><u>Advisory Group Discussion</u></p> <ul style="list-style-type: none"> A. Does NA and OEHHA connection have gaps and overlaps? B. How will tribes access funding and consultation services? <ul style="list-style-type: none"> • Tribal consultation will be followed up • What is sovereignty requirement? Will it be waived? C. Need to address more contamination <ul style="list-style-type: none"> • Where is clean water being protected? • How to track clean wells and spreading of contaminated wells? Is data available? D. Have UCLA contacted service providers and community groups to have assessments and discussions properly introduced? E. How much of the regional water quality data will be used (from the draft) to properly categorize regions? <ul style="list-style-type: none"> • Collect data and send to Michelle and her team F. Using 2020 census data and overlay by 2021 G. Will there be meeting to discuss work that has been done? <ul style="list-style-type: none"> • Draft results are being reviewed • Indicators of "at-risk" will be shared 		

- H. How is Board approaching communities that are already treating?
- I. Will performance measures and metrics be available to the public?
 - Risk factors need some clarity, there is a workgroup addressing TMFs
 - A workshop in March will have more details; can ask Michelle Fredericks for details
- J. Does DFA require tribes to waive sovereignty?
 - It is a limited waiver under which parameters are limited to contract, in order to make process accessible for tribes
- K. Immediate needs cannot wait another decade
 - Interim solutions are needed now in communities like the Coachella Valley
 - Suggested that UCLA visit and examine program in Coachella Valley
 - How can process be simplified?
- L. Have private well owners visited to build trust
 - New staff at Office of Public Participation can help
- M. When it comes to consolidation, fine line between including everyone and keeping the project going is real
 - Want to ensure no one is left out or behind of process
- N. Importance of building trust
 - Community members may want to consolidate, but private well owners may not
 - Owners may not be living locally
 - Tenants may be afraid to open doors in case it turns out to be a water company, Immigration Customs, etc.
 - Trusted outreach people, methods, from community, how to engage
 - Beneficial to go through schools
- O. People don't want to test water in fear of devaluing home... should there be mandate to require testing?
- P. Communities may not receive sponsorship... how do they receive help?
 - Use of improved Office of Public Participation and TA
 - Identify local sponsor (local water agency) of project and be lead for engagement and outreach (need to understand comm dynamics, organizing, and how to communicate)
 - Consensus in process or move on and not stall?
 - How to determine who should be left out and when?
- Q. Will counties be mandated to help?
 - More collaboration and less restrictions on structures to get projects moving forward
 - Emphasis on community involvement

Public Comment

- Needs assessments should be focused on solutions and long-term
- Focus on chronic contamination and need for prioritization to better direct solutions
- Update webpage and make PowerPoints available ahead of time
- More testing done with small and domestic well communities to better understand their needs
- Gaps and overlaps analysis
- Follow up conversations with domestic well owners
- Leverage off of DWR's drought resilient efforts and examine water shortage risks
- SGMA implementation
- Incorporate water as public trust asset

Item #4: Fund Expenditure Policy

Discussion and Public Comment

Time

1:15 – 3:15pm (120 min)

Fund Expenditure Policy Overview

Joe Karkoski, Assistant Deputy Director, Division of Financial Assistance

Advisory Group Discussion

- A. Money for wells
 - Projects should be prioritized
 - How to have metrics for fund allocation?
- B. How much info is available for individual assessments?
 - May provide a summary or provide some individual ones; some analysis will be made public
- C. New TA can be given to a public agency
 - Big number, because of sub-contracting, which will speed up process
- D. Residents know their issues and communities best
 - Improved outreach
- E. Consideration for well communities... not shown, rest of funding projects will be shared
- F. Communities need vested interest
 - Can we have metrics on funding projects?
 - Where is backlog?
- G. Seeking feedback on constraints regarding grants; moving things in parallel rather than sequential
- H. Criteria to get projects completed by Feb/March 2022
- I. Disadvantaged communities requiring collateral for funding
- J. List of 1920 funded projects?
- K. State as means of providing collateral... but important to be financially sustainable
- L. Let us know what is needed to get projects done

