

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

**DRAFT
RESOLUTION R6-2024-0010**

**AFFIRMING THE LAHONTAN WATER BOARD'S COMMITMENT TO CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2021-0050
(RESOLUTION CONDEMNING RACISM, XENOPHOBIA, BIGOTRY AND RACIAL
INJUSTICE AND STRENGTHENING COMMITMENT TO RACIAL EQUITY,
DIVERSITY, INCLUSION, ACCESS, AND ANTI-RACISM) IN SUPPORT OF RACIAL
EQUITY IN THE LAHONTAN REGION**

WHEREAS, the California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board) finds that:

**Affirmation of the Lahontan Water Board's History and of State Water Board
Resolution No. 2021-0050**

1. The Lahontan Water Board's jurisdiction (Region) is 570 miles long and spans 39,210 square miles. The Region includes the highest (Mt. Whitney) and lowest (Death Valley) points in the contiguous United States, and the topography of the rest of the Region is diverse. Variations in geology, geography, topography, and climate support a diverse array of plant and animal communities and water resources. There are 3,170 miles of streams, over 700 lakes, 345 groundwater basins, and two Outstanding National Resources Waters (ONRWs) designated under the Federal Clean Water Act, Mono Lake, and Lake Tahoe. The Region's water resources support multiple municipal and domestic, recreational, agricultural, industrial, and environmental uses of water, and the Region contains many high quality alpine and sub-alpine surface waters.
2. The people within the Lahontan Region have been affected by a legacy of racially exclusive policies, xenophobia, bigotry, and racial injustice. For example, in the early 1900s, tribal communities in the Owens Valley or Payahuunadü were subjected to water diversions from streams and ditches by the City of Los Angeles such that agricultural lands became less productive in order to support the city's growing demand for water. Consequently, Owens Lake ran dry and dust from the dry lakebed became a health concern to residents in the Owens Valley from harmful PM10 particulates in the air. In later years, during World War 2, the Owens Valley was also the site of one of two Japanese relocation centers (concentration camps) in the State. From 1942 to 1945 tens of thousands of Japanese-American citizens were uprooted from their homes in parts of California, Oregon, and Washington and sent to either the Manzanar Relocation Center in the Owens Valley or to the Tule Lake

Relocation Center in Modoc County. To this day, race predicts the availability of safe drinking water and the collection, treatment, and reuse of wastewater. To progress towards a future where race can no longer be used to predict life outcomes, the Lahontan Water Board acknowledges that the Board and its associated authority was established within a larger societal framework, including redlining and segregation, that perpetuated inequities based on race.

3. 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, all beneficial uses, and to ensure proper water resource allocation and efficient use for the benefit of present and future generations.
4. Public Resources Code section 30107.3 defines environmental justice as, "the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." Similarly, the United States Environmental Protection Agency defines environmental justice as, "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys the same degree of protection from environmental and health hazards, and equal access to the decision-making process to have a healthy environment in which to live, learn, and work." As used within this document, environmental justice communities are those communities that have historically received disparate treatment in the development, implementation, and enforcement of environmental laws, regulations, and policies based on the race, culture, income, or national origin of the people living within those communities.
5. The Water Boards are a member of the Government Alliance on Race and Equity (GARE) and have adapted its definition of racial equity: racial equity occurs when race can no longer be used to predict life outcomes, and outcomes for all marginalized communities.
6. The Water Boards' mission is strengthened by committing to racial equity, environmental justice, and equitable, culturally relevant outreach that promotes meaningful engagement in decision-making processes from potentially impacted communities. The Water Board is working toward a future where race no longer predicts the access to or quality of water resources a person can access.
7. The Water Boards acknowledge and condemn inequities, past and present, in water quality, access, and affordability, and are proactively working to eliminate the structures and practices that perpetuate these inequities.

