

San Francisco Bay Conservation and Development Commission

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January 11, 2019

TO: Commissioners and Alternates

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SUBJECT: Staff Report in preparation for the Commissioner Workshop on Bay Plan Amendment 2-17 to incorporate findings and polices regarding Environmental Justice and Social Equity
(For Commission consideration on January 17, 2019)

Summary

On January 17, 2019, BCDC staff will facilitate a workshop with Commissioners and members of the public, with the following objectives:

1. Garner support and input from Commissioners and the public on incorporating environmental justice and social equity into the San Francisco Bay Plan;
2. Review findings of Bay Plan Amendment on Environmental Justice and Social Equity (BPA 2-17) process to date; and
3. Brainstorm policy solutions to address environmental justice and social equity, given BCDC's role, jurisdiction, and authority.

During the workshop, BCDC staff, with support from staff from the Environmental Justice Coalition for Water and in collaboration with the Environmental Justice Commissioner Working Group, comprised of Commissioners Teresa Alvarado as Chair, and Eddie Ahn, Sheri Pemberton, Pat Showalter, and John Vasquez as members, will provide a brief overview of: (1) other environmental justice efforts around the state and region; (2) definitions of environmental justice and social equity; (3) community vulnerability findings produced by the Adapting to Rising Tides Program; and (4) the intersections between BCDC's permitting and planning work and environmental justice and social equity. Commissioners and members of the public will break into smaller groups to discuss potential policy solutions for the three policy areas identified for amendment: (1) public access; (2) shoreline protection; and (3) mitigation; as well as (4) other areas of concern that could be included in the new Bay Plan section regarding environmental justice. Finally, each small group will discuss how BCDC's public participation process could be improved.

The background information provided in this staff report is intended to inform Commissioners and the public about the research and policy considerations efforts identified to date by BCDC staff and the Environmental Justice Commissioner Working Group.

The public hearing for this Bay Plan amendment is scheduled for July 18, 2019 at the Metro Center. In advance of the public hearing, BCDC staff will publish a staff report no later than June 18, 2019.

Staff Report

Background. On July 20, 2017, at the culmination of the commissioner workshop series on rising sea levels, the Commission voted to initiate a process to amend the San Francisco Bay Plan (Bay Plan) in order “to address social equity and environmental justice” by updating policies in certain sections of the Bay Plan, specifically:

1. Public Access;
2. Shoreline Protection;
3. Mitigation; and/or
4. Adding a new section on Social Equity and Environmental Justice.

Starting in April 2018, the Environmental Justice Commissioner Working Group have met to advise staff and to discuss issues related to the amendment. In support of the Working Group, BCDC staff has prepared a series of memos on the following topics: definitions of environmental justice and social equity other agencies efforts to advance environmental justice; summary of interviews with staff from environmental justice organizations; best practices in engagement; and three policy memos delving into the three Bay Plan sections that have been identified for amendment: (1) public access; (2) shoreline protection; and (3) mitigation.

Presentations, memos, and minutes from each Environmental Justice Commissioner Working Group are available at <http://www.bcdc.ca.gov/ejwg/meetings.html> and background information on the project is available here: <http://www.bcdc.ca.gov/ejwg/BPAEJSE.html>.

Policy areas and Discussion. BCDC staff has outlined key topics that are associated with each of the three policy areas identified for amendment in 2017. For each topic, we have outlined potential intersections of environmental justice and social equity with the proposed policy areas; the applicable San Francisco Bay Plan policies; other relevant BCDC policies, procedures, and practices; examples/case studies or complementary (non-BCDC) efforts; and questions to consider. These topics and associated questions were derived from:

1. Meetings, calls, and events with environmental justice organizations and communities;
2. Past Environmental Justice Commissioner Working Group meeting minutes and materials;
3. Academic and non-academic research, and
4. Discussions with BCDC regulatory and Adapting to Rising Tides (ART) staff.

