

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2021-**

**CONDEMNING RACISM, XENOPHOBIA, AND RACIAL INJUSTICE AND  
STRENGTHENING COMMITMENT TO RACIAL EQUITY, DIVERSITY, INCLUSION,  
ACCESS, AND ANTI-RACISM**

WHEREAS:

1. As part of the California Environmental Protection Agency (CalEPA), the shared mission of the State Water Resources Control Board (State Water Board) and nine Regional Water Quality Control Boards (Regional Water Boards), collectively Water Boards, is to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use for the benefit of present and future generations. In relation to this mission, the Water Boards accept responsibility for confronting structural and institutional racism and advancing racial equity. According to the Government Alliance on Race and Equity (GARE), racial equity occurs when race can no longer be used to predict life outcomes, and outcomes for all groups are improved.
2. Historically, government agencies used race to establish structures and systems that continue to deliver disparate outcomes, including wealth, health, and environmental inequities. Because race intersects with many, if not all, other marginalized identities, prioritizing and addressing racial inequities improves outcomes for other marginalized communities.
3. CalEPA's 2021 Pollution and Prejudice Story map demonstrates that historically redlined neighborhoods are "generally associated with worse environmental conditions and greater population vulnerability to the effects of pollution today." In addition, Black, Indigenous, and people of color are overrepresented in the neighborhoods that are the most environmentally degraded and are still experiencing severe racial wealth gaps caused by redlining and other land-use practices.
4. The Office of Environmental Health Hazard Assessment's (OEHHA's) CalEnviroScreen mapping tool identifies communities that are disproportionately impacted by a combination of environmental stressors and socioeconomic disadvantages. The tool's 2021 update reveals that the top 10 percent of least-polluted neighborhoods are 72 percent white, while the top 10 percent of most-polluted neighborhoods are 89 percent Black, Indigenous, and people of color.
5. In contrast, State of California workforce census data from 2020 show that 43% of the state's population is white, yet about 56% of the Water Boards' workforce and 68% of the Water Boards' management is white. Only 42% of the Water Boards' workforce and 32% of its management are Black, Indigenous, and people of color compared to 63% of the state's population.

6. Contaminated water sources disproportionately burden low-income communities and Black, Indigenous, and people of color communities throughout California, further exacerbating persistent inequities, which can be seen in data collected by the Human Right to Water Framework and Data Tool 1.0 (released January 2021).
7. In September 2012, with the enactment of Water Code section 106.3, California became the first state in the nation to legislatively recognize the human right to water. It states, in part, “...every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.”
8. In February 2016, to advance the implementation of Water Code section 106.3, the State Water Board adopted [Resolution No. 2016-0010](#), “The Human Right to Water as a Core Value and Directing Its Implementation in Water Board Programs and Activities.” Resolution No. 2016-0010 includes direction for the Water Boards’ staff to work with stakeholders to improve the State Water Board’s administration of its programs and projects to realize the human right to water.
9. From 2016 to 2019, the North Coast, Central Coast, Central Valley, and Santa Ana Regional Water Boards adopted similar resolutions, further elevating and emphasizing the importance of the human right to water in the Water Boards’ work and the need to improve administration of the Water Boards’ programs and projects to realize the human right to water.
10. In March 2017, the State Water Board adopted [Resolution No. 2017-0012](#), “Comprehensive Response to Climate Change,” directing a proactive approach to climate change in all State Water Board actions, including drinking water regulation, water quality protection, diversification of regional water supplies, and financial assistance. The effects of climate change—including extreme changes in water cycle patterns, flooding, sea level rise, and heat—are expected to become more severe every year, leading to threatened access to safe and affordable water, increased demand for limited water and wastewater infrastructure funding, and increased risk of cumulative, negative health and economic outcomes for all communities. Climate change impacts disproportionately affect Black, Indigenous, people of color and unsheltered communities.
11. From 2017 to 2018, the San Diego, Los Angeles, and Lahontan Regional Water Boards adopted similar resolutions to direct staff to address the impacts of climate change. In addition to specific climate change resolutions, the San Francisco Bay, Los Angeles and Central Valley Regional Water Boards have developed and implemented climate change action plans.
12. In recent years, California has passed critical legislation and bonds, administered and implemented by the Water Boards, to fund projects that remediate the harm, or threat of harm, to human health, safety, and the environment caused by existing or threatened surface water and groundwater contamination. These include, among others, Senate Bill (SB) 445 (2014), establishing the Site Cleanup Subaccount Program; the Water Quality, Supply, and Infrastructure Improvement Act of 2014

(Proposition 1); the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68); and SB 828 (2016), establishing the Drinking Water for Schools Grant Program. Many of these programs set aside or target specific funding for projects in disadvantaged and severely disadvantaged communities, thereby further advancing environmental and economic justice and the realization of safe, clean water for all.

