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November 8, 2019

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

RE – 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 Upland 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 related Draft Mapping Tool (Draft Tool).

We are a contracting member agency of Inland Empire Utilities Agency (IEUA) a Metropolitan Water District wholesale agency, whom has worked closely with the Association of California Water Agencies (ACWA) and California Municipal Utilities Association (CMUA). In particular, as a retail agency, we are concerned that the Draft Report and Draft Tool have not been sufficiently vetted by both wholesale and retail water agencies as well as other systems responsible for providing safe drinking water to the public. We echo ACWA and CMUA's call on OEHHA to, at a minimum, consider further engagement with the water community. Furthermore, as a retail water agency we have some additional concerns:

- The draft report does provide the local agencies the opportunity to appeal how they are ranked or graded by the tools. For example, by an agency not being able to provide additional information and further explanation as to why that agency has a lower "affordability" grade in comparison to other agencies with higher grades for affordability below the poverty threshold does not provide all of the information relevant to critical issues such as funding of necessary capital projects, operating at cost of service, and the position of the agency's existing water portfolio (availability of water sources) to be able to provide that water at a cost that would meet the poverty threshold criteria. The draft report indicated that once public comments are reviewed on this version, OEHHA intends to finalize the framework and the tool.

Dr. Carolina Balazs

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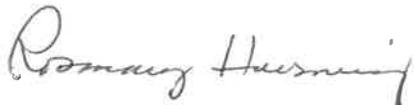
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- The draft report's rankings on water quality, accessibility, and affordability will be a mechanism that the State will use in its decision making process for prioritization of future funding opportunities and grants/assistance programs. This may limit an agency's ability develop and implement capital projects that would aid in these categories of improving water quality, accessibility, and affordability.
- For agencies to achieve a better "grade" for affordability they may be forced to not fund necessary capital projects, maintenance, or rehabilitation. To achieve a better water quality "grade" an agency may choose to not use a water source that may present an issue in the future drastically reducing available water in their supply portfolio. This could in turn drive the need for water rate increases due to supply limitations, ultimately exacerbating the affordability issue.
- The consequences of creating a "ranking" system for public view without an agency's ability to comment and provide additional local context may produce negative sentiment ultimately affecting how the entity is able to operate.

The City of Upland is especially concerned about the Draft Tool presenting conflicting and even contradictory information to water consumers regarding the safety of their drinking water. We feel that it would be better to instead direct water consumers our local Consumer Confidence Report (Annual Water Quality Report) for accurate, science-based information about their drinking water quality.

We look forward to sharing with you our input, data and examples before finalizing the Draft Report and Draft Tool. Please contact me at rhoerning@ci.upland.ca.us or (909) 931-4102 if you have any questions.

Sincerely,



Rosemary Hoerning, PE, PLS, & MPA
Interim City Manager/Director of Public Works