

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF FEBRUARY 8 – 9, 2018

Prepared January 16, 2018

ITEM NUMBER: 12

SUBJECT: Environmental Justice and Human Right to Water Implementation Update for the Central Coast Region

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KEY INFORMATION:

Location: Region-Wide

This Action: Informational

SUMMARY

This is an informational item to update the Central Coast Water Board on environmental justice (EJ) activities in the region. Over the last four years, the Central Coast Water Board has addressed EJ issues throughout the region by coordinating with the State Water Board and EJ organizations to outreach to disadvantaged communities (DACs), and work with the regulated community within multiple Water Board programs, including efforts to implement the Human Right to Water (HRTW) law consistent with the Governor's direction.

In particular, the Central Coast Water Board has prioritized the following activities:

- Providing replacement drinking water to disadvantaged communities and domestic well users who are impacted by pollution;
- Implementing free domestic well testing projects to provide critical information regarding domestic well drinking water quality;
- Participating in efforts to advance innovative drinking water treatment technologies, including waste permitting issues to address discharges from drinking water treatment systems;
- Supporting DACs to obtain safe and affordable drinking water by providing technical support so they are able to more effectively participate in integrated regional water management programs and access grant funds;
- Conducting stakeholder outreach to DACs so they are able to effectively participate in regulatory decision-making and replacement water opportunities that affect their community's drinking water quality;

- Developing requirements and implementing regulatory programs to reduce pollutant loading to drinking water sources (e.g. Irrigated Lands Regulatory Program, Site Cleanup Program, etc.);

Human Right to Water Work Plan

On January 26, 2017, the Central Coast Water Board adopted Resolution No. R3-2017-0004, which identifies the HRTW as a core value and affirms the realization of the HRTW and protecting human health as the Central Coast Water Board's top priorities, and also directs staff to prioritize regulatory programs to prevent and address discharges that could threaten human health by causing or contributing to pollution or contamination of drinking water sources. As a critical element of the resolution, staff implements an HRTW workplan as a "working document" to provide transparency and accountability to the Board and public about the status of activities.

The Central Coast Water Board does not receive any staff resources specifically for EJ. Thus, EJ related activities are generally absorbed using existing program staff and funding (e.g. Ag Order 3.0 implementation). While the Central Coast Water Board has limited funding to conduct EJ activities or implement the HRTW, staff has successfully implemented many projects due to our effective internal coordination and our ability to leverage additional capacity through our collaboration with external partners. For example, staff has made substantial progress on nearly every project in the HRTW workplan for 2017 (Attachment 1) and completed several projects by augmenting our limited resources with external capacity (e.g. CivicSpark Americorps, CCAMP-GAP projects and contractors, settlement agreements, Cleanup and Abatement Account projects, and student volunteers).

Our initial EJ activities were prioritized to address the most urgent need to protect public health by ensuring safe drinking water for DACs impacted by pollution. Since we initiated our local efforts to provide replacement drinking water, additional efforts to provide safe drinking water to communities have also been initiated at the regional and statewide scale by agricultural industry representatives and other stakeholders. This enables the Central Coast Water Board to shift and take a more proactive role to prioritize activities that prevent and address discharges that could threaten human health by causing or contributing to pollution or contamination of drinking water sources for DACs. As part of the Draft HRTW workplan for 2018 (Attachment 2), staff plans to continue many of the 2017 projects (e.g. domestic well sampling), and also consider prioritizing activities to address discharges and reduce pollutant loading. In addition, staff will evaluate additional DAC needs, including the issues described below from the 2017 EJ Summit and Roundtable.

On November 15 – 16, 2017, the State Water Board's Office of Public Participation convened a statewide EJ Summit and Roundtable attended by non-governmental organizations (NGOs), Water Board staff and Board Members to discuss how to address the needs and challenges of environmental justice communities. Central Coast Water Board participants included Board Member Jane Gray and Section Manager Angela Schroeter. Several topics discussed during the EJ Summit may be relevant to the Central Coast Region for inclusion in future HRTW workplans, including the following:

- New beneficial use designations for subsistence fishing and tribal and cultural uses, consistent with efforts at the State Board;
- Opportunities to leverage the Integrated Regional Water Management (IRWM) DAC Involvement Grant for the Central Coast funding and specific IRWM plans to address

DAC drinking water and wastewater needs (e.g. Agenda Item 11) to prioritize specific projects based on local needs assessments;

- New grant funding opportunities (e.g. safe drinking water and lead testing grants for schools);
- Water quality issues related to homeless encampments near rivers and creeks;

Challenges to Grow EJ Capacity in the Central Coast Region

DACs also lack the resources and capacity to effectively address their drinking water and wastewater issues. In addition, there is also a lack of EJ service capacity to address these problems in the region. Over the last several years, local EJ organizations have continuously struggled with fluctuating levels of staff resources, expertise, and capacity available to implement solutions effectively in the long term. Moving forward, staff is evaluating options to help build the EJ capacity in the Central Coast Region to facilitate increased services to DACs and effectively implement long-term solutions. This will allow the Central Coast Water Board to prioritize the limited EJ resources available to engage DACs in the regulatory process to inform decisions and to implement requirements to reduce pollutant loading to drinking water sources and protect water quality, consistent with the Central Coast Water Board's mission.

NEXT STEPS

Staff will continue to update the Board on the status of EJ activities in the Central Coast Region, including progress towards implementing the HRTW workplan for 2018 and efforts to increase EJ capacity in the Central Coast Region. For a copy of the HRTW Resolution No. R3-2017-0004 and more information pertaining to water quality-related EJ issues and resources, go to: http://www.waterboards.ca.gov/centralcoast/water_issues/programs/enviro_justice/enviro_justice.shtml

ATTACHMENTS

1. 2017 Human Right to Water Work Plan
2. Draft 2018 Human Right to Water Work Plan