

Date of Hearing: April 28, 2021

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 1195 (Cristina Garcia) – As Amended April 6, 2021

SUBJECT: Drinking water.

SUMMARY: Establishes the Southern Los Angeles County Human Right to Water Collaboration Act. Specifically, **this bill:**

- 1) Creates the Southern Los Angeles Human Right to Water Collaboration Act.
- 2) Requires the State Water Resources Control Board (Board) to appoint a commissioner to implement the Board's Safe and Affordable Funding for Equity and Resilience (SAFER) Program established pursuant to Chapter 120 of the Statutes of 2019 in southern Los Angeles County, within the jurisdictional boundaries of the Water Replenishment District of Southern California (WRD) and in collaboration with the communities and operators of public water systems in the region.
- 3) Specifies that, in implementing the SAFER program in southern Los Angeles County, the commissioner shall, on behalf of the Board, expend moneys from the Safe and Affordable Drinking Water Fund, subject to the Board's approval, for the purposes, and to the eligible recipients, as specified.
- 4) Authorizes the commissioner to take any reasonable action to accomplish those purposes, and requires the commissioner to make reasonable efforts to ensure that funds are used to secure long-term sustainability of drinking water service and infrastructure, including, but not limited to, requiring adequate technical, managerial, and financial capacity of eligible applicants as part of funding agreement outcomes.
- 5) Provides that the commissioner may do either of the following:
 - a) Assist operators of public water systems in operating and managing their public water systems, including, but not limited to, funding, technical assistance, and other collaboration that promotes economies of scale; and,
 - b) Serve as administrator of a public water system, as specified, or as a receiver of a public water system pursuant to court order, for a public water system that serves a disadvantaged community or that consistently fails or is at risk of doing so, as determined by the commissioner.
- 6) Requires the commissioner to seek available funding from state and local sources to fund its activities.
- 7) Specifies that the commissioner shall, on or before December 31, 2024, develop and submit to the Board a plan for long-term sustainability of public water systems in southern Los Angeles County, in collaboration with the technical advisory board, as specified.

- 8) Provides that, in preparing the plan, the commissioner shall do all of the following:
- a) Oversee the work of WRD in assessing conditions of small public water systems in its jurisdiction, as specified, including the sufficiency of each small public water system's water quality and water rights. The plan shall include evaluation of each small public water system's technical, managerial, and financial conditions, which may qualify the small public water system for some types of financial assistance;
 - b) Review the assessment specified in a), above, and evaluate public water systems and other water infrastructure in the region. The evaluation shall include assessment of the physical conditions of groundwater wells and groundwater quality;
 - c) Identify projects, processes, and systems that may assist public water systems that consistently fail or are at risk of doing so, as determined by the commissioner. For a public water system in a disadvantaged community, the commissioner may consider groundwater wells or groundwater quality that pose a risk to the public water system of consistently failing and identify actions necessary to either assist that public water system or determine appropriate changes for the public water system in accordance with applicable law;
 - d) Plan for the consolidation of public water systems that either consistently fail or are at risk of doing so, as determined by the commissioner. The plan shall include identification of a receiving water system operated by a municipality or other public agency, without regard to jurisdictional boundaries. The commissioner shall propose receiving water systems to the Board for consolidation proceedings pursuant to existing law. Specifies that this provision does not preclude the operator of a public water system or a state small water system from proposing a voluntary consolidation for the identified subsumed water system; and,
 - e) Consult with the Los Angeles County Local Agency Formation Commission (LAFCO) regarding effective public water system governance strategies in the region and how the Los Angeles LAFCO may facilitate consolidation of public water systems that consistently fail or are at risk of doing so, as determined by the commissioner;
- 9) Requires the commissioner to oversee the operation of the Central Basin Municipal Water District (CBMWD) in selling drinking water and recycled water to public water systems in its jurisdiction. Requires CBMWD to cooperate with the commissioner in exercising the commissioner's oversight responsibilities. Authorizes the commissioner to require the CBMWD to pay for an audit directed by the commissioner, and allows the California State Auditor to cooperate with the commissioner regarding the audit using the findings of the California State Auditor's 2015 audit of the CBMWD.
- 10) Requires the commissioner to oversee, on behalf of the Board, the expenditure of all state funding for groundwater cleanup in the region, including identification, for basins in the region, of significant contaminants and potential remediation of perfluorooctane sulfonate (PFOS). Requires the commissioner to investigate a range of options to pay for remediating groundwater contamination in the region, including methods to hold polluters accountable for their groundwater contamination.