8. Since 2012, California law (California Water Code, §106.3) has declared that every person in the state has a right to clean, safe, and affordable drinking water. Ensuring that every person in California has access to clean, safe, and affordable drinking water requires first acknowledging that many of California's most critical water quality problems find their roots in policies that intentionally disadvantage communities of color, including a historic lack of investment in drinking water and waste infrastructure within these communities. Clean, Safe, and affordable drinking water should be available to all people regardless of race.
9. In fall 2020, the State Water Board established a Racial Equity Team, which was directed to establish a foundation of internal and external engagement that values listening and collaborating to drive action, drafting a resolution on racial equity to be considered for adoption by the State Water Board, and to developing a subsequent racial equity action plan to implement the resolution and drive the Water Boards' efforts to institutionalize racial equity.
10. On November 16, 2021, the State Water Board adopted Resolution No. 2021-0050, Condemning Racism, Xenophobia, Bigotry, and Racial Injustice and Strengthening Commitment to Racial Equity, Diversity, Inclusion, Access, and Anti-Racism (State Water Board Resolution). The State Water Board Resolution acknowledged the role racism has played in creating inequities in affordability and access to clean and safe water, committed to advancing racial equity within the Water Boards and the communities they serve, directed its staff to develop a racial equity action plan, and encouraged the nine Regional Water Quality Control Boards to adopt similar resolutions.
11. In fall 2022, the Lahontan Regional Water Quality Control Board (Lahontan Water Board) Executive Officer convened a staff led Racial Equity Working Group (REWG) to identify and prioritize opportunities to integrate racial equity into Lahontan Water Board programs and practices. The REWG's focus is to increase employee awareness, conduct internal and external engagement to identify and prioritize opportunities to advance racial equity, and to develop a Regional Racial Equity Resolution (RE Resolution) and a Racial Equity and Environmental Justice Action Plan (Action Plan). The purpose of the RE Resolution and Action Plan is to formalize the Lahontan Region's commitment and efforts to advance racial equity and environmental justice.
12. On January 18, 2023, the State Water Board's Racial Equity Team presented their Racial Equity Action Plan to the State Water Board. The State Water Board's Racial Equity Action Plan includes specific actions the State Water Board will take to address racial inequities, as well as metrics to measure progress. With their Racial Equity Action Plan, they envision a sustainable California where race no longer predicts where clean water is available or who has access to it.

Acknowledging Racism and Environmental Inequities in the Lahontan Region

13. Historically, decision-makers representing government agencies used race to establish structures and systems that continue to deliver disparate outcomes, including wealth, health, educational, and environmental inequities.
14. Many federal, state, and local laws and policies were designed explicitly to prevent people of color from fully participating and receiving benefits. Black, Indigenous, Latino, people of color (BIPOC), underrepresented and disadvantaged communities, as well as multi-ethnic and multi-racial groups have suffered nature deprivation, exposure to pollution, forced labor or isolation, segregation and/or exclusion, unequal access to health, economic, and social services, and other injustices both across California and within the Lahontan region.
15. As in the rest of California, Native American Tribes within the Lahontan Region have endured systemic and institutional racism. Settlers and their governing authorities took Indigenous land and resources by unjust and inequitable means resulting in the loss of tribal lands and resources essential to their spiritual, cultural, and economic well-being and livelihoods. Settlers also sometimes engaged in genocide and imprisonment of Native American Tribes. The Lahontan Water Board acknowledges that conditions for California Native American Tribes remain inequitable due to bias, prejudice, systemic, and institutional racism that continues to (a) prevent equal access to resources and institutions, (b) undermine cultural, governmental, and natural resources sovereignty, and (c) limit protection from harms and injustices.
16. Direct and indirect risks and harms to ecosystems, public health, economies, and infrastructure from climate change have fallen disproportionately upon underrepresented and disadvantaged communities who are least able to prepare for and recover from these impacts such as heat waves, drought, and flooding.

