



**Testimony before the U.S. House of Representatives Committee on Natural Resources
Subcommittee on Water, Power and Oceans**

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Introduction and Background on Community Water Center

Chairman Huffman, Ranking Member McClintock, Members of the Subcommittee, thank you for the opportunity to present testimony as part of this informational hearing.

My name is Jonathan Nelson and I am the Policy Director of the Community Water Center. I am here today to share with you information and our perspective on the challenges and solutions regarding access to safe drinking water supply in California, and particularly in California's San Joaquin Valley and Central Coast regions.

As background, the Community Water Center is an Environmental Justice nonprofit founded in 2006 and headquartered in Visalia, California, in the Southern San Joaquin Valley. The vision of the Community Water Center, or CWC, is to ensure all communities have access to safe, clean, and affordable water. CWC works as a catalyst for community-driven water solutions through organizing, education, and advocacy in California's San Joaquin Valley and Central Coast. We build grassroots capacity to address water challenges in small, rural, low-income communities and communities of color, and also engage on statewide drinking water policy. CWC also works

as part of national coalitions to address issues related to safe and affordable drinking water across the country.

In our view, those directly impacted by water contamination must lead in creating and advocating for solutions. At CWC, we strive to reduce barriers that prevent impacted residents from participating effectively in decision-making, and we firmly believe that in order to solve California's drinking water crisis, all stakeholders must have a seat at the table.

Background on Our Drinking Water Crisis

At CWC, we believe that access to safe drinking water is a basic human right, not a privilege. Yet each year millions of people across the country depend on drinking water systems that serve unsafe water¹ and in California alone more than one million Californians are exposed to unsafe drinking water from the taps in their homes, schools, and communities.² Although water problems exist statewide in California, they disproportionately impact low income communities and communities of color.³

California's San Joaquin Valley and Central Coast, where we organize in, is particularly impacted. The San Joaquin Valley alone hosts some of the most contaminated water basins in the nation⁴, yet nearly 95% of San Joaquin Valley residents rely on groundwater for their domestic needs.⁵ This results in the San Joaquin Valley having the highest rates of drinking water contamination and the greatest number of public water systems with Maximum Contaminant Level (MCL) violations in the state.⁶

In addition to the acute health risks associated with the Central Valley's and Central Coast's water contamination, communities face the disproportionate economic burden that stems from a lack of basic urban water infrastructure. Residents are often forced to pay twice for water, having to purchase bottled water to supplement the unsafe tap water delivered to their homes. These drinking water costs alone can amount to as much as 10% of a household's income.⁷ In other words, those most affected by the lack of safe water are also those least able to afford the extra cost of alternative water sources.

¹ Maura Allaire et al., National trends in drinking water quality violations, 115 PROC. NAT'L ACAD. OF SCI., U.S. 2078, 2078 (2018), <https://perma.cc/Y9FU-SC7C> ("[I]n 2015, nearly 21 million people relied on community water systems that violated health-based quality standards.") (this number only includes those who rely on water systems and not on private domestic wells).

² <https://www.politifact.com/california/statements/2019/feb/14/gavin-newsom/true-more-million-californians-dont-have-clean-dri/>

³ http://d3n8a8pro7vhmx.cloudfront.net/communitywatercenter/pages/52/attachments/original/1394398105/Balazsetal_Arsenic.pdf?1394398105

⁴ Exceedance/Compliance Status of Public Water Systems, CAL. WATER BD., <https://perma.cc/CF55-6XYW> (last visited October 13, 2018, 2:00 PM); ; Eli Moore et al., THE HUMAN COSTS OF NITRATE-CONTAMINATED DRINKING WATER IN THE SAN JOAQUIN VALLEY 11 (2011), <https://perma.cc/67GX-3ASC>.

⁵ Carolina Balazs et al., Social Disparities in Nitrate-Contaminated Drinking Water in California's San Joaquin Valley, 119 ENVTL. HEALTH PERSP. 1272, 1273 (2011), <https://perma.cc/JX8V-DHXC>.

