

Human Right to Water

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State Water Resources Control Board

March 5, 2016
WELL Conference

The Human Right to Water- Wat. Code § 106.3

- * Water Code section 106.3
- * California became the first state in the nation to recognize legislatively the HRTW.

The Human Right to Water

Wat. Code § 106.3

- * Wat. Code § 106.3 (a): establishes as state policy that “Every human being has the right to safe, clean, affordable and accessible water adequate for human consumption, cooking and sanitary purposes.”
- * Wat. Code § 106.3 (b): requires the State Board and other state agencies, to “consider this policy when revising, adopting, or establishing policies, regulations, and grant criteria.”

Drinking Water Authority

- * 2014: Drinking Water Authority transferred to the State Board.
- * Mission Statement updated

“To preserve, enhance, and restore the quality of California’s water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.”

Existing Authority

- * Porter-Cologne Act and Clean Water Act
- * Sources of Drinking Water Policy
- * Water rights
- * The Low-Income Water Rate Assistance Act.
- * Other existing legal duties and responsibilities

Legislative Actions

- * SB 88 (2015): Authority for consolidation of public water systems
- * Increased Funding for Technical Assistance
- * Prop 1 funding
- * AB 92: Creation of Office of Sustainable Solutions

Resolution

1. Core value
2. Continue to consider the HRTW in relevant actions
4. Develop performance measures
- 7/9. How HRTW considered/meaningful engagement
11. Incentivize regional approaches for financial assistance programs
12. Annual report

Stakeholder Outreach and Input Received

- * Extensive outreach done recently:
 - * ACWA
 - * Drinking Water Transition Group
 - * Environmental Justice
 - * Agriculture
 - * CCEEB
 - * State and Regional Water Boards

Comments Received

- * Alters existing law; expands legal scope
- * May create additional requirements on the regulated community
- * Reprioritizes the MUN over other beneficial use
- * HRTW already protected with existing legislation
- * Need further outreach
- * Lacks legal justification
- * Unclear impacts on agricultural water users
- * Support as written

Human Right to Water Metrics (Drinking Water)

- * Status metrics
 - * Community water systems out of compliance
 - * Community water systems with unreliable supplies
- * Outcome metrics
 - * Community water systems returned to compliance
 - * Consolidations achieved