- 11) Provides that the commissioner shall be advised by a technical advisory board of experts in water management or water policy consisting of unspecified members. Each member, except the member appointed by the Board, shall have at least five years of experience in a managerial level position with a water supplier, in operations, water quality, or finance, or as a general manager of a water supplier.
- 12) Specifies that one of the members of the technical advisory board shall be appointed by the Board and shall have at least one year of experience at a senior level of a nonprofit organization engaging communities in the region on water issues, which may include a member of the Board's SAFER advisory group.
- 13) Requires unspecified entities to appoint a member to the technical advisory board.
- 14) Authorizes the technical advisory board to promote regional collaboration by developing alternatives for creating sustainable public water systems in the region, which the commissioner may consider in preparing the plan.
- 15) Allows an entity appointing a member to the technical advisory board to replace their member as required, and if a board member office is declared vacant, the appointing entity shall appoint a successor.
- 16) Specifies that a majority of the members of the technical advisory board may vote to request the replacement of another member of the board.
- 17) Requires an entity appointing a member to the technical advisory board to compensate the member commensurate with the entity's compensation policies and provide for out-of-pocket expenses and travel associated with the member's activities on the technical advisory board.
- 18) Provides that, in December of each year, the technical advisory board shall select a president to serve a one-year term starting on the following January 1.
- 19) Specifies that the technical advisory board shall meet twice each month and as needed to address interventions and the need of the commissioner for the identification of operation and technical resources.
- 20) Provides that once an operator of a public water system exercises water rights for the benefit of the public water system, those surface water rights or groundwater rights shall not be severed or otherwise separated from the public water system.
- 21) Makes other technical and clarifying changes.
- 22) Declares that no reimbursement is required by this bill because a local agency or school district has the authority to levy service charges, fees, or assessment sufficient to pay for the program or level of service mandated by this bill.

EXISTING LAW:

- 1) Vests the Board with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health and its predecessor to enforce the State Drinking Water Act (SDWA).

- 2) Defines a "public water system" as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.
- 3) Requires the Board, in administering SDWA programs, to fund improvements and expansions of small community water systems, to encourage the consolidation of small community water systems that serve disadvantaged communities, and prioritize funding for construction projects that involve the physical restructuring of two or more community water systems, at least one of which is a small community water system that serves a disadvantaged community, into a single, consolidated system.
- 4) Authorizes the Board, where a public water system or a state small water system within a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, to order consolidation with a receiving water system. Provides that the consolidation may be physical or operational.
- 5) Limits the liability of a consolidated water system, wholesaler, or any other agency in the chain of distribution that delivers water to a consolidated water system, as specified.
- 6) Declares to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.
- 7) Enacts the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), which:
 - a) Controls how local officials change the boundaries of cities and special districts, putting LAFCOs in charge of the proceedings; and,
 - b) Directs LAFCOs to ensure that services are effectively and efficiently delivered, and provides that local governments can only exercise their powers and provide services where allowed to by LAFCO, including the formation of new cities and special districts, modifications of existing boundaries, and dissolutions of unsustainable special districts.

FISCAL EFFECT: This bill is keyed fiscal and contains a state mandated local program.

COMMENTS:

- 1) **Bill Summary.** This bill establishes the Southern Los Angeles County Human Right to Water Collaboration Act, and requires the Board to appoint a commissioner to implement the SAFER program in southern Los Angeles County by expending moneys from the Safe and Affordable Drinking Water Fund, assisting operators of public water systems in operating and managing their systems, and serving as administrator of a system.

This bill also requires the commissioner to, on or before December 31, 2024, develop a plan for long-term sustainability of water systems in southern Los Angeles County, oversee the work of WRD as specified, plan for the consolidation of water systems that either consistently fail or are at risk of doing so, consult with the Los Angeles County LAFCO regarding effective water system governance strategies, and oversee the operations of

CBMWD. Additionally, this bill creates a technical advisory board to advise the commissioner. Lastly, this bill prohibits an operator of a public water system from severing or otherwise being separated from its water rights once they have been exercised. This bill is sponsored by the author.

