

San Francisco Bay Conservation and Development Commission

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September 4, 2020

TO: All Environmental Justice Working Group Members

FROM: Nahal Ghoghaie, Environmental Justice Manager (415/352-36348; nahal.ghoghaie@bcdc.ca.gov)

SUBJECT: Draft Meeting Summary of July 30, 2020 Environmental Justice Working Group

1. **Call to Order, Roll Call, Introductions and Approval of Agenda.** The meeting was called to order by Chair Ahn in a virtual meeting conducted via Zoom at 1:00 pm. Present were Group Members: Chair Eddie Ahn, Commissioner Sheri Pemberton, Commissioner Pat Showalter and Commissioner John Vasquez.

BCDC Staff in attendance included, EJ Manager Nahal Ghoghaie, Planning Director Jessica Fain, Planning Manager Shannon Fiala, Shoreline Development Analyst Yuri Jewett, Waterfront Planner Katharine Pan and Chief Deputy Director Steve Goldbeck.

Also in attendance was UC Berkeley Master of City Planning Summer Research Associate Erika Foster.

MOTION: Commissioner Showalter moved approval of the Agenda, seconded by Commissioner Pemberton. The agenda was approved by voice vote with no objections or abstentions.

2. **Approval of the May 7, 2020 Environmental Justice Commissioner Working Group Meeting Minutes.**

MOTION: Commissioner Pemberton moved approval, seconded by Commissioner Vasquez. The agenda was approved by voice vote with no objections or abstentions.

3. **Update on Racial Equity Team (RET) action plan development and process.** Ms. Ghoghaie and Ms. Pan presented the following: Racial Equity Team Action Plan development process.

Ms. Pan gave background on who makes up the RET (14 BCDC volunteer staff devoting up to 10% of time/month). Team formed back in January 2020, based in work in the GARE program. Staff decided we needed a plan to establish goals and an action plan to guide operationalization of equity at the agency. Shared a background on racial equity at BCDC and how it's been a priority for years.



**BCDC ENVIRONMENTAL JUSTICE WORKING GROUP SUMMARY
JULY 30, 2020**

The plan will allow BCDC to prioritize actions and allocate resources and will serve as a roadmap for how to operationalize and implement policies. The goal is to have a 5 year timeline with metrics for success.

Team has about 18 months total to develop the action plan. Already completed background research phase and are now working on the visioning to understand what staff would like to see for a racially equitable BCDC. The planning process includes a few components: completed background research, in visioning phase – had team visioning session already, performed all staff survey, and are currently planning an all-staff visioning workshop, as well as interviews with individual staff or small groups, then will synthesize goals and move onto strategy development, then drafting the plan.

Thought it would be useful to check in with EJ WG members on the strategy evaluation and draft plan steps where we can give them something to review then ask for advice.

Ms. Pan reviewed her slides showing outcomes from RET visioning session on idea flip website and read off the main topic areas listed on the slide. She also reviewed the outcomes of the survey sent to all staff, showing which phase BCDC is in on the continuum that was used in GARE that helps orgs to rate their efforts. We're moving towards a "Culture Shift" from the "Transactional" phase.

Reviewed other learnings from the survey, which are listed on slides. Generally, staff feel committed to racial equity, feel there are disparities in our external work and internal operations, etc. Overall, staff want to see more collaboration, funding and leadership, better recruitment strategy to encourage more diversity, creating accountability, etc.

RET's next steps are to have a visioning workshop at the end of August, followed by interviews, and drafting strategies.

Ms. Pan opened the discussion with a couple of questions:

- a. Looking at the work plan, when and how should we engage with Commissioners?

Commissioner Vasquez responded by saying we should engage Commissioners earlier than later, so we know what this means to us from Commissioners' perspective, as an agency. Discussion proceeded, and the decision was to have a full Commission conversation, then engage the stakeholders again from there. Need to engage the full Commission to help them understand what it is we're trying to do.

Chair Ahn agreed and asked to review survey findings by staff to help focus Commissioners and prepare them for the workshop. Would like to uplift developing a recruitment strategy for staff diversity. Need to develop better pathways for diverse entry level staff.

Commissioner Showalter added that a crucial question to ask is "What are we trying to do?" Mentioned recent events regarding racial justice and how this has been on everybody's minds now. Not just important how we recruit staff for BCDC. How do we recruit black and brown people for environmental jobs in general? Included example of black man who was bird

watching in New York. We need to look at these deterrents and barriers to develop our strategy to see the societal issues that impact our work and this profession. Discussion on lack of diversity in her work since she started as a woman engineer.

The group had a discussion around the considerations of barriers to our profession and actions we could take to remove those barriers.

Ms. Ghoghaie mentioned a PhD researcher focused on this issue, as well as BayCAN's equity work group's resources on removing barriers.

Commissioner Showalter mentioned a summer recruitment program at Stanford University focused on recruiting socially vulnerable communities for the medical field.

Ms. Pan mentioned the interviews and how the RET would like to open that opportunity to the Commission. We don't have anything scheduled yet, but maybe this could help inform the Commission-wide conversation.

Commissioner Vasquez thinks BCDC needs to show how we believe equity should be reflected in the workplace. We're kind of a showpiece of what we believe for the greater community and world, of what fairness and equity should look like. Shared insights on how he's a person of color who still was able to get elected. Mentioned biases and racism, but that we should show people that it's more about their will to move forward.

BCDC has some new job postings that will encourage diverse applicants with experience working in the community to apply.

Peggy chimed in to share the state's guidelines for job announcements. State agencies can not restrict positions for minorities, but we can work to encourage people of color to apply. BCDC is working with universities to ask if they can connect us to specific groups that they would recommend we work with on our recruitment. Without affirmative action, we can not do more than "encourage," and then have to hire the most qualified candidate.