Meeting Notes

- M. Prop 1 funded projects will get pushed forward by switching funds
- N. Consolidation authority kicks in when MCL is exceeded... but you can petition
- O. Will there be opportunities for education related to certificate program?
 - Workforce plan
- P. Do you anticipate written comments?
 - Would be appreciated
- Q. What is policy's highlight of small low-income communities of color?
 - Prioritize these communities?
- R. What does "affordability" translate to?
 - Affordability threshold will be discussed at next Advisory Group meeting
- S. Lots of opportunities to track data to know where and with whom (in app process) to speed up projects
- T. Where does petition process come from? What does significant community support mean?
- U. Water should be accessible and affordable, especially when considering farm working communities
- V. Advance materials for next meeting's discussion on affordability

Public Comments

- Good representation from small rural communities in Advisory Group
- Need for measurable goals in policy
- There should be more intentionality with EJ communities
- Define "social vulnerability"; immediate health risk isn't enough
- Addressing hurdles and intimidation of forms
- What are health measures
- Language access and public participation need to be highlighted
 - Go beyond Spanish; consider where most vulnerable communities are... potentially use Secretary of State info
- Any funding that private utility gets only benefits customers, not shareholders
- Include definitions and planning for emergencies
 - How to deploy resources during emergencies
- Consider challenges for small communities that aren't near other systems for consolidation
 - At the same time, how do we spend effectively? Careful spending is important
 - How should we prioritize spending with finite pie?
- Include 5- and 10-year ambitious goal(s)
- Metrics and specific goals under a roadmap to meet goal(s)
 - Explicit workforce development tracking and metrics

- Identify needs and metrics on meeting needs for domestic well communities
- New metric for public engagement
- How to address providing access to mixed income and dense communities
- Address drought
- How to engage community directly
- Capital reserves need to be considered for small systems
- Funding O&M can act as a bridge for more financially sustainable systems
 - Doesn't mean that systems with not current O&M plan will be not be funded; uncertainty with future funding shouldn't stop us from funding now
- There's huge scope ... any recommended percentages?
 - What do we mean by long-term O&M and "pure and wholesome water"?
- How are public utilities, with rates, defining long term?
 - Water rates as public trust assets
- Need to mitigate contamination

Highlighted Ideas

Item #2: SAFER Drinking Water Program Framing

- Private well owners can be elderly with fixed income can experience financial difficulty when wells dry
 - Are there any immediate number(s) to call or resources to access?
 - Not enough money for the need
 - For Central Valley residents, it is recommended to call Self Help for information regarding grants and loans
- What role does long-term play in expenditure plan?
 - Think, what makes sense in the long-term to fund; Be proactive; More transparent tracking

Meeting
Notes

Item #3: Needs Assessment

- How will tribes access funding and consultation services?
 - Tribal consultation will be followed up
 - What is sovereignty requirement? Will it be waived?
- Need to address more contamination
 - Where is clean water being protected?
 - How to track clean wells and spreading of contaminated wells? Is data available?
- Immediate needs cannot wait another decade

- Interim solutions are needed now in communities like the Coachella Valley
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Item #4: Fund Expenditure Policy Discussion

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 - Can we have metrics on funding projects?
 - Where is backlog?
- State as means of providing collateral... but important to be financially sustainable
- Let us know what is needed to get projects done

Parking Lot – Ideas for later discussion

**Meeting
Notes**

- A. Bagley Keen Training or resources to be sent
- B. Impact fees
- C. Will shovel ready projects be funded this year or next year?
- D. State providing collateral (capital reserve?)
- E. How to address consolidation without exceeding MCL?
 - There may be some flexibility
- F. Water as a public trust asset
- G. Data tracking and visualizations

Parking Lot – Ideas for later discussion

H. O&M

Areas of Improvement for OPP Meeting Facilitation

**Meeting
Notes**

- Language access and public participation need to be highlighted
 - Go beyond Spanish; consider where most vulnerable communities are... potentially use Secretary of State info
- Advance materials for next meeting’s discussion on affordability
- Update webpage and make PowerPoints available ahead of time
- To build trust, may be beneficial to have meetings at school