⁶ http://waterboards.ca.gov/water_issues/programs/hr2w/index.shtml

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<http://d3n8a8pro7vhmx.cloudfront.net/communitywatercenter/pages/52/attachments/original/1394397950/assessing-water-affordability.pdf?1394397950>

Droughts and other water supply stressors only exacerbate the challenge. California has recently emerged from the most severe drought in the state's recorded history. Thousands of wells went dry, which forced communities and residents to turn on old, contaminated backup wells or rely on emergency drinking water supplies like trucked water or bottled water. For a long time, many residents were filling buckets from their neighbors' water hoses in order to have enough water for basic sanitation. And we still have communities and private well owners whose wells remain dry years later.

Finally, the communities most impacted by unsafe drinking water were for decades continuously and deliberately excluded from full participation in their local water decision-making governance. And still today there are challenges in ensuring adequate participation by local communities in water governance.

We know through experience that if you give communities a seat at the table, and empower them with the information they need, that they can meaningfully participate in the decision-making process -- and that the solutions that result will better reflect the needs of communities.

Solutions to Secure Safe Drinking Water Supply for Vulnerable Communities in the Face of Climate Change

I would like to spend the remainder of my remarks today outlining a few areas of need at the intersection of climate change and access to safe drinking water supply.

The first point is acknowledging that climate change is already having a direct impact on access to safe drinking water supply for vulnerable communities.

The California community of East Porterville was severely and disproportionately impacted during the 2011-2017 drought. East Porterville is an unincorporated community of around 7000 people in Tulare County, California. Up until recently, due to inequitable development patterns, nearly all East Porterville residents were served by private domestic wells. As many as 300 wells were reported dry over the drought years of 2014 and 2015. What is worse, many wells in the area had tested positive for nitrates, a dangerous contaminant. As surface water deliveries diminished, farmers increasingly tapped into groundwater at unsustainable rates. This resulted in plummeting groundwater levels, causing land subsidence and a reality where low-income communities could not afford to keep drilling to chase the falling groundwater table -- causing domestic and shallow municipal wells to go dry.

In response, CWC worked collaboratively with both local and state government to address what had become a grave public health crisis. The solution involved both interim and long-term drinking water solutions. The interim measures included emergency bottled water, water tanks, and portable showers - however these band-aid measures came at great financial cost to the

State of California, an estimated \$633,500 per month just for East Porterville - that's \$7.6 million per year⁸. The long-term solution involved a consolidation for residents on domestic wells into the City of Porterville's water system. CWC conducted large-scale community outreach to ensure residents understood their options and what to expect if they chose to connect to the City of Porterville's water system. Since then, more than 700 East Porterville homes have been connected to the City of Porterville's public water system and now have a source of safe and reliable water for years to come.

Unfortunately East Porterville was not an isolated incident. In 2014, USDA granted more than \$4 million in emergency funding to 11 public water districts in Tulare County alone to address water supply shortfalls.⁹ Over 10,000 Californians suffered inadequate access to water supply during the drought.¹⁰ Most of these Californians resided in low-income communities of color that at worst had experienced historic discrimination and at best insufficient levels of funding investment. Climate change science tells us there will be more East Porterville type emergencies in the future, as droughts become more frequent, longer, and more severe. It is not a question of if the next drought strikes, but when.

The East Porterville story also illustrates what real solutions look like -- in this case, funding to support consolidation of households to a nearby water agency that still had access to water, coordination between multiple levels of government, engagement with community-based organizations. These solutions will continue to be needed as we grapple with a new normal at the intersection of climate change, drought, and our most vulnerable communities.

Finally, it is worth noting the relationship between water supply and water quality, which is often not talked about. We repeatedly found increased challenges with water quality in California's Central Valley due to the drought and the resulting (even more) stressed water supply as the composition of the aquifers changed. Stanford University has recently released a study¹¹ documenting the negative relationship between stressed water supply and water quality in the aquifers. The takeaway is we cannot look at issues of water supply and water quality in isolation – they are fundamentally connected.

