

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

**STAFF REPORT FOR REGULAR MEETING OF JANUARY 30-31, 2020**

Prepared on January 9, 2020

**ITEM NUMBER: 4**

**SUBJECT: Annual Update of Environmental Justice Activities in the  
Central Coast Region**

**STAFF CONTACTS:**

Angela Schroeter (805) 542-4644 [Angela.Schroeter@waterboards.ca.gov](mailto:Angela.Schroeter@waterboards.ca.gov)

**ACTION: Information / Discussion**

**SUMMARY**

At the Central Coast Water Board, environmental justice (EJ) aids in our prioritization, guides our programs, and informs our actions. EJ affirms the human right to water and the mandate that every individual and community, regardless of its size, ethnicity or economic standing, deserves access to clean water and the opportunity to provide meaningful input regarding decisions that affect their water quality. While the Central Coast Water Board has proactively implemented activities that prioritize drinking water protection, there are significant challenges associated with providing access to safe and affordable drinking. These challenges often disproportionately impact marginalized groups and individuals, such as people living with low-income and poverty, communities of color, homeless people, indigenous peoples, and residents of rural or unincorporated areas.

Additional challenges associated with addressing socially and technically complex EJ related drinking water issues include a lack of Water Board specific EJ focused programmatic resources and a very diverse set of specific expertise and resources needed to engage with and support disadvantaged communities (DACs). To overcome these obstacles, Central Coast Water Board staff are developing relationships with various partners to build and implement a comprehensive coordination strategy that includes outreach and education, needs assessment, technical and financial assistance, and performance tracking. Tracking our performance relative to achieving successful human right to water outcomes is complicated by the fact that we are addressing DAC issues as they are identified as part of an ongoing regional needs assessment process (e.g., well testing program), and successfully addressing DAC issues requires the coordinated implementation of various actions by multiple entities.

Since 2013, Central Coast Water Board staff have presented annual EJ updates to the Board and worked to identify and support EJ issues by continuously outreaching to DACs and supporting entities and agencies, assessing needs, prioritizing activities,

increasing regional EJ service capacity and implementing drinking water projects to protect water quality for all of the residents of the Central Coast, regardless of economic standing. While there is no Water Board program or funding source dedicated to support EJ activities as noted above, the Executive Officer assigned Section Manager Angela Schroeter to act as regional EJ coordinator to help support EJ initiatives and facilitate EJ projects, and the Central Coast Water Board has identified Board Member Dr. Monica Hunter as the EJ liaison on the Board.

This agenda item provides updated information regarding the Central Coast Water Board's continuing efforts on a number of specific EJ issues, including implementation of the human right to water law and engagement of EJ stakeholders consistent with legislative mandates and state policy. To further this discussion, staff also invited several EJ partners to provide presentations to the Board discussing the status of specific EJ projects and activities planned for 2020. Presenters include:

- Jasmine Oaxaca, PE, State Water Resources Control Board, Office of Sustainable Water Solutions, Division of Financial Assistance,
- Madelyn Glickfeld, Director of Partnerships, UCLA Water Resources Group,
- Brendan Clark, Supervising Water Resources Engineer, Public Works Department, County of San Luis Obispo, and
- Cesar Garcia Lopez, Community Solutions Coordinator, and Mayra Hernandez, Community Organizer, Community Water Center.

Additional information regarding the presenter's EJ related discussion topics is provided below.

## **BACKGROUND**

On January 26, 2017, the Central Coast Water Board adopted Human Right to Water Resolution No. R3-2017-0004<sup>1</sup>. This resolution affirms the realization of the human right to water and the protection of human health as the Central Coast Water Board's top priorities and is consistent with State legislation and State Water Board Resolution No. 2016-0010<sup>2</sup>. The resolution directs staff to prioritize regulatory programs to prevent and address discharges that threaten human health by causing or contributing to pollution or contamination of drinking water sources; and to promote achievement of the human right to water through effective prioritization, implementation, outreach and participation, performance monitoring and reporting, and through building strategic partnerships.

