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## State Water Resources Control Board

### Division of Drinking Water

November 1, 2021

Tom Johnson, Owner  
West Water Company  
32084 McCray Road  
Cloverdale, CA 95425

Lorie Johnson, Owner  
West Water Company  
1123 South Cloverdale Blvd, Suite E197  
Cloverdale, CA 95425

**RE: NOTICE – 1<sup>st</sup> STEP OF ADMINISTRATOR PROCESS  
West Water Company (CA4900893)**

Dear Mr. and Mrs. Johnson,

The purpose of this letter is to inform you that the State Water Resources Control Board (State Water Board) has designated West Water Company (West Water) as a public water system in need of an Administrator because it has not consistently provided an adequate supply of affordable, safe drinking water to its customers. The State Water Board is taking this step for two reasons: 1) a State funded administrator will be able to take on many of the tasks that will be required to assist the water system into coming into compliance with applicable drinking water laws and regulations sustainably into the future, and 2) it may take some time to go through the required steps to appoint an administrator. A summary of the designation process, responsibilities of a full-scope administrator, applicable regulatory sections, and policies are provided as attachments.

The State Water Board must give West Water notice of its intended action and provide the water system an opportunity to show either of the following:

- a. It has not consistently failed to provide an adequate supply of affordable, safe drinking water, or
- b. It has taken steps to timely address its failure to provide an adequate supply of affordable, safe drinking water.

If West Water has evidence and wishes to show that the issues listed in the following section have been resolved, please provide that information by **November 19, 2021** via email to Sarah Mahdi at [Sarah.Mahdi@waterboards.ca.gov](mailto:Sarah.Mahdi@waterboards.ca.gov).

### **Issues**

During a site visit to West Water by the Division on October 23, 2018, it was determined that the only sample tap on the pipeline running from Well 01 was after the well discharge line check valve near the chlorine injection point. As a result, West Water had been unable

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

to take valid raw water samples to assess bacteriological quality. Because of this and other identified deficiencies, compliance order 02-18-18R-008 was issued to West Water on December 7, 2018 directing West Water to install a sampling point between the well and the discharge line check valve and to take monthly samples so raw water bacteriological quality could be assessed. The compliance order also contained directives to correct the other identified deficiencies.

The sample point was installed and analysis of the first sample collected in February 2019 showed a concentration of 47.3 total coliform and 7.5 E.coli bacteria per 100 milliliters in the raw water. As a result, the Division required the Company to issue a boil water notice to its customers. The boil water order is still in effect due to the following factors:

- Chlorination treatment was installed in November 1999 as a result of numerous positive bacteriological samples. Subsequent to chlorination installation raw water samples were taken monthly for a period of 21 consecutive months. Thirty eight percent of these samples were positive for coliform bacteria.
- West Water has no reliability feature to shut down Well 01 in the event the chlorination system fails. As a result, this kind of failure would lead to untreated water being delivered to customers.
- The system has inadequate storage to enable it to continuously provide water to its customers in the event of a well failure,
- The section of Well 01 's steel casing above ground level has a number of holes in it and is in poor physical condition. It has been wrapped in duct tape, but its physical condition could still allow for contaminants to entire the well.

If you have any questions regarding this letter, please contact me. Due to our current COVID-19 response, email is the best correspondence method. I can be reached at [Brian.Kidwell@waterboards.ca.gov](mailto:Brian.Kidwell@waterboards.ca.gov).

Sincerely,

[Original signed by Brian Kidwell. Web accessible version]

Brian Kidwell, P.E.

Senior Water Resource Control Engineer, Northern Engagement Unit  
State Water Resources Control Board, Division of Drinking Water

Attachment 1. Administrator Process Summary

Attachment 2. Responsibilities of a Full-Scope Administrator

Attachment 3. Section 116686 of the California Health and Safety Code

Attachment 4. Administrator Policy Handbook

## Attachment 1

### Administrator Process

Section 116686 of the California Health and Safety Code and the Administrator Policy Handbook, adopted by the State Board in September 2019, requires that the State Board must find that the System's public water system is a "designated water system" and take other specific actions before it can issue an order to the System to accept a full-scope administrator. A "designated water system" is defined in section 116686(m)(2) as a public water system that serves a disadvantaged community, and that the State Water Board finds consistently fails to provide an adequate supply of affordable, safe drinking water. A copy of section 116686 and the Administrator Policy Handbook are provided in subsequent attachments. The actions required of the State Water Board are summarized below.

1. The State Board must give the water system notice of its actions and provide it with an opportunity to show either of the following:
  - a. It has not consistently failed to provide an adequate supply of affordable, safe drinking water, or
  - b. It has taken steps to timely address its failure to provide an adequate supply of affordable, safe drinking water.
2. Conduct a public meeting in a location as close as feasible to the affected community.
  - a. Provide 30-day notice of the public meeting to affected ratepayers, renters, and property owners.
  - b. Provide an opportunity for representatives of the System, affected ratepayers, renters, property owners, and the public to present oral and written comments at the meeting.
  - c. Provide an opportunity to submit comments by mail or electronically during the 30-day notice period and for at least one week after the public meeting
3. Make a reasonable effort to provide notice to all ratepayers, renters, and property owners who receive water service from the designated water system of the following:
  - a. The name and qualifications of the administrator being considered by the State Board
  - b. The scope of the appointment and the particular services to be provided by the administrator being considered by the State Board, and
  - c. Any conflict of interest
4. Issue an order to the System requiring it to accept a full-scope administrator to take complete management control of its public water system.

## Attachment 2

### Responsibilities of a Full-Scope Administrator

All actions taken by an administrator are required to be in the best interest of the community served by the water system and must be intended to develop the water system's capability to sustainably deliver an adequate supply of affordable, safe drinking water so that the services of the administrator are no longer necessary. Section 116686 and the Administrator Policy Handbook requires the State Water Board to enter into a contract or grant agreement with an appointed administrator and fund the cost of the administrator to provide the agreed upon service to the System.

The Administrator is required to provide reports in order to keep the governing board or owner of the water system and the customers served informed about actions taken and status of the system. In addition, the Administrator Policy Handbook includes a process that allows any ratepayer, renter, or property owner who receives water from a designated water system to submit a petition to the State Water Board for the reversal or modification of an administrator decision or replacement of an administrator. A complete description of an administrator's obligations is contained in section 116686 of the Health and Safety Code and in the Administrator Policy Handbook.

The authority and scope of work of an administrator is established on a case by case basis in the contract/grant agreement executed between the State Water Board and the administrator and in the order issued to the public water system to accept the services of the administrator. **In the case of West Water, the full-scope administrator appointed to it will have authority to exercise complete managerial control over its public water system, including but not limited, to financial reviews, responding and representing West Water to regulatory agencies, entering into contracts, establishing operational budgets and rates, acceptance of water rate payments to pay water system expenses, system operation, and keeping customers informed of the status of the water system.**

### **Attachment 3**

CA Health and Safety Code Section 116686:

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=HSC&sectionNum=116686](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=116686).

The State Water Board has not provided a paper copy of this section in the interest of decreasing environmental impacts. However, should you be unable to access this website for any reason, please do not hesitate to contact our office for a paper copy.

## **Attachment 4**

Administrator Policy Handbook:

[https://www.waterboards.ca.gov/board\\_info/agendas/2019/sept/091719\\_6\\_cs1\\_cleanverision.pdf](https://www.waterboards.ca.gov/board_info/agendas/2019/sept/091719_6_cs1_cleanverision.pdf)

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