- 2) **Author's Statement.** According to the author, "The people in southern Los Angeles County depend on a multitude of small water systems. These water systems are growing old, and the operator/owner may lack the funding to pay to rebuild the system or clean up water contamination. If the system fails, there is no public agency with the capacity to save them and the people's water supply. By contrast, other neighboring companies owned by outside investors charge higher water rates and they are not accountable to the public. In fact, some of the region's disadvantaged communities of color pay some of the highest water prices in the County, depending on which retailer sells them water.

"Some small water systems may be close to failure, but there is no public agency with the capacity to take them over to fix the problems. This may lead to privatization of these water systems, as investor-owned utilities, which generally charge higher water rates, have the capacity and the authority to increase water rates to pay for rebuilding the system. This bill will create a regional administrator identified by the State Water Board to help resolve the many water challenges facing the region and build regional collaboration, to keep water rates low, increase water quality, and keep management of southeast water public."

- 3) **California's Drinking Water Program.** SB 861 (Committee on Budget and Fiscal Review), Chapter 35, Statutes of 2014, transferred the Drinking Water Program from the Department of Public Health (DPH) to the Water Board effective July 1, 2014, creating the new Division of Drinking Water within the Water Board, and made other statutory changes to create efficiencies and adoption and administration of the Drinking Water Program.

The Water Board directly enforces the SDWA for all large water systems (those with 200 or more service connections). For small water systems (those with less than 200 connections), local health departments can be delegated to have regulatory authority as the local primacy agency.

- 4) **Human Right to Water.** In 2012, California became the first state to enact a Human Right to Water law [AB 685 (Eng), Chapter 524, Statutes of 2012]. Public policy continues to be focused on the right of every human being to have safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitation. Water supply, contaminants, costs of treatment and distribution systems, the number and nature of small public water systems, especially in disadvantaged communities, and many other factors will continue to challenge progress in addressing the Human Right to Water.
- 5) **Drinking Water Contamination in Disadvantaged Communities.** The February 2018, University of California (UC) Davis report, "*The Struggle for Water Justice in California's San Joaquin Valley: A Focus on Disadvantaged Unincorporated Communities*," summarizes drinking water issues facing disadvantaged communities in California, as follows:

"In California, lack of access to clean, safe, and affordable water is a threat to public health and well-being, and violates the state's newly codified Human Right to Water. In low-income communities located outside city boundaries (known as DUCs), drinking water is

often unsafe to drink. In many such localities, drinking water is contaminated by industrial by-products (usually associated with agriculture, oil and gas production, transportation, and manufacturing) and compromised by inadequate wastewater treatment and disposal systems, as well as naturally occurring toxic substances like arsenic and uranium. Many DUC residents in the San Joaquin Valley pay a triple penalty to obtain safe water: they bear the health costs of unsafe drinking water; they purchase that unsafe water at high costs; and, they must also purchase 'substitute' water – typically expensive bottled water – for drinking and cooking.

“Lack of access to clean, safe and affordable drinking water has a racial and ethnic component: the vast majority of DUC residents are people of color who also face cumulative impacts from environmental contamination brought on by proximity to air pollution, pesticides, toxic facilities and waste disposal. Without city governments to directly represent their interests and provide essential services, residents of DUCs have been systematically deprived of access to important means of democratic governance.”

While the 2018 UC Davis report focuses on DUCs in the San Joaquin Valley, the findings are consistent with a more expansive 2013 SWRCB report and 2012 UC Davis report that found that drinking water contamination in California disproportionately affects small, rural, and low-income communities that depend mostly on groundwater as their drinking water source. The 2013 SWRCB report found that 682 community public water systems in California, which serve nearly 21 million people, rely on contaminated groundwater as a primary source of drinking water. It also found that 265 community public water systems, which serve a little more than two million people, had received at least one drinking water quality violation within the last compliance cycle. The report points out that an additional two million Californians rely on groundwater from a private domestic well or a smaller groundwater-reliant system that is not regulated by the state. The SWRCB reports that currently approximately 330 drinking water systems are not in compliance with drinking water standards.

The 2018 UC Davis report also found that a significant number of DUC residents live close to an existing, and water quality compliant, community water system that could provide them with clean drinking water.