Among our highest EJ priorities is to implement the human right to water law as it pertains to the severe and widespread nitrate pollution of groundwater and drinking

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<sup>1</sup> Central Coast Water Board Resolution R3-2017-0004, [https://www.waterboards.ca.gov/centralcoast/board\\_decisions/adopted\\_orders/2017/2017-0004\\_hrtw\\_fnl.pdf](https://www.waterboards.ca.gov/centralcoast/board_decisions/adopted_orders/2017/2017-0004_hrtw_fnl.pdf)

<sup>2</sup> State Water Board Resolution No. 2016-0010, [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2016/rs2016\\_0010.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2016/rs2016_0010.pdf)

water beneficial use impacts in the Central Coast region. Groundwater quality data continue to document increasing contamination from nitrate and other contaminants, and DACs continue to require assistance to obtain safe drinking water. To address the significant threat to public health associated with nitrate pollution, Central Coast Water Board staff have dedicated significant resources over the past several years toward identifying the need for and advancing interim safe drinking water projects (e.g., bottled water and treatment systems) for DACs with polluted groundwater resources while also working toward the development and implementation of regulatory requirements focused on decreasing agricultural nitrate loading to groundwater and surface water. While safe drinking water needs demand significant resources and attention, DACs are also severely affected by inadequate wastewater infrastructure, impacts due to climate change and drought, potential exposure to fish contamination from subsistence fishing, and water quality impacts related to homelessness. Additionally, DACs are often less able to deal with these risks as a result of limited access to data and information, limited knowledge of exposures and lack of resources to address problems, and lack of access to the political process and inability to effectively engage in water-supply and -protection decision-making. Attachment 1 provides a list of DACs identified in the Central Coast region.

## **DISCUSSION**

### **Progress in 2019**

To maximize the Central Coast Water Board's effectiveness to implement the human right to water and support EJ issues, staff is focused on the following four areas:

1. identifying EJ needs,
2. building EJ capacity,
3. providing emergency drinking water, and
4. implementing long-term drinking water solutions.

In 2019, Central Coast Water Board staff successfully implemented many EJ projects using effective internal coordination and our ability to leverage additional capacity through our collaboration with external partners. Staff will include examples of these partnerships in the staff presentation, including our work with Community Water Center to establish and maintain a local office in Watsonville to increase environmental justice capacity and support communities in the Central Coast region. Additionally, staff continue to identify drinking water needs of DACs by implementing the Central Coast Ambient Monitoring Program – Groundwater Assessment and Protection (CCAMP-GAP) program drinking water well testing program which has sampled approximately 276 drinking water wells and provided test results to drinking water well users (see Agenda Item 5). Drinking water well data from this program was used to inform many internal and external projects. For example, staff provided the data to assist in the implementation of emergency replacement water – bottled water – for approximately 218 residences in a DAC in Monterey County north of Moss Landing and west of State Highway 1 in the Struve Road, Springfield Road and Bluff and Jensen Road areas served by small water systems and private domestic wells polluted with nitrate and 1,2,3-trichloropropane (TCP). The Community Water Center is following up with the

community to evaluate long-term drinking water solutions. Staff has also continued to coordinate with discharger groups to provide emergency drinking water to communities impacted by nitrate groundwater pollution (e.g., Salinas Basin Agricultural Stewardship Group) and also collaborates with the State Water Board Division of Drinking Water and Division of Financial Assistance, and external partners such as the University of California Los Angeles (UCLA) to work toward long term drinking water solutions (e.g., Salinas Valley Distributed Drinking Water Treatment Project).

The Central Coast Water Board has also expanded our environmental justice work to increase collaboration with local and state agencies and non-profit entities to identify and promote solutions that reduce water quality impacts associated with people experiencing homelessness. On October 3, 2019 the Central Coast Water Board hosted a workshop to bring together elected officials and representatives from state and local agencies, homelessness service providers and non-governmental agencies in a collaborative forum to discuss the nexus of water quality, homelessness, access to sanitation and drinking water. Information on the workshop, presentations, outcomes, and financial assistance opportunities for this important environmental justice issue are available on the Central Coast Water Board's website.

