



Workshop: Administrator Policy Handbook

Bryan Potter and Saeda Rafique
Division of Drinking Water

October 6, 2022

Remote participation only



Meeting Logistics



Water Board's Mission Statement

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.

Ways to Participate-

1. Email: Submit a comment or ask a question that will be read aloud, send an email to:

ddw-administrator@waterboards.ca.gov

2. Q&A: Submit a question using the Q&A feature at the bottom of your Zoom Screen. You can UPVOTE any question you would like answered.

3. Raise Hand: Attendees will be given the opportunity to provide verbal comment or ask questions, if you're interested in this option, please raise your virtual hand when the time is right.

- Please wait for your name to be called.
- Public comments are 3 minutes each.

Agenda

- 1 Policy Overview
- 2 Policy Changes
- 3 Comments/Questions



Policy Overview

History

- In September 2018, Assembly Bill 2501 (AB 2501) amended Health and Safety Code section 116686 to require the State Water Board to develop an Administrator Policy.
- The Policy was first adopted in September 2019.



Roles & Responsibilities

Types

- Full Scope
- Limited Scope

Administrator Role

- Community accountability
- Water system management

Administrator Process

System Notification

- Water System notified of as consistently failing

Public Notification

- Written notice provided 30 days prior of a public meeting

Public Input & Meeting

- Overview of administrator process, tasks, qualifications, and funding

Scope & Funding

- Development of scope of work, budget, and funding

Administrator Process

Administrator Appointment

- The Administrator Order appoints the selected Administrator to take managerial control of the water system.

Implementation

- Community Accountability & Engagement plan
 - Hold public meetings
 - Fulfill Scope of Work

Appointment Concludes (Transition)

- Transition managerial control of water system

Administrator Appointments & Challenges

Administrator Appointment

- 13 Administrator Water System/Projects
- 13 Administrators Identified/Assigned
- 7 Administrators (Private and Public)
- Administrator Master Agreements

Challenges

- Administrator Interest
- Technical Assistance Conflicts
- Liability issues
- Funding issues

Policy Changes

I. INTRODUCTION

Expands the
definition of an
appointed
administrator

Some duties may include:

- Overseeing all activities of a designated water system
- Acting as its general manager
- Developing and implementing a Community Accountability and Engagement Plan
- Managing an infrastructure project on behalf of the designated water system

II. PURPOSE AND OBJECTIVE

Senate Bill 1254 (2022)

Further amends CHSC Sections 116681 and 116686:

- Designation includes At-Risk systems
- Additional liability protection for administrators

IV. RACIAL EQUITY

New Section: Racial Equity

State Water Board adopted Resolution 2021-0050, making racial and environmental justice central to its work and ensuring the human right to safe, clean, affordable, and accessible water.

VII. SELECTION OF ADMINISTRATOR

A. Selection of Administrator

Requires the State
Water Board to

Provide notices in all the languages spoken by 5% of the customers prior to the selection of an administrator.

B. Selection of Administrator in Emergency Situations

Further defines
emergency situations

Emergency situations include, but are not limited to:

- Abandonment of a water system
- Displacement of an administrator
- Imminent loss of water supply due to drought or other emergencies
- Acute contamination of a water system

VIII. OBLIGATIONS OF ADMINISTRATORS

B. Public Access to Records

Expanded access
where websites are
unavailable

Provide hard copies of documents at a community repository such as a public library, school, or water system office.

VIII. OBLIGATIONS OF ADMINISTRATORS

C. Community Accountability and Engagement Plan

New Requirements

- At least one public meeting shall be held within 90 days of the appointment.
- Following appointment, the administrator shall meet with the State Water Board to review expectations for the Community Accountability and Engagement Plan [...]

VIII. OBLIGATIONS OF ADMINISTRATORS

C. Community Accountability and Engagement Plan

Time extension
and new
requirements

- Submittal of Community Accountability and Engagement Plan extended from 90 to 120 days
- Must obtain approval prior to implementation
- Administrator contact information must be included

VIII. OBLIGATIONS OF ADMINISTRATORS

New
Subsections

E. Additional Work By Administrator

Unless authorized by the State Water Board, an administrator is prohibited from conducting additional contracted work on that is beyond the scope of the administrator’s funding agreement.

F. Public Meetings by Limited-Scope Administrators

The State Water Board may require a limited-scope administrator to hold public meetings for a particular water system as specified by the State Water Board.

IX. OBLIGATIONS OF FULL-SCOPE ADMINISTRATORS

A. Public Meetings

Further defined
public meeting
requirements

The administrator shall discuss the following topics during a regularly scheduled public meeting or hold additional public meetings prior to taking any of the following actions:

- Development of a Community Accountability and Engagement Plan
- Development of Post-Administrator Drinking Water Service Plan

IX. OBLIGATIONS OF FULL-SCOPE ADMINISTRATORS

A. Public Meetings

Clarification on public notice requirements

Public meeting notice period may be decreased or eliminated for:

- Water system emergencies
- Immediate public health and safety

IX. OBLIGATIONS OF FULL-SCOPE ADMINISTRATORS

A. Public Meetings

Updated language
services needs

Provide translated written materials and oral interpretation in a language other than English if at least 5% of the community speaks that language.

IX. OBLIGATIONS OF FULL-SCOPE ADMINISTRATORS

A. Public Meetings

New
Subsections

- Meetings shall be held in accordance with applicable laws and public health guidelines.
- Administrator shall provide a meeting agenda for each public meeting.
- No later than two weeks following a public meeting, the administrator will post a summary (website or community repository).

IX. OBLIGATIONS OF FULL-SCOPE ADMINISTRATORS

B. Post-Administrator Drinking Water Service Plan

Administrators
must note

- Administrator's duties do not automatically terminate with the adoption and approval of the Post-Administrator Drinking Water Plan.
- State Water Board may require a limited-scope administrator to develop a Post-Administrator Drinking Water Plan for a particular water system.

X. COSTS

Clarification on costs associated with operating and maintaining a water system

Water system is responsible for all ordinary O&M costs except for any funds awarded on behalf of the designated water system as part of the Administrator's agreement(s).

X. COSTS

New Subsection

An administrator has no legal obligation to use its own assets or resources, financial or otherwise, in any way to operate the water system.

XI. ADMINISTRATOR PERFORMANCE REVIEW

New
Section

- Administrator annual performance evaluation
- Performance evaluation shall include:
 - Initial water system evaluation
 - Submission of monthly reports
 - Community Accountability and Engagement Plan
 - Post Administrator Drinking Water Service Plan
 - Progress towards regulatory compliance
 - Customer service

XII. REMOVAL OF ADMINISTRATOR AND REVIEW OF ADMINISTRATOR DECISIONS

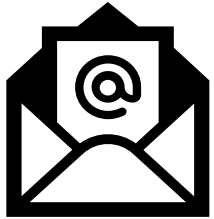
Section
renamed and
new subsections

- State Water Board may initiate review of a decision of an administrator.
- State Water Board may remove an administrator at any time.

Comments & Questions



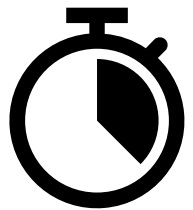
Ways to Participate



Email: ddw-administrator@waterboards.ca.gov



Raise your hand or Q&A function



Please be considerate of other commenters time

Next Steps

Comment Period & Board Approval

- Comment Period Closes **October 31, 2022**
 - Email: ddw-administrator@waterboards.ca.gov
- Review Comments
- Finalize Policy Handbook
- Board Approval

Resources

For more information, please visit:
https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/administrator.html

