Dear Mr. Guzman,

As the Grant Administrator and Program Manager for the Bay Area Integrated Regional Management (BAIRWM) Disadvantaged Community and Tribal Involvement Program (DACTIP), The Environmental Justice Coalition for Water welcomes the opportunity to submit the following comments for the Draft California Water Plan Update 2018, Public Review Draft, released on December 21, 2018.

1. **Integrate The Human Right to Water/AB 685**

The draft document specifically mentions “fragmented and non-coordinated initiatives and governance” as a systemic and institutional challenge, yet does not include the Human Right to Water/AB 685. By law, the Human Right to Water and Sanitation should be considered in water resource decision making processes, importantly including in the document that lays out California’s water resource priorities. Additionally, the State Water Resource Control Board’s AB 401 Draft Report on integrating AB 685, “Options for Implementation of Statewide Low-Income Water Rate Assistance Program” that is currently out for public comment is not mentioned or integrated into the Plan. We highly encourage DWR to integrate more explicitly with other State efforts around the implementation of AB 685/The Human Right to Water and Sanitation. Proper consideration should look at what investments and funding portfolio will realize universal access to safe, clean, affordable, accessible, and reliable water for drinking, cooking, hygiene, and sanitation. What does sustainability mean, if we don't answer the question, sustainable for whom?
2. **Include equity and justice as key principles**

While we appreciate that the draft update cites the perspective and needs of disadvantaged and underrepresented communities as a priority, these get very little space in this draft document. Though addressing the water management needs of California’s Most Vulnerable Communities is explicitly included as Recommended Action 1.1, very little space is taken to consider how these communities and their perspectives will be actively included in water resources management that intimately affects their daily lives. There is additionally little discussion about how the systems that have thus far driven the perpetuation of inequities and unsustainable water systems we see today will be addressed. By limiting the look-back period in the section, titled, "Historical Investment in Water Management," to 2006 (a short historical perspective), the section overlooks and fails to connect the major "challenge to sustainability", as it is framed up in Chapter 2 and the section, titled, "Critical, Systemic, and Institutional Challenges," which comes in the form of decades of systemic and institutional racism and racially differential treatment in access to funding -- both public and private -- for water and sanitation infrastructure, economic development, etc. The draft misses that the largest driving factor in perpetuating the inequities and unsustainable water systems we see today is the history of differential investment that gave rise to them. Remediation needs to be identified and addressed in this document. The analysis of "novel funding mechanisms", such as EIFDs, in Table 4-4 and the related text, seems accessible to those institutions, systems, and municipalities that already have a history of access to the conventional funding mechanisms, rather than the DACs that need improved access to funding and resources of this kind. It is hardly a nuanced approach to identifying how we solve the funding gap, mentioned above, that was a function of societal racism and social engineering. We would like to see DWR acknowledge this phenomenon and address what needs to be done to remedy it.

3. **Integrate with other statewide efforts to empower DACs**

Engaging proactively with Disadvantaged Community liaisons is named as an explicit action (Action 4.2), but little information is given about ways this will be done. We recommend that rather than beginning a separate effort, the State should build on the work of IRWM RWMGs and other groups which have actively and fruitfully engaged with disadvantaged community (DAC) liaisons. The Needs Assessment findings from the DACTIP, conducted in all 12 IRWM Funding Areas to understand the water-related challenges and opportunities in DACs throughout the state should be integrated into this document and included in planning and decision making efforts to support this action.

4. **Support Integrated Regional Water Management**

The Draft Document lacks a strong message of support – and role – for IRWM in this very important statewide water management plan. Indeed, IRWM is not mentioned explicitly in the Statewide Initiatives and Investments at the beginning of the document, but in passing later on and largely unspecifically. We support the Roundtable of Regions’ comment letter and specific recommendations for more explicit inclusion and support of Integrated Regional Water
Management as an an effective way for the State to help fund local and regional efforts for sustainable water management.