13. In 2019, California enacted SB 200, establishing the \$130 million per year Safe and Affordable Drinking Water Fund. In conjunction with SB 200, the State Water Board created the Safe and Affordable Funding for Equity and Resilience (SAFER) Program to advance the human right to water. The SAFER Program encompasses regulatory, funding, and public engagement strategies to work toward long-term solutions for the estimated 1 million Californians without access to safe drinking water, thereby advancing environmental and economic justice.
14. In 2021, the State Water Board released the 2021 SAFER Drinking Water Needs Assessment, which (1) identifies California small water systems and domestic wells that are failing, or at risk of failing, to provide access to safe drinking water; (2) estimates the cost of interim and long-term solutions for these systems; and (3) determines the statewide funding gap and affordability challenges that may be barriers to implementing these solutions. There are approximately 345 systems that fail to meet the goals of the human right to water. In addition, the needs assessment identified 617 at-risk public water systems, 611 at-risk state small water systems, and 80,000 at-risk domestic wells. It also identified 13 federally regulated tribal water systems that failed to meet the goals of the human right to water and 22 at-risk tribal water systems.
15. Since 2018, the Water Boards have been participating in GARE, an international network of governmental organizations working to achieve racial equity and advance opportunities for all. The GARE network utilizes a racial equity model of change described as iterative stages of normalizing, organizing, and operationalizing.
16. Since 2019, the Water Boards' staff have been actively engaged in CalEPA's racial equity team, which is implementing the agency's "Plan to Achieve Racial Equity." Approximately 40 of the Water Boards' staff are participating across five sub-teams that are each focused on a specific outcome: (1) improve access to data and information on racial equity; (2) improve communication with communities and partners; (3) improve language access; (4) advance racial equity trainings for the CalEPA workforce; and (5) improve workforce hiring, retention, and promotion practices to advance racial equity within the environmental protection role that each board, department, and office shares with CalEPA.

17. In 2019, the Water Boards released the document, “Immediate Hiring Practices Action Plan for Advancing Workforce Diversity at the Water Boards” in alignment with CalEPA’s “Practices to Advance Racial Equity in Workforce Planning.” Both documents were developed to articulate the benefits of a diverse workforce and to identify practices to advance racial equity. The Water Boards’ plan directs hiring managers and supervisors to take specific short-term actions to improve workforce diversity while a more holistic plan is being developed.
18. In April and May 2020, CalEPA collaborated with GARE to survey staff of all CalEPA boards, departments, and offices, including the Water Boards, to establish baseline progress toward efforts to advance racial equity. Responses reveal that within the Water Boards’ workforce, the Water Boards are beginning to normalize conversations about racial equity by establishing the shared language, set of facts, and approaches required to advance racial equity. In addition, the summary report of the Water Boards’ staff responses indicates that more work is needed to further normalize racial equity, and it includes a specific recommendation for the Water Boards to center racial equity work on the perspectives and experiences of Black staff. Overall, the survey responses strongly support the need for additional training and tools for advancing racial equity and for stronger communication with staff.
19. During its August 18, 2020 meeting, the State Water Board directed staff to implement a racial equity initiative. Executive Director Sobeck established the Racial Equity Steering Committee and Working Group to advance the initiative. The Racial Equity Steering Committee’s charge is to ensure leadership remains committed to furthering racial equity and to direct the Working Group’s progress on implementing the following priorities: (1) establish a foundation of internal and external engagement that values listening and collaboration to drive action; (2) draft a resolution on racial equity to be considered for adoption by the State Water Board and also leveraged by the Regional Water Boards to adopt their own resolutions; and (3) develop racial equity strategies and action plans to drive the Water Boards’ efforts to institutionalize racial equity.
20. In November and December 2020, the Racial Equity Steering Committee and Working Group hosted four public listening sessions to solicit input on the challenges that Black, Indigenous, and people of color are facing and how the Water Boards can better facilitate equitable participation from these communities in their decision-making and policy development processes. Feedback from participants included several common themes, such as: a general distrust of government; feeling excluded from decision-making processes that ultimately affect them; not feeling heard when presenting issues to the Water Boards or that participation results in a change; a desire for more evidence that state government is committed to providing safe drinking water to disadvantaged communities; and concern that the Water Boards’ decision-makers and staff do not reflect the diversity of the communities they serve.
21. In March 2021, the Racial Equity Steering Committee and Working Group hosted listening sessions for the Water Boards’ staff to learn how the Water Boards can foster a workplace where all staff feel they belong and can contribute, and where