On a routine basis, staff also integrate EJ to inform regulatory program implementation. For example, staff routinely prioritize projects, regulatory activities, permits, and orders, where DACs are affected by discharges, and to ensure DACs have opportunities to effectively participate in the decision-making process. Additionally, outside of our regulatory programs, staff consider EJ issues and ways to better support DAC needs. For example, as part of our climate change activities, staff is considering how water supply diversification can benefit DACs. Staff also provide meaningful public participation and stakeholder involvement by conducting general outreach to DACs and California Native American Tribes, including the provision of translation services for non-English speakers with an emphasis on Spanish speakers. Water Board orders and staff reports now include standard sections and findings relating facilities and associated Water Board actions to EJ and DAC issues to inform and support our actions.

### **Moving Forward in 2020**

In the coming year, staff will continue their coordinated efforts to identify EJ needs, build EJ capacity, provide emergency drinking water, and implement long-term drinking water solutions. Staff will revisit the human right to water workplan to prioritize actions to address these focus areas, identify specific deliverables, outcomes and performance metrics to pursue based on available resources and coordination opportunities.

Building upon the implementation and results obtained from our drinking water well testing program, staff is working to obtain additional resources for emergency bottled water for drinking water well users whose well is impacted by contaminants. Staff is coordinating with the State Water Board Office of Sustainable Water Solutions to develop a Central Coast Regional Bottled Water Program grant that can provide bottled water to DACs anywhere in the region for drinking water pollution associated with any

contaminant that has a maximum contaminant level (MCL), including arsenic and 1,2,3-trichloropropane (TCP). Similar to the domestic well testing program, staff will continue to coordinate closely with multiple State Board programs, local agencies, and external partners including the Community Water Center to ensure that this new program can provide broad drinking water support to local communities and environmental health departments where drinking water is impacted.

In addition, staff will also continue to evaluate additional needs assessments to support DACs. For example, staff is collaborating with the State Water Board's Surface Water Ambient Monitoring Program to implement a study that will conduct fish tissue monitoring in areas of the Central Coast region where DACs may have subsistence fishing beneficial uses and may be exposed to the bioaccumulation of heavy metals or pesticides. Pending results of monitoring, staff will consider next steps, including coordination with Office of Environmental Health Hazard Assessment (OEHHA) and local public health agencies, as appropriate.

### **EJ Presenter Discussion Topics**

As part of this agenda item, staff has arranged for the following guest speakers to provide presentations regarding the local EJ projects described below.

***Safe and Affordable Drinking Water Program Update*** - Jasmine Oaxaca, PE, State Water Resources Control Board, Office of Sustainable Water Solutions, Division of Financial Assistance

In July 2019, Governor Gavin Newsom established the Safe and Affordable Drinking Water Fund which provides \$130 million each year for the next ten years to support safe drinking water projects in vulnerable communities. The Safe and Affordable Drinking Water Program (SADW) is a set of tools, funding sources, and regulatory authorities designed to ensure that one million Californians who currently lack safe drinking water receive safe & affordable drinking water as quickly as possible. The SADW program also aims to reach sustainable operations for all of the state's drinking water systems and is a critical element for achieving the goals of safe, accessible, and affordable water for all Californians. The Safe and Affordable Drinking Water Fund is administered by the State Water Board Division of Financial Assistance, which is required to develop and adopt a Fund Expenditure Plan each year and consult with the Safe and Affordable Drinking Water Fund Advisory Group to aid in meeting the purposes of the Fund Expenditure Plan. Ms. Oaxaca will present an update on the State Water Board's activities to implement the Safe and Affordable Drinking Water Program.

***Salinas Valley Distributed Drinking Water Treatment Project Update*** – Madelyn Glickfeld, UCLA Water Resources Group

The University of California, Los Angeles (UCLA) received approximately \$2,508,000 in funding from the State Water Board's Cleanup and Abatement Account to implement nitrate drinking water treatment based on centrally managed water purification systems (combination reverse osmosis) at small community water systems impacted by nitrate pollution. The goal of the pilot project is to demonstrate effective and economical

treatment methods and remote telemetry management such that multiple, limited resource communities can be managed collectively, thus reducing individual system technical operation and management costs. The project targets treatment for three well systems that serve DACs in the Salinas Valley: Blue Rock Apartments, Pryor Farms and Santa Teresa Park (San Vicente Water System). To address potential impacts from the discharge of treatment system residual waste, Central Coast Water Board staff issued monitoring and reporting requirements to UCLA in August 2017 and will evaluate the monitoring results to inform future monitoring requirements for residual discharges from future similar treatment systems as anticipated proliferation of this virtual consolidation strategy occurs. This virtual consolidation of small drinking water systems is one of several strategies for ensuring safe drinking water in nitrate-challenged groundwater basins. Ms. Glickfeld will present a progress update on the UCLA pilot project and plans to serve treated drinking water in 2020.

