

April 2, 2019



Paul Schubert, Chair
Kerry Schmitz, Vice
Chair

The Honorable Eduardo Garcia
State Capitol, Room 4140
Sacramento, CA 95814

Re: AB 217 Safe Drinking Water for All Act.

Members

California American Water
Carmichael Water District
Citrus Heights Water District
Del Paso Manor Water
District
El Dorado Irrigation District
Elk Grove Water District
Fair Oaks Water District
Folsom, City of
Golden State Water
Company
Lincoln, City of
Orange Vale Water Company
Placer County Water Agency
Rancho Murieta Community
Services District
Roseville, City of
Rio Linda / Elverta
Community Water District
Sacramento, City of
Sacramento County Water
Agency
Sacramento Suburban Water
District
San Juan Water District
West Sacramento, City of
Yuba City, City of

Associates

County of Placer
El Dorado County Water
Agency
Sacramento Area Flood
Control Agency
Sacramento Municipal Utility
District
Sacramento Regional County
Sanitation District

Position: Oppose Unless Amended

Dear Assemblymember Garcia:

On behalf of the Regional Water Authority (“RWA”), I am writing to express RWA’s opposition to AB 217 unless it is amended. RWA is a joint powers agency representing 21 water suppliers in Sacramento, Placer, El Dorado, Yolo, and Sutter Counties.

RWA appreciates that you are proposing to address the funding gap for safe drinking water. RWA agrees with that intent. Lack of access to safe drinking water is a public health issue and a social issue that the State must address. We further appreciate that you have been open to suggestions for different types of funding mechanisms, including the creation of a trust.

Specifically, RWA has three issues with AB 217 as amended on March 28, 2019.

1. The fee provisions contained in Article 5 of the bill, Health and Safety Code Section 116771 must be removed. Sacramento region water suppliers have consistently provided the elements of the human right to water – clean, reliable, and affordable water. A fee benefits those who pay, while a tax funds general services. Since the region already meets the human right to water objectives, the proposed fee can only be considered a tax.

Furthermore, the State Constitution requires any funding obligation placed on water suppliers to be uniformly passed on to customers. There are two million people in the Sacramento region currently receiving safe, reliable, and affordable drinking water. Of those, 600,000 are low-income, 450,000 of which, are renters who do not directly receive a water bill. The tax burden would disproportionately fall on low-income households and there is no existing mechanism to counteract the burden on renters when these costs are passed onto them. This unintended consequence is counter-productive to the affordability aspect of the human right to water, while adding no additional benefit to the clean and reliable aspects. With approximately 8-9 million people statewide being low-income renters currently receiving safe drinking water, this issue is further amplified throughout the state.

Letter to The Honorable Eduardo Garcia
Re: AB 217 Safe Drinking Water for All Act
Position: Oppose Unless Amended
Page two of two

2. As currently written, AB 217 would make projects outside of safe drinking water eligible for funding. With limited resources funds must be focused on addressing safe drinking water related projects. Expanding the scope of eligible projects will unnecessarily exacerbate challenges to maintaining and achieving the human right to water in the Sacramento region and across the state.
3. Generally, solutions to safe drinking water in state-regulated systems are known. Generally, solutions to safe drinking water in county-regulated and private wells are unknown. AB 217 does not differentiate funding solutions between the known and unknown problems. The most efficient use of funds would be to solve the known problem first, while simultaneously developing a plan to solve the unknown problem.

Safe drinking water is only one element of the human right to water. With limited resources, overemphasis on one element will come at the expense of others. Unfortunately, in totality, AB 217 does not strike the appropriate balance between all elements of the human right to water and will set back its achievement. For these reasons, RWA must oppose AB 217 as currently in print, but looks forward to resolving these concerns so that the human right to water can be advanced for all Californians.

If you or your staff have any questions, please contact Ryan Ojakian of RWA's staff at (916) 967-7692 or rojakian@rwah2o.org.

Sincerely,



Rob Swartz
RWA Interim Executive Director

cc: The Honorable Lorena Gonzalez, Chair, Assembly Appropriations Committee
Honorable Members, Assembly Appropriations Committee
Ms. Jennifer Galehouse, Deputy Chief Consultant, Assembly Appropriations Committee
Mr. Carlos Gonzalez, Chief of Staff, Assemblymember Eduardo Garcia's Office
Mr. Josh Tooker, Chief Consultant, Assembly Environmental Safety and Toxic Materials Committee
Ms. Catherine Freeman, Chief Consultant, Assembly Water, Parks and Wildlife Committee
Mr. Greg Melkonian, Consultant, Assembly Republican Caucus
Mr. Calvin Rusch, Consultant, Assembly Republican Caucus