

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**MEETING OF JUNE 18-19, 2014
BISHOP**

ITEM: 7

SUBJECT: OVERVIEW OF ENVIRONMENTAL JUSTICE

DISCUSSION: Environmental justice (or EJ) is defined in statute as “the fair treatment of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” (Gov. Code §65040.12.) The California Environmental Protection Agency (CalEPA) has stated its commitment and obligation to see that its Boards, Departments and Offices respond to the state’s environmental challenges fairly and in a way that protects the rights of all Californians. Fundamental principles of environmental justice require that our policies, programs, and actions are designed to ensure that every community in our Region has a safe, healthy environment, and that all segments of society have an opportunity to participate in our regulatory decisions and planning processes. Additionally, the California legislature enacted AB685, Human Right to Safe Water in 2012. This policy requires the Water Board to consider this right as part of its decisions (see Enclosure 5).

In the vast Lahontan Region, stretching from the Oregon border through the Mojave Desert, our population is as diverse as the topography and environment. Much of the Region is sparsely populated, and small, dispersed communities are typical. The Region’s largest city, Lancaster, is only the 30th largest city in the state. The Region includes many Native American tribal communities and members, a large Hispanic or Latino population, and more than its share of economically disadvantaged communities and people. Enclosure 1 presents a list of nearly 50 economically disadvantaged communities in the Lahontan Region.

The Water Board implements environmental justice in a number of ways. First, our mission is to preserve, enhance, and restore the quality of California’s water resources for the benefit of present and future generations. Protecting and restoring water quality benefits all people of the Region, including disadvantaged communities and visitors that use our waters.

The Water Board conducts its meetings in the areas most affected by its decisions to ease and encourage participation by community members, with items affecting the south typically heard in southern communities and affecting the north in northern communities. The agenda announcements of all our meetings are now translated to Spanish, and both versions are available on our Internet web site (<http://www.waterboards.ca.gov/lahontan/>). All the Water Board meeting materials and most information on conducting business with the Water Board is also available on the web. Where Board items are of interest to a significant number of Spanish speakers, we have provided translation services at board meetings. By having offices both in the north and south of the Region, in South Lake Tahoe and Victorville, access to staff of the Water Board is made easier, and we have an identified bilingual staff member in our Victorville office to assist Spanish speakers.

The Water Board and its staff also implement environmental justice through support of Integrated Regional Water Management (IRWM) groups, participation in community advisory groups, support of Tribal water quality planning and restoration efforts (see Enclosure 2 for CalEPA Policy), support of watershed groups and environmental restoration, and through fair implementation of our enforcement program. Highest among our enforcement and water quality implementation priorities are to ensure that residents have safe drinking water. Many households in our small communities use individual domestic water wells that are vulnerable to pollution from waste discharges; protection of groundwater that supplies those wells is a primary function of the Water Board. In cases where pollution has affected domestic supplies, the Water Board requires responsible parties to provide replacement water.

Water Board members and staff should consider environmental justice in all aspects of their work. Fair treatment is not treating everyone equally, but treating everyone justly. This requires consideration of how each aspect of the Water Board's work and actions may be known and understood by the diverse population of the Region, that our actions are honorable and fair, and that we provide all affected persons opportunities to participate in the planning and decision making processes of the Board.

The Office of Environmental Health Hazard Assessment has a mapping tool that ranks the results of environmental pollution and other stressors, such as unemployment, by census tract that can be used to identify areas that can be targeted for programs and funding to address those stressors: <http://www.oehha.ca.gov/ej/ces2.html> (OEHHA CalEnviroScreen). An example CalEnviroScreen map is included as Enclosure 3.

At the Water Board meeting, a series of presentations on environmental justice will be made:

1. The State perspective – Gita Kapahi, State Water Board, Office of Public Participation
2. The Lahontan Region perspective – Chuck Curtis, Lahontan Water Board
3. Inyo-Mono IRWM tribal and disadvantaged communities project – Mark Drew, CalTrout/Inyo-Mono IRWM
4. Mojave IRWM small water systems activities – Kirby Brill, Mojave Water Agency/Mojave IRWM

Following the Board meeting, Water Board staff expect to report to the State Water Board the unique challenges of the Lahontan Region with respect to environmental justice, ensuring people have access to safe drinking water, and have the ability to protect water quality as they live, work and conduct business in the Region.