***Disadvantaged Community Involvement (DACI) Grant Project*** – San Luis Obispo Integrated Regional Water Management Region (IRWM) Update - Brendan Clark, Supervising Water Resources Engineer, Public Works Department, County of San Luis Obispo.

In 2018, the Regional Water Management Foundation received a Proposition 1 IRWM Disadvantaged Community Involvement (DACI) Grant for the Central Coast funding area in the amount of \$4,300,000. The Central Coast funding area includes the jurisdictional areas of the six IRWM programs in the Central Coast Region. The grant includes projects that benefit multiple IRWM regions including DAC needs assessments, community outreach and education, technical assistance, and construction projects to meet DAC water and wastewater needs. Mr. Clark will present a progress update on the DACI grant project activities in the San Luis Obispo IRWM region.

***Community Water Center Central Coast Update*** – Cesar Garcia Lopez, Community Solutions Coordinator, and Mayra Hernandez, Community Organizer, Community Water Center.

In September 2018, the Community Water Center (CWC) received a one-year contract of approximately \$386,000 in CCAMP-GAP Program funding to increase EJ capacity in the Central Coast region. Community Water Center opened its third office in Watsonville in October 2018 with a focus on working alongside community residents and leaders to advance community-driven solutions for low-income communities struggling with drinking water contamination and wastewater challenges. In their first year on the Central Coast, CWC has made a positive impact to increase regional EJ service capacity and to serve as a center that engages communities and connects them with language appropriate support and resources, technical assistance, and potential funding sources. In particular, CWC has supported domestic well users to participate in the Central Coast Water Board's domestic well testing program and to assist them in understanding their test results so they can make informed drinking water decisions. Based on successful implementation of Year 1, the Central Coast Water Board renewed

CWC's contract for an additional Year 2. Mr. Garcia Lopez and Ms. Hernandez will present an update on CWC's progress to provide services to EJ communities in the Central Coast region.

## **CONCLUSION**

Central Coast Water Board staff is continuing to implement, fine tune and grow its EJ actions addressing the human right to water through a number of existing strategies and partnerships. Consistent with legislative mandates and state policy, this agenda item provides an overview of these efforts to outreach to DACs, identify EJ issues and DAC needs, build regional EJ capacity, and prioritize projects to provide emergency and long-term drinking water solutions or otherwise protect drinking water resources.

Central Coast Water Board staff will continue to prioritize implementation of EJ activities within the Central Coast Region and remains focused on partnering with various entities and agencies with specific expertise as needed to effectively build and implement a comprehensive EJ strategy. In particular, staff will continue to coordinate with the Community Water Center and similar EJ/DAC focused nongovernmental organizations, local county health and drinking water agencies, and various State Water Board offices and divisions such as the Division of Financial Assistance, Division of Drinking Water, Office of Public Participation, Office of Public Affairs, Office of Sustainable Water Solutions. Initiating and improving these partnerships to coordinate and leverage EJ expertise and associated resources is a significant component of staff's strategy to support our regional EJ priorities and associated implementation actions. Staff will continue to grow and modify our EJ strategy as needed to improve our performance and will provide annual and project specific updates to the Board on our collective progress at implementing the human right to water and various EJ projects. As part of these updates, staff will evaluate our performance, address necessary changes in strategy and direction, and report on the effectiveness of our efforts

Based on the lessons learned from the above noted actions, Central Coast Water Board staff will revise and update its human right to water workplan to identify EJ needs, build EJ capacity, provide emergency drinking water, and implement long-term drinking water solutions on a regional scale. The workplan will identify specific deliverables and desired outcomes based on available resources and coordination opportunities, and it will include appropriate and meaningful metrics to evaluate performance.

## **ATTACHMENT**

1. List of Disadvantaged Communities in the Central Coast Region