

Regional Water Quality Control Board
North Coast Region
Staff Summary Report
December 12, 2023

ITEM: 4

SUBJECT: *Disadvantaged Community Needs Assessment Update. (Mike Reese)*

BOARD ACTION: This is an informational item only. No action will be taken by the Regional Water Board.

BACKGROUND: On September 25, 2012, California Governor Edmund Brown Jr. signed Assembly Bill 685, which recognizes the human right to water. Later, the state of California added to Water Code Section 106.3, which states that “every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.”

The North Coast Region Water Quality Control Board (Regional Water Board) has reaffirmed this statute by adopting Resolution No. R1-2019-0024, which states, in part, “The North Coast Regional Water Board adopts the human right to water including the right to sanitation and hygiene facilities as a core value and adopts the realization of the human right to water protecting human health as top priorities.” The resolution places an emphasis on meaningful engagement with communities that lack adequate infrastructure or the capacity to identify and fund potential projects. Additionally, the resolution establishes a cooperative memorandum of mutual understandings with the North Coast Resource Partnership (NCRP); a collaborative group of local governments, watershed groups, tribes, and interested partners. The North Coast Resource Partnership focuses on planning and implementation for projects that support economically disadvantaged communities and tribes and improve the health of the region’s watersheds.

In 2020, the NCRP released the Disadvantaged Community & Tribal Water & Wastewater Service Providers Needs Assessment Summary. Through a series of survey questions and interviews with water/wastewater facility managers, facility staff, and other key parties, the NCRP identified the most common needs and issues prevalent in North Coast communities that are financially distressed. The takeaways are general in nature, with one of the most common, pressing issues being the lack of technical assistance and guidance available to communities with limited resources and expertise. Technical assistance is needed especially in small, disadvantaged communities (DACs) to facilitate infrastructure improvements that help these communities achieve compliance with water quality and permit requirements. The NCRP noted a particular need for assistance acquiring funding, completing needed maintenance and repair projects, and operating facilities.

In addition, the United States Environmental Protection Agency periodically prepares the Clean Water Needs Survey (CWNS), which is a nationwide assessment of needed capital wastewater improvements. While this survey follows a well-defined procedure to produce meaningful data, the broad nature of the survey often leaves data gaps in sparsely populated and economically disadvantaged regions in the state, like the North Coast.

Finally, a State Water Board needs assessment is currently in development. This assessment will primarily identify needs based on an analytical approach of violation history and what it means for a wastewater system to be failing. The State Board assessment will also include community surveys to gauge public perception of sanitation services available.

Despite these similar previous and current efforts, further investigation of physical infrastructure needs is necessary. The North Coast needs assessment will complement the logistic/administrative findings of the NCRP assessment. It will also provide a more “boots-on-the-ground” approach to project needs than is offered by the CWNS with the end goal of filling in the data gaps that persist in current CWNS findings. Consulting directly with infrastructure managers (on-site, whenever possible) provides data based on the direct experience of the people operating and maintaining said infrastructure. Finally, the Regional Board effort differs from the State Board assessment in that the State Water Board will not consult service providers/infrastructure managers. Regional Board staff will coordinate with State Water Board staff and its contractors to avoid duplicative efforts; however, the methodology of the two efforts will produce different findings that will also complement each other.

DISCUSSION: An inventory of tangible project needs helps staff in many ways. First, having a comprehensive list of potential infrastructure improvements helps staff to develop a priority list that considers the current funding outlook. When the funding outlook is strong, such as after the passage of House of Representatives Bill 3684 (2021), also known as the Bipartisan Infrastructure Law, projects that are shovel-ready can be quickly identified and ushered through the application process to take advantage of time-limited fund availability. In contrast, when funding is less available, funding partners such as the Division of Financial Assistance (DFA) may request that Regional Board staff identify priority projects and/or prioritization criteria. In this situation, having a list of projects, which may have already been screened through priority criteria, ensures that projects of the highest importance are the first projects to be funded.

Projects that are identified by the assessment can fit into many categories. One of the priority categories is wastewater infrastructure. Other similar infrastructure types, such as recycled water, are a focus of the assessment due to state priority and its overlap with wastewater. Some categories, such as drinking water, fall outside the jurisdiction of the Regional Water Board. It is included in the assessment, however, if a service provider

wishes to express these needs during outreach. This drinking water project need would be relayed appropriately to the State Water Board Division of Drinking Water (DDW). Regional Water Board staff will not perform duties outside the jurisdiction of the Regional Water Board.

A list of other types of infrastructural project needs that may be captured is provided below:

Table 1: Types of Environmental Infrastructure being considered for the Needs Assessment.

Infrastructure Type	Infrastructure/Project Examples
Wastewater	Treatment facility upgrades, collection and sewer rehabilitation, wastewater consolidation (e.g., septic to sewer), new construction, recycled water production, distribution, and reuse. Includes climate and disaster (e.g., earthquakes) resilience.
Stormwater and Flood Control	Stormwater collection system improvements, capture & reuse, green infrastructure; nature-based solutions (e.g., wetlands, floodplain connectivity, living shorelines, ecotone levees) and/or grey infrastructure (e.g., seawalls, levees, flood control structures) to address riverine and coastal flooding attributed to increased storm intensity and duration and sea level rise.
Drinking Water	Treatment facility upgrades, distribution system improvements (coordinated with DDW).
Working lands and natural infrastructure	Climate change adaptation and resilience projects (e.g., groundwater recharge; beaver dam analogs; low impact development and green infrastructure; instream flow dedication and flow augmentation; riparian restoration and conservation; fuels management; forestlands and agricultural lands carbon sequestration; post-fire restoration and disaster debris management), as well as instream habitat restoration (e.g., fish passage; large woody debris and other habitat features; riparian zone restoration)

Several staff across different programs in the North Coast maintain strong relationships with staff at the DFA for their respective water quality programs. Funding programs from DFA are expected to be the primary funding sources for identified projects. A later stage of the Regional Water Board's Needs Assessment will prioritize projects identified for funding. This will involve the development of priority criteria to produce a priority score for any given project. Funding resources from DFA and beyond will also be compiled into a final needs assessment report for public reference.

RECOMMENDATION: This is an information item only.

SUPPORTING DOCUMENTS: None.

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