Additional information on environmental justice may be accessed at these sites:

http://www.waterboards.ca.gov/water_issues/programs/outreach/education/justice.shtml (State Water Board environmental justice page also Enclosure 4)

<http://www.calepa.ca.gov/envjustice/> (CalEPA EJ page)

<http://www.epa.gov/compliance/environmentaljustice/> (USEPA EJ page)

ENCLOSURE	ITEM	Bates Number
1	Disadvantaged Communities in the Lahontan Region	7-7
2	Working with California Indian Tribes	7-11
3	CalEnviroScreen example results map	7-21
4	Water Board Environmental Justice Program	7-25
5	Human Right to Water – AB685 Implementation Tool for State Agencies	7-29

This page is intentionally left blank.

ENCLOSURE 1

This page is intentionally left blank.

DISADVANTAGED COMMUNITIES IN THE LAHONTAN REGION

(Census places with median household income (MHI) 80 percent or less of the statewide MHI. Source: <http://www.water.ca.gov/irwm/grants/resourceslinks.cfm>, Map 1)

Modoc County:

Fort Bidwell, Lake City, Cedarville, Eagleville

Lassen County:

Spalding Tract, Susanville, Litchfield, Herlong, Doyle

Nevada County:

Floriston

Placer County:

Kings Beach, Carnelian Bay

El Dorado County:

South Lake Tahoe

Alpine County:

Alpine Village (Woodfords/Diamond Valley)

Mono County:

Topaz, Walker, McGee Creek, Aspen Springs (near Tom's Place), Benton

Inyo County:

Dixon Lane-Meadow Creek (Bishop), Bishop, Wilkerson (Keough's), Independence, Lone Pine, Keeler, Darwin, Furnace Creek, Pearsonville, Trona, Homewood Canyon (Trona), Valley Wells (Trona), Shoshone, Tecopa

Kern County:

Inyokern, China Lake Acres (Inyokern), Randsburg, Johannesburg, California City, North Edwards, Boron, Mojave

San Bernardino County:

Searles Valley, Adelanto, Pinon Hills, Hesperia, Lenwood, Barstow, Baker

Los Angeles County:

Lake Los Angeles

This page is intentionally left blank.

ENCLOSURE 2

This page is intentionally left blank.



Opportunities for Tribal Governments

The California Water Boards are committed to improving our communication and working relationships with California Indian Tribes. The Water Boards fully support the Cal/EPA Policy for Working with Tribes. This policy guides Cal/EPA and all its Boards, Departments, and Offices in their daily operations to ensure that they work with Tribes in a knowledgeable, sensitive, and respectful manner. For a full text of the policy, see <http://www.calepa.ca.gov/Tribal/2009/CIT01Policy.pdf>

CalEPA has instituted a Tribal Advisory Committee to enhance its ability to communicate and work effectively with Tribes. The Water Boards will be participating in the committee meetings to continue to learn more about how to better serve Tribal needs. Tribal members with concerns are encouraged to contact committee members. For further information, see www.calepa.ca.gov/tribal

California Tribes are particularly interested in the Water Boards' work related to watershed protection and restoration, salmon habitat protections, Tribal water rights, and funding programs for water quality improvements, as well as the development of basin plans, including the setting of total maximum daily loads (TMDLs). In addition, much can be done to integrate Tribal data, such as Tribal land boundaries, into the GIS layers used by the Water Boards.

Training for Tribes on the Water Boards' water quality, water rights and funding programs is planned. Additionally, the Water Board is expanding its outreach efforts, especially in the area of TMDLs and statewide policies, such as the upcoming wetlands policy. Tribal representation on various Board advisory groups is helping to strengthen the Boards' understanding of Tribal concerns.



CAL/EPA POLICY MEMORANDUM

SUBJECT:

CAL/EPA POLICY FOR WORKING WITH CALIFORNIA INDIAN TRIBES

REFERENCES:

NUMBER:

CIT-09-01

DATE ISSUED:

10/19/09

EXPIRES:

UNTIL RESCINDED

CATEGORY:

CALIFORNIA INDIAN TRIBES

STATEMENT OF PURPOSE

The mission of the California Environmental Protection Agency (Cal/EPA) is to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality.

This policy provides a framework for Cal/EPA and its Boards, Departments and Offices (BDOs) to improve and maintain communication and collaboration between Cal/EPA, its BDOs, and California Indian Tribes to further the mission of Cal/EPA.

This policy also provides a commitment to educate appropriate staff, to become informed about the cultural setting of California Indians, their environmental issues and tribal histories, for the purpose of improving Cal/EPA's understanding of and connection to California Indian Tribes.

DEFINITIONS

For purposes of this policy, the following terms shall have the meanings defined below:

California Indian Tribe: A federally-recognized California Indian Tribe (as listed on the Federal Register). With respect to cultural resources, a federally-recognized Indian Tribe and a non-federally recognized California Native American Tribe that is on the California Tribal Consultation List maintained by the Native American Heritage Commission (NAHC).

