

STATE WATER RESOURCES CONTROL BOARD EAR INPUT FORUM COMMENTS TO 2020 EAR

The Division of Drinking Water (DDW) is in the process of redeveloping the Electronic Annual Report (EAR) platform and format in collaboration with ORPP and DIT using the Survey Wizard platform developed by DIT. One goal of the redevelopment is to provide improved functionality to allow greater customization of the EAR to display only those questions that pertain to each public water system based on public water system classification and size. Additionally, the new platform will allow improved access to and usability of the data received.

On August 24, 2020, DDW and ORPP hosted an EAR Input Forum webinar to demonstrate the new Survey Wizard EAR platform concepts for the 2020 EAR and discuss the proposed changes to the Water Rates and Customer Charges section. The EAR Input Forum members were given the opportunity to provide written comments on the new EAR platform, functionality, and survey questions. Comment letters were received from the following entities:

- Association of California Water Agencies
- California Municipal Utilities Association
- California Water Association
- Joint Comments: Community Water Center, Leadership Counsel for Justice & Accountability, California Coastkeeper Alliance, Natural Resources Defense Council, Pacific Institute, Clean Water Action
- Los Angeles Department of Water and Power
- Department of Water Resources
- Placer County Water Authority
- San Juan Water District
- Desert Water Agency

Each of these comment letters has been considered. A summary of all comments has been organized into a spreadsheet with the Water Board responses. This detailed spreadsheet may be made public on the DDW website. Staff identified which comments warranted implementation in the 2020 EAR or in the future (where additional effort or EAR design would need to be undertaken to allow implementation). Staff also identified which comments the Water Board disagreed with and would be unable to implement.

Key Comments & Responses

1. Integrate streamlining of data reporting to eliminate duplicative reporting.

Response: (Agree but not able to implement) The Water Board agrees with the need to increase streamlining, however this takes additional IT tools on a statewide basis with the development of an open data architecture. The EAR has been developed to improve the overall effort to report by using new functionality. Where feasible, the Water Board will make efforts to identify and gather data from other agencies.

2. Gather financial information via the Financial Transaction Report (FTR) submitted to State Controller, and the Comprehensive Annual Financial Report (CAFR) (required for government entities).

Response: (Agree but not able to implement) While some of this information may be submitted to the State Controller, it is not currently accessible to the Water Board without development of tools to gather it in a machine readable format.

3. Requiring reporting for new datasets that are not available is an economic impact.

Response: (Neutral) The Water Board technical reporting authority under section 116530 of the Health and Safety Code is not limited to information that water systems have previously collected or organized. The Water Board recognizes the need to balance information gathering with the impact to utilities.

4. Some Data Sets are not available and should allow for null, NA, unknown or No response options for mandatory questions instead of forcing a numeric value to prevent skewing of data.

Response: (Conditionally Agree) The Water Board expects and requires water systems to track and gather data associated with mandatory survey questions. For some survey questions, the Water Board may allow a water system to indicate that data is not collected, but the expectation is that the water system will begin collecting this data and will only be granted a limited grace period for reporting.

5. The Water Board lacks statutory authority to collect certain data. Across commenters, they mentioned shutoff data, revenue and expense data, utility run customer assistance programs, data for systems not targeted by SB 200.

Response: (Disagree) The Water Board is authorized by statute to require public water systems to report technical information to the board. (Health & Safety Code, section 116530) This statutory authority expressly extends to information on water systems' financial capacity and sustainability and drinking water affordability and accessibility. It broadly applies to information that is related to achieving the human right to water in California. [subdivision (a)] The Water Board is therefore authorized to require public water systems to report information to the Water Board on water rates and system finances, shutoffs to customers, and low-income rate assistance programs.

6. Provide the basis and intended use of each question within the EAR.

Response: (Agree) The EAR includes a citation of the regulatory or legislative driver for sections. The Water Board will be developing background information for specific EAR survey questions that provides an overview of how the data is used. This may be housed in a document external to the EAR.

7. Provide technical assistance to small water systems for completion of the EAR.

Response: (Agree) The Water Board is developing a proposal to include a banner on top of the EAR pages informing water systems of the availability of technical assistance for completing the EAR from RCAC, CRWA or SHE via the DFA Assistance Request Form.

Actions Being Taken to Implement Ear Input Forum Recommendations

Staff are revising the 2020 EAR to incorporate those EAR Input Forum recommendations where it was deemed to be appropriate and meets the Water Board's data needs. Some of these changes include:

- Removed questions for which there is no current need for the data.

- Edited new and existing questions based on feedback to add clarity and improve data quality.
- Improved access to technical assistance for small water systems to complete the EAR.
- Will provide a list of mandatory questions to water systems prior to the release of the 2020 EAR.