

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Association of California Water Agencies, California Municipal Utilities Association	Ivy Brittain, Senior Regulatory Advocate (Association of California Water Agencies), and Danielle Blacet-Hyden, Deputy Executive Director (California Municipal Utilities Association)	General Funding Approach	ACWA	ACWA-01	ACWA and CMUA support the top funding priority (emergency or urgent projects) as detailed in the Executive Summary (pg. 8 of the Draft Plan).	No revision made. Comment in support.
Association of California Water Agencies, California Municipal Utilities Association	Ivy Brittain, Senior Regulatory Advocate (Association of California Water Agencies), and Danielle Blacet-Hyden, Deputy Executive Director (California Municipal Utilities Association)	Project Prioritization	ACWA	ACWA-02	Refine the proposed second and third priorities to prioritize <i>known</i> failing community water systems and school water systems over at-risk systems in order to protect public health. Suggested changes to "Proposed Priorities" (pg. 8) removes reference to "at-risk" systems in Priorities 2, and 3, but suggests including these systems as part of new Priorities 4 and 5.	No revision made. Staff recommend that accelerating feasible consolidations (Priority 3) should be a high priority for both out of compliance and at-risk systems. Expedited planning through use of TA (Priority 4) is also a useful tool to support both out of compliance and at-risk systems, particularly in the context of consolidation.
Association of California Water Agencies, California Municipal Utilities Association	Ivy Brittain, Senior Regulatory Advocate (Association of California Water Agencies), and Danielle Blacet-Hyden, Deputy Executive Director (California Municipal Utilities Association)	Project Prioritization	ACWA	ACWA-03	Use the word "consistently" when describing public water systems that are considered out of compliance as per SB 200 statute. Suggested changes to "Proposed Priorities" (pg. 8) to include "consistently" in Priorities 2 and 3.	"Consistently" added to list of priorities when referring to systems out of compliance.
Association of California Water Agencies, California Municipal Utilities Association	Ivy Brittain, Senior Regulatory Advocate (Association of California Water Agencies), and Danielle Blacet-Hyden, Deputy Executive Director (California Municipal Utilities Association)	Affordability Threshold	ACWA	ACWA-04	Support for the continued stakeholder discussions towards the refinement of the affordability threshold for future FEP's.	No revision made. Comment in support.

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Association of California Water Agencies, California Municipal Utilities Association	Ivy Brittain, Senior Regulatory Advocate (Association of California Water Agencies), and Danielle Blacet-Hyden, Deputy Executive Director (California Municipal Utilities Association)	Affordability Threshold	ACWA	ACWA-05	Clarify which affordability threshold was used in the FEP. Was a 1.5% MHI affordability threshold (FY 2020-21 FEP) or a 2.5% MHI affordability threshold used? Ultimately ACWA and CMUA supports the 1.5% in the 2021-22 FEP.	Clarification text added to Section VII.D. The FY 2021-22 Fund Expenditure Plan relies on the 2021 Needs Assessment (Affordability Assessment in particular) to identify disadvantaged CWSs, that have instituted customer charges that exceed affordability indicators established by the State Water Board. The Affordability Assessment identifies systems with rates exceeding 1.5% of MHI, and systems exceeding the higher indicator of 2.5% of MHI. The affordability threshold will be further refined through stakeholder involvement in 2021/2022.
Association of California Water Agencies, California Municipal Utilities Association	Ivy Brittain, Senior Regulatory Advocate (Association of California Water Agencies), and Danielle Blacet-Hyden, Deputy Executive Director (California Municipal Utilities Association)	Operation and Maintenance	ACWA	ACWA-06	Support for the proposal in Section VI.E of the Draft Plan that calls for expanded training operations for all facets of operating and maintaining a public water system.	No revision made. Comment in support.
Association of California Water Agencies, California Municipal Utilities Association	Ivy Brittain, Senior Regulatory Advocate (Association of California Water Agencies), and Danielle Blacet-Hyden, Deputy Executive Director (California Municipal Utilities Association)	Operation and Maintenance	ACWA	ACWA-07	ACWA and CMUA are available to collaborate regarding O&M trainings (including but not limited to peer-to-peer training, mentorship programs and sharing of information).	No revision made. Recommendation noted.
Association of California Water Agencies, California Municipal Utilities Association	Ivy Brittain, Senior Regulatory Advocate (Association of California Water Agencies), and Danielle Blacet-Hyden, Deputy Executive Director (California Municipal Utilities Association)	SADW Fund Target Allocations	ACWA	ACWA-08	Review to confirm if \$900,000 increase in staff costs compared to FY 2020-21 are necessary (\$13.2 million proposed in FY 2021-22). Higher than necessary staff costs can take away Fund dollars for water systems etc. Review proposed staff costs.	The number of funded positions has not increased. Minor revisions to the text in Section III.B.1 which indicates that increased staff costs for FY 2021-22 assume a return to normal salaries for existing staff.
Central Valley Salinity Coalition	David Cory, President (Central Valley Salinity Coalition)	CV-SALTS	CVSC	CVSC-01	Suggested coordination and collaboration amongst various programs including the Nitrate Control Program, Management Zones, CV-SALTS initiatives and SAFER is helpful to ensure common reporting protocols are achieved and to avoid duplication of efforts	No revision made. Comment in support of coordination and collaboration that is already occurring.