Tribal Sovereignty: Refers to the unique political status of federally-recognized Indian tribes. Federally-recognized Indian tribes exercise certain jurisdiction and governmental powers over activities and Tribal members within its territory. Some of these powers are inherent, some have been delegated by the United States, and all are subject to limitations by the United States. Existing limitations are defined through acts of Congress, treaties, and federal court decisions.

Indian Country [or Tribal Lands]: Have the same meaning as the term "Indian country" in title 18 United States Code section 1151 (see Statutory References).

Collaboration: Refers to California Indian Tribes and Cal/EPA and its BDOs communicating and working together to resolve respective issues of concern and/or mutual interest. This exchange is conducted by respecting the protocols each respective tribe has established for contacting its governing body or its delegated official. This exchange is also conducted through the Governor's appointed Agency Secretary, BDO Chairperson or Executive Director, or their delegated representatives.

BACKGROUND

The Office of the Secretary of Cal/EPA oversees and coordinates the activities of the following six BDOs: the Air Resources Board; the Department of Pesticide Regulation; the Department of Toxic Substances Control; the Integrated Waste Management Board; the Office of Environmental Health Hazard Assessment; and the State Water Resources Control Board.

Cal/EPA and its BDOs understand that protecting California's environment is a major undertaking that involves not only communicating and collaborating with federal and state agencies, local governments, and non-governmental organizations but also communicating and collaborating with California Indian Tribes.

California's environmental regulatory system is a complex framework, with training, compliance assistance, inspection, permitting and enforcement activities carried out by a number of federal, state and local government agencies. In order to fulfill Cal/EPA's mission, it is essential to understand the unique history of California Indian Tribes. By learning about tribal history, environmental issues, and cultural places, we can begin to put into context how the laws, programs and processes that Cal/EPA and its BDO's administer relate to California Indian Tribes.

California has the second largest number of federally-recognizedⁱ tribes and, according to the 2000 U.S. Census, the largest Native American population in the United States. In California, there are 109 tribes that are recognized by the federal government. There are also indigenous communities which, although they existed prior to the formation of the United States, are not currently recognized as sovereigns by the federal government. At this time, there are 89 non-federally recognized California Indian Tribes of which 72 are engaged in seeking federal recognition. All California Indian Tribes, whether officially recognized by the federal government or not, may have environmental, economic, and public health concerns that are different from the concerns of other Tribes or from the general public. These differences may exist due to subsistence lifestyles, unique cultural beliefs and traditions, and/or specific connections to areas of California that are their ancestral homelands.

Cal/EPA recognizes that actions outside Indian Country may affect the environment, public health or economic well being of California Indian Tribes and its residents, just as the actions within Indian Country may affect the environment, public health or the economy outside those

ⁱ Federal recognition refers to acknowledgement by the federal government that a tribal government and tribal members constitute a tribe with a government-to-government relationship with the United States, and eligibility for the programs, services, and other relationships established for the United States for Indians, because of their status as Indians. (See 25 C.F.R. § 83.2.)

borders. Cal/EPA also recognizes that federally-recognized tribes may enact tribal civil regulations that affect natural resources, public health and environmental protection, and that they may assume treatment in the same manner as a state under certain federal environmental laws such as the Clean Water Act and the Clean Air Act.

In addition to working with other federal, state, local governments, and non-governmental organizations, Cal/EPA has an interest in working in collaboration with California Indian Tribes to pursue its mission.

GUIDING PRINCIPLES

To improve communication and collaboration, Cal/EPA and its BDOs should, to the extent feasible and legally allowable, be guided by the following principles and best practices. Nothing in this policy shall be construed to prevent Cal/EPA or its BDOs from taking timely action to fulfill their legal obligations to protect the public health and safety, or the environment; or to carry out federally-mandated duties under delegated federal programs. Cal/EPA and its BDOs shall:

1. Acknowledge and respect tribal sovereignty, as defined in this policy.
2. Understand that federally-recognized tribes have a unique relationship with the federal government.
3. Understand the importance of communication and collaboration with California Indian Tribes.
4. Communicate with California Indian Tribes in a manner that is respectful and considerate.
5. Seek to identify and include federally-recognized California Indian Tribes in decision-making processes that affect tribal lands.
6. Seek to identify and include federally-recognized and non-federally recognized California Indian Tribes in decision-making processes that affect cultural resources.
7. Recognize and respect the cultural resources of California Indian Tribes, whether or not on tribal lands.
8. Where appropriate, consider the potential impact of our activities or programs on tribal lands and cultural resources.
9. Encourage collaborative efforts between the California Indian Tribes and federal, state, and local government entities to resolve issues of mutual concern.
10. Promote efforts of California Indian Tribes to develop and expand environmental programs, and to achieve compliance with environmental laws.

