



December 31, 2020

Mr. Darrin Polhemus  
Deputy Director  
Division of Drinking Water  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814  
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Dear Mr. Polhemus:

Subject: Comments About SAFER Risk Assessment 2.0

We are writing on behalf of the California Association of Mutual Water Companies (CalMutuals) to provide comments about the State Water Resources Control Board's (SWRCB) proposed threshold, scoring and weighting framework in the SAFER 2.0 risk assessment to be considered for adoption in 2021. CalMutuals represents over 300 members statewide and is dedicated to regulatory and legislative advocacy as well as facilitating access to technical assistance and resources. Many of our members have a need for funding under the SAFER program.

**INTRODUCTION:** We submit this comment to provide constructive comments to the SWRCB so that the shortcomings we identify can be addressed as that assessment framework continues to be developed.

**MISSING DATA:** SWRCB acknowledges there is limited data availability, especially for the affordability indicators. The proposed solution to this limitation on data is to omit any missing values and re-distribute the weights/scores to risk indicators in the same category. Additionally, it is noted that if there are cases where indicator data is missing for a whole category, the weights/scores of the whole category will be redistributed to the other categories. While the SAFER program is attempting to provide safe and affordable drinking water, the data limitation demonstrates a significant risk of being able to accurately capture affordability data.

In order for the risk assessment 2.0 plan to demonstrate that SWRCB is giving affordability indicators the appropriate weight, all precedents listed must be comparatively and robustly supported by data. SWRCB explains that when selecting risk indicator thresholds SWRCB reviewed precedents from varying sources including legislative or regulatory definitions, empirical evidence, previous utilizations by other state agencies or the EPA, or recognized importance by sector experience. There are 18 listed final metrics, and there are four that are included on the list but for which there is no precedent cited.



**DELAYED USE OF INDICATORS:** Additionally, a number of those metrics are listed as indicators for the 2.0 risk assessment but it is noted that they will not be used until 2022-2023, until the appropriate data can be collected during the current assessment. CalMutuals believes it is more appropriate for such measurements to be excluded from the report until the data to support them is available.

**AFFORDABILITY METRICS:** Three of these four metrics are classified as affordability indicators and make up half of the 6 total affordability metrics. The uneven distribution of and subsequent dismissal of crucial metrics without another round of discussion to properly consider alternative proposals demonstrates that increased attention to affordability components must be emphasized in the Needs Assessment 2.0. CalMutuals is appreciative of the State Water Board's adaptive approach to the assessment as further knowledge is gained, but would like to see a more comprehensive justification for all metrics in order to maintain consistency.

The draft white paper proposes that metrics can be backed by more than one precedent, and there is a noticeable pattern that all other criteria are more widely accepted than those in the affordability section. A simple calculation shows that when averaged, the water quality metrics are backed by 1.5 previous uses; accessibility by 1.4 and TMF by 2.4. The same calculation shows that the affordability metrics are on average backed by only 1.0 previously recognized rationale. It appears that less consideration has been given to the necessary affordability measurements than the other components.

All components must be considered equally in order to standardize the data generated by the indicators into a universally comparable value. Thresholds for individual metrics may be binary or include multiple levels. For example, the threshold to classify a system "in violation" for treatment technique violations is 1 violation in the past three years. Other indicators such as the maximum duration of high potential exposure (HPE) have up to 3 thresholds, corresponding to the number of years of HPE in a recent period.

Furthermore, the overlying metric categories will be assigned weights between 1 and 3, denoting their criticality to the overall calculation. Water quality receives a 3 (highest criticality); as does accessibility. The technical, managerial and financial capacity category is given a weight or multiplier of 2. Affordability is given the lowest weight of 1; denoting that it is less critical than the other categories. In order for the risk assessment 2.0 to be an effective methodology of analyzing needs, there must be alternative actions identified, discussed and eventually taken to maintain the importance of affordability as an indicator for the program.

As part of the efforts to consider affordability, the SWRCB has deployed methods such as consolidations, technical assistance, assistance through their administrator program, or other solutions



with adequate funding to avoid rate impacts and maintain affordability. Yet, the actual deployment of these resources is not tied to enactment of contaminant standards ranging from response levels to maximum contaminant levels. We believe the SWRCB should proactively plan to help those systems in need upon the adoption of new standards of any type. The continued discussion of POE/POU devices is also appreciated and could be viewed as a helpful alternative, should certain requirements be met.

CalMutuals appreciates that the SWRCB has met their obligations to work with the public when creating this program, but it appears that there is still work to be done in order to properly satisfy the affordability component of this project in the coming iterations.

Sincerely,

A handwritten signature in black ink, appearing to read "Adan Ortega Jr.", is positioned above the typed name.

Adan Ortega Jr.  
Executive Director  
California Association of Mutual Water Companies