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State Water Resources Control Board  
Division of Drinking Water

## AMENDMENT NO. 1 TO ORDER REQUIRING ONLINE TECHNICAL REPORTING DDW\_HQ\_2024\_001

The State Water Resources Control Board's (State Water Board) Division of Drinking Water (Division) issued Order Requiring Online Technical Reporting DDW\_HQ\_2024\_001 (Order) to all public water systems on January 1, 2024. The Order is hereby amended as follows:

- 1) Directive No. 2 is amended to read:

"No later than 60 calendar days after the Division issues a notice to public water systems that the eAR Portal is open for submission, all public water systems shall complete and submit the eAR for the prior reporting year to the Division via the eAR Portal (<https://ear.waterboards.ca.gov>) consistent with the instructions at the State Water Board's eAR webpage ([https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/ear.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/ear.html)), which are incorporated by reference in this Order, including any future changes not inconsistent with this Order."

- 2) The last sentence of Directive No. 3 is amended to read:

"The first Drought Conservation Reports required by this Order were due on April 30, 2024, and included data for the first calendar quarter of 2024 (January, February, and March)."

- 3) The following sentence is added to the section entitled "Amendments to this Order":

"An amendment to this Order does not affect the enforceability of violations that occurred before the date of the amendment."

All other requirements of the Order remain in effect and are subject to enforcement by the Division. This amendment does not affect the enforceability of violations that

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

occurred before the date of this amendment, including violations of Directive 2 as it existed before this amendment. The Order as amended is attached.



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Darrin Polhemus, Deputy Director  
Division of Drinking Water

1/1/2025

Date



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STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Issued:** January 1, 2024  
**Amended:** January 1, 2025

**ORDER REQUIRING ONLINE TECHNICAL REPORTING  
DDW\_HQ\_2024\_001**

The State Water Resources Control Board (State Water Board), acting by and through its Division of Drinking Water (Division) and pursuant to California Health and Safety Code section 116530, hereby issues Order No. DDW\_HQ\_2024\_001 (Order).

**FINDINGS AND AUTHORITIES**

1. **WHEREAS** there are various statutory and other requirements for public water systems to submit technical information to the State Board in response to issues relating to conservation, drought, lead service lines, water system management, discontinuation of service, and others as set forth below; and
2. **WHEREAS** the Division uses this information to ensure that all public water systems that it regulates are in compliance with the California Safe Drinking Water Act and related legal requirements, and to ensure that public water systems are taking appropriate steps

to meet their legal obligations to provide an adequate supply of safe and reliable drinking water to their consumers; and

3. **WHEREAS** the Division seeks to increase the ease and efficiency of reporting by public water systems by combining all such related reporting into two online reporting websites and through this Order requires all future reports that fall within the scope of this Order are done through the Division's online reporting portals, the SAFER Clearinghouse and the electronic Annual Report (eAR), as described in the Directives section of this Order; and
4. **WHEREAS** the Division has the authority to issue this Order pursuant to the California Safe Drinking Water Act, specifically, section 116530 of the California Health and Safety Code relating to technical reports; and
5. **WHEREAS** since 2009, public water systems have been required to submit reports to the Division using the eAR tool to facilitate the collection of annual technical reports from public water systems; and
6. **WHEREAS** the data collected in the eAR is necessary to assess compliance by public water systems with legal requirements, including but not limited to those relating to:
  - a. statewide surveys of large, medium, and small public water systems concerning the current cost of drinking water paid by residential, business, and industrial consumers. (Health & Saf. Code, § 116355, subd. (b)(9).)
  - b. lead service line inventories and provision of timelines for replacement, if applicable. (Health & Saf. Code, § 116885, subds. (a)-(b).)
  - c. for certain water systems, the number of annual discontinuations of residential service for nonpayment. (Health & Saf. Code, § 116918.)