ACTION PLAN

Cal/EPA and its BDOs will work together to implement the following actions to achieve its guiding principles, to the extent legal and practicable:

1. Establish a Tribal Stakeholder Group (with rotating membership) to discuss environmental issues and projects involving California Indian Tribes. The Tribal Stakeholder Group will include representatives from federally-recognized and non-federally recognized California Indian Tribes. The Tribal Stakeholder Group will meet with the Secretary of Cal/EPA and the heads of each BDO, or their designees, at least once each calendar year.
2. Designate a tribal liaison within Cal/EPA and within each BDO as a central point of contact for California Indian Tribes.
3. Develop a communication protocol that will be followed by Cal/EPA and its BDOs, and that will promote appropriate collaboration with California Indian Tribes.
4. Establish a process to disseminate public documents, notices and information to California Indian Tribes, and make these documents readily accessible to tribes that may not have electronic capabilities.
5. Establish a process to conduct meetings, outreach and workshops at times and in locations that facilitate tribal participation.
6. Provide training to appropriate executive staff, managers, supervisors, and employees on how to implement this policy.
7. Establish a mechanism to obtain relevant and available information, studies and data from California Indian Tribes when conducting research or environmental studies that relate to, or could impact, tribal lands or cultural resources.
8. Assess eligibility of California Indian Tribes for Cal/EPA financial assistance programs such as grants, loans and scholarships.
9. Upon request by a California Indian Tribe, provide training and technical assistance, and share data, where appropriate.
10. Develop Memorandums of Understanding (MOUs), Memorandums of Agreement (MOAs), or other cooperative agreements with California Indian Tribes on specific projects or subject matters, as appropriate.

DISCLAIMER

This policy is intended solely for the guidance of employees of Cal/EPA and its BDOs and does not extend to other governmental entities. This policy is not intended, and should not be

construed, to define the legal relationship between Cal/EPA or its BDOs and the California Indian Tribes. This policy is not a regulation, and it does not create, expand, limit, waive, or interpret any legal rights or obligations.

STATUTORY REFERENCES

Federal

Title 18 United States Code section 1151: "Except as otherwise provided in sections 1154 and 1156 of this title, the term 'Indian country', as used in this chapter, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same."

State

Government Code section 11019.8: "All state agencies, as defined in Government Code section 11000, are encouraged and authorized to cooperate with federally recognized California Indian tribes on matters of economic development and improvement for the tribes."

Government Code section 65040.12(e): Provides a definition of environmental justice with regard to the Office of Planning and Research as the coordinating agency for environmental justice as: "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."

Public Resources Code section 5024.1: Establishes a California Register of Historical Resources as an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.

Public Resources Code section 5097.9 et seq.: "Non-Interference With Native American Religious Expression: No public agency, and no private party using or occupying public property, or operating on public property, under a public license, permit, grant, lease, or contract made on or after July 1, 1977, shall in any manner whatsoever interfere with the free expression or exercise of Native American religion as provided in the United States Constitution and the California Constitution; nor shall any such agency or party cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property, except on a clear and convincing showing that the public interest and necessity so require." This chapter establishes the Native American Heritage Commission, and specifies its powers and duties.

Public Resources Code section 21000 et seq.: California Environmental Quality Act of 1970 (CEQA) declares that it is state policy to "take all action necessary to provide the people of this state with...historic environmental qualities." It further states that public or private projects financed or approved by the state are subject to environmental review by the state. All such projects, unless entitled to an exemption, may proceed only after this requirement has been satisfied. CEQA requires detailed studies that analyze the environmental effects of a proposed project. In the event that a project is determined to have a potential significant environmental effect, the act requires that alternative plans and mitigation measures be considered. CEQA includes historic and archaeological resources as integral features of the environment.

Public Resources Code section 71110: "The California Environmental Protection Agency, in designing its mission for programs, policies, and standards, shall do all of the following: (a) Conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state. (b) Promote enforcement of all health and environmental statutes within its jurisdiction in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations in the state. (c) Ensure greater public participation in the agency's development, adoption, and implementation of environmental regulations and policies. (d) Improve research and data collection for programs within the agency relating to the health of, and environment of, people of all races, cultures, and income levels, including minority populations and low-income populations of the state. (e) Coordinate its efforts and share information with the United States Environmental Protection Agency. (f) Identify differential patterns of consumption of natural resources among people of different socioeconomic classifications for programs within the agency."

