



The Environmental Justice Coalition for Water
Water Justice for All



March 3, 2017

Via electronic mail to: <commentletters@waterboards.ca.gov>

Felicia Marcus, Board Chair
Frances Spivy-Weber, Vice-Chair
Steven Moore
Dorene D'Adamo
Tam Doduc
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

**Subject: Support for proposed resolution adopting a comprehensive response to
Climate Change (3/7/17 BOARD MEETING-ITEM #7)**

Dear Chair Marcus and Members of the Board:

The Environmental Justice Coalition for Water (EJCW) is a statewide coalition of grassroots groups and intermediary organizations building a collective, community-based movement for democratic water allocation, management, and policy in California. EJCW empowers the most under-served communities, including low-income communities and communities of color throughout California, to advocate for safe, clean, and affordable water. Increasingly, EJCW works on building resilience to the water-related impacts of Climate Change -- including, but not limited to, drought, flood risk from extreme weather, sea level rise, saltwater intrusion, extreme fire and , which already are significant, getting worse, and disproportionately borne by in low-income communities and communities of color.

EJCW plays a critical bridge-building role in connecting grassroots communities and statewide policy advocates across California. Our mission is to educate, empower, and nurture a community-based coalition that serves as a public voice and an effective advocate for environmental justice issues in California water policy. We envision all communities throughout California having access to safe and affordable water, clean rivers, streams, and bays for personal, cultural, ceremonial, and recreational use. We advocate for structural equity in how California's water resources are managed and for communities to have

waterways that are fishable, swimmable, and drinkable.

General Comments: EJCW provides the following comments in support of the proposed resolution adopting a comprehensive response to Climate Change and seeking additional changes to address the need for building resilience and adaptive capacity in low-income communities and communities of color to the water-related impacts of Climate Change they are already bearing disproportionately.

While more can be done to address the needs of communities that are vulnerable to the water-related impacts of Climate Change, the State Water Resources Control Board's (Board) proposed resolution adopting a comprehensive response to Climate Change is a step in the right direction. EJCW supports adoption of the resolution and offers the following comments for your consideration to expand its scope and further strengthen it.

Specific Comments:

1. **Capacity Building-** We thank the Board for its commitment to building the capacity of California communities that are addressing the impacts of Climate Change each and every day. We look forward to the Board's continued commitment to building not only the capacity, but the sustainability, of these communities to adapt to and be resilient to the water-related impacts of Climate Change. We ask that the resolution clearly describe how providing technical assistance will build the capacity of community water and sanitation systems to become resilient to the water-related impacts of Climate Change. To be clear, these impacts are not only with respect to drinking water, but include, as above, flood risk, sea level rise, relocation, saltwater intrusion, the affordability impacts of what will be a very costly response to Climate Change, etc. We recommend listing the activities, goals, and expected outcomes of the ways in which providing technical assistance will benefit and build the resilience and adaptive capacity of vulnerable communities.
2. **Regulatory Standards-** We recommend that the resolution include specific recommendations about best practices for standards for tracking and reporting.
3. **Agency Coordination-** We recommend that the Board identify and integrate a wider list of government agencies whose work relates to water quality, supply, groundwater storage, and flood risk mitigation in California, including: the California Office of Emergency Services (CalOES), the Federal Emergency Management Administration (FEMA), the US Bureau of Reclamation, the US Fish and Wildlife Services, National Oceanic and Atmospheric Administration (NOAA), and National Forest Service, among others. Working with these agencies is especially critical with regard to upper watershed and river management issues.
4. **Stakeholder Engagement-** In addition to the listed staff who are responsible for the stakeholder engagement process, include a stakeholder engagement plan that describes what the stakeholder engagement process is and present clear goals and

benchmarks.

5. **Human Systems Resilience-** We recommend that in addition to the section on Ecosystem Resilience, which includes many positive things, the Board should include a section on Human Systems Resilience that addresses the protection of existing and future beneficial uses of water (broadly construed) that Climate Change impacts could affect and describe adaptation and GHG reduction efforts that could help address those effects. This section could be the specific location where the Human Right to Water and Environmental Justice policies are placed and should address the Board's plans to address adaptation, risk mitigation, and building resilience to the water-related impacts of Climate Change that are mentioned in this Resolution.
6. **Human Right to Water-** Strengthen the Board's Climate Change resolution by including the state's human right to water policy (Water Code Section 106.5), which states that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The Board's Climate Change responses and actions can help all California residents realize the Human Right to Water, while adapting to the inevitable impacts of Climate Change, including continuous provision of safe, clean, affordable, and accessible water for human uses and public health. Addition of the state's human right to water policy in the findings should result in parallel planning and policy opportunities where the State Water Board is to ensure that the human right to water applies. Such opportunities should include all water quality control plan updates (including that of the Bay-Delta Estuary), new and revised beneficial use designations, National Pollutant Discharge Elimination System programs, and any drinking water-related plans the Board works on.
7. **Particularly Vulnerable Groups-** We recommend that the Board consider the extreme, often life or death, circumstances that homeless people, the elderly, and mentally ill face when affected by Climate Change. We recommend that a flood risk mitigation plan, including notification, evacuation and relocation, be included in the resolution for the people who are extremely disadvantaged and are at a higher risk from the water-related impacts of Climate Change.
8. **SGMA-** The State Water Board has a looming role in the implementation of the Sustainable Groundwater Management Act (SGMA) which should be briefly described, not merely mentioned in passing as the Draft Resolution does in paragraph 14 of the "whereases." The Board's role in SGMA of reviewing and determining adequacy of local Groundwater Sustainability Plans (GSPs) will foster local and regional self-reliance and coordination of regional supplies, consistent with Water Code Section 85021. Its role may be among the most important roles the Board assumes in the State's efforts to address and adapt California to Climate Change to the extent that local groundwater sustainability agencies either fail to complete GSPs or should the GSPs submitted prove inadequate.

We thank you for the opportunity to comment on the proposed resolution adopting a comprehensive response to Climate Change. We hope our comments, above, will assist the Board in advancing a truly comprehensive and environmentally just response to Climate Change. We look forward to the outcome of your deliberations on this matter.

Sincerely,

A handwritten signature in blue ink that reads "Colin Bailey". The signature is stylized with a large, sweeping flourish that extends to the right and then loops back under the name.

Colin Bailey, Executive Director & Managing Attorney
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