

STATE WATER RESOURCES CONTROL BOARD

# ANTI-DISCRIMINATION POLICY

Effective June 1, 2025



## **State Water Resources Control Board**

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*Sacramento, CA 95814*

*<https://www.waterboards.ca.gov>*

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# **I. POLICY STATEMENT**

The State Water Resources Control Board (State Water Board) and the nine Regional Water Quality Control Boards (Regional Water Boards), collectively referred to as the California Water Boards, are committed to ensuring that all members of the public, and tribal members have full and equal access to the information, programs, activities, services, benefits, facilities, and employment opportunities administered by the California Water Boards. This includes maintaining an environment free from discrimination and harassment.

All individuals within the jurisdiction of the State of California are free and equal. The California Water Boards do not discriminate and are committed to a zero-tolerance approach to discrimination and harassment. Discrimination is prohibited under a variety of state and federal laws. No person shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity administered by the California Water Boards on the basis of a protected characteristic(s), including race, ethnic group identification, ancestry, national origin, color, religion, language, age, mental disability, physical disability, medical condition, genetic information, marital status, sex, gender identity, gender expression, or sexual orientation. All individuals are entitled to full and equal accommodations, advantages, facilities, privileges, and services in all Water Board business establishments of every kind.

This Anti-Discrimination Policy (Policy) outlines the California Water Boards' commitment to upholding civil rights protections, defines roles and responsibilities, and describes procedures for addressing complaints of discrimination. The California Water Boards are committed to going beyond minimum non-discrimination requirements by actively developing programs, services, and opportunities that advance equity and environmental justice. This Policy is a critical part of ensuring that all members of the public have equal and meaningful opportunities to fully participate in decision-making processes affecting California's water resources.

# **II. DEFINITIONS**

For this Anti-Discrimination Policy, the following terms are defined below:

Complainant: Anyone filing a complaint under this Policy.

Discrimination: The unlawful denial of fair and equal access to a program or activity offered, conducted, or administered by the California Water Boards based on a protected class.

“Denial of Fair and Equal Access” includes:

1. The denial of any program benefit
2. Providing a different level of benefits than provided to other program users
3. Restricting the benefit or advantage of any program in a manner dissimilar to restrictions placed on other program users
4. Subjecting a person to segregation or separate treatment related to receiving the benefits of the program
5. Denying any person, or group of people, the opportunity to participate as a member of any planning or advisory body otherwise open to the public in some fashion, or
6. Using criteria or methods of administering its program with the effect of discriminating against a user, or potential user, of the program offered by the California Water Boards.

Anti-Discrimination Coordinator: A Water Boards Board-designated individual that ensures compliance with state and federal non-discrimination laws.

Protected Class: Personal characteristics including sex, gender, race, color, religion, creed, ancestry, national origin, ethnic group identification, age (over 40), mental disability, physical disability, medical condition, genetic information, marital status, gender identity, gender expression, sexual orientation or military/veteran status.

Retaliation: To intimidate, threaten, coerce, or discriminate against any individual or group, either:

- (a) For the purpose of interfering with any right or privilege guaranteed by state and federal laws; or
- (b) Because the individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding, or hearing under this Policy, or has opposed any practice made unlawful by the state and federal laws incorporated in this Policy.

### III. AUTHORITY

State and federal laws guarantee the public's right to equal access to government services, information, fair treatment, and meaningful involvement. This Anti-Discrimination Policy is guided by those laws and the regulations that implement them.

#### A. Federal Laws

1. Title VI of the Civil Rights Act of 1964: Prohibits discrimination based on race, color, or national origin in programs receiving federal financial assistance.
2. Title II of the Americans with Disabilities Act: Prohibits state and local agencies from discriminating against individuals with disabilities. Agencies must ensure that communication with individuals with disabilities is as effective as communication with others, including providing accessible formats and assistance when needed.
3. Title IX of the Education Amendments of 1972: Prohibits discrimination based on sex in education programs or outreach activities receiving federal financial assistance.
4. Age Discrimination Act of 1975: Prohibits recipients of federal financial assistance from discriminating on the basis of age in their programs or activities.
5. Section 13 of the Federal Water Pollution Control Act Amendments of 1972: Prohibits discrimination based on sex in programs or activities receiving financial assistance from the U.S. Environmental Protection Agency (U.S. EPA) under the Clean Water Act.
6. Section 504 of the Rehabilitation Act of 1973: Prohibits discrimination based on disability in programs and activities that receive federal financial assistance.