the impacts of institutional racism are being recognized, addressed, and dismantled. To encourage honest, open discussion, each session was facilitated by professional racial equity consultants. Several common themes emerged during the sessions, such as: a general lack of opportunities to increase diversity and promote inclusion within the workforce; a need for mandatory training for all the Water Boards' staff in the areas of racial equity, racism, implicit bias, and cultural competence; the importance of allocating resources to support racial equity efforts; and the need to bring a racial equity lens to the Water Boards' decision-making processes, including more meaningful opportunities for community involvement.

22. Although the Water Boards' racial equity and environmental justice work began prior to 2020, the national and worldwide backlash against racism toward Black people and related Black Lives Matter protests of 2020 accelerated and informed the Water Board's decision to develop an initiative, resolution, and subsequent action plan to address racial inequities within the Water Boards and through the Water Boards' work.
23. Historically, the Water Boards' programs were established over a structural framework that perpetuated inequities based on race. These inequities persist, and prior to this resolution, the Water Boards had not explicitly acknowledged the role racism has played in creating inequities in affordability and access to clean and safe water and in the allocation and protection of water resources. Toward reconciliation, the State Water Board now acknowledges:
  - a. White supremacy is a systemically and institutionally perpetuated system of exploitation and oppression of nations and peoples of color by white people for the purpose of maintaining and defending a system of wealth, power, and privilege. In the United States, white supremacy led to the genocide and forced relocation of Indigenous people to facilitate white resettlement and the enslavement of Black people for white economic gain. White supremacy has been served by many other government policies targeting people of color, including for example, race-focused immigration restrictions, the internment of Japanese Americans, exclusionary housing policies, and lack of investment in communities of color.
  - b. White supremacist ideologies have driven many governmental policies for centuries and have created persistent racial inequities and deeply entrenched systems of oppression. The impacts of federal, state, and local decision-making and policies made decades ago continue to impose challenges for Black, Indigenous, and people of color, who still grapple with the lasting effects of historical racial inequities stemming from those governmental decisions and policies.
  - c. The colonization, displacement, and murder of Indigenous people in the United States have contributed to the loss of watershed management practices that supported Indigenous people's traditional ways of life.

Watersheds are now largely managed in the context of the large-scale diversion of water for municipal, industrial, agricultural, and commercial beneficial uses to the detriment of traditional, local uses and the Indigenous people that depend on them.

- d. The historical seizures of land from Black, Indigenous, and people of color have had, and continue to have, long-standing impacts that extend beyond the loss of the land itself. These impacts include the loss of the associated water rights and other natural resources of value, lack of access to affordable and reliable governmental services, and forced relocation to areas with fewer or lower quality resources.
  - e. California government has played a role in historically and institutionally perpetuating racial inequities that Black, Indigenous and people of color continue to face. In California, race is a predictor of access to, and the quality of, the governmental services a person receives, including access to safe, clean water for drinking, and affordable services to support sanitation, and wastewater collection, treatment, and reuse. In fact, race is the strongest predictor of water and sanitation access.
  - f. To better represent and serve California’s communities, the Water Boards must address the connection between water management and systemic and institutional racism.
24. On a community scale, race is strongly correlated with more severe pollution burdens. However, none of the Water Boards’ policies, programs, or plans specifically consider or address racial inequities. As a government agency with a role in ensuring access to clean, safe, and affordable water for all Californians, the State Water Board recognizes the need to acknowledge racial inequity and to take action to address racial inequity within the agency and as part of the programs the Water Boards’ carry out for the communities we serve.