- 6) **Addressing Service Deficiencies.** LAFCOs, along with the planning agencies of cities and counties, are charged with ensuring that services are effectively and efficiently delivered to all communities throughout the state. Nevertheless, some communities continue to lack adequate public services, including safe drinking water and functioning wastewater systems, often due to their low-income status. In some cases, these disadvantaged communities are contained within a city but lack adequate water and wastewater services. In other cases, these communities are located in unincorporated areas. These DUCs can be remote and far from other communities with better public services, but at other times, they are adjacent to a city, special district, or county service area that provides water or wastewater services.

In recent years, the Legislature has taken several steps to try to address some of the service problems experienced by DUCs. SB 244 (Wolk), Chapter 513, Statutes of 2011, aimed to prevent cities from carving out DUCs by generally prohibiting annexations of small areas to a city if a DUC is contiguous with that area. SB 244 also required LAFCOs to include in the municipal service review (MSR) a description of the location and characteristics of any

DUCs within or contiguous to the sphere of influence and to consider the water, sewer, or fire protection needs of DUCs within the sphere when considering updates. Finally, SB 244 required cities and counties to review the water and fire service needs of DUCs in their general plans. SB 244 made it easier for LAFCOs to identify boundary changes and governmental reorganizations necessary to fix water and sewer service problems faced by disadvantaged communities.

- 7) **Consolidations.** Subsequent legislation, SB 88 (Committee on Budget and Fiscal Review), Chapter 27, Statutes of 2015, took this effort a step further by authorizing SWRCB to order a consolidation of neighboring drinking water systems where it is economically feasible in order to address public health threats. SB 88 established a process for consolidating water systems that requires multiple public hearings, as well as consultations with affected entities, such as the water system being subsumed, the receiving water system, domestic well owners, and the local government with land use authority over the area, and the LAFCO.

Before ordering consolidation or extension of service, SWRCB must also encourage voluntary consolidations or extension of service, consider other enforcement remedies, obtain written consent from any domestic well owner, and provide technical assistance to both systems. The SWRCB must also make a series of findings, including that:

- a) Consolidation or extension of service is the most effective and cost-effective means to provide an adequate supply of safe drinking water; and,
- b) The capacity of the proposed interconnection needed to accomplish the consolidation is limited to serving the current customers of the subsumed water system.

Under SB 88, SWRCB must pay the full cost of the new capacity, including replacing any capacity lost as a result of the consolidation or extension of service, providing additional capacity needed as a result of the consolidation or extension of service, and legal fees. The SWRCB must also pay the LAFCO's costs and fees, adequately compensate the owners of any privately owned subsumed water system, and coordinate with the appropriate LAFCO and other relevant local agencies to facilitate the change of organization or reorganization. SB 88 also prohibited the consolidated water system from increasing charges on existing customers of the receiving water system solely as a consequence of the consolidation or extension of service, unless the customers receive a corresponding benefit.

The following year, SB 552 (Wolk, 2016) gave the state board another tool to address the systemic issues affecting public water systems serving small, disadvantaged communities. SB 552 authorizes the state board to identify public water systems that are consistently unable to provide an adequate and affordable supply of safe drinking water and, once funding is available, to then contract with a competent administrator to provide managerial and technical expertise to that system.

AB 2501 (Chu, 2018) next required the state board to develop and adopt a policy that provides a process by which members of a disadvantaged community may petition the state board to consider ordering consolidation and authorized the state board to use its SB 88 authority to consolidate a disadvantaged community that is reliant on a domestic well that consistently fails to provide an adequate supply of safe drinking water. AB 2501 also revised various provisions established by SB 88 and SB 552, including provisions that require the

state board to pay for infrastructure needed and capacity lost as part of a consolidation. Finally, AB 508 (Chu, 2019) subsequently required the state board to develop the petition process no later than July 1, 2020.

To date, the state board has completed two mandatory consolidations and initiated an additional 17 mandatory consolidations, including eight that are now pursuing consolidations voluntarily and two for which the state board halted the consolidation. The state board has also issued numerous informal consolidation letters indicating the state board's intent to initiate consolidation, which has encouraged additional voluntary consolidations.

- 8) **Needs Assessment.** In 2019, to advance the goals of the Human Right to Water, the Legislature enacted SB 200 (Monning), which directed the state board to establish the Safe and Affordable Funding for Equity and Resilience (SAFER) Program and created the Safe and Affordable Drinking Water Fund. The Fund provides up to \$130 million per year through 2030 to enable the state board to develop and implement sustainable solutions for underperforming drinking water systems. The annual Fund Expenditure Plan prioritizes projects for funding, documents past and planned expenditures, and must be based on data and analysis drawn from an annual drinking water Needs Assessment.

