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April 17, 2017

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Executive Director  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

#### Re: SB 210 (Leyva): Pupil Health: Drinking Water (Support)

Dear Mr. Howard:

The California Conference of Local Health Officers (CCLHO) voted at the CCLHO Board meeting on April 6, 2017 to take a Support recommendation on SB 210 (Leyva), a bill that would prohibit a school facility from providing drinking water that does not meet the United States Environmental Protection Agency drinking water standards for lead, or is above the California maximum contaminant level for any other contaminant.

Existing law requires that public water systems that supply drinking water to schools meet State and Federal drinking water quality standards. Regulatory oversight of these water systems is the responsibility of the California Drinking Water Program or Local Primacy Agencies (LPA). Although drinking water leaving water systems may meet water quality standards, the water may consequently exceed those standards following exposure to lead based pipes in schools.

This bill would require that all schools with drinking water fixtures that provide water that does not meet US EPA drinking water standards for lead or that exceeds the maximum contaminant level for any other contaminant pursuant to Title 22 CCR shall close access to those fixtures immediately upon receipt of test results or notification from the public water system. In addition, Health and Safety Code (HSC) requires that the State Water Resources Control Board establish a program to award grants to local education agencies to improve access to quality drinking water in public schools serving kindergarten through grade 12 and certain preschools and child care facilities on public school property. The statute also established two priority criteria for the receipt of grant awards, including projects for schools serving pupils from small disadvantaged communities, and projects that effectively increase access to safe drinking water at schools. This bill would amend HSC, Section 116276 to include as a priority criteria for receipt of grant funds projects for schools that have drinking water that does not meet US EPA standards for lead or exceeds maximum contaminant level pursuant to Title 22 CCR.

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SB 210 does not relieve the state or LPA from its responsibility to assure that the water system has issued a bottle water only order to water system users, including schools, when water provided by the water system exceeds drinking water standards for lead or other chemicals. This bill also does not require that schools test their water at point of use for lead or other contaminants, which they would need to do to detect elevated levels at the fixtures.

CCLHO does request that the bill's author clarify which regulatory agency shall have enforcement responsibility for this proposed statute.

CCLHO was established in statute in 1947 to advise the California Department of Health Services (now the California Department of Public Health), other departments, boards, and commissions, as well as officials of federal, state and local agencies, the Legislature and other organizations on all matters affecting health. CCLHO membership consists of all legally appointed physician health officers in California's 61 city and county jurisdictions.

This position of support for SB 210 is consistent with CCLHO's strategic priority of providing scientific expertise on public health matters, including population-based issues affecting the health of all Californians, particularly vulnerable groups. This position is further consistent with the strategic priority of taking a leadership role in the practice of public health and policy development.

If you have any questions, please feel free to contact me at [Ken.Cutler@co.nevada.ca.us](mailto:Ken.Cutler@co.nevada.ca.us) or at 530-265-7154.

Sincerely and on behalf of the CCLHO membership,

A handwritten signature in black ink that reads "Ken Cutler MD". The signature is written in a cursive, slightly slanted style.

Ken Cutler, MD, MPH

President, California Conference of Local Health Officers