Steve Goldbeck mentioned that the fall ballot has an initiative to overturn that restriction, and Larry has shared a new internship program for POC to the Commission. That is BCDC's first commitment that does not violate state laws.

Commissioner Pemberton shared that she supports the RET's plan and feels the team should engage the Commission around the strategic framework point, when the contours of that are established. And on the broader topic of increasing diversity in hiring, there are conversations happening at other agencies, so there might be ways to coordinate and collaborate on that effort to diversify the workforce.

Chair Ahn shared that a Commission wide workshop to help BCDC to think about the boundaries around what some of the legal restrains may be for this work.

To summarize, a workshop in the fall is likely needed.

b. Update on CBO Matchmaking Tool Development. Ms. Ghoghaie introduced the Working Group to Erika Foster, a summer UC Berkeley research associate who has worked on a CBO directory to assist BCDC staff with EJ policy implementation.

Ms. Foster provided an overview of the process to-date, including the details listed below, and requested feedback on next steps from the EJ Working Group members.

(1) Tool Purpose

- Support BCDC permit staff with EJ Policy implementation process
- Ensure the “right” EJ community representatives are informed of proposed projects

(2) Process

- Focused on communities with high/highest social vulnerability along the shoreline, per BCDC’s Community Vulnerability Mapping Tool
- Interviewing CBOs to evaluate how the directory could benefit their communities
- Using connections with EJ leaders to shape directory and cast a wider net

Ms. Foster went on to describe a second tool she has been developing over the summer to support permit applicants and staff on understanding the best practices for meaningful community involvement.

What Is Meaningful Involvement?

According to the U.S. Environmental Protection Agency,

- “(1) people have an opportunity to participate in decisions about activities that may affect their environment and/or health;
- (2) the public's contribution can influence the regulatory agency's decision;
- (3) community concerns will be considered in the decision-making process; and
- (4) decision makers will seek out and facilitate the involvement of those potentially affected.”

(3) Environmental Justice and Social Equity Finding K

- Equitable and culturally relevant outreach and engagement
- Consistent community outreach and engagement from the start of a project and throughout the project

Commissioner Vasquez pointed out that (2) says “can,” while (3) says “will.” He asked why those two terms vary and suggested that BCDC update language in the Bay Plan to say “will” so it better reflects the agency’s Commission.

Ms. Foster provided

Objective: To provide permitting staff as well as permit applicants with a tool they can refer to for guidance on meaningful community engagement. The tool is not legally binding, but a collection of best practices.

Content:

- What is EJ and Meaningful Community Involvement, per Bay Plan
- Explanation of BCDC’s new EJ requirements
- What to consider when developing a meaningful community engagement strategy:
 - Who are the Stakeholders? Are they all being represented?
 - What to include in the budget and what funding is available for engagement activities?
 - Timeline for activities - mindful of time commitments, timing
 - Consideration of literacy level, socioeconomic status, age, language, accessibility, etc.
 - Cultural sensitivity considerations
- Prioritizing Community knowledge
- Helpful Resources for Successful Community Engagement (e.g., case studies, existing tools, training materials, etc.)

Question from Chair Ahn: Is the database available for the public to look at?

Ms. Foster respond saying that she wanted to leave this to the CBOs to decide whether or not they’d like it to be available. So far they’re fine with it.

Question from Commissioner Showalter: How do you envision the guidance tool to be shared?

Ms. Ghoghaie responded that after we get legal approval, we hope to include this tool at the top of our EJ tool.

4. Update on plans to form an Environmental Justice Advisory Committee to continue community leadership throughout the policy implementation process. Ms. Ghoghaie introduced a new program idea to the Work Group called the EJ Advisory Committee. This Committee would build upon the work started by the EJ Review Team by providing review, advice and recommendations to BCDC on existing and proposed regulations and policies that impact the environmental health and justice of communities.

Committee meetings would be a forum for discussions about integrating environmental justice into other BCDC projects and initiatives, and to share concerns about issues that are relevant to BCDC’s authority and jurisdiction.

The Committee's goals would be to provide community-based support, independent advice and recommendations on EJ Policy implementation, including planning, permitting, policy and community outreach and engagement efforts.

Committee Structure: The Committee would be composed of 4-6 representatives of EJ organizations and/or residents of socially vulnerable communities of color. Representatives will be selected through a public solicitation and transparent selection process.

a. **EJ Advisory Committee Membership Requirements:**

- 6 members from CBOs
- 6 EJCWG Meetings/ year
- Meetings to prep and follow-up
- Participation in Commission meetings as needed
- Funding Opportunities

Ms. Ghoghaie shared that she and Jessica Fain are in conversations with Resources Legacy Fund about covering committee members' participation on this body. She will update the Commission as soon as that funding is secured.

Ms. Ghoghaie opened it up for questions, specifically asking if Commissioners have suggestions for additional funding sources.

Question from Commissioner Vasquez: How did you come up with six members when there are 9 Bay Area counties?

Ms. Ghoghaie responded by saying that some representation is better than no representation. So, we want to recognize that it's not adequate and strive for at least nine members in future years to secure funding to recruit more people.

Vasquez asked another question: Will there be an attendance commitment? With a small number of 6 it's critical to ensure everyone attends most of these meetings.

Ms. Ghoghaie agrees and hopes to develop an agreement process that would require they attend X % of meetings to receive funding. We've discussed splitting their funding into two separate payments.

Question from Commissioner Showalter: How did you come up with \$6,000?

Ms. Ghoghaie responded by addressing this and explaining the extra phone calls and ensuring CBOs are getting paid for their time.

Commissioner Showalter: This money is a real incentive, so it's much more than standard volunteer work.

5. **Adjournment.** There were no further questions or comments, and the meeting adjourned.