5. **Explicitly include and acknowledge the importance of DAC and URC input and value of community knowledge/expertise**

We encourage DWR to specifically acknowledge the importance and value of community input, knowledge, and experience, and to build in systems to pay for these community assets and community time accordingly. There is some acknowledgement of communities in the document, but the importance of community input and expertise could be more explicitly included in several sections, including:

1. **Communities/Community based organizations should be included in this list in Systematic and Institutional Challenges (Page 2-4):** “Fragmented and Non-Coordinated Initiatives and Governance: The ability to efficiently and sustainably manage water resources at a watershed scale is often impaired by lack of shared intent and alignment. Holistically managing California natural resources will require unprecedented collaboration among State agencies, California Native American Tribes, water districts, land-use entities, flood districts, resource conservation districts, and groundwater sustainability agencies, especially when they share jurisdictional areas, watersheds, ecoregions and groundwater basins.”

2. **Information from communities should be explicitly included in this section under Systematic and Institutional Challenges (Page 2-5). There is a critical lack of input from communities to ground truth information and inform efforts:** “Insufficient Capacity for Data-Driven Decision-Making: Information, data, and tools are essential for ensuring that decisions and actions result in intended outcomes, as well as measure progress toward accomplishing those outcomes. Yet, water resource planners and managers often do not have access to the technical information, tools, and facilitation services needed to support regional efforts toward sustainable integrated water management (Canto et al. 2018). Data may be abundant statewide but are collected, used, and stored by numerous agencies and are not coordinated or shared. Although this is a statewide challenge, the consequences of inadequately informed decisions are experienced to a much greater degree in under-represented and economically disadvantaged communities. Data management, planning, policy-making, and regulation must occur in a collaborative, regionally based manner. Data must be accessible, sufficient, quality controlled, and usable. Effective decisions must also be based on the appropriate use and interpretation of data. The ultimate data-sharing and management system needs to utilize an authoritative, open-access platform that informs the decisions of elected officials, opinion leaders, stakeholders, scientists, and subject experts. Subject expertise (e.g., hydrology, climatology, environmental sciences) and stakeholder perspectives woven together into comprehensive, regionally appropriate policies and implementation decisions are necessary to manage for sustainability.”
3. Communities and understanding how they value/interact with natural capital should be explicitly included in Recommended Action, “Quantify Natural Capital” as part of quantifying the societal and economic values of functional ecosystems (Recommended Action 3.3, Page 3-2): “The State should work with non-governmental, private sector, and academic partners to quantify the societal and economic values of functional ecosystems. This action will assist with the development of innovative restoration efforts and the measurement of progress toward restoration goals”.

6. Recognize sovereignty of Tribes:

Goal 4 reads: “Empower California’s Under-Represented or Vulnerable Communities” and Recommended Action 4.1 reads: “Improve Tribal Involvement in Regional Planning Efforts. Consistent with Recommended Action 1.1, and in coordination with the Tribal Advisory Committee and SASC, DWR will improve engagement and consultation with Tribes to better inform water resources management decisions.” This document should explicitly acknowledge the sovereignty of Tribes and difference in the authority of Tribes from other stakeholder groups in water resource management decisions.

7. Consider effects of reporting requirements on Disadvantaged and Underrepresented communities:

Recommended Action 6.5 reads: “Bolster Reporting Requirements for State Financial Assistance. State agencies should require articulation of intended outcomes for all local water projects funded or partially funded by the State. This action would require tracking and reporting on project outcomes and providing information as may be required by State grant programs and funding source requirements.” The reporting requirements for the DACTIP have been burdensome and time-intensive for the community based organizations EJCW has passed funding through to conduct outreach and needs assessment activities. Consider simplifying and streamlining reporting requirements for low-resource groups so they have the opportunity to participate in water resource management efforts. Additionally, DWR should consider novel metrics for evaluating non-traditional projects that benefit DACs, such as educational campaigns regarding drinking water safety in communities where bottled water buying rates are high.

Thank you for your consideration. If you have any questions or require additional information, please contact Maddie Duda at (540) 435-2767 or maddie@ejcw.org.

Sincerely,

The Environmental Justice Coalition for Water