Questions

Please direct all questions regarding this policy to Cynthia Gomez, the Assistant Secretary of Environmental Justice and Tribal Governmental Affairs, at cgomez@calepa.ca.gov or (916) 323-2559.

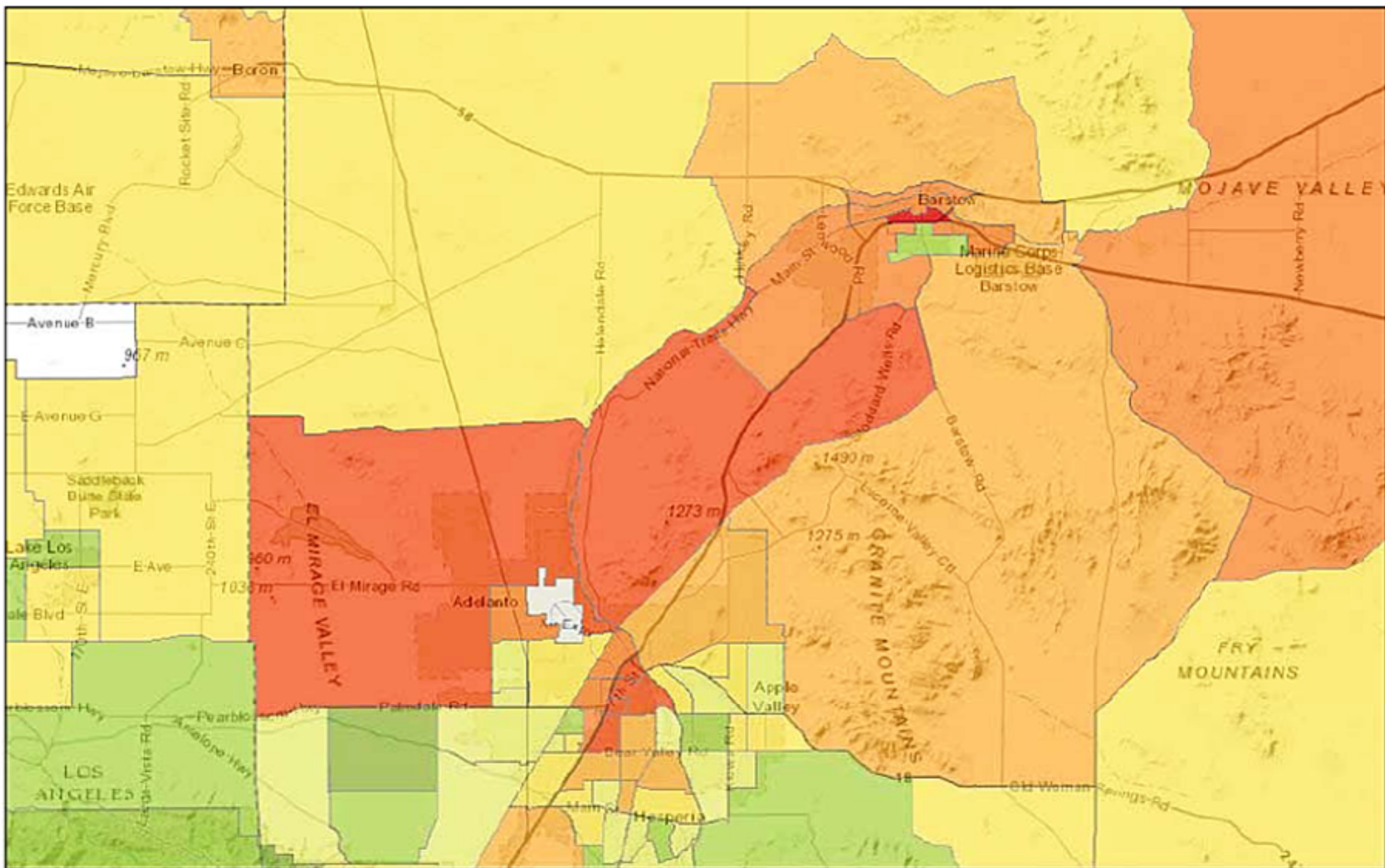
_____(Original Signed By)_____
LINDA S. ADAMS
Secretary for Environmental Protection

This page is intentionally left blank.

ENCLOSURE 3

This page is intentionally left blank.