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Central Valley Salinity Coalition	David Cory, President (Central Valley Salinity Coalition)	State Smalls and Domestic Wells	CVSC	CVSC-02	Support for the target allocation of \$29.3 million for state smalls and domestic wells for interim water supplies and emergencies	Comment in support. Target slightly increased.
Central Valley Salinity Coalition	David Cory, President (Central Valley Salinity Coalition)	Co-Funding	CVSC	CVSC-03	Support for the inclusion of Section V.C., which discusses co-funding opportunities with regional or local domestic well sampling programs	No revision made. Comment in support.
Central Valley Salinity Coalition	David Cory, President (Central Valley Salinity Coalition)	Data Organization	CVSC	CVSC-04	Better coordinate the storage of data collected by various programs. The Draft Plan indicated the data will be uploaded to Groundwater Ambient Monitoring and Assessment (GAMA) database, however this is inconsistent with the uploading of data from the Management Zones (GeoTracker database).	Clarification text added to Section V.C.
Central Valley Salinity Coalition	David Cory, President (Central Valley Salinity Coalition)	Program Objectives	CVSC	CVSC-05	Clarify pg. 37, paragraph 2 "[b]broadening existing domestic well sampling programs such as through the Irrigated Lands Regulatory Program (ILRP) and CV-SALTS to include more contaminants would help to increase data coverage". Is the intent of this paragraph to make SAFER funding available to support additional testing or to imply further testing requirements will be imposed at the expense of the programs?	Clarification text added to Section V.A. It is the intent to make SAFER funding available for the additional testing.
Clean Water ActionCommunity Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Program Objectives	CWC	CWC-01	Recognize that the SAFER Program addresses a public health emergency. Make it clear that SAFER funding is valuable and its mission is to provide safe, clean and affordable drinking water to all California's as a priority.	Clarification text added to Section II.

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	General Funding Approach	CWC	CWC-02	Protect SAFER funds for SAFER projects. Prioritize SAFER funding for projects where it is the only source of funding available. For example, SAFER funds should not be used to support Groundwater Sustainability Agencies (GSA) and Groundwater Sustainability Plans (GSPs).	Clarification text added to Section I.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Program Objectives	CWC	CWC-03	Identify methods to expedite project implementation. The State Board must identify clear, tangible, and transparent ways to speed up implementation of the SAFER program and to address existing barriers to project delivery. Suggestion to meet with the SAFER Advisory group regularly to focus on SAFER process and implementation improvements. Suggestion to waive process requirements when possible to speed up implementation.	Funding process and process improvements discussion is included in Section VIII. This topic has been added to recent SAFER Advisory Group Meetings since December 2020 and will continue to be a focus of future meetings of the SAFER Advisory Group.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Program Metrics	CWC	CWC-04	Create model timelines and deadlines allowing the State Water Board and stakeholders, including impacted communities the ability to assess progress and intervene with escalated strategies when timelines are not being met. The lack of model timelines and deadlines weakens the ability of the State Water Board and stakeholders to reimagine the implementation process, assess bottlenecks and gaps, and implement strategies to address.	The State Water Board is in the process of improving its transparency around our funding process as well as reporting regarding what projects have been funded and completed, using better data visualizations and mapping. This was added to text in Section VIII.B. As our databases are improved, and with stakeholder input, staff will look to implement additional phases of public reporting, including providing more data to track progress, barriers, and solutions, toward achieving interim milestones and deadlines.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Domestic Well Testing	CWC	CWC-05	Consider PFAS or other contaminants with MCLs that are not yet established (Chrome-6) when determining short- and long-term solutions for communities. Include PFAS testing in domestic wells as an eligible expense.	Subsection V.B.4 added to text to expand consideration of these contaminants.