I. Public Access

A. Environmental Justice and Social equity Policy Intersections

1. **Inclusive and Appropriate Design (culturally, economically, age-appropriate, etc.).** Equity and environmental justice concerns can arise in the design of public access amenities. Certain communities have been historically, and are still currently, underrepresented in the environmental policy-making process and cut off from the Bay due to non-inclusive or inappropriate designs. Designs may not reflect the recreational preferences of certain communities. Some designs can even lead to reduced use or non-use of public access areas by certain communities if they no longer feel welcome. Some amenities may require owning boats or kayaks, which may exclude people based on income if they are unable to afford a boat. Certain uses may also be active, excluding older or disabled users.
2. **Signage Language.** Communities that do not speak English may be excluded from public access areas if signage is only in English.
3. **Access to Public Access.** Some communities may also be cut off from Bay public access by busy roads and freeways or industrial land uses. Routes to public access can be unsafe for those traveling by bike or foot.
4. **Costs (special events, parking, transit).** Some communities may be excluded from public access if costs of special events, parking, or transit are too expensive.
5. **Maintenance.** Poor maintenance can also deter people from using public access, especially if inadequate maintenance renders areas unsafe.
6. **Safety.** Conversely, the presence of law enforcement can deter certain communities from using public access.

B. Relevant existing Public Access Findings and Policies

1. **Public Access Finding D.** The Commission has adopted advisory "Public Access Design Guidelines" to assist in the siting and design of public access to San Francisco Bay. The Design Review Board was formed in 1970 of professional designers to advise the Commission on the adequacy of public access of proposed projects in accordance with the Bay Plan.
2. **Public Access Finding E.** Although public access to the approximately 1,000-mile Bay shoreline has increased significantly since the adoption of the Bay Plan in 1968, demand for additional public access to the Bay continues due to a growing Bay Area population and the desirability of shoreline access areas. Diverse public access experiences are in great demand, both along urban waterfronts and in more natural areas. The full potential for access to the Bay has by no means yet been reached.
3. **Public Access Finding H.** Although opportunities for views of the Bay from public access areas have increased since the Bay Plan was adopted in 1968, there are still a significant number of shoreline areas where there exists little or no visual access to the Bay.

4. **Public Access Finding I.** Public access areas obtained through the permit process are most utilized if they provide physical access, provide connections to public rights-of-way, are related to adjacent uses, are designed, improved and maintained clearly to indicate their public character, and provide visual access to the Bay. Flooding from sea level rise and storm activity increases the difficulty of designing public access areas (e.g., connecting new public access that is set at a higher elevation or located farther inland than existing public access areas).
 5. **Public Access Finding N.** Providing diverse and satisfying public access opportunities can reduce the creation of informal access routes to decrease interaction between humans and wildlife, habitat fragmentation, and vegetation trampling and erosion. Formal public access also provides for more predictable human actions, which may increase the ability of wildlife to adjust to human use.
 6. **Policy 7.** Public access improvements provided as a condition of any approval should be consistent with the project and the physical environment, including protection of Bay natural resources, such as aquatic life, wildlife and plant communities, and provide for the public's safety and convenience. The improvements should be designed and built to encourage diverse Bay-related activities and movement to and along the shoreline, should permit barrier free access for persons with disabilities to the maximum feasible extent, should include an ongoing maintenance program, and should be identified with appropriate signs.
 7. **Policy 9.** Access to and along the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available. Diverse and interesting public access experiences should be provided which would encourage users to remain in the designated access areas to avoid or minimize potential adverse effects on wildlife and their habitat.
 8. **Policy 10.** Roads near the edge of the water should be designed as scenic parkways for slow-moving, principally recreational traffic. The roadway and right-of-way design should maintain and enhance visual access for the traveler, discourage through traffic, and provide for safe, separated, and improved physical access to and along the shore. Public transit use and connections to the shoreline should be encouraged where appropriate.
 9. **Policy 12.** The Public Access Design Guidelines should be used as a guide to siting and designing public access consistent with a proposed project. The Design Review Board should advise the Commission regarding the adequacy of the public access proposed.
- C. **Other relevant BCDC Policies, Procedures, and Practices**
1. **Public Access Design Guidelines.** The Public Access Design Guidelines, mentioned in the San Francisco Bay Plan consist of three sets of guidelines to aid applicants in designing public access. The three parts include: Shoreline Spaces, Shoreline Signs, and Shoreline Plants.