The second point is around proactively building resilient drinking water institutions, particularly in our most vulnerable and disadvantaged communities, in order to secure a safe and affordable water supply in the face of climate change.

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https://water.ca.gov/-/media/DWR-Website/Web-Pages/What-We-Do/Emergency-Management/Files/East-Porterville/East-Porterville-Feasibility-Study_Public-Draft_Rev_060316-1.pdf - pg. 35

⁹ <https://www.visaliatimesdelta.com/story/news/local/2014/07/28/tulare-county-gets-million-drought-help/13266557/>

¹⁰ State of California Household Water Supply Shortage Reporting System

¹¹ <https://news.stanford.edu/press-releases/2018/06/05/overpumping-groundwater-increases-contamination-risk/>

What do we mean by building resilient drinking water institutions? To us, resilient drinking water institutions are those that have the capacity to provide safe drinking water both now and for the long term, in the face of complex challenges such as resulting from water contamination, over-depletion of groundwater sources, and stressors like population growth – and perhaps most critically, climate change.

There are a number of actions we are pursuing in California to better prepare for when the next drought hits, so that we never again subject so many to such horrific conditions. In addition to responding to the real-time impacts of climate change and drought emergencies, CWC has worked over the last few years to pass proactive drought preparedness legislation. For example, CWC worked collaboratively with numerous other organizations to put forward legislation in 2017, California Assembly Bill 1668, that would require certain planning measures to be taken before a drought hits so that we can build more resiliency ahead of time for our most vulnerable communities. Importantly, the legislation would 1) require the State of California to work with the appropriate water and government stakeholders to develop recommended guidelines for drought and water shortage contingency planning/emergency response, and 2) proactively identify communities that may be at risk of water shortage in a future drought. This is just one example of policies we are pursuing in California to build resiliency for our most vulnerable communities in response to a future of increased climate change and drought.

Another important effort in California to prepare for a future of climate change and increased drought is to better steward our precious groundwater sources. In 2014 California passed legislation, the Sustainable Groundwater Management Act or SGMA, to address a reality of over-pumping of groundwater aquifers that directly contributed to so many vulnerable Californians losing access to water during the drought. SGMA requires the creation of Groundwater Sustainability Agencies and Plans in order to achieve sustainability of groundwater use while protecting the needs of communities and drinking water. SGMA is still in the early stages of implementation and we have serious concerns that the interests of small communities are being overshadowed or even ignored by larger, more powerful interests. That said, SGMA does at least offer a pathway towards greater sustainability of how groundwater is used – so that it can be preserved and stewarded for the generations to come.

Most importantly it must be noted that lasting change must start within the community and has to be sustained by the community. We must ensure that both funding processes and planning processes allow for meaningful community engagement, not just a rubber stamp, so that solutions can best reflect their needs.

Finally, we need to acknowledge that we need far greater levels of federal investment. A recent California State Water Board report found that “the percentage of federal support in the total public spending on infrastructure for water utilities has fallen from over 30% in the 1970s to less than 5% in 2015.”¹² Congress must invest more into ensuring access to a safe and affordable

¹² https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/assistance/docs/2019/draft_report_ab401.pdf

drinking water supply if we are ever to secure every American's basic human right to water in our Country.

Conclusion

To reiterate, we believe that access to safe, clean and affordable drinking water is a basic human right. Securing this basic human right for everyone in the United States is within reach if we muster the political will and back it with the necessary funding investments. The need is more urgent than ever in the face of climate change, which is accelerating the set of challenges to ensuring universal access to a safe and affordable water supply. We urge Congress to act.

Thank you again for the opportunity to present as part of this hearing, and please do not hesitate to reach out if we can be a further resource or of assistance.

Thank you.