The fund expenditure plan must prioritize funding for:

- a) Assisting disadvantaged communities served by a public water system, and low-income households served by a state small water system or a domestic well;
- b) The consolidation or extension of service, when feasible, and administrative and managerial contracts or grants entered pursuant to SB 552, where applicable; and,
- c) Funding costs other than those related to capital construction costs, except for capital construction costs associated with consolidation and service extension to reduce the ongoing unit cost of service and to increase sustainability of drinking water infrastructure and service delivery.

The state board released its 2021 Needs Assessment on April 9th, 2021, which:

- a) Identifies state small water systems and domestic wells that are failing or at risk of failing to provide access to safe drinking water;
- b) Estimates the cost of interim and long-term solutions for these systems; and,
- c) Determines the statewide funding gap and affordability challenges that may be barriers to implementing these solutions.

To identify the state small systems and domestic wells that are failing or at risk of failing to provide access to safe drinking water, the 2021 Needs Assessment includes a risk assessment that evaluated 2,779 public water systems based on a methodology that measures water system performance on 19 risk indicators within four categories: water quality; accessibility; affordability; and technical, managerial, and financial (TMF) capacity. Because smaller systems are significantly more likely to be underperforming, the risk assessment limited its

review of public water systems to those systems with 3,300 or fewer connections and K-12 schools.

- 9) **UCLA Report.** In early 2021, "The Human Right To Water In Poor Communities of Color: Southern Los Angeles County, UCLA Institute of the Environment and Sustainability" report was released. This report identified the 64 community water systems in Los Angeles County serving disadvantaged or severely disadvantaged populations. These 64 water systems have 281,000 connections, serving approximately 1 million people, nearly 10% of the population of Los Angeles County in 2019. The largest population is concentrated in 29 disadvantaged community water systems in Southern Los Angeles County who largely serve communities of color. According to the report, "Disadvantaged communities concentrated in southern Los Angeles County lack fair options when it comes to water supply. When served by public utilities, aging infrastructure, water quality problems, and other complications can translate into sacrifices in quality or reliability. When supplied by investor-owned utilities, they receive reliable water supply but pay more than affluent communities."
- 10) **Central Basin Municipal Water District.** CBMWD was formed in 1952 by the voters, pursuant to the Municipal Water District Act of 1911, to help mitigate the over pumping of groundwater in southeast Los Angeles County. CBMWD is a member agency of The Metropolitan Water District of Southern California and purchases imported water from MWD to wholesale to 40 retail water agencies and one wholesaler, which includes cities, water districts, mutual water companies, investor-owned utilities, and private companies. A smaller source of CBMWD incoming revenue is from the sale of recycled water for municipal, commercial, and industrial use. CBMWD serves nearly two million people in 24 cities in southeast Los Angeles County and in some unincorporated areas of the County.
- 11) **Water Replenishment District of Southern California.** State law allows the formation of water replenishment districts to recharge water into groundwater basins for later withdrawal by water purveyors. In 1959, the voters of Los Angeles County established the WRD. Created to counteract the effects of over pumping groundwater from the West Coast and Central basins, WRD's mission is "to provide, protect and preserve high-quality groundwater through innovative, cost-effective, and environmentally sensitive basin management practices for the benefit of residents and businesses of the Central and West Coast Basins."

The WRD is the state's sole water replenishment district. It earns revenue by charging water replenishment assessments to the agencies, utilities, and companies that pump groundwater. The district also gets property tax revenues from its share of the 1% property tax rate. The WRD uses these funds to secure water – by purchasing imported water and constructing projects that produce local water supplies – that percolates into the groundwater basin.

Among other activities, the WRD administers a Safe Drinking Water Program to treat contaminated groundwater as a means to reduce reliance on imported surface water. As a part of that effort, the WRD established the Disadvantaged Communities Outreach Assistance Program that provides assistance to water systems in disadvantaged areas to apply for state funding for safe drinking water projects. To date, WRD has assisted at least 10 public water systems that serve disadvantaged communities with this program.