- d. small water suppliers and nontransient noncommunity water systems that are schools are required to report annual water supply information (Wat. Code, § 10609.61.); and
  - e. technical, managerial, and financial capacity. (Health & Saf. Code, § 116530.).
7. **WHEREAS** the California Legislature found and declared in Senate Bill 552, signed into law by Governor Gavin Newsom on September 23, 2021, that “droughts are predicted to become more frequent, longer, and more severe as climate change progresses, putting drinking water supplies at risk of running dry or becoming contaminated,” that “there are currently varying levels of water contingency planning and coverage across counties for small water suppliers and self-supplied communities, leaving hundreds of thousands of people at risk of going without water to meet their basic household and drinking water needs during the next drought,” and that “California can take basic steps to implement more proactive drought planning that would benefit the communities most at risk, and by doing so help prevent catastrophic impacts on drinking water for the communities most vulnerable to the impacts of climate change.” (Wat. Code, § 10609.50.); and
8. **WHEREAS** Senate Bill 552 requires small water suppliers and non-transient non-community schools to enhance their advance drought planning, including reporting requirements under Water Code Section 10609.61 for water supply condition information such as inventory and assessment of sources, source delivery parameters, water system monthly total demand, and average and peak flowrate demand. Senate Bill 552 also requires, by January 1, 2023, subject to funding availability, the implementation of monitoring systems sufficient to detect production well groundwater levels; and
9. **WHEREAS** urban water suppliers are required to report conservation and usage information to the State Water Board pursuant to section 991 of title 23 of the California Code of Regulations; and

10. **WHEREAS** public water systems are required at all times to have source capacity available to meet their maximum day demand, in accordance with section 64554 of title 22 of the California Code of Regulations; and
11. **WHEREAS** public water systems are required to install a flow meter at a location between each water source and the entry point to the distribution system, measure the quantity of water flow from each source, and record the total monthly production thereof, per section 64561 of title 22 of the California Code of Regulations.
12. **WHEREAS** in response to the drought, the Division developed a data model to assist Division staff in identifying public water systems vulnerable to future water shortages, which model considers multiple factors including but not limited to: system size, number of sources, source type, location, groundwater basin status, surface water availability, source capacity violation history, risk assessment score, and water system self-reported drought vulnerability in the eAR.
13. **WHEREAS** using the reported data, data model, and staff expertise, the Division can determine that certain public water systems are vulnerable to future water shortages, and will require more frequent and enhanced reporting of certain data by such vulnerable public water systems.

## **DIRECTIVES**

**THEREFORE**, the State Water Board hereby orders that beginning on January 1, 2024, all public water systems comply with the reporting requirements set forth below:

### All Public Water Systems

1. By March 31<sup>st</sup>, of each year, all public water systems shall submit an Annual Inventory Report (AIR) via the Division's SAFER Clearinghouse ([SAFER Clearinghouse \(ca.gov\)](https://www.water.ca.gov/safer-clearinghouse))

consistent with the instructions at the State Water Board's SAFER Clearinghouse webpage ([Drought and Conservation Reporting | California State Water Resources Control Board](#)), which are incorporated by reference in this Order, including any future changes not inconsistent with this Order. The AIR includes, but is not limited to, information concerning drinking water source and facility inventories, drinking water flow paths, and annual drinking water supply and demand.

2. No later than 60 calendar days after the Division issues a notice to public water systems that the eAR Portal is open for submission, all public water systems shall complete and submit the eAR for the prior reporting year to the Division via the eAR Portal (<https://ear.waterboards.ca.gov>) consistent with the instructions at the State Water Board's eAR webpage ([https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/ear.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/ear.html)), which are incorporated by reference in this Order, including any future changes not inconsistent with this Order.

All Community Water Systems as well as Schools that are Non-Transient Non-Community Water Systems

3. By the end of the month following the end of each calendar quarter, all community water systems and non-transient non-community schools (excluding urban retail water suppliers) shall submit the system's monthly Drought and Conservation Reports to the Division via the SAFER Clearinghouse ([SAFER Clearinghouse \(ca.gov\)](#)), consistent with the instructions at the State Water Board's SAFER Clearinghouse webpage ([Drought and Conservation Reporting | California State Water Resources Control Board](#)), which are incorporated by reference in this Order, including any future changes not inconsistent with this Order. The Drought and Conservation Report includes, but is not limited to, water

shortage data for each of the three months in the reporting calendar quarter, source water data, and supply and demand data, as described in the instructions at the State Water Board's SAFER Clearinghouse webpage. The first Drought Conservation Reports required by this Order were due on April 30, 2024, and included data for the first calendar quarter of 2024 (January, February, and March).

