



Santa Clara Valley Water District

File No.: 21-0080

Agenda Date: 2/23/2021

Item No.: 4.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Consider the January 7, 2021 Board Policy and Planning Committee Recommendations Regarding Modifications to Valley Water Environmental Justice Board Governance Ends Policies.

RECOMMENDATION:

- A. Consider the January 7, 2021 Board Policy and Planning Committee recommendations to adopt the proposed modifications to Board Governance Ends Policy General Principles E-1 and Glossary to add Environmental Justice Policy Language; and
- B. Adopt the proposed modifications to Board Governance Ends Policy General Principles E-1 and Glossary to add Environmental Justice Policy Language.

SUMMARY:

On September 22, 2020, the Board approved a Resolution titled “Addressing Systematic Racism and Promoting Equity.” The resolution provides a new framework and model to inform potential changes to Santa Clara Valley Water District (Valley Water) internal policies, procedures, and trainings, including calling for the creation of an Ends Policy relative to environmental justice.

At the September 28, 2020 Board Policy and Planning Committee (BPPC) meeting, Watershed Stewardship staff presented and discussed revisions to Board Governance Ends Policy E-4 and a proposed new Ends Policy E-5. The BPPC provided feedback to ensure that environmental justice language is incorporated into the new policy on climate change, and all Board Governance Policies. Following that meeting, Office of Racial Equity, Diversity, and Inclusion (REDI) staff began working on modifying the first set of Governance Policies, beginning with Ends Policy General Principles E-1.

At the November 23, 2020 BPPC meeting, REDI staff presented proposed modifications to Board Governance Ends Policy General Principles E-1 and the Glossary relative to environmental justice. Proposed changes included a more precise definition for environmental justice and disadvantaged community, after surveying best practices in current policies and definitions from other water agencies and environmental organizations. During this process, staff proposed expanding the environmental justice definition beyond the federal Environmental Protection Agency (EPA) definition that has been referenced in past policies, including Valley Water’s Executive Limitation related to environmental justice that was approved in 2018. The environmental justice definition was expanded

to better reflect our local and unique communities' makeup in Santa Clara County.

During the November meeting, the BPPC provided feedback that included language to clarify intent on work product aesthetics, adding inclusive language to the environmental justice definition to include gender and disability, and performance metrics to monitor and measure progress. Suggestions also included researching and confirming appropriate language for the environmental justice definition and use of "disadvantaged communities" versus "marginalized communities."

At the January 7, 2021 BPPC meeting, REDI staff presented revised recommendations based on feedback received during the November meeting, which included clarifying language on intent of work aesthetics, inclusive language on the environmental justice definition to include gender identity and disability status, and retaining the word disadvantaged communities, because of the wide use of the word in federal, state and local government agencies. Staff also recommended performance metrics language and reporting tools for monitoring and measuring progress through Board Appointed Officer (BAO) interpretations to preserve the high-level nature of the Board's End Policies. The BPPC approved all changes and recommended that they go to the full Board for consideration.

The modifications to Board Governance Ends Policy General Principles E-1 and the Glossary relative to environmental justice are consistent with Valley Water's core values and value statement. Specifically, that we are committed to upholding environmental justice for disadvantaged communities in Santa Clara County.

The attached final amendments to the Ends Policy General Principles E-1 and Glossary relative to environmental justice reflects the requested changes by the BPPC and is being presented to the full board for consideration for adoption (Attachment 1).

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: Amendment to General Principles and Glossary

UNCLASSIFIED MANAGER:

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