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Operation and Maintenance	CWC	CWC-06	Increase operations and maintenance (O&M) funding. The FEP currently limits O&M funding to specific actions associated with consolidation projects and only for a limited time. Support for the Pilot study, but SAFER should consider a broader application of O&M funding and sooner. Criteria for broader O&M funding eligibility should also be included in the FEP.	Additional eligibilities added to Section IV.D.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	SAFER Advisory Group	CWC	CWC-07	Continue to support and rely on the SAFER Advisory Group in meaningful ways.	No revision made. Recommendation noted.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Technical Assistance	CWC	CWC-08	Metrics for Technical Assistance Projects are not included in the FEP. Include metrics for TA providers that include: 1. provision of technical assistance within 30 days of first contact with DFA. 2. Development of a target time schedule for processing a submitted invoice which would include reimbursement of submitted invoices within 30 days. Include performance metrics.	Recommendations noted. Related text added to Section X.D. These suggested metrics will be considered as specific program effectiveness and administrative efficiency metrics across the SAFER program are refined over FY 2021-22 and included in the FY 2022-23 Fund Expenditure Plan.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Co-Funding	CWC	CWC-09	Provide clarity on a proposed deadline to implement cost-sharing agreements. Leverage domestic well testing opportunities and establish cost-sharing agreements with entities such as CV-SALTS' Management Zones.	Clarification text added to Section V.C.

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Program Metrics	CWC	CWC-10	The FEP must identify challenges for SAFER project delivery and propose solutions, including waiving requirements where appropriate, and pursuing administrative, regulatory and legislative changes.	Ongoing process improvement strategies are outlined in Section VIII. Staff will continue to collect additional feedback from stakeholders so that additional challenges and potential solutions can be noted in future Fund Expenditure Plans.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	County Engagement	CWC	CWC-11	County outreach has been insufficient. The FEP should detail strategies for how the State Water Board intends to work with counties to improve responsiveness to needs for low-income communities of color.	As stated in the program priorities (included in Section I and III.A), expenditures from the SADW Fund for FY 2021-22 will focus on solutions for small DACs and low-income households. Clarification text was added to Section V.B.5 to provide more information about recent county outreach efforts.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	General Funding Approach	CWC	CWC-12	SAFER Funds are being inappropriately relied on to address emergency drought funding. SAFER Funds should not go towards emergency drought relief when there are other funding sources available for these project types.	Clarification text added to Section V.B.4 to note that funding for drought response will come from the larger SAFER program or via funding from the DWR, as appropriate, before utilizing monies from the SADW Fund.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Affordability Threshold	CWC	CWC-13	No objection to the use of the 1.5% MHI as an interim threshold in this year's FEP, but will not support it for 2022-2023. The affordability threshold should be further refined.	No revision made. Recommendation noted. Section VII.D notes that State Water Board staff, in consultation with the Advisory Group, will continue discussions in 2021 and 2022 towards developing an appropriate water system- or community-level affordability threshold to be considered by the State Water Board in future updates of the Policy or the FY 2022-23 Fund Expenditure Plan.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	SAFER Advisory Group	CWC	CWC-14	Provide the Advisory Group with the tools it needs to serve its purpose, including but not limited to ensuring that Advisory Group members have adequate access to internet connectivity and that mailed materials are distributed in a timely fashion. Mailed materials should arrive at least 10 days prior to the meeting.	No revision made. Recommendations noted. Some funding is available through one of the Technical Assistance agreements to support SAFER Advisory Group members for things like meeting materials and access to internet connectivity.

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	SAFER Advisory Group	CWC	CWC-15	State Water Board should continue to improve coordination to maximize the expertise and experience the Advisory Group provides.	No revision made. Recommendation noted.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	Advanced Payments	CWC	CWC-16	Allow advanced payment for drinking water project funding. The FEP should include a discussion on the implementation of SB 776 in January 2022.	Text added to Section VIII.B to capture process improvement work in progress on proposed advanced payment process.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	POE/POU	CWC	CWC-17	Final FEP should provide more information about the POU/POE treatment white paper.	Text added to Section VI.C.I to provide more information on the Innovative POU/POE Technology Pilot.
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	POE/POU	CWC	CWC-18	State Water Board should support pilot projects (POU/POE) that transparently report cost information, details on the treatment technology used and routine monitoring data. POU/POE project costs should be documented and ultimately costs should be provided to a TA provider or other entity to provide project management, outreach, initial implementation/ installation, O&M, and monitoring. Costs should not be placed on the local residents.	No revision made. Recommendation noted.