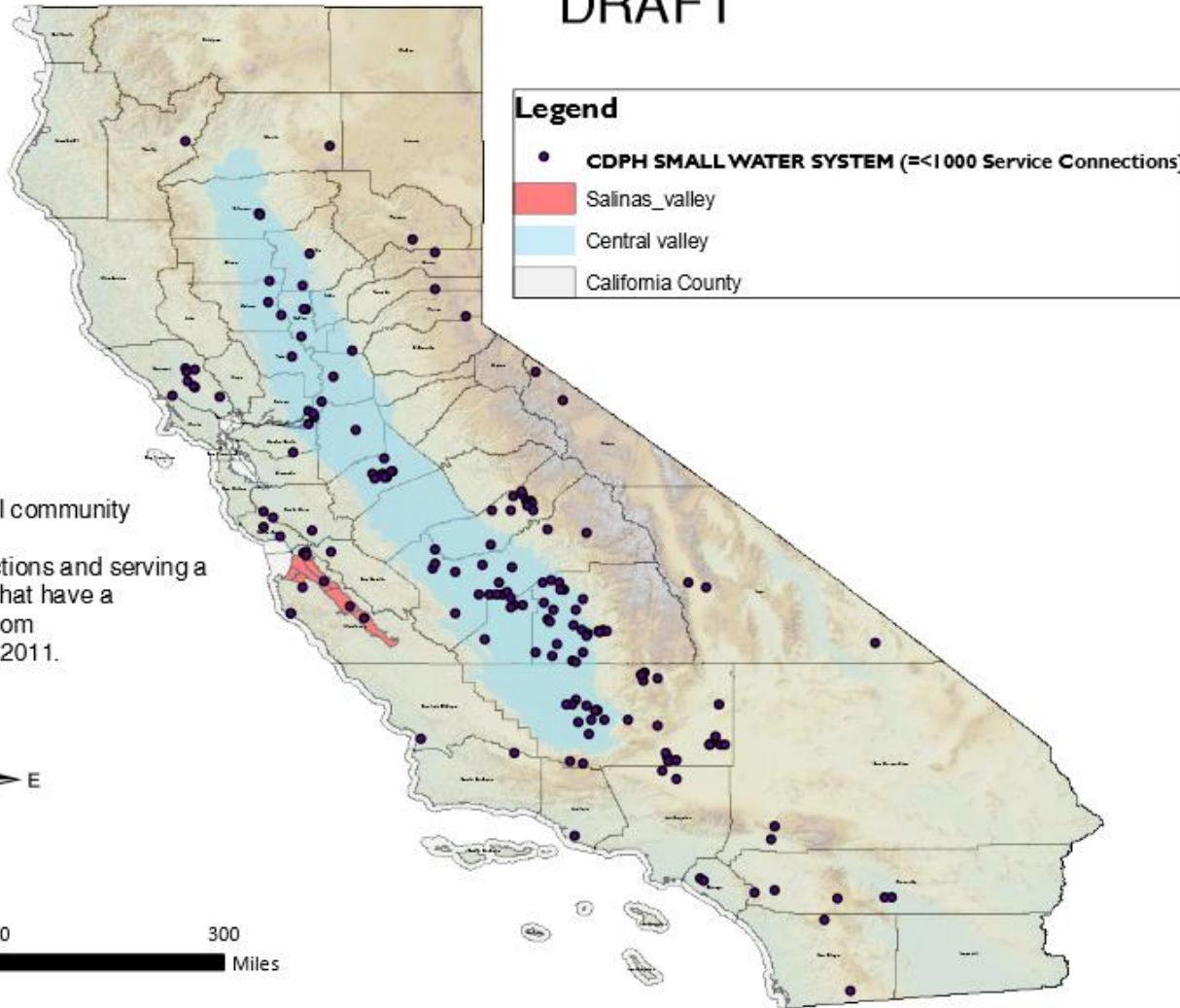
Systems Out of Compliance

- * Violations of all primary maximum contaminant levels (MCLs)
- * Violations of pathogen removal requirements
- * All systems out of compliance as of 2012

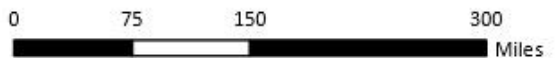
California Department of Public Health - Drinking Water Program

Small Water Systems - Strategic Plan

DRAFT



The map identifies small community drinking water systems ($=<1000$ service connections and serving a population of $=<3300$) that have a primary MCL violation from July 2010 to November 2011.



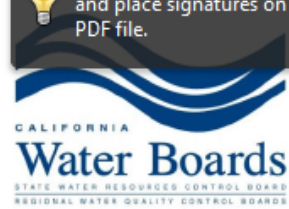
CDPH - Drinking Water Program

CDPH DWEM 1/19/2012
 A. MARC COMMANDATORE
 This map is DRAFT until made final
 therefore, subject to change if new information
 is made available to CDPH.