Advancing Racial Equity and Environmental Justice in the Lahontan Region

17. The Water Boards' workforce does not fully reflect the racial composition of the state. United States Census Bureau data collected via the 2019 American Community Survey show that 37% of California's population is white, yet the Water Boards' workforce census data from 2020 show that 57% of the Water Boards' workforce and 69% of the Water Boards' management is white. Similarly, the 2019 American Community Survey data show that 63% of California's population comprises Black, Indigenous, and people of color, compared to only 43% of the Water Boards' workforce and 31% of the Water Boards' management. In 2019, the Water Boards released the document, "Immediate Hiring Practices Action Plan for Advancing Workforce Diversity at the Water Boards," which aligns 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. The Lahontan Water Board acknowledges that a diverse workforce is necessary to protect water quality for all communities in the Lahontan Region. A diverse workforce promotes a broad array of life experiences and viewpoints and brings a diverse perspective to resolve the Water Boards' most challenging issues and helps to improve community engagement. The Lahontan Water Board will benefit from increased diversity to ensure that staff and leadership reflect the diverse communities that we serve.
19. The Lahontan Water Board acknowledges that its workforce is split between two regional offices, in Victorville and South Lake Tahoe. Whilst there is a geographical divide between office locations, staff of the Lahontan Region work as one cohesive unit to protect, enhance, and restore the waters of the Lahontan Region. Staff are tasked with the same mission, share the same regional goals and priorities, and work together despite geographic separation.
20. The Lahontan Water Board prioritizes staff's participation in implicit bias and racial equity trainings conducted by the State Water Board's Training Services.
21. The Lahontan Water Board strives to incorporate racial equity and environmental justice considerations into all water quality decisions and regulatory actions.
22. The Lahontan Water Board supports CalEPA's "Plan to Achieve Racial Equity" to 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.
23. The Lahontan Water Board recognizes the need to further address racial inequity and environmental injustice. The Lahontan Water Board will exercise its leadership and regulatory authority to ensure clean water is available to all communities for all purposes and incorporate racial equity and environmental justice considerations into all water quality decisions and regulatory actions. Through this Resolution and future actions, the Lahontan Water Board and its staff commit to better representing and serving Lahontan Region communities by 1) addressing the connection between protecting and managing water quality and systemic and institutional racism and 2) fostering greater workforce diversity, equity, and inclusion within the agency.
24. The Lahontan Water Board strives to implement regulatory activities and water quality projects in a manner that treats all people fairly, and that protects historically vulnerable, marginalized, underrepresented, and disadvantaged communities from harm. The Lahontan Water Board envisions clean water for human uses, wildlife viability, and environmental resource protection for current and future generations. Through our core values of integrity, accountability, transparency, respect, and balance, we strive in the implementation of our mission to restore, enhance, and preserve the quality of the Region's surface waters and groundwaters.

Racial Equity Goals Across Water Quality Programs

25. The Lahontan Water Board implements a variety of water quality programs to protect beneficial uses of groundwater and surface water in the Region. In accordance with the State Board Resolution No. 2021-0050, water quality program implementation across the Region will include evaluation of permitting, inspection, and regulatory oversight actions to ensure racially equitable outcomes from those actions. Resources will be made available to ensure racial equity and environmental justice initiatives are successful, to include outreach to BIPOC communities influenced by Lahontan Water Board permit actions, to facilitate staff access to racial equity training programs, and to integrate CalEnviroScreen tools for understanding the cumulative environmental burden on BIPOC communities from regulated discharges and unauthorized spills.
26. Public Notice: The Lahontan Water Board provided notice of its intention to consider this matter at a public meeting and provided an opportunity for interested persons to comment on the tentative resolution and its attachments. The draft resolution and its attachments were mailed to the interested persons and regulatory agencies and posted on the Board's website.
27. Public Meeting: The Lahontan Water Board, at a public meeting, heard and considered all comments pertaining to this matter.

THEREFORE, BE IT RESOLVED THAT:

The Lahontan Regional Water Quality Control Board:

1. Condemns acts of racism, xenophobia, bigotry, white supremacy, and institutional and systemic racism; adopts racial equity, diversity, and inclusion as core values; and acknowledges the role of government agencies 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 to the beneficial uses of water that the Lahontan Water Board protects, and outcomes we influence, are not determined by a person's race and the benefits are shared equitably by all people.
3. Commits to ensuring our work and decision-making address the disproportionate impacts on BIPOC individuals represented in the most vulnerable communities and in unsheltered populations, while ensuring the full benefits of the Lahontan Water Board's programs for all people.
4. Commits to improving outreach and engagement with BIPOC, underrepresented and disadvantaged communities by meeting people in their communities and spaces to

seek out their perspectives to increase accessibility and participation in the decision-making process.