2. **Design Review Board (DRB).** BCDC's DRB consists of experts in related fields, such as landscape architecture, architecture, urban design, and planning. The DRB advises project proponents on the public access portion of their projects.

D. **Examples/Case Studies or Complementary (non-BCDC) Efforts**

1. **City of Seattle.** In 2018, the City of Seattle created a rule that requires developers to conduct early community outreach prior to design review. Seattle has also designed equity areas where developers will need to tailor this early outreach to the needs of historically underrepresented communities.
2. **Perkins+Will.** Architecture and design firm, Perkins+Will, is drafting an equity toolkit to better integrate community participation and equity into their design work.
3. **Resilient by Design.** Permaculture plus Social Equity (P+SET) - P+SET, a Resilient by Design Bay Area team based in Marin City, is a collaboration between individuals and firms passionate about community-led design that provides beneficial outcomes for people and the planet. P+SET developed a social design process to build community capacity to address the challenges of coastal adaptation and resiliency planning. Along with Shore Up Marin, a People's Plan was produced in Marin City.

E. **Questions to Consider**

1. What are other intersections of environmental justice, social equity and public access?
2. Should BCDC create new, or update existing, findings to acknowledge communities underserved by existing public access resources?
3. How does BCDC balance its role as a regional agency with the needs of Bay-adjacent communities and other users of the Bay as we attempt to be equitable?
4. Can BCDC require that its public access signage is in multiple languages or is icon-based?
5. Can BCDC require that project proponents conduct community outreach around public access design? Could this process include more targeted outreach and engagement that is tailored to the underrepresented communities who may use the public access?
6. Should BCDC update the Public Access Design Guidelines to incorporate principles of environmental justice and equity into the Shoreline Spaces and Shoreline Signs guides or create a new guide addressing public participation and community involvement in public access design?
7. How could BCDC consider the notion that some public access improvements contribute to the gentrification of an area, resulting in decreased use or non-use of public access by current residents?

II. Shoreline Protection

A. Environmental Justice and Social Equity Policy Intersections

1. **Cost.** Shoreline protection can carry high costs throughout the project's life from planning and design to construction and maintenance. Lower income communities may struggle to afford the same level of protection as higher income communities.
2. **Adjacent Adverse Impacts.** Some protection structures can cause adjacent erosion and/or flooding if adjacent areas do not have the same level or type of protection.
3. **Contaminated Lands.** Many contaminated sites around the Bay Area are located in or near low-income communities of color that may not be able to afford high levels of shoreline protection. The cleanup of these lands needs to include the best available science on future flooding and groundwater rise to prevent to the mobilization of contaminants.
4. **Community Involvement.** Certain communities have been historically, and are still currently, underrepresented in the environmental policy-making process from planning to monitoring. The planning, design, construction, and maintenance of shoreline protection are not exceptions to this. Communities should be involved in sea-level rise vulnerability studies and adaptation planning to ensure assets that are valuable to the community are adequately protected.

B. Relevant Existing Shoreline Protection Findings and Policies

1. **Shoreline Protection Finding E.** Addressing the impacts of sea level rise and shoreline flooding may require large-scale flood protection projects, including some that extend across jurisdictional or property boundaries. Coordination with adjacent property owners or jurisdictions to create contiguous, effective shoreline protection is critical when planning and constructing flood protection projects. Failure to coordinate may result in inadequate shoreline protection (e.g., a protection system with gaps or one that causes accelerated erosion in adjacent areas).
2. **Policy 1.** New shoreline protection projects and the maintenance or reconstruction of existing projects and uses should be authorized if: (a) the project is necessary to provide flood or erosion protection for (i) existing development, use or infrastructure, or (ii) proposed development, use or infrastructure that is consistent with other Bay Plan policies; (b) the type of the protective structure is appropriate for the project site, the uses to be protected, and the erosion and flooding conditions at the site; (c) the project is properly engineered to provide erosion control and flood protection for the expected life of the project based on a 100-year flood event that takes future sea level rise into account; (d) the project is properly designed and constructed to prevent significant impediments to physical and visual public access; and (e) the protection is integrated with current or planned adjacent shoreline protection measures. Professionals knowledgeable of the Commission's concerns, such as civil engineers experienced in coastal processes, should participate in the design.