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Clean Water Action Community Water Center Leadership Counsel for Justice and Accountability	Jennifer Clary, California Director (Clean Water Action) Kyle Jones, Policy Director (Community Water Center) Michael Claiborne, Directing Attorney (Leadership Counsel for Justice and Accountability)	POE/POU	CWC	CWC-19	CWC is currently conducting a pilot project for POE treatment of 123-TCP in Monterey County and welcomes the opportunity to share information from that pilot and to discuss the design of additional project to inform statewide implementation. CWC supports the participation of State Board staff on the Technical Advisory Committee (POU/POE 123-TCP Project).	No revision made. Recommendation noted.
Golden State Water Company	Dawn White, Water Quality Manager, SAFER Advisory Group Member (Golden State Water Company)	Project Prioritization	GSWC	GSWC-01	Generally support for the proposed priorities and funding targets.	No revision made. Comment in support.
Golden State Water Company	Dawn White, Water Quality Manager, SAFER Advisory Group Member (Golden State Water Company)	Project Prioritization	GSWC	GSWC-02	Support for the need to identify systems that are "at risk" or "potentially at risk" and support for some priority to help these systems before they fail.	No revision made. Comment in support.
Golden State Water Company	Dawn White, Water Quality Manager, SAFER Advisory Group Member (Golden State Water Company)	Needs Analysis	GSWC	GSWC-03	Provide continued improvements to the "risk indicator scoring" in subsequent Needs Assessments.	No revision made. Recommendation noted for Needs Assessment team to be considered for the 2022 Needs Assessment.
Golden State Water Company	Dawn White, Water Quality Manager, SAFER Advisory Group Member (Golden State Water Company)	Affordability Threshold	GSWC	GSWC-04	The Affordability Indicators should not be included as an aggregated score, but rather a separate Affordability score.	No revision made. Recommendation noted for Needs Assessment team to be considered for the 2022 Needs Assessment.
Golden State Water Company	Dawn White, Water Quality Manager, SAFER Advisory Group Member (Golden State Water Company)	Affordability Threshold	GSWC	GSWC-05	Several of the risk indicators are not applicable for small water systems that are either part of a larger rate making area or have corporate support (e.g. technical and financial indicators). All Golden State Water Company systems should in theory have the same TMF score.	No revision made. Recommendation noted for Needs Assessment team to be considered for the 2022 Needs Assessment.
Golden State Water Company	Dawn White, Water Quality Manager, SAFER Advisory Group Member (Golden State Water Company)	Data Organization	GSWC	GSWC-06	Correct the MCL for gross alpha radioactivity. The MCL for uranium is 20pCi/L and the MCL for gross alpha minus uranium is 15pi/L. There is no MCL for gross alpha.	No revision made. Recommendation noted for Needs Assessment team to be considered for the 2022 Needs Assessment.
Rural County Representatives of California	Leigh Kammerich, Regulatory Affairs Advocate (Rural County Representatives of California)	Operation and Maintenance	RCRC	RCRC-01	Support for the use of O&M dollars to incentivize consolidation projects, and looking forward to the O&M Pilot.	No revision made. Comment in support.

Draft Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund Response to Comments Received August 27, 2021

Submitted by:	Commenter(s)	Comment Topic	Comment Letter Identifier Number	Comment Number	Summary of Comment Received	Response to Comment
Rural County Representatives of California	Leigh Kammerich, Regulatory Affairs Advocate (Rural County Representatives of California)	Other	RCRC	RCRC-02	Support regionally isolated, disadvantaged systems that may not be able to consolidate with outside systems.	Clarification text added to Section IV.D.
Rural County Representatives of California	Leigh Kammerich, Regulatory Affairs Advocate (Rural County Representatives of California)	Program Objectives	RCRC	RCRC-03	Concurrence with the SADW Fund's long-term goal to optimize efficiency through Technical, Managerial and Financial (TMF) capabilities so these water systems can ultimately achieve self-sufficiency and provide affordable service.	No revision made. Comment in support.
Rural County Representatives of California	Leigh Kammerich, Regulatory Affairs Advocate (Rural County Representatives of California)	SADW Fund Target Allocations	RCRC	RCRC-04	Prioritize pre-construction technical assistance and planning so more projects can enter the broader SAFER program funding pipeline.	No revision made. Proposed priorities include a priority to expedite planning through use of technical assistance for systems out of compliance, at-risk systems, as well as state smalls and domestic wells. This is also reflected in the amount of funding targeted for technical assistance. Funding target for Planning also increased for cases where TA is not the best option.
Rural County Representatives of California	Leigh Kammerich, Regulatory Affairs Advocate (Rural County Representatives of California)	County Engagement	RCRC	RCRC-05	Support for direct outreach and prospective discussions with counties in an effort to prioritize solutions for households supplied by State Small and Domestic Wells.	No revision made. Comment in support of county program development for both near-term and long-term solutions for communities served by state smalls and domestic wells.