5. Reaffirms our commitment to improving communication, working relationships, and co-management practices with California Native American Tribes in the Lahontan Region, including seeking input and consultation on the Water Boards' rules, regulations, plans, policies, and programs to advance decisions and policies that better protect California's water resources. The Lahontan Water Board recognizes and values tribes' traditional ecological knowledge and historic experience with managing California's water resources since time immemorial.
6. Commits to improving access to healthy, natural spaces by fostering pollution prevention, water quality improvement, and habitat restoration in BIPOC, underrepresented and disadvantaged communities. The Lahontan Water Board will also prioritize coordination and permitting of proposed projects involving compensatory mitigation, water quality improvements, and habitat restoration within underrepresented and disadvantaged communities.
7. Reaffirms our commitment to the protection of water quality in all communities, including BIPOC communities disproportionately burdened by environmental pollution through actions including, but not limited to:
 - a. Cleanup of contaminated soil, soil vapor, and groundwater;
 - b. Control of wastes discharged to land and surface water;
 - c. Restoration of impaired surface waters and degraded aquifers; and
 - d. Promotion of multi-benefit water quality projects.
8. Commits to prioritizing financial assistance, increasing technical assistance, and supporting local capacity-building to advance positive water quality outcomes that benefit BIPOC, underrepresented and disadvantaged communities served by the Lahontan Water Board.
9. Affirms our commitment to uphold California's human right to water law, upholding the State Water Board's human right to water resolution, and demonstrates that every human being in California—including people from BIPOC communities — deserve safe, clean, affordable, and accessible water adequate for human consumption, cooking, sanitation, recreation, and spiritual purposes.
10. Commits to implementation of those components of the State Water Board's Resolution No. 2017-0012, Comprehensive Response to Climate Change, that involves the Lahontan Water Board and implementation of the Lahontan Water Board's Climate Change Mitigation and Adaptation Strategy Resolution No. R6T-2019-0277 to address, in part, the disproportionate effects of extreme hydrologic conditions on BIPOC communities, prioritizing:

- a. The right to safe, clean, affordable, and accessible drinking water and sanitation; and
 - b. Sustainable management and protection of local surface water and groundwater resources.
11. Reaffirms that all Lahontan Region staff and Board members work together as one organization regardless of geographic differences in office locations. Staff and Board members share the same mission, regional goals, and regional priorities, and are united together as the Lahontan Regional Water Quality Control Board.
 12. Commits to implementing employee recruitment and retention actions to improve workforce diversity, consistent with the State Water Board's "Immediate Action Plan for Advancing Workforce Diversity," and to work toward a future where race is not a predictor of professional outcomes for our employees at the Lahontan Water Board. The State Water Board's "Immediate Action Plan for Advancing Workforce Diversity" focuses on the following key goals: 1) Requiring hiring panelists to have training on implicit bias or racial equity, 2) Including a diversity statement in job advertisements, 3) Establishing model diversity interview questions, and 4) Focusing recruitment efforts with goals to include improving the Water Board's brand, providing a positive candidate experience, and establishing and sustaining partnerships with educational institutions and community organizations.
 13. Encourages the governor to consider Water Board member appointments that are representative of the communities served and that have demonstrated commitment to racial equity, environmental justice, and deep experience working directly with California Native American tribes, or BIPOC, underrepresented and disadvantaged communities.
 14. Commits to supporting racial equity training for Lahontan Water Board staff to create and maintain a workforce culture that is inclusive and actively anti-racist, mitigates bias, and has competency around issues of race and equity. Internal engagement training activities will prioritize community outreach and engagement and include education on tribal history and culture.
 15. Directs the Executive Officer to develop and implement a Racial Equity and Environmental Justice Action Plan (Action Plan) that articulates a vision for racial equity, inclusion, diversity, and environmental justice and outlines specific actions the Lahontan Water Board will take to support racial equity and environmental justice and avoid exacerbating, perpetuating, or creating an environmental justice issue directed towards a BIPOC community or unduly excluding a BIPOC community from participation in the Board's decision-making process.

I, Michael Plaziak, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on August 21, 2024.

MICHAEL R. PLAZIAK, P.G.
EXECUTIVE OFFICER