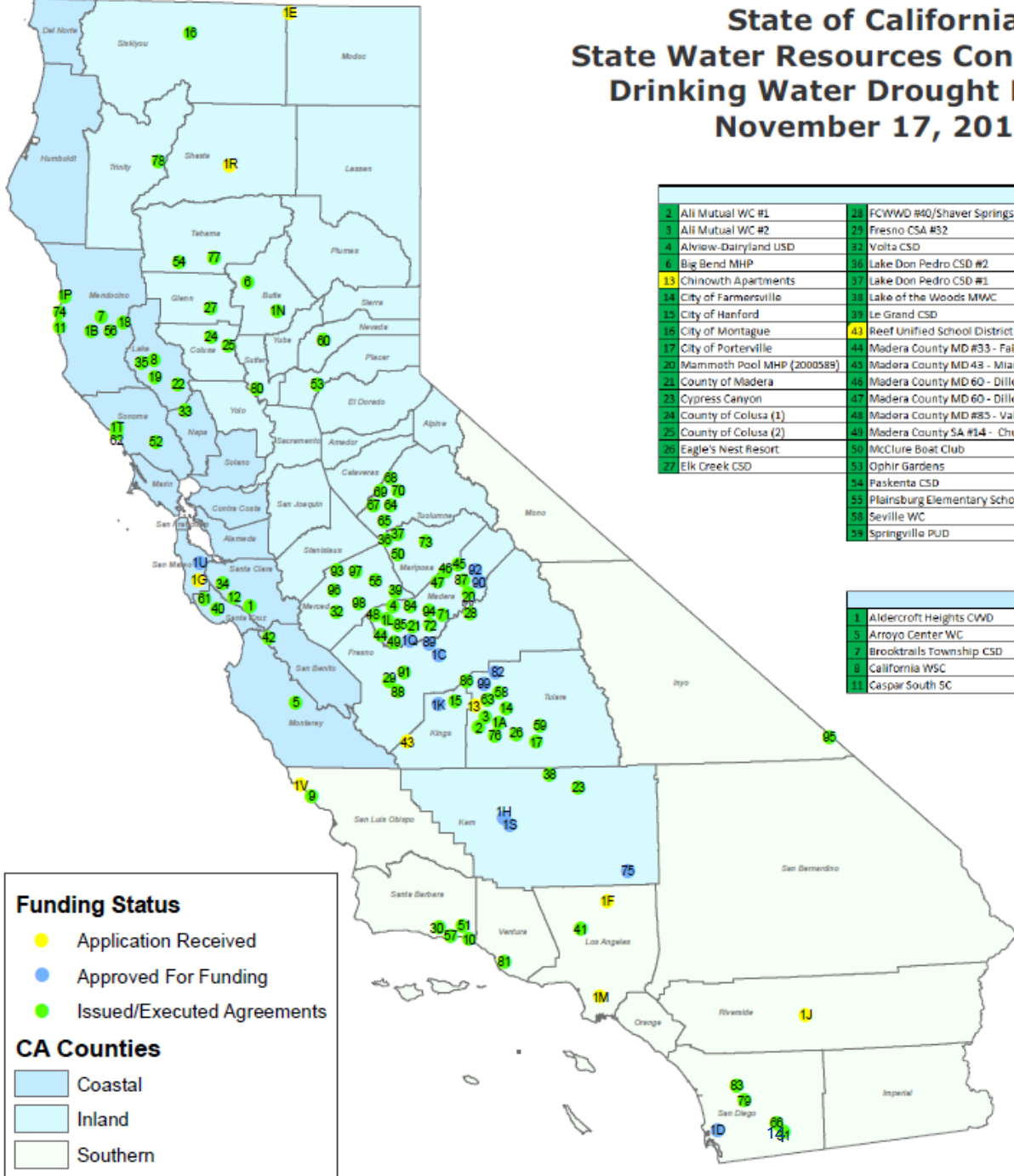


Systems With Unreliable Supplies

- * Community water systems that:
 - * Received emergency drought funding;
 - * Were issued a curtailment compliance order; or
 - * Have only a single well source.



State of California State Water Resources Control Board Drinking Water Drought Funding November 17, 2015