3. **Policy 3.** Authorized protective projects should be regularly maintained according to a long-term maintenance program to assure that the shoreline will be protected from tidal erosion and flooding and that the effects of the shoreline protection project on natural resources during the life of the project will be the minimum necessary.

C. **Other Relevant BCDC Policies, Procedures, and Practices**

1. **Adapting to Rising Tides (ART) Program.** BCDC’s ART Program developed a dataset to better understand community vulnerability to current and future flooding due to sea level rise and storm surges. The dataset includes four categories of information: 1) social vulnerability indicators, 2) contamination vulnerability indicators, 3) residential exposure to sea level rise, and 4) complementary community vulnerability screening tools. These data were developed with the help of an advisory committee of experts, including community advocates, who had previously developed criteria for vulnerabilities and strategies, local knowledge, and consultation of academic and federally-sponsored research. The data have been further refined through review from organizations including the Bay Area Regional Health Inequities Initiative and the Resilient Communities Initiative, the working group for the ART Bay Area project, the Resilient by Design Bay Area Challenge, and will be continually updated as thinking surrounding social vulnerability evolves. Preliminary data interpretation shows flooding impacts due to sea level rise and storm surge in the Bay Area will be disproportionately distributed to populations with certain socioeconomic characteristics with potential impacts including: loss of property and income; displacement; disrupted access to medical care—both accessing facilities and disruption of services received; exposure to toxic substances; and physical and mental damages resulting from the flooding of homes and infrastructure.
2. **Regional Adaptation Plan (RAP).** The RAP is mentioned in both the Bay Plan Climate Change policies and in BCDC’s Strategic Plan 2017-2020. Bay Plan Climate Change Policy 6 states that, “The Commission, in collaboration with the Joint Policy Committee, other regional, state and federal agencies, local governments, and the general public, should formulate a regional sea level rise adaptation strategy for protecting critical developed shoreline areas and natural ecosystems, enhancing the resilience of Bay and shoreline systems and increasing their adaptive capacity.” BCDC Strategic Plan Objective 2.1 states, “Use Adapting to Rising Tides (ART) Bay Area to lead the creation of a Regional Adaptation Plan (RAP) for rising sea level.”

D. **Examples/Case Studies or Complementary (non-BCDC) Efforts**

1. **Resilient Communities Initiative (RCI).** RCI is a coalition of eleven of the region’s leading social justice groups, bringing deep grassroots leadership and expertise to community planning.

2. **East Oakland Neighborhood Initiative.** Funded by a Transformative Climate Communities grant from the State of California’s Strategic Growth Council; the East Oakland Neighborhoods Initiative is a partnership between the City of Oakland Planning Department and twelve community-based organizations focused on planning and envisioning climate resilience goals for Deep East Oakland.
3. **Bay Area Regional Health Inequities Initiative (BARHII).** BARHII is a coalition of the San Francisco Bay Area’s eleven public health departments committed to advancing health equity. This includes work to incorporate principles of health equity into land use and transportation planning and actively focuses on adaptation planning for the Bay Area.
4. **Santa Clara Valley Water District (SCVWD)-Alviso Working Group.** The SCVWD has a long standing relationship with the Alviso Working Group to provide community outreach to its most flood-prone area.