12) **LAFCO.** LAFCOs are responsible for coordinating logical and timely changes in local governmental boundaries, conducting special studies that review ways to reorganize, simplify, and streamline governmental structures, and preparing a sphere of influence for each city and special district within each county. The courts refer to LAFCOs as the Legislature's "watchdog" over local boundary changes. LAFCO law establishes procedures for local government changes of organization, including special district consolidations. LAFCOs regulate boundary changes through the approval or denial of proposals by other public agencies or individuals for these procedures.

The process for most boundary changes and agency formations requires numerous steps:

- a) Application to LAFCO, by petition or resolution, for an environmental review, property tax exchange agreement, and a plan for services that describe what services will be provided and how the services will be financed;
- b) Noticed public hearing, testimony, and approval or disapproval by LAFCO in which LAFCO can impose terms and conditions;
- c) Additional public hearing for protests. If a majority of the city's voters file protest, the disincorporation stops, and if not, LAFCO must order an election on the proposed disincorporation;
- d) If existing law requires it, an election that requires a majority vote approval; and,

LAFCO staff files documents to complete the reorganization. LAFCOs are required to approve district consolidations where each merging district passes a resolution endorsing the consolidation, but provisions that govern protest and elections still apply.

13) **Policy Considerations.** The Committee may wish to consider the following:

- a) **Local Problems, Local Solutions.** LAFCO law currently authorizes the formation, dissolution, consolidation, or merger of local agencies through a deliberate, public process conducted at the local level. The Legislature has delegated an important power to LAFCOs: the ability to control local boundaries. Implicit in this decision was that the local officials that make up LAFCO boards have better knowledge of conditions on the ground than anyone at the state level. In recent years, however, the Legislature has adopted a number of measures that have lessened the role of LAFCOs in addressing water service deficiencies, and instead vested that power with the state board. Concerns have been raised that the powers of the commissioner in this bill, coupled with the existing authorities of the Board to mandate extension of service, dissolution, and consolidation of water systems, maintains a trend of increasing authority at the state level and that the authority at the local level continues to be diminished. In light of these concerns, the Committee may wish to consider if further state intervention in local water delivery decisions is prudent or if the existing tools at the local level should instead be strengthened.

b) **Levels of Accountability.** Local agency water providers are directly accountable to their customers, the voters. A general concern that has been raised as the Legislature increases state authority over local drinking water decisions is the diminishing level of local representation. The Association of California Water Agencies argues that, "This bill would require the State Water Resources Control Board to appoint a commissioner (potentially someone with no ties to the local community) to oversee implementation of the SAFER program in southern Los Angeles County. Local water providers are best positioned to provide direction on providing a reliable and affordable water supply to the region. This bill would usurp local control without any apparent precedent or justification." The reality is that the problems facing water systems in this region and around the state are many and complex, including lack of resources, lack of sufficient infrastructure, challenges with contamination and more. Given that each community faces different challenges, the Committee may wish to consider if local representatives are in the best position to make these oftentimes difficult local decisions.

14) **Arguments in Support.** None on file.

15) **Arguments in Opposition.** According to CBMWD, "The District writes in opposition to AB 1195, which proposes to create the Southern Los Angeles County Human Right to Water Collaboration Act, which would require the state board to appoint a commissioner to, among other things, expend moneys from the Safe and Affordable Drinking Water Fund on behalf of the state board for eligible purposes and recipients in southern Los Angeles County, within the jurisdictional boundaries of the Water Replenishment District of Southern California...

"The proposed governance structure within AB 1195 doesn't respect existing local representation from diverse communities or disadvantaged communities. This act ostensibly seeks to improve water quality in areas that cannot endure substantial increases in water rates, but does not empower local representation from the region who are seeking relief. The result will be another well-intentioned government act that does not live up to its acclaim...

"AB 1195 authorizes the commissioner and the 'unspecified advisory board' to develop a plan that could result in the acquisition, or consolidation of existing water systems, without assessing whether an existing agency can provide clean water at a lower cost to the current water system's ratepayers. We don't need a new layer of government and complexity added to our existing layers of government; we need the state to more aggressively fund projects that (1) improve the quality of drinking water and (2) create jobs in our communities, for the benefit of our communities."

16) **Double-referral.** This bill was heard in the Assembly Environmental Safety and Toxic Materials Committee on April 21st and passed with a vote of 6-0.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

Association of California Water Agencies

California Water Association (unless amended)

Central Basin Municipal Water District

Los Angeles/Orange Counties Building and Construction Trades Council (unless amended)

State Buildings and Construction Trades Council (unless amended)

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