

**State Water Resources Control Board**  
**SAFER Drinking Water Advisory Group Meeting**

**Meeting Notes**  
**February 19, 2020**

**Action and Follow-Up Items Summary:**

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**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. Provide bi-lingual meeting materials to AG Members at least one week in advance. Follow internal three-week timeline for translation and posting.
3. Meeting logistics refined: parking, webcasting, A/V, and lunch options.
4. OPP develops meeting agenda and facilitates meetings with less use of presentations and more discussion and conversation around guiding questions.

**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 and meeting collateral.
6. Update SAFER webpage ([waterboards.ca.gov/safer](http://waterboards.ca.gov/safer))

**Advisory Group Questions by Agenda Item are below.**

## **Item #1: Fund Expenditure Policy**

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### **Advisory Group Questions to Answer**

- Requested elaboration on responsible parties of dischargers as referenced in the policy.
- How will the entire process, after the application is submitted, be considered? How to expedite projects?
- Will AG Members have a chance to weigh in on Expenditure Policy before May?
- How can AG members get materials/documents to review in order to have a much more sensitive discussion prior to adoption?
- **Can AG Members receive Meeting Documents in advance?**
- Can PowerPoint be translated so everyone can equally participate?
- How will DFA address Sovereign Immunity Waiver?
- How to obtain a list of different organizations and/or engineers that are involved in the process?
  - Communities would know where to go and who to talk to for help
  - Private Wells that have never been tested can get help
- How much funding should go to Public Systems vs. Unregulated Smalls (dried up wells)?
- What does it mean to bring true Environmental Justice into communities?
- Why are small water systems penalized for not wanting to go to a public company?

## **Item #2: Fund Expenditure Plan**

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### **AG Questions to Answer:**

- Can the Slides and Meeting Outline be consistent?
- Goals and Metrics – how are they going to track progress?
- How can different divisions within the waterboard and their roles be identified? (e.g. some will work with state smalls, some will work with applications, others with interim solutions)
- How are you going to address the homeless population?

## **Item #3: Affordability**

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### **AG Questions to Answer:**

- Has DFA looked at sustainability and affordability combined? Has DFA looked at the relationship between the two? Sometimes the sustainable system is not affordable.
- Median household income masks a lot of issues. Is there a way we could have something that shows the % of households that can or cannot afford the water rate? That would be good to look at.
- It should be taken into consideration that the census does not always capture small communities. How can sewer rates, water rates, and length of shut off be considered for eligibility of subsidies for O&M?
- Would like to see a policy like that of housing that mandates a cap of housing costs, but for water.

- With AB401, how do we ensure that a water system is not being subsidized twice?
- How does AB401 tie into SAFER?

## Item #4: Needs Analysis

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### AG Questions to Answer:

- How can we capture what groups area already doing?
- More money is needed to tackle this problem. \$130 million is nothing compared to the needs.
- How can we place the emphasis on emergency assistance?
- For Outreach, how can we partner with educational programs?
- How are we tracking contamination? (e.g. someone is going to buy a house or drill a well but there has already been an assessment which results show a high level of contamination, those people would be “at risk” of contamination)
- There are some small communities receiving their water from fire hydrants. How can we work with those small communities?
- Can plans be communicated, even in draft?
- Can we have community workshops in order to educate/inform the residents and their concerns can be answered firsthand, by experts?
- How is the risk assessment done? How was data used in the risk assessment?
- How can we get people experiencing homelessness water? They need to be included or get a special fund for them.
- Within this mapping tool, is there a way to build a layer which contains the contaminant that is of most concern to a person with zones on the map that shows where there is a high concentration of “x” contaminant? This could also show where there is a cluster of contaminants and create a scoring criteria such as SGMA that has the low, medium, high ranks.
- The fund will not be adequate to help each community in need, wondering if there is a way that all AG members agree on can be brought back to the Board? Would it be useful to form subgroups? How can AG give SWCRB input on what needs to happen first?
- AG groups need to have a more focused conversation to build consensus.

## Item #5: Data Visualization Tool

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### AG Questions to Answer:

- How can additional information be obtained regarding the list of water systems shown in the visualization?
- Unclear about the timeline, when would the waterboards be asking for additional data/information?
- Can a portal be created that would show the parameters of a contamination by region?
- The website should be used to gauge the level of contamination so that the younger generation can use the system to inform/warn their families.

- Unsure if all tribes report their data to the state, how would we be sure that this tribal data is being captured?
- Currently, the viz shows those receiving financial assistance as a “yes/no” but it would be great to see those that are on the path to compliance, how did they get there, and what is the process for getting funding out to these communities?
- Does the viz show the depth of the wells? Do you have that information? If not, are you going to put it in the tool?
- Can the tool show past well information?
- The HR2W includes the 300+ water systems out of compliance. When those same water systems return to compliance, do they stay on this list or are they removed?
- There are a number of these tools with similar data sets, will these tools be merged at some point?
- The Viz. should incorporate state smalls and domestic wells so that we know what the money is being spent on.