E. Questions to Consider

1. What are other intersections of environmental justice and shoreline protection?
2. Can BCDC require applicants to provide an equity or environmental justice analysis of shoreline protection structures (including adjacent impacts)? If so, what would such an analysis look like?
3. If BCDC requires additional assessments on equity or environmental justice when applying for a permit to build shoreline protection, this could place an additional financial burden on less resourced, smaller communities that may already be struggling with the cost of shoreline protection design, construction, and maintenance. What could BCDC do in this situation?
4. Protecting a property from flooding can raise a property’s value and contribute to displacement of current residents. Could BCDC ensure this does not happen and if so, how?
5. How does BCDC better coordinate with Department of Toxic Substance Control (DTSC) and the San Francisco Regional Water Board on the issue of future flooding and contaminated lands to prevent the mobilization of contaminants?

III. Mitigation

A. Environmental Justice and Social Equity Policy Intersections

1. **Adverse Social Impacts.** Currently, BCDC’s policies can require mitigation for adverse environmental impacts to Bay resources. However, some projects may have adverse social impacts, such as displacement or reduced use or non-use of public access amenities by certain communities, in addition to adverse environmental impacts.
2. **Community Benefits.** Currently, BCDC’s required mitigation consists of Bay fill removal, or habitat restoration, enhancement or creation. However, in communities where residents’ basic needs are not met, dedicated community benefits programs, such as affordable housing, education programs, skills-based training programs, renewable energy provisions, etc. may also be beneficial.

3. **Location of Mitigation Measures.** Currently, BCDC's policies require mitigation to occur as close to the project impacts as possible. Following these policies would result in mitigation being located in areas with higher levels of development and investment, resulting in other areas where there are fewer projects and permits being neglected. Likewise, these policies can be difficult to implement in low-income communities of color around the Bay, as many of these communities are in highly industrialized areas that are often not suitable for the scale of mitigation required. Additionally, mitigation at the site may result in beautification projects rather than projects that compensate for the adverse impacts.
4. **Timing of Mitigation Measures.** Currently, BCDC's policies encourage mitigation to occur prior or concurrently to the project impacts. In areas that are already burdened by adverse environmental impacts, it best to have mitigation occur prior to any further impacts.
5. **Community Involvement.** Certain communities have been historically, and are still currently, underrepresented in the environmental policy-making process from planning to monitoring. The planning, designing, building, and monitoring of mitigation projects are not exceptions to this.

B. **Relevant existing Mitigation Findings and Policies**

1. **Mitigation Finding A.** Mitigation for direct or indirect adverse effects on the environment, including to land, air, water, minerals, flora, fauna, and objects of historic or aesthetic significance, includes the following actions, taken in sequence: (1) avoiding the impact; (2) minimizing the impact; (3) repairing, rehabilitating, or restoring the impacted environment, and finally; (4) compensating for the impact by replacing or providing substitute resources, thus providing compensatory mitigation.
2. **Mitigation Finding F.** Natural resource areas provide various benefits to human welfare, including climate regulation, flood protection, erosion control, and recreational and aesthetic benefits. Therefore, there may be social and economic effects on nearby communities as a result of impacts on existing resource areas and the siting and design of compensatory mitigation projects.
3. **Mitigation Finding I.** Fee-based mitigation involves the submittal of a fee by the permittee in-lieu of requiring the permittee to undertake the creation, restoration, or enhancement of a specific mitigation site, or purchasing credits from a mitigation bank. The fee is generally submitted to a third party for implementation of an ongoing or future restoration-creation project. Provided mechanisms are in place to assure success, fee-based mitigation can also provide a timely, convenient, cost effective and ecologically successful mitigation option.
4. **Policy 2.** Individual compensatory mitigation projects should be sited and designed within a Baywide ecological context, as close to the impact site as practicable, to: (1) compensate for the adverse impacts; (2) ensure a high likelihood of long-term ecological success; and (3) support the improved health of the Bay ecological system. Determination of the suitability of proposed mitigation locations should be guided in part by the information provided in the Baylands Ecosystem Habitat Goals report.