CalEnviroScreen 2.0 (draft) All Results Map



May 23, 2014

CES2.0 draft results

CI10grps

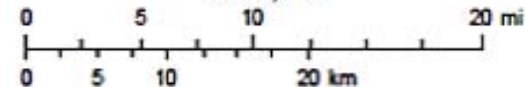


Highest Scores (11 - 20%)

Highest Scores (Top 10%)



1:577,791



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, ...

This page is intentionally left blank.

ENCLOSURE 4

This page is intentionally left blank.

Home → Water Issues → Programs → Outreach → Education

Education and Public Outreach

Environmental Justice

The State Water Resources Control Board/Regional Water Quality Control Boards (the Water Boards) are establishing an Environmental Justice (EJ) Program to promote and ensure public outreach, participation and education regarding meetings, hearings and activities for all Californians. Through an established policy, the Water Boards will provide a transparent process for communities, local governments, Tribes and any interested group to learn of and participate in hearings, decisions and actions.

Environmental Justice is defined by California statute as "The fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of all environmental laws, regulations, and policies."

The Water Boards have identified an EJ Coordinator whose tasks include: Assisting the California Environmental Protection Agency (Cal/EPA) in establishing their EJ Program; conduct research on best practices for developing and implementing the Water Board's EJ Program; conduct training and develop informational material on EJ for all Board appointees, management, and staff; review and incorporate relevant legislation to the EJ Program; provide assistance and guidance to the Executive Director relative to the Cal/EPA Public Advisory Committee on EJ events and activities; and incorporate the Water Board's bilingual program to ensure full participation by all Californians.

Consistent with legislative mandates, the Water Board's EJ Program goals include:

1. Integrating EJ considerations into the development, adoption, implementation and enforcement of Board decisions, regulations and policies.
2. Promoting meaningful public participation and community capacity building to allow communities to be effective participants in Board decision-making processes.
3. Working with the Office of Environmental Health Hazard Assessment to improve research and data collection in communities of color and low-income populations.
4. Ensuring effective cross-media coordination and accountability when addressing environmental justice issues.

Currently, the Water Boards have incorporated major components of these EJ Goals within the Strategic Plan and have identified EJ as a project element. Strategies within the project include:

1. Training all Board staff on the fundamentals of environmental justice;
2. Reviewing existing public participation methods and recommend adjustments to ensure inclusion of all communities;
3. Establishing a complaint process for communities to follow in alleging environmental injustice; and,
4. Establishing a monitoring system to assess disparate impacts of enforcement decisions in "EJ Communities."

Should you have additional questions or concerns about the EJ Program, please contact the EJ Coordinator at (916) 341-5501.

Links

US EPA

- [What is Environmental Justice?](#)
- [Frequent Questions](#)

This page is intentionally left blank.

ENCLOSURE 5

This page is intentionally left blank.

Assembly Bill No. 685

CHAPTER 524

An act to add Section 106.3 to the Water Code, relating to water.

[Approved by Governor September 25, 2012. Filed with
Secretary of State September 25, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 685, Eng. State water policy.

Existing law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water.

This bill would declare that it is the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The bill would require all relevant state agencies, including the Department of Water Resources, the State Water Resources Control Board, and the State Department of Public Health, to consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and grant criteria are pertinent to the uses of water described above.

The people of the State of California do enact as follows:

SECTION 1. Section 106.3 is added to the Water Code, to read:

106.3. (a) It is hereby declared to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

(b) All relevant state agencies, including the department, the state board, and the State Department of Public Health, shall consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to the uses of water described in this section.

(c) This section does not expand any obligation of the state to provide water or to require the expenditure of additional resources to develop water infrastructure beyond the obligations that may exist pursuant to subdivision (b).

(d) This section shall not apply to water supplies for new development.

(e) The implementation of this section shall not infringe on the rights or responsibilities of any public water system.