## **Item #6: Future Meetings**

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### AG Member Feedback

- Looking forward to outreach in communities for workshops
- Materials are needed in advance
- Information in advance helps AG members prepare for the meetings and be ready for a comprehensive discussion
- Agenda ahead of time
- Possibly breaking up into subgroups and having meetings nearby where they can go over materials in advance.
- Requested to share each other’s email address/contact information so that they can communicate

## Morning Public Comment

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- Waiver for Tribal Sovereignty – following what the SWRCB has done before would create a lot of barriers. The language used in past alone would stop many tribes from touching that. Happy to meet with state attorneys to change the language so that tribes feel more welcome.
- Want more regular advisory group meetings with basic logistics like water and parking. When staff comes here, they should listen to the experts. Way too much of water board talking and way too little community members talking.
- Pixley community has high contamination levels of arsenic. State support is needed. Noticing that people are dying of cancer and children are drinking out of the water fountains. The families are poor and do not have money to buy water. Please help in this emergency. Think of the families and the communities that are suffering.
- Where does community engagement fit in to the Fund expenditure plan outline?
- In Cantua Creek, El Porvenir they have been waiting for at least 10 years for clean drinking water. Members of that community are spending \$200-\$500 for water they cannot drink. They should be prioritized for receipt of these funds so they can have affordable, safe, drinking water.
- The needs assessment should look into the type of contaminants that can get into the water that we normally wouldn't be looking for. It is so hard to make a water quality guideline for California because every county has their own issues. While the community utilities are important and water purveyor are important, the people who live in these communities are the experts.
- The state should look into small water systems in other regions (not just the Central Valley) soon. Example: Coachella, Mojave, Los Angeles.
- The draft policy should explain the fund, and how it is different from the fund and expenditure plan.
- Funds should be allocated to communities that are partially or entirely dependent on domestic wells. Community engagement is important and should be prioritized.

## Afternoon Public Comment

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- If small water systems, that have not received compliance orders yet, are currently at the affordability threshold, would they be good candidates for funding or is it too early to determine that?
  - Directed to the pre-application for small community grant for possible qualification. However, moving forward the focus is on those that are out of compliance.
- Appreciate the open discussion and the information shared on the complexity of affordability. Wants to recognize the statutory reference in SB 200 for developing a list that serve a DAC and consistently fails to provide safe and affordable water, this is criteria that the board needs to set. In addition, would like to echo the comment made regarding the planning and engagement work that is already being done as it relates to the Needs Assessment. It needs to incorporate the DWR work and programs. In addition, a forum should be created where we can discuss what is being seen as/noticed a result of the needs assessments. Lastly, the data referenced that either they are getting financial assistance, or they are not, is this funding coming from a state source?

- Yes
- Has been working on a similar data set and has found that there are Federal and State gaps in data. There are many different types of data, formats, and the quality of the data, so how are we going to adequately translate this data so that tribes are not disadvantaged?
  - Current data is from US EPA and are trying to figure out how to incorporate the data and look into additional data sources.
- Would the tool show/list different contaminants in the water system or are these only the required contaminants? There are a lot of contaminants and in the past the data has not been accessible. This process is moving fast and there has not been much community engagement. The AG members are great but not every region is represented, so does not believe all areas are being represented. In addition, because things are moving so fast, the community gets left behind.
  - Regulated constitutes
- Staff needs to do a better job at asking AG group about affordability and what the needs are. The AG members have a better idea of what affordability is vs. Waterboard staff. A better structure is needed, there was not much time for public input before the fund expenditure plan was adopted, which makes things very difficult. Recommends creating a workplan for the committee so that issues can be ironed out and push for consensus. A round robin of comments is not getting the board in good flavor of what the sense of the discussion is. In addition, was not comfortable with the references to the State Revolving Fund today as the SAFER fund gives an opportunity to break out of that mold.
- Will the affordability issue for the Pixley community be addressed? These meetings address water issue needs and for a lot of communities, the water issue for senior citizens and the homeless population needs to be addressed. Most of our community is made up of farmworkers that earn less than \$14,000 a year. Money for drinking water is not at the top of their priority list and addressing this water issue should be number one for all of us.
- In regards to the Data Visualization tool, can you show funding sources for each system by type (e.g. grant, loans, etc.) and what are those funds being used for? In addition, the responsible parties need to be responsible and should reimburse the state for projects or should be contributing to the fund in some way. This fund should not be a free pass for responsible parties to get out of their responsibilities because some have stated that once this fund starts flowing in, their problem will be taken care of.
- Echoing earlier comments of a community workshop that creates a space at a time that is accessible for members to talk about these types of times (affordability threshold and risk assessment). For the data visualization, is there a plan to translate? We need to make sure that it is accessible to folks in a language they can read and utilize. Is there a chance to provide feedback on the visualization tool?
  - Send written comments because the tool will be dynamic

**MEETING NOTES**

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**Date: Wednesday, February 19, 2020**

**Time: 9:30am-4:00pm**

**Location:**

Viticulture and Enology Conference Room

2630 E Barstow Ave

Fresno, CA 93740

**Agenda Summary**

**Check-in**

Welcome/Introductions/Logistics

9:30am – 10am

Item #1: **Fund Expenditure Policy**

10am – 10:45am

**Break**

Item #2: **Fund Expenditure Plan**

**Lunch**

Item #3: **Affordability**

Item #4: **Needs Assessment**

Item#5: **Data Visualization Tool**

**Break**

Item#6: **Future Meetings**

**Adjourn**