5. **Policy 3.** When determining the appropriate location and design of compensatory mitigation, the Commission should also consider potential effects on benefits provided to humans from Bay natural resources, including economic (e.g., flood protection, erosion control) and social (e.g., aesthetic benefits, recreational opportunities).
6. **Policy 6.** Mitigation should, to the extent practicable, be provided prior to, or concurrently with those parts of the project causing adverse impacts.
7. **Policy 11.** The Commission may allow fee-based mitigation when other compensatory mitigation measures are infeasible. Fee-based mitigation agreements should include: (1) identification of a specific project that the fees will be used for within a specified time frame; (2) provisions for accurate tracking of the use of funds; (3) assignment of responsibility for the ecological success of the mitigation project; (4) determination of fair and adequate fee rates that account for all financial aspects of the mitigation project, including costs of securing sites, construction costs, maintenance costs, and administrative costs; (5) compensation for time lags between the adverse impact and the mitigation; and (6) provisions for long-term maintenance, management and protection of the mitigation site.

C. Other Relevant BCDC Policies, Procedures, and Practices

1. **Mitigation Practices Guidebook.** This guidance document from 1987 includes recommendations on how to craft mitigation proposals for floating fill, submerged fill, pile-supported fill, and earth fill.

D. Examples/Case Studies or Complementary (non-BCDC) Efforts

1. **San Francisco Bay Restoration Authority (SFBRA) Grant Prioritization Criteria.** The SFBRA disperses Measure AA funds for shoreline projects that protect and restore the San Francisco Bay. These types of projects can be similar to BCDC's required mitigation. There are nine prioritization criteria used when dispersing funds. Three of these criteria are related to environmental justice and social equity concerns. These criteria include: (1) Benefit economically disadvantaged communities; (2) Benefit the region's economy, including local workforce development, employment opportunities for Bay Area residents, and nature-based flood protection for critical infrastructure and existing shoreline communities; and (3) Work with local organizations and businesses to engage youth and young adults and assist them in gaining skills related to natural resource protection.
2. **California Department of Toxic Substances Control (DTSC) and SB 673 (2015).** DTSC, a department of the California Environmental Protection Agency, is tasked with administering the Hazardous Waste Facility Permitting Program established under Chapter 6.5 of California Health and Safety Code, and Resource Conservation and Recovery Act (RCRA) authorization. SB 673 (2015) aimed to improve DTSC's permitting process by including additional criteria to address community concerns, including considering criteria for vulnerable populations, cumulative impacts, and setback distances from locations for sensitive receptors, such as schools, daycare

centers, and hospitals. Meaningful public participation and best available science are important to the development of cumulative impact standards and policy considerations for issuance of a hazardous waste facility permit. DTSC recently released a draft concepts paper on their regulatory framework pursuant to SB 673.

3. **City of Richmond and Chevron’s Environmental and Community Investment Agreement (ECIA).** In 2014, the City of Richmond and Chevron agreed to an ECIA, which will provide \$90 million dollars to the Richmond community over the next ten years. This includes investments in community programs, competitive community grants, community-based greenhouse gas reduction programs and a photovoltaic solar farm.
4. **Central SoMa Plan’s Community Benefits Package.** The desire for a Central SoMa Plan (Plan) began during the Eastern Neighborhoods planning process. In 2008 the City adopted the Eastern Neighborhoods Plan, including new land use controls and proposed community improvements for the eastern part of the South of Market neighborhood (SoMa), as well as the Central Waterfront, Mission, and Showplace Square/Potrero Hill neighborhoods. At that time, the City determined that the development potential of the surrounding area, coupled with the improved transit provided by the Central Subway, necessitated a separate, focused planning process that considered the city's growth needs and City and regional environmental goals.
5. **San Francisco Public Utilities Commission (SFPUC)’s Community Benefits Programs.** The SFPUC reinvests in the communities and neighborhoods most impacted by their operations in several key areas, including: workforce development, education, arts, environmental justice and land use, neighborhood revitalization, and small business operations.

E. Questions to Consider

1. What are other intersections of environmental justice and mitigation?
2. Can or should BCDC require mitigation for social impacts?
3. Can or should BCDC’s required mitigation include options with a focus on social or community