

GOVERNOR'S DRINKING WATER STAKEHOLDER GROUP

August 20, 2012

To: Martha Guzman- Aceves
Cliff Rechtschaffen

Cc: Drinking Water Stakeholder Group members
Tom Howard, Executive Officer, SWRCB

Subject: Report of the Drinking Water Stakeholder Group

On behalf of the Drinking Water Stakeholder Group, we are pleased to provide this *Report of Agreements and Recommendations* that will advance efforts to provide safe drinking water to disadvantaged communities in unincorporated areas impacted by nitrates in groundwater.

The Group reached consensus on six key agreements in principle and put forward for your consideration a number of recommended actions. In addition, the group developed three urgent legislative concepts for this legislative session, which we have already provided to your office in advance of this report and are attached here in the form that they were approved by the Group on August 1st.¹ Since that time, however, a number of significant revisions have been recommended on these concepts through continued review by state agencies and stakeholders. Several issues pertaining to these concepts continue to be refined and clarified through continued work with the stakeholder group, state agencies, and others through the legislative process.

It is our understanding that the CDPH has recommended that a number of pieces of these urgent legislative concepts would be best implemented administratively, outside of the legislative process, or need additional time to develop. Based on that agency's recommendations, we understand that two pieces of these legislative concepts, 1) the renewed source of funding for emergency projects through a fee in lieu of interest, and 2) the concepts to clarify and provide additional flexibility around disadvantaged community applicant and project eligibility, will be pursued separately from this year's legislative actions. It is our understanding that the first will be developed further for proposed legislative consideration this coming January, and that the second will be implemented administratively through the Intended Use Plan beginning in January 2013. We appreciate the Governor's commitment to the

¹ Because the legislative concept language attached here has been and continues to be significantly revised, please do not include this attachment in any final report. We are providing that attachment merely to document generally the three urgent legislative concepts that were unanimously agreed upon by the Stakeholder group.

urgent nature of these actions and look forward to supporting the implementation of all of these Recommended Actions both administratively and through the legislative process.

Considerable time was spent developing a shared understanding of existing funding sources and the challenges to accessing those sources for disadvantaged communities in unincorporated areas. The participating state agencies were extremely helpful and supportive throughout this process and we would not have been able to accomplish as much as we did without their considerable efforts. However, there were many more detailed ideas and concepts that were brainstormed through this process that we did not have time to fully develop and reach consensus due to the accelerated timeframe and diversity of the group. Therefore, we believe that the Group has the potential to contribute more than what is contained in this report.

Based on the significant success we had in developing consensus recommendations in the short-term, we believe there are considerable opportunities to further advance the development and implementation of these concepts through continued discussion. We would request that some resources be made available for a professional facilitator to support any continued process going forward, as that was absolutely essential to the success we were able to achieve thus far.

We both thank you for the opportunity to lead this diverse group of interests to the successes and opportunities described in this Report. We stand ready to assist you further in whatever capacity you deem appropriate to develop and implement safe drinking water solutions for these communities.

Sincerely,



David Orth
Co-Chairs of the Drinking Water Stakeholder Group



Laurel Firestone