THEREFORE, BE IT RESOLVED THAT:

The State Water Resources Control Board:

- 1. Condemns acts of racism, xenophobia, white supremacy, and institutional and systemic racism; adopts racial equity, diversity, and inclusion as core values; and acknowledges the role of government agencies — including the Water Boards — in redressing racial inequities and dismantling institutional and systemic racism.
- 2. Commits to making racial equity, diversity, inclusion, and environmental justice central to our work as we implement our mission so that the access the State Water Board creates, and outcomes it influences, are not determined by a person’s race and the benefits are shared equitably by all people.

3. Commits to centering its work and decision-making on Black, Indigenous, and people of color who are disproportionately represented in the most vulnerable communities and in unsheltered populations, while ensuring the full benefits of the Water Boards' programs for all people.
4. Reaffirms our commitment to upholding California's human right to water law, upholding the State Water Board's human right to water resolution, and demonstrating that every human being in California, including Black, Indigenous, and people of color, deserves safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitation purposes.
5. Reaffirms our commitment to ensuring cleanup of contaminated soil, soil vapor and groundwater; control of wastes discharged to land and surface water; and restoration of impaired surface waters to protect public health and environmental quality in all communities, particularly communities of color disproportionately burdened by environmental pollution.
6. Commits to expanding implementation of the State Water Board's Climate Change Resolution to address the effects of sea-level rise and extreme hydrologic conditions, from drought to flooding, on Black, Indigenous, and people of color communities.
7. Directs staff to create a proposal by January 2022 to establish an Office of Equity, Diversity, and Inclusion to achieve a workplace, workforce, and work outcomes that reflect racial equity.
8. Directs staff to normalize conversations about racial equity and foster a workforce that competently integrates racial equity into our work by (1) developing and implementing training curricula for racial equity, diversity, inclusion, and environmental justice; (2) incorporating racial equity concepts into existing mandatory Water Boards training courses; (3) educating staff about Equal Employment Opportunity (EEO) laws and the Water Boards' EEO Office's process for preventing and responding to complaints of discrimination, harassment, bullying, or retaliation; (4) developing policies that will lead to a racially equitable and diverse workforce by ensuring the Water Boards' Immediate Hiring Practices Action Plan addresses recruitment, hiring, retention, promotion, succession planning, mentorship, STEM outreach to schools, and leadership development; and (5) partnering with other organizations to expand opportunities for community capacity building.
9. Directs staff to develop strategies for effectively reaching and engaging with Black, Indigenous, and people of color communities; involving Tribes, stakeholders, and other interested parties in our decision-making processes; providing accessible, open and transparent opportunities for people to participate in our public meetings, hearings, and workshops; improving our communications by addressing barriers to public participation, including language, digital, and time-of-day access; and meeting people in their communities and spaces to seek out their perspectives.

10. Directs staff to develop and implement a Racial Equity Action Plan that articulates a vision for racial equity and outlines specific actions the State Water Board will take to dismantle systems that perpetuate racial inequities while establishing new, resilient systems.
  - a. The plan shall include goals, objectives, actions, timelines, and metrics; incorporate all State Water Board divisions, offices, and programs; and address all aspects of our work, including, those detailed above in this resolution, as well as water quality control plans, policies, permits, enforcement, compliance assurance, contracting, funding, procurement, site remediation, monitoring, and water rights administration.
  - b. Staff shall advance a framework of transparency, accountability, and continuous improvement for our racial equity work by establishing metrics and using quantitative and qualitative data collection methods to measure and evaluate the Water Boards' progress toward implementing those metrics; equitizing our systems, practices, and policies; and diversifying the Water Boards' workforce.
  - c. Staff shall include a framework for analyzing how decisions and staff recommendations to the board may impact Black, Indigenous, and people of color communities.
  - d. Staff shall present the action plan to the Board no later than one year after adopting this resolution and report on implementation progress annually thereafter.
  - e. Staff shall provide updates on implementing the plan at least quarterly as part of the Executive Director's Report.
11. Encourages the nine Regional Water Boards to adopt this resolution, or a similar resolution that condemns racism, xenophobia, and racial injustice; affirms a commitment to equity, diversity, inclusion and anti-racism; and otherwise prioritizes this important work.

**CERTIFICATION**

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on [Instruction: Insert date].

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Jeanine Townsend  
Clerk to the Board