#### B. Federal Regulations

Code of Federal Regulations (CFR): The Code of Federal Regulations is the official compilation of rules issued by federal agencies to implement federal laws. The U.S. EPA enforces protections through:

1. 40 C.F.R. Part 5: Implements Title IX for programs and activities receiving U.S. EPA financial assistance.
2. 40 C.F.R. Part 7: Implements Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Section 13 of the Clean Water Act which prohibit discrimination based on race, color, national origin, sex, age, or disability in programs or activities receiving U.S. EPA funding.

## **C. California Laws and Directives**

1. California Government Code, Section 11135: Prohibits discrimination based on race, national origin, ethnicity, religion, age, sex, sexual orientation, gender identity or expression, and disability in any program or activity that is conducted, administered, or funded directly or indirectly by the State of California.
2. Executive Order N-16-22, Advancing Equity: Directs California state agencies to embed equity, inclusion, and accessibility into their operations, policies, and strategic planning. The order emphasizes reducing disparities, enhancing public engagement, and ensuring equitable access to government services and benefits.

## **D. California Water Boards' Resolutions**

The State Water Board and several Regional Water Boards have adopted resolutions affirming their commitment to equity, environmental justice, nondiscrimination, and inclusive public participation. These resolutions strengthen the California Water Boards' commitment to ensuring equal access to information, services, and decision-making processes.

1. State Water Board [2021 Resolution](#)
2. San Diego Regional Water Board [2021 Practical Vision](#)
3. Central Valley Regional Water Board [2022 Resolution](#)
4. North Coast Regional Water Board [2023 Resolution](#)
5. Central Coast Regional Water Board [2023 Resolution](#)
6. Lahontan Regional Water Board [2024 Resolution](#)
7. Santa Ana Regional Water Board [2024 Resolution](#)

## **IV. APPLICABILITY, ROLES, AND RESPONSIBILITIES**

This Anti-Discrimination Policy applies to all California Water Board staff and to the services, programs, and activities provided to the public. It also applies, to the full extent authorized by law, to entities that the California Water Boards engages with to provide benefits and services to the public, including contractors, subcontractors, and grantees. The Policy ensures that California Water Boards staff incorporate nondiscrimination considerations into the planning, communication, and delivery of services.

### **A. Office of Public Engagement, Equity, and Tribal Affairs (OPEETA)**

- a. Serve as the California Water Boards' Anti-Discrimination Coordinator and lead entity for implementing this Policy. This role is responsible for addressing public complaints related to discrimination involving Water Boards services, programs, or meetings under this Policy. It does not include responsibility for internal staff complaints or employment-related discrimination concerns, which are handled by the Equal Employment Opportunity Office.
- b. Provide training, guidance, and technical assistance to all California Water Board staff on nondiscrimination requirements and complaint handling.
- c. Receive and respond to public complaints alleging discrimination based on protected characteristics under federal and state law.
- d. Ensure timely and appropriate resolution of complaints, coordinating with relevant California Water Board programs and leadership as needed.
- e. Maintain an internal log to track public discrimination complaints, responses, and trends to inform systemic improvements and compliance efforts.
- f. Monitor the implementation and effectiveness of this Policy across all Regional Water Boards, Divisions, and Offices; offices. Identify areas for improvement and report significant trends or concerns to executive leadership.

### **B. Equal Employment Opportunity Office (EEOO)**



- a. Oversee the California Water Boards' Anti-Harassment and Sexual Harassment Policy, a separate internal policy that affirms the California Water Boards' zero-tolerance stance on all forms of harassment and discrimination in the workplace.
- b. Respond to internal discrimination complaints involving California Water Boards employees, including complaints based on protected characteristics under state and federal law.
- c. Ensure timely and appropriate resolution of internal discrimination complaints, in coordination with Human Resources and legal counsel as appropriate.
- d. Provide training to supervisors, managers, and staff on harassment prevention and nondiscrimination in the workplace.
- e. Ensure all California Water Boards employees acknowledge and understand the Anti-Harassment and Sexual Harassment Policy as part of onboarding.
- f. Note: The Equal Employment Opportunity Office **does not** handle discrimination complaints from members of the public. Discrimination complaints from the public are handled by the Office of Public Engagement, Equity, and Tribal Affairs.

## **C. Leadership of State and Regional Water Boards**

- a. Ensure staff are aware of and comply with this Anti-Discrimination Policy.
- b. Ensure new staff onboarding includes training and familiarization with this Anti-Discrimination Policy.

