

Sent via ELECTRONIC MAIL to KGoddard@dir.ca.gov

August 19, 2025

Kevin J. Goddard
Senior Safety Engineer, Committee Chair
Occupational Safety and Health Standards Board
Advisory Committee
2520 Venture Oaks Way, Suite 350
Sacramento, CA 9583

RE: Comment Letter – Horizontal Sliding and Swinging Gates Regulation Recommendations

Dear Chair Goddard,

The Association of California Water Agencies (ACWA) appreciates the opportunity to provide comments on the Occupational Safety and Health Standards Board Advisory Committee's (Advisory Committee's) discussion draft for the proposed revisions for Title 8, Article 7, section 3324 relating to horizontal sliding and swinging gates. ACWA represents approximately 470 public water agencies that collectively deliver approximately 90 percent of the water in California for domestic, agricultural, and industrial uses. ACWA understands that a revised discussion draft of the regulatory language will be posted later this month. We look forward to reviewing the revised draft and providing additional comments for the Advisory Committee's consideration. Please see the following high-level comments regarding the initial discussion draft.

ACWA has significant concerns with the currently proposed broad applicability of the regulation. This regulation would establish design, maintenance, inspection, and repair requirements for horizontal sliding and swinging gates. The regulation would apply to horizontal sliding and swinging gates with "gate panels exceeding 100-pounds or 12-feet wide or 4-feet tall." Any gate that meets the weight, width, or height requirements would need to be compliant with the proposed requirements, impacting nearly all gates owned by public water agencies. This would include gates that are not accessible to, nor ever intended to be used by, the public, located in secured or remote facilities, or operated solely by agency personnel. This blanket approach would require public water agencies to retrofit gates regardless of their location or function. For some agencies, this regulation could apply to hundreds of gates.

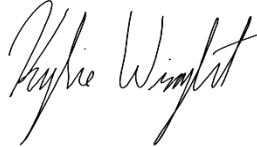
Implementing these proposed requirements would impose substantial costs on public water agencies without adding the desired public safety benefits. Public water agencies are subject to the strict requirements under Proposition 218. Therefore, all operational costs must be paid through customer rates. Substantial increases in operating and maintenance costs, such as those that would be incurred under this current discussion draft regulation update, would be required to be passed on to our customers. In addition to the financial burden, the wide

application of the bill would also create significant administrative challenges for public water agencies. Public water agencies would be required to conduct annual inspections of the applicable gates to ensure compliance. This requirement would demand considerable staff time and could necessitate the hiring of additional personnel.

This costly new local mandate would divert limited resources away from the responsibilities of public water agencies, such as ensuring the public has access to clean, safe, and affordable drinking water. **We recommend the Advisory Committee narrow the scope of the regulation, considering the real risks to public safety and the size and weight of the gate.**

ACWA appreciates the Occupational Safety and Health Standards Board Advisory Committee's consideration of these comments and we look forward to reviewing the revised draft and providing additional comments. If you have any questions or would like to discuss the comments, please contact Kylie Wright at kyliew@acwa.com or (916) 669-2382.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kylie Wright', with a stylized, cursive script.

Kylie Wright
Policy Advocate
Association of California Water Agencies