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Submitted via email: [hr2w@oehha.ca.gov](mailto:hr2w@oehha.ca.gov)

Attn: Dr. Carolina Balazs  
Office of Environmental Health Hazard Assessment  
1515 Clay Street, 16th Floor  
Oakland, CA 94612

RE – Comment Letter and Letter of Support for ACWA/CMUA Comment Letter on the OEHHA Human Right to Water Public Review Draft Mapping Tool and Draft Report

Dear Dr. Balazs:

The City of Ontario (Ontario) appreciates the opportunity to provide public comment on the Office of Environmental Health Hazard Assessment (OEHHA) Public Review Draft Report entitled, *Achieving the Human Right to Water in California: An Assessment of the State's Community Water Systems* (Draft Report) and Draft Mapping Tool (Draft Tool). Additionally, staff would like to express its appreciation for the October 28, 2019, workshop held here in Ontario. The workshop served as a helpful tool to engage directly with OEHHA staff and better understand the assessment framework.

We would like to provide strong support for the detailed comment letter submitted by the Association of California Water Agencies (ACWA) and California Municipal Utilities Association (CMUA). In particular, we are concerned that the Draft Report and Draft Tool have not been sufficiently vetted by water agencies and other systems responsible for providing safe drinking water to the public. We echo ACWA and CMUA's call on OEHHA to consider further engagement with the water community. Ontario would also like to see OEHHA, in its collaboration with the water community, consider a plan for regular updates to the tool so that users are not viewing out-of-date information.

In addition to general support for the ACWA/CMUA Comment Letter, we would like to re-affirm and expand upon the following comments:

- *ACWA/CMUA Comment 5: The indicators related to safe drinking water need to be based on compliance with standards consistent with state and federal laws.*

Ontario additional comments:

- The Human Right to Water policy sets forth that “...every human has the right to safe, clean...water.” A formal definition for “safe” drinking water is lacking, potentially leading to confusion when analyses such as OEHHA’s are not utilizing the legal standards that water systems are required to comply with. We suggest that indicators for water safety be based upon compliance with regulatory standards.
- It is unclear if the data used to determine the exposure score is truly representative of delivered water, as claimed by the report and tool. Water systems may report water quality indicators for pump to waste operations or prior to treatment or blending processes. We suggest that OEHHA work with water providers to ensure that the data used is correct for the application.
- *ACWA/CMUA Comment 7: If OEHHA continues with the current Affordability Component, the Draft Tool must have a disclaimer stating that this component currently measures the household’s ability to pay, which is part of a larger affordability challenge. This is outside the jurisdiction of a water system and is not something that reflects the performance of the water system itself.*

Ontario additional comments:

- The report’s view of poverty appears to be strictly wage based without consideration for subsidies and other supplemental income. If OEHHA continues with the current Affordability Component, all factors affecting affordability should be included.
- Because the tool calculates affordability as a ratio, updating one source of information (e.g. rates) without a commensurate update to income or poverty levels will result in inaccurate scores. If OEHHA continues with the current Affordability Component, a plan should be put into place to ensure regular and balanced updates.
- *ACWA/CMUA Comment 10: At a minimum, the Draft Tool needs to provide a disclaimer that there are challenges and limitations in the Affordability Component data. Further, additional information should be included under each system’s affordability information to contextualize the source and transport cost that is embedded in the cost of water.*

Ontario additional comments:

- The relationship between needing to treat (improved quality), securing redundant sources (improved accessibility) and higher costs (declining affordability) should be included in the tool to help users see the balance of the three components.

We look forward to sharing with you our input, data and examples before finalizing the report and tool. I am available to answer any questions at (909) 395-2694 and [kgienger@ontarioca.gov](mailto:kgienger@ontarioca.gov).

Sincerely,



Katie Gienger, P.E.

Water Resources Manager

cc: Scott Burton, P.E., Utilities General Manager, City of Ontario