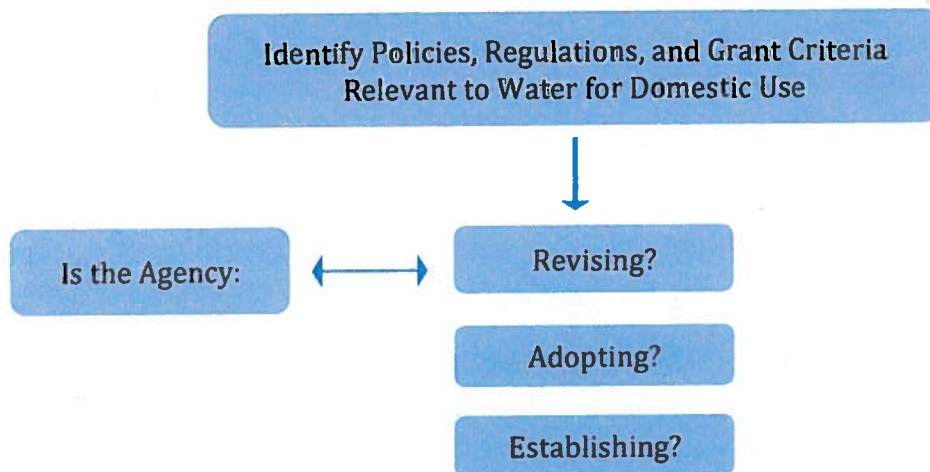
O

The Human Right to Water in California: An Implementation Tool for State Agencies

GOAL: To advance the human right to water and improve access to safe, affordable water for all California residents through an on-going and dynamic process in which state agencies consider the objectives of AB 685 in decision-making, meaningfully engage with relevant stakeholders, and share information in an accessible manner.

PHASE I: Recognizing Opportunities to Consider the Human Right to Water

Objective: *Identify relevant policies, regulations, and grant criteria that impact the human right to water as outlined in AB 685.*



Suggested Strategies:

- Integrate the human right to water into existing agency criteria, performance measures, and principles.
- Incorporate opportunities for implementation of AB 685 into regular agency planning processes.
- Improve community partnerships, particularly with disadvantaged communities, through the recognition of the human right to water as a common principle to identify policies, regulations, and grant criteria that impact the human right to water.
- Share information about AB 685 implementation efforts with relevant staff in all programmatic areas and at all levels of the agency to promote systemic implementation.

PHASE II: Involving Relevant Stakeholders

Objective: *Facilitate the meaningful participation of affected communities and other stakeholders to inform responsive policies and ensure access to information.*

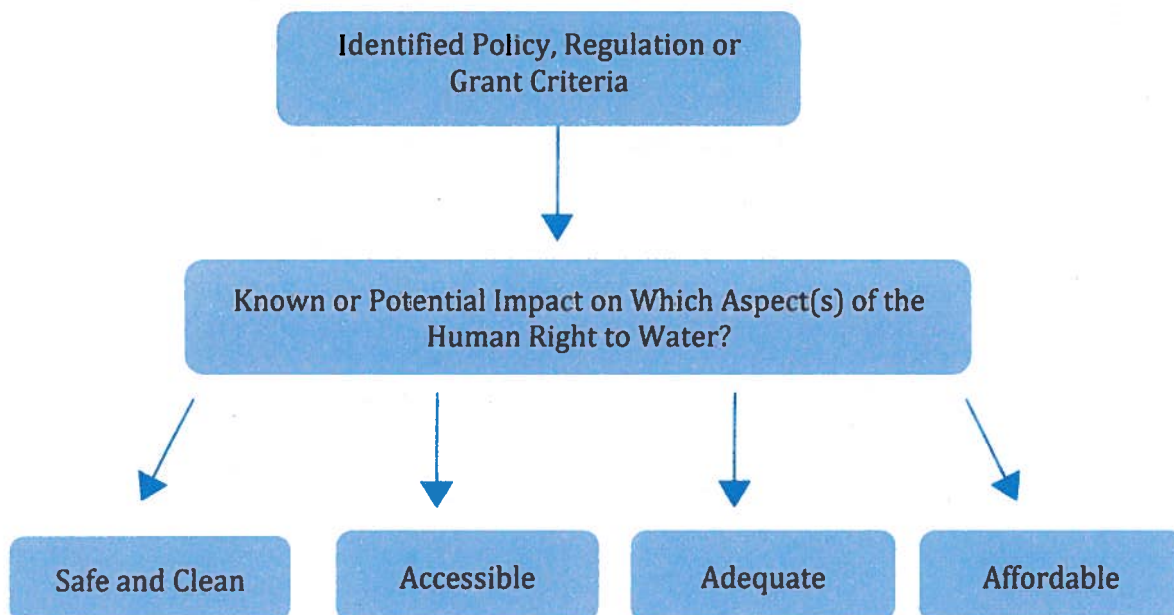


Suggested Strategies:

- Maintain a database of relevant stakeholders, including members affected communities, in order to facilitate engagement with interested parties.
- Strengthen relationships with relevant stakeholders through existing systems as well as the development of new mechanisms, and identify where such relationships need to be established.
- Identify an agency point person on the human right to water to allow for increased contact with affected community members and the effective exchange of information.
- Deepen opportunities for meaningful participation by affected communities through a set of agency best practices (such as multilingual meeting notifications, accessible meeting locations, translation services at meetings, etc.).
- Increase access by the public to current, audience-appropriate information about agency activities and decisions, accounting for language diversity and barriers in access to technology.

