

July 8, 2019

The Honorable Ben Allen, Chair
Senate Environmental Quality Committee
California State Senate
State Capitol, Room 2205
Sacramento, CA 95814

SUBJECT: AB 402 (Quirk) Optional LPA Fund Stabilization – SUPPORT

Dear Chair Allen and Committee Members:

Monterey County is pleased to offer its strong support for AB 402 which offers a much-needed fund stabilization option for local jurisdictions to implement their Local Primacy Agency (LPA) drinking water oversight programs. AB 402 helps to ensure that all Californians who rely on public drinking water systems – regardless of whether they live in counties whose system oversight is through the state or delegated to the county – can be assured of safe and affordable drinking water.

Specifically, the measure will enable counties who oversee their water system through Local Primacy Agency (LPA) delegation agreements to provide the required level of system oversight as specified by state and federal law with the most efficient use of limited resources. The measure changes the public drinking water oversight system to provide an opt-in/optional alternative funding mechanism that would accomplish the following:

- **Protect Public Health:** Ensuring safe drinking water is a fundamental public health protection service. Thirty local environmental health departments serve as the LPA on behalf of the state to provide oversight and guidance to small community and disadvantaged community water systems. AB 402 is essential to ensure that these local agencies can continue to provide this critical service.
- **Assistance to Disadvantaged Communities:** Many of the systems that do not comply with our state drinking water standards serve disadvantaged communities. While the State Water Resources Control Board (SWRCB) has adopted a policy to limit the oversight fee for these systems to \$100 per year, local jurisdictions performing the same oversight role for other disadvantaged communities are financially unable to limit their fees to \$100 per year – especially when the true cost of oversight runs 5 to 10 times this amount per system per year. Without AB 402 this disparity will continue – or be exacerbated.
- **Government Efficiency:** Local agencies perform the same regulatory oversight as state agencies, but typically at reduced costs due to local oversight efficiencies, proximity to the regulated community and local knowledge. After working with the California Association of Environmental Health Administrators and the State Water Resources Control Board, estimates show that retaining the existing local drinking water oversight program could save as much as \$1.5 to \$2 million per year compared with the same oversight services provided by the state.

In summary, this legislation will secure sustainable funding for the established and highly effective LPA regulatory program. Monterey County urges the Legislature to enact this optional funding mechanism that will support local communities and enhance public health protection.

For these reasons, we support AB 402. Should you have any questions, please contact Monterey County's Public Policy Advisors, Jennifer Capitolo, or Ashley Walker of Nossaman LLP at 916-442-8888.

Sincerely,

John M. Phillips
Chair, Board of Supervisors

CC: Assemblymember Bill Quirk
Members, Senate Environmental Quality Committee
Senator Bill Monning
Senator Anna Caballero
Assemblymember Mark Stone
Assemblymember Robert Rivas
California State Association of Counties