



## Communications & Legislation Committee

Express support, if amended, for AB 2108 (Rivas, D-Hollister; Garcia, D-Bell Gardens):  
water policy; environmental justice;  
disadvantaged and tribal communities.

Item #7-5  
July 12, 2022

# Overview.

- Summary of AB 2108 Proposed Actions
- Rationale
- Impacts to Metropolitan
- Suggested Amendments
- Board Options
- Staff Recommendation

As amended June 16, 2022

# Summary of AB 2108.

- Requires environmental justice or tribal expertise on Boards
- Requires the State and Regional Boards to make a programmatic finding on potential environmental justice, tribal impact, and racial equity considerations when issuing:
  - Regional or statewide water quality control plans
  - Policies for water quality control
  - Waste discharge requirements
- Creates environmental justice and tribal community coordinator positions upon appropriation
- Mandates “meaningful civic engagement” in public decision-making process

## AB 2108 Rationale.

- Low-income communities of color have historically been excluded from policy and permitting processes
- Low-income communities of color and tribal communities are disproportionately impacted by water quality pollution
- Environmental justice or tribal representation will reduce barriers to community engagement and mandate environmental justice considerations in the permitting process

## Impacts to Metropolitan.

- Environmental justice, tribal impact, and racial equity considerations are consistent with Board-adopted priorities/policies
- Broad findings and ambiguous language may be interpreted as new authority for the State Board to reallocate water resources to address past injustices
- Possible impacts to DWR's State Water Project water rights

## Suggested Amendments.

- Clarify the intent of legislation
- Replace ambiguous language
- Amend & clarify language on findings and regarding comments received in public processes
- Clarify no new regulatory/permitting authority granted
- Conforming amendments

## Other Positions.

### Support

- 50+ environmental groups
- California Federation of Teachers AFL-CIO
- Physicians for Social Responsibility - Los Angeles

### Opposition

- Orange County Water District
- California Council for Environmental & Economic Balance

### Opposition (unless amended)

- 12 agricultural interest groups
- California Building Industry Association
- California Chamber of Commerce
- State Building & Construction Trades Council of California

# Board Options.

## Option #1

Express support, if amended, for AB 2108  
(Rivas, D-Hollister and Garcia, D-Bell  
Gardens)

## Option #2

Take no position on AB 2108



# Staff Recommendation.

## Option #1

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Gardens)



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C. Garcia, D-Bell Gardens): water policy; environmental  
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# Questions.

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