PHASE III: Exploring Alternatives and Anticipating Impacts

Objective: *The policy objectives outlined in AB 685 guide agency decision-making.*

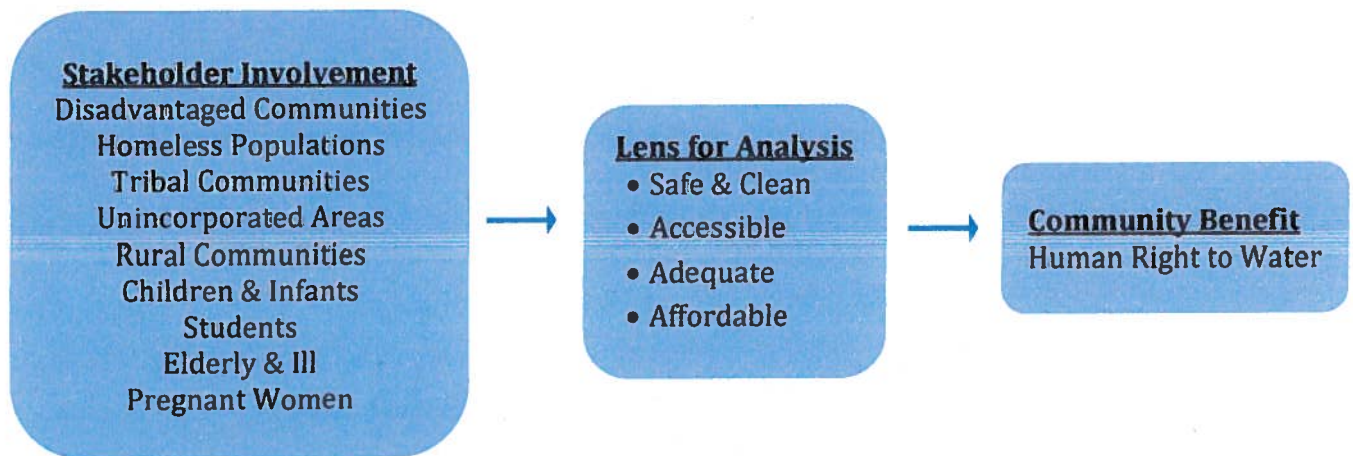


Suggested Strategies:

- Ensure agency decision-making criteria reflect the components of the human right to water outlined in AB 685.
- Discuss and document how each potential alternative advances, hinders or otherwise impacts the components of the human right to water in both the short and long term.
- Engage with relevant stakeholders when assessing potential impacts and considering alternatives.
- Consider the scale and severity of potentially adverse consequences, including unintended repercussions, particularly on at-risk and disadvantaged communities.
- Identify gaps in data needed to accurately assess potential impacts.

PHASE IV: Determining the Action and Reporting on Consideration of AB 685

Objective: *The human right to water informs transparent decision-making processes.*



Suggested Strategies:

- Adopt policies, regulations and grant criteria that advance the human right to water, especially for disadvantaged communities, and refrain from those that run contrary to the stated goals of AB 685.
- Document the anticipated impact of the agency's decision on access to safe, affordable water in both the short and long term and for specific populations.
- Explain the reasoning that informed the final agency decision, acknowledging how competing interests were weighed and what aspects of the decision will need to be carefully monitored and evaluated.
- Document how the human right to water was integrated into the agency's decision-making process.

Phase V: Evaluating Results and Ensuring Sustainability

***Objective:** Evaluate outcomes of decisions and share findings to ensure AB 685 implementation efforts are effective and sustainable.*

Safe & Clean? ☐

Adequate? ☐

Accessible? ☐

Affordable? ☐

Suggested Strategies:

- Incorporate the human right to water into existing monitoring metrics or adopt such measures.
- Maintain stakeholder participation by including them in assessment process, facilitating feedback, and keeping them informed of results.
- Identify and document positive outcomes to generate best practices and replicable models.
- Identify and document problem areas, unresolved issues, and unintended consequences that require additional attention or a modified response.
- Share findings with relevant agency staff to foster institutional awareness and knowledge.
- Share outcomes with the public, and in particular with affected communities, to ensure a transparent process and accountability.
- Where barriers to the objectives of AB 685 persist, consider what options- such as enforcement mechanisms, litigation, additional funding, and legislative reform- might be used to address remaining obstacles.

Phase VI: Repeat: Continue this process in all aspects of agency work...