Funding Status

- Application Received
- Approved For Funding
- Issued/Executed Agreements

CA Counties

- Coastal
- Inland
- Southern

Inland			
2	Alli Mutual WC #1	29	FCWWWD #40/Shaver Springs
3	Alli Mutual WC #2	29	Fresno CSA #32
4	Alvirew-Dairyland USD	32	Volta CSD
6	Big Bend MHP	36	Lake Don Pedro CSD #2
13	Chinowath Apartments	37	Lake Don Pedro CSD #1
14	City of Farmersville	38	Lake of the Woods MWC
15	City of Hanford	39	Le Grand CSD
16	City of Mantague	43	Reef Unified School District
17	City of Porterville	44	Madera County MD #33 - Fairmead
20	Mammoth Pool MHP (2000589)	43	Madera County MD 43 - Miami Creek Knolls
21	County of Madera	46	Madera County MD 60 - Dillon Estates #1
23	Cypress Canyon	47	Madera County MD 60 - Dillon Estates #2
24	County of Colusa (1)	48	Madera County MD #85 - Valeta
25	County of Colusa (2)	49	Madera County SA #14 - Chuk Chasse
26	Eagle's Nest Resort	50	McClure Boat Club
27	Elk Creek CSD	53	Ophir Gardens
		54	Paskenta CSD
		55	Plainsburg Elementary School
		58	Seville WC
		59	Springville PUD
		60	Cal Forestry and Fire Protection
		63	Tulare County CW5 - Visalia
		64	Tuolumne UD 5510001 #1
		65	Tuolumne UD 5510001 #2
		67	Tuolumne UD 5510013 #1
		68	Tuolumne UD 5510013 #2
		69	Tuolumne UD 5510013 #3
		70	Twain Harte CSD
		71	Valley Teen Ranch #1
		72	Valley Teen Ranch #2
		73	Whispering Pines Apartments
		75	Fountain Trailer Park
		76	London CSD
		77	Paskenta CSD (2)
		78	Lewiston Park MWC
		80	Robbins (Sutter County WWD #1)
		82	County of Tulare (Seville)
		84	Madera USD (Dixieland Elementary)
		85	Indian Lakes WS
		86	Tulare County
		87	Bass Lake Water Company
		88	Cantua Creek CSA 32
		89	Central High School
		90	Lake Shore - MD-6
		91	El Porvenir CSA 30
		92	Marina View Heights - MD-7
		93	City of Livingston
		94	Valley Teen Ranch (3)
		96	Hillview WC - Oakhurst/Sierra Lakes
		97	Hillview WC - Raymond
		98	Hillview WC - Raymond (2)
		99	Monson
		10	East Porterville
		10	Perry Colony & West Church Avenue
		11	Newell Water District
		11	Rio Bravo-Greenly Union School
		11	Hardwick
		11	Dairyland School
		11	Feather Falls School
		10	Chuk Chasse (CSA-14)
		11	Oak Run Elementary School
		11	Lakeside Union School

Coastal			
1	Aldercroft Heights CWD	12	Chemeketa Park MWC
3	Arroyo Center WC	18	City of Willits
7	Brooktrails Township CSD	19	Clearwater MWC
8	California WSC	22	Crescent Bay IC
11	Caspar South SC	33	Lake Berryessa Resort ID
		34	Lake Canyon MWC
		35	Lake County SA #22 - Mt. Hannah
		40	Lompico County WD
		42	Los Madrones MWC
		52	Mt Taylor MHP
		56	Redwood Valley CWD
		61	Summit MWC
		62	Timber Cove CWD
		74	Woodside RV Park
		18	Shorwood Valley Rancheria
		10	San Mateo County (Service Area 7)
		11	Fort Bragg
		11	Huckleberry MWC
		11	Skyldona MWC

Southern			
3	Cambria CSD	57	Santa Barbara WD
10	Carpinteria Valley WD	60	Guatay MBC (2)
30	Golota WD	79	Western Water Conservation (Ramona)
31	Guatay MBC	81	Cloverdale MWC
41	Los Angeles Residential CF	83	Western Water Conser. (Ramona Well 3)
54	Montecito WD	99	Amargosa Conservancy - Tecopa
		10	County of San Diego Water Distribution
		11	Village Mobile Home Park
		11	Waller Tract District
		11	Satwa Los Angeles County WD
		11	San Simeon CSD

Regional Totals			
Inland	Coastal	Southern	
11	1	1	13
4	1	4	9
63	22	12	97
78	24	17	Totals

OEHHA Indicators

- * **Water Quality**
 - ❖ MCL violations
 - * Average potential contaminant exposure
- * **Accessibility**
 - * Capacity of water system sources
 - ❖ Vulnerability to stressors (e.g., only one well source)
 - * Technical, managerial, and financial capacity
- * **Affordability**
 - * Water rates compared to median household income of customers

Challenges in Achieving HRTW

- * Many systems out of compliance with MCLs
- * Lower MCL thresholds (Chrome 6)
- * Unreliable supplies:
 - * Single well systems
 - * Surface water Supplies impacted by drought

Challenges cont'd

Affordability

- small DACs can't afford to build or operate treatment systems
- Small rate base = high costs for treatment

Definitions are often limiting

DAC = 80% MHI

Conclusion

- * This resolution passed unanimously on Feb. 16, and adopted the HRTW as a core value of the Water Boards. It provides guidance to staff (and encourages the Regional Boards) on how it should be administered

Contact

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