Water Partnerships
and Consolidation

Michelle Frederick, Water Resources Control Engineer
SWRCB-Division of Drinking Water
Division of Drinking Water (DDW)

- 7,500 Public Water Systems (PWS)
- 3,000 Community Water Systems (CWS)
- 77% of the CWS serve less than 1,000 connections
- DDW regulates all types of water systems, publically owned, privately owned non-profit, & investor owned
Compare with Other Utilities

In California there are approximately:

- 7,500 Public Water Systems
- 900 Wastewater Treatment Plants
- 75 Electricity Providers

1http://www.energy.ca.gov/almanac/electricity_data/utilities.html#service
## CA Drinking Water Violations

<table>
<thead>
<tr>
<th>System Size</th>
<th>% of Systems</th>
<th>% of Violations$^2$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very small (pop. 25-500)</td>
<td>61%</td>
<td>80%</td>
</tr>
<tr>
<td>Small (pop. 501-3,300)</td>
<td>16%</td>
<td>12%</td>
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<tr>
<td>Medium (pop 3,301-10,000)</td>
<td>8%</td>
<td>5%</td>
</tr>
<tr>
<td>Large (pop 10,001-100,000)</td>
<td>12%</td>
<td>2%</td>
</tr>
<tr>
<td>Very Large (&gt;100,000)</td>
<td>3%</td>
<td>0%</td>
</tr>
</tbody>
</table>

$^2$Violations based on CA Human Right to Water data for communities and schools-8/2017
Preventing Violations—Inspections

• Every 3-years for community systems and schools
• Every 5-years for non-community systems
• Inspection letters addressing issues before they are critical
• Inform water systems of upcoming regulatory changes
• Recommend consolidation
• Support PWSs contacting Division of Financial Assistance (DFA) for capital intensive projects
Preventing Violations—Outreach

- DDW technical support, particularly to small water systems
- DDW trainings
- Technical assistance referrals (RCAC, SHE, CRWA, etc.)
- Inform PWS about Division of Financial Assistance for capital intensive projects
- Consolidation trainings and outreach
MCL or Monitoring Violations

- MCL or monitoring violations result in citations or compliance orders (CHSC Section 116650 or 116655)
- Citations may require:
  - Corrective actions by a specified date
  - Administrative penalties
If Fines and Citations Fail...

- Attorney General to Collect Fines
- Receivership
- Mandatory Consolidation (in some instances)

- The water system undergoes public notification to customers of drinking water violations while solutions are trying to be established.
Technical Capacity Warning Signs

- Monitoring not being performed regularly
- Infrastructure that is starting to fail
- Operators with poor knowledge of potential hazards
- Poor recordkeeping
- High water loss rates/lack of meters
- Poor communication between owners and operators
Managerial Capacity Warning Signs

• Leaders not knowledgeable about drinking water regulations
• Leaders unable to accurately assess water systems needs
• No emergency response procedures
• Unable to fill board positions
• Aging volunteer board members no succession plan
• Rely entirely on hired water treatment operators to communicate with regulators
Financial Capacity Warning Signs

- Lack of asset management plans
- Rates that cover only operations
- Unable or unwilling to raise rates
- Inadequate staff to apply for funding
- Small rate base – period!
Rope is tied to the tree holding up the tank
Critical TMF Related Issues

• Compliance Orders Under CHSC Section 116655
  • Can direct that appropriate preventive action be taken in the case of a threatened violation.
  • Can issue follow-up citations with fines
  • May also issue rescindable fines if corrections made by a certain date

• Permit Amendment
Requirements for Mandatory Consolidation\(^1\)
(SB-88/552)

- Viable PWS nearby
- Consult with other agencies (CPUC, LAFCo, Counties, etc.)
- Attempt voluntary consolidation
- Hold public meetings
- Must be a disadvantaged community in an unincorporated area, mobile home park, or served by a mutual water company
- Water system must consistently fail to provide an adequate supply of safe drinking water
- Most effective and cost-effective means to supply water

\(^1\)CHSC Section 116681 and 116682
Additional Limitations of SB-88

- Public Schools in Non-Disadvantaged Communities
- Water systems with technical, managerial, financial capacity issues with “run to failure” mentality
Pratt Mutual Water Company (aka Matheny Tract)

- 300 service connections
- 1,200 people
- Two miles south of the City of Tulare
- Two wells - Arsenic above the MCL
- Economically disadvantaged area
City of Tulare

- 70,000 people
- Source of Supply – Groundwater
- Meets drinking water standards
Pratt Timeline

- Arsenic Compliance Order - Feb 2010
- Planning project – Analyze alternatives – Oct 2010
- Drill new wells, arsenic treatment, consolidation
- Selected alternative – Consolidation with City of Tulare
- Construction project – August 2013 - 2015
- New distribution system, water meters and consolidation with the City of Tulare
- Negotiation, Lawsuit, SB-88, meetings, etc.
- Project completion May 2016
Pratt MWC
Obstacles to Consolidation

• Source Capacity
• Jurisdiction
• City filed for Declaratory Relief
• Mediation
• Resolution = SB 88
• Voluntary letter issued August 2015
• Order issued March 2016 (pipeline was already constructed)
• Consolidation achieved May 2016
Lessons Learned

• Voluntary consolidation is highly preferred
• The easy consolidations are likely already complete
• SB88 process is a large workload
• Getting the message to residents is difficult
• DDW (or LPA) will need to bring the systems together
• Reaffirmed that consolidation is the best alternative
Safe Drinking Water Partnership Plan

County wide plan that includes:

• All water systems locations
• Out of compliance water systems
• Water systems with inadequate TMF
• Clusters of water systems that could regionalize, consolidate or create water partnerships
• Groundwater areas with known contamination
• Areas that are served by individual wells
• Ranks partnership opportunities/priorities in each county
• Input from counties, cities, LAFCo water systems, etc.
Current Consolidation Efforts

• DDW sent out correspondence to approximately 250 small public water systems (PWS) recommending consolidation in September through November 2017
• Maps of adjacent water systems in areas of PWS clusters
• Recommending RCAC consolidation training
• Informal public meetings in some areas
• One additional 6-month letter for mandatory consolidation
  • Yosemite High School/Hillview Water Company due to arsenic
City of Keyes Area—Stanislaus County

11 PWS in 3 mile length
15 PWS in 1.5 mile stretch
Blue Lake Area-Lake County Community Coffee Chat
November 10th

6 PWS in 0.3 miles
Emerging Challenges

- Anticipating that up to 90 new applicants will be requesting domestic water supply permits in 2018 in Monterey County for cannabis production
- Other counties may follow
- Many water systems may be in rural areas with nitrate contamination