#### Urban Retail Water Suppliers

4. By the end of every month, all Urban Retail Water Suppliers shall submit an Urban Drought and Conservation Report to the Division via the via the SAFER Clearinghouse ([SAFER Clearinghouse \(ca.gov\)](https://www.water.ca.gov/safer-clearinghouse)), consistent with the instructions at the State Water Board's SAFER Clearinghouse webpage ([Drought and Conservation Reporting | California State Water Resources Control Board](https://www.water.ca.gov/drought-and-conservation-reporting-california-state-water-resources-control-board)), which are incorporated by reference in this Order, including any future changes not inconsistent with this Order. The Urban Drought and Conservation Report includes, but is not limited to, the data required to be reported by section 991 of title 23 of the California Code of Regulations for the prior reporting month, as described in the instructions at the State Water Board's SAFER Clearinghouse webpage.

#### Water Systems Experiencing a Water Outage or a Potential Water Outage

5. No later than the seventh day of every month, public water systems that the Division identifies as having potential to experience a water outage shall submit a Monthly Potential Water Outage Report to the Division via the SAFER Clearinghouse ([SAFER Clearinghouse \(ca.gov\)](https://www.water.ca.gov/safer-clearinghouse)) for the prior reporting month, consistent with the instructions at the State Water Board's SAFER Clearinghouse webpage ([Drought and Conservation](https://www.water.ca.gov/drought-and-conservation)



[Reporting | California State Water Resources Control Board](#)), which are incorporated by reference in this Order, including any future changes not inconsistent with this Order. Identified public water systems subject to this reporting requirement will be notified by the Division that a Monthly Potential Water Outage Report is required. The information required by the Monthly Potential Water Outage Report includes, but is not limited to, data concerning the water system's drinking water sources, demand, forecasted water shortages, demand reduction measures, and supply augmentation efforts, as described in the instructions at the State Water Board's SAFER Clearinghouse webpage. A public water system that the Division notifies is subject to this reporting requirement may seek the Division's review of its determination that the system has the potential to experience a water outage by emailing the Division at [clearinghouse-reporting@waterboards.ca.gov](mailto:clearinghouse-reporting@waterboards.ca.gov) and providing supporting information.

6. No later than the seventh day of every week, public water systems that the Division identifies as experiencing a water outage or severe water shortage, shall submit a Weekly Water Outage Report to the Division via the SAFER Clearinghouse ([SAFER Clearinghouse \(ca.gov\)](#)), consistent with the instructions at the State Water Board's SAFER Clearinghouse webpage ([Drought and Conservation Reporting | California State Water Resources Control Board](#)), which are incorporated by reference in this Order, including any future changes not inconsistent with this Order. Identified community water systems subject to this reporting requirement will be notified by the Division that a Weekly Water Outage Report is required. The information required by the Weekly Water Outage Report includes, but is not limited to, data concerning the water system's drinking water sources, demand, forecasted water shortages, demand reduction measures, and supply augmentation efforts, as described in the instructions at the State Water Board's SAFER Clearinghouse webpage. A public water system that the Division notifies is subject to this reporting requirement may seek the Division's review of its determination that the system

is experiencing a water outage or severe water shortage, by emailing the Division at [ddw-drought@waterboards.ca.gov](mailto:ddw-drought@waterboards.ca.gov) and providing supporting information.

### **PREVIOUS REPORTING ORDERS SUPERCEDED**

The following Technical Reporting Orders are hereby rescinded and superseded by this Order:

ORDER DDW\_HQ\_EAR2023\_001 (issued March 13, 2023))

ORDER DDW\_HQ\_DROUGHT2023\_001 (issued January 1, 2023)

### **AMENDMENTS TO THIS ORDER**

The State Water Board reserves the right to make modifications to this Order as it may deem necessary. Such modifications may be issued as amendments to this Order. An amendment to this Order does not affect the enforceability of violations that occurred before the date of the amendment.

### **FUTURE TECHNICAL REPORTING ORDERS**

By issuing this Order, the State Water Board does not waive its authority to issue individual technical reporting orders to public water systems.

### **PARTIES BOUND**

This Order shall apply to and be binding upon the public water system and its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

### **SEVERABILITY**

If any provision of this Order is held invalid or the application that provision to any person or circumstance is held invalid, that invalidity shall not affect other provisions or

applications of this Order that can be given effect without the invalid provision or application, and to this end the provisions of this Order are severable.

### **FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Water Board to issue a citation with monetary penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder. Failure to comply with this Order may subject the System to a citation with monetary penalty.

The California SDWA also authorizes the State Water Board to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any enforcement action by issuance of this Order.