## **D. All California Water Boards Staff**

- a. Review and comply with the requirements of this Policy.
- b. Participate in onboarding and training related to this Policy.
- c. Promptly refer any claims or allegations of discrimination against the California Water Board or any affiliated entity — including contractors, subcontractors, grantees, or other funding recipients — directly to the Office of Public Engagement, Equity, and Tribal Affairs.
- d. Collaborate with the Office of Public Engagement, Equity, and Tribal Affairs in resolving complaints related to their program or area of work.
- e. Respect the privacy and dignity of individuals filing discrimination complaints and maintain confidentiality as required by law.

- f. Inform members of the public that they have the right to file a discrimination complaint if they believe they've been treated unfairly based on a protected characteristic.

## **V. PROCEDURE FOR COMPLAINTS**

Members of the public have the right to file a complaint (also known as a grievance) if they believe they were discriminated against based on a protected characteristic. Complaints may be filed against the California Water Boards or any contractors, subcontractors, or grantees engaged by the California Water Boards to deliver public services. Complaints may be submitted by the affected individual or their representative.

### **Step 1: Submit a Complaint**

Complaints should be submitted as soon as possible, but no later than sixty calendar days after the incident. This deadline may be extended if the complainant, through reasonable diligence, could not have discovered the facts earlier.

Complaints must be made in writing to the Anti-Discrimination Coordinator in the Office of Public Engagement, Equity, and Tribal Affairs. Written discrimination complaints should include:

- Your name (and the name of your representative or the individual you are representing, if applicable)
- Contact information (phone, email, mailing address)
- A description of the incident, including:
  - Date, time, and location
  - Relevant California Water Board staff or program involved
  - A description of the alleged discriminatory act(s) or omission(s), including whether the complaint involves discrimination and/or retaliation, and the protected characteristic(s) of the affected individual(s) that the discriminatory acts are alleged to be based upon. Describe with as much detail as possible why the complainant feels the California Water Boards discriminated against them or others on the basis of race, color, or national origin (including limited-English proficiency); sex; disability; or age; or has engaged in intimidation or retaliation prohibited by this Policy.

## Submission Methods

- **[Online Form](#) (preferred method)**
- **Email:** [complaints@waterboards.ca.gov](mailto:complaints@waterboards.ca.gov)
- **Phone:** (916) 341-5254
- **Mail:**  
Office of Public Engagement, Equity, and Tribal Affairs  
Anti-Discrimination Coordinator  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

The [Online Complaint Form](#) is available in several languages. Complaints do not need to be written in English. The California Water Boards will take reasonable steps to ensure the complaint process is accessible to individuals with disabilities and limited English proficiency. Alternative formats (e.g., interviews, audio recordings, large print) are available upon request.

## Step 2: Acknowledgment and Intake

Once a complaint is submitted, the Anti-Discrimination Coordinator will acknowledge receipt and may schedule a meeting with the complainant to gather additional information. Complainants may also share proposed resolutions or recommendations.

## Step 3: Internal Review and Resolution

The Anti-Discrimination Coordinator will:

- Notify relevant California Water Boards program staff and the Office of Chief Counsel.
- Convene an internal review meeting to evaluate the complaint, supporting documentation, and applicable policies.
- Determine appropriate corrective actions based on the facts of the case and the nature of the alleged violation. Complaints will be evaluated using the preponderance of the evidence standard, meaning the determination will be based on whether it is more likely than not that a policy violation occurred.

Corrective actions may include:

- Providing the requested accommodation or service
- Translating or interpreting requested materials
- Training, coaching, or disciplinary action for involved staff, as appropriate
- Revising internal processes

## **Step 4: Implementation and Communication**

The Anti-Discrimination Coordinator will:

- Implement corrective actions promptly
- Document all steps taken in the internal tracking system
- Provide the complainant with a written notice of the outcome of the investigation, including whether a violation was found and a summary of the actions taken or planned in response
- Offer an opportunity for the complainant to provide feedback or request additional assistance

## **Step 5: Continuous Improvement**

The California Water Boards will regularly review complaint trends, feedback received, and emerging needs to ensure continuous improvement. All complaint records are maintained securely and used to inform staff training and system improvements.

# **VI. EXTERNAL COMPLAINT OPTIONS**

If a complaint does not meet the criteria for a violation of this Policy but nevertheless raises concerns that warrant further review, the Anti-Discrimination Coordinator may, at their discretion, refer the complaint to the appropriate party for follow-up. The complainant will be informed, either verbally or in writing, before any such referral is made.

This complaint procedure is not a prerequisite for seeking judicial or other forms of external relief, nor does it limit or preclude a complainant from pursuing such remedies. Members of the public who believe the California Water Boards have not adequately addressed a discrimination complaint may also file complaints with the following external agencies.

## **California Department of Human Resources (CalHR)**

The California Department of Human Resources offers an informal process for addressing language access complaints. The public can call the toll-free number 1 (866) 889-3278 to leave a message in their language.

## **California Civil Rights Department (CRD)**

The California Civil Rights Department complaint process is designed to address instances of discrimination within programs funded by the State of California. To begin the process, an intake form can be filed and submitted in one of three ways:

- Online by creating an account and using CRD's interactive [California Civil Rights System](#)
- Email: [contact.center@calcivilrights.ca.gov](mailto:contact.center@calcivilrights.ca.gov)
- Phone: (800) 884-1684 (voice), (800) 700-2320 (TTY) or California's Relay Service at 711
- Mail:  
California Civil Rights Department  
651 Bannon Street, Suite 200  
Sacramento, CA 95811

More information on how to file a complaint with the California Civil Rights Department can be found on the [Complaint Process webpage](#).

## **US Environmental Protection Agency (US EPA)**

The U.S. Environmental Protection Agency complaint process is designed to address instances of discrimination against recipients of federal funding. A complaint may be submitted in one of three ways:

- a. Email: [Title\\_VI\\_Complaints@epa.gov](mailto:Title_VI_Complaints@epa.gov)
- b. Phone: (202) 564-3316
- c. Mail:  
U.S. Environmental Protection Agency  
Office of External Civil Rights  
Mail code 2310A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

More information on how to file a complaint with the U.S. EPA can be found on the U.S. EPA [Filing a Discrimination Complaint Against a Recipient of EPA Funds](#) webpage.

## **VII. CONFIDENTIALITY**

The California Water Boards strive to protect the confidentiality of the complainant and all participants in the complaint process to the greatest extent possible and as authorized by law. However, the nature of this process does not permit absolute confidentiality. The Anti-Discrimination Coordinator may release information as necessary to evaluate and resolve the complaint.

If, in the course of reviewing or responding to a complaint, the California Water Boards become aware of information that warrants further personnel action, a separate personnel investigation may be initiated. In such cases, information provided through the complaint process may be shared with appropriate California Water Boards personnel and outside parties, including the State Personnel Board, as part of that process.

## **VIII. RETALIATION PROHIBITED**

The California Water Boards strictly prohibit retaliation against anyone who files a complaint or participates in the complaint process. This includes individuals who report concerns, pursue a complaint, or assist in an investigation.

Retaliation is illegal under state and federal law, including 40 C.F.R. Parts 5 and 7. The California Water Boards will not tolerate any form of discipline, intimidation, or retaliation for exercising rights protected under this Policy or applicable law.

Anyone who believes they have experienced retaliation may file a complaint with the California Water Boards using the procedures outlined in this Policy.

## **IX. REQUESTING ALTERNATIVE FORMATS**

This Anti-Discrimination Policy is translated into Spanish. If you need this document in an alternative format (i.e., Braille, large print), or another language, please email [LanguageServices@waterboards.ca.gov](mailto:LanguageServices@waterboards.ca.gov) or call (916) 341-5254.

## X. DISCLAIMER

This Policy is intended to provide guidance on the implementation of anti-discrimination requirements. It does not create any enforceable rights, obligations, or legal standards beyond those already established under applicable federal and state law. This Policy does not apply to other governmental agencies or external entities unless specifically stated.

This Policy is intended to complement — not supersede — any existing laws, regulations, or policies. Nothing in this Policy shall be interpreted to prevent the California Water Boards or California Environmental Protection Agency from taking timely action to fulfill legal obligations to protect public health, ensure accessibility, or safeguard the environment.

## XI. POINT OF CONTACT

For questions or concerns about this Anti-Discrimination Policy, please contact the Anti-Discrimination Coordinator in the State Water Board's Office of Public Engagement, Equity, and Tribal Affairs.

**Anti-Discrimination Coordinator:** Office of Public Engagement, Equity, and Tribal Affairs Director

**Phone:** (916) 341-5254

**Email:** [complaints@waterboards.ca.gov](mailto:complaints@waterboards.ca.gov)

**Address:** 1001 I Street, Sacramento, CA 95814

**Website:** [Home Page](#) | [California State Water Resources Control Board](#)  
[Public Request for Language Services](#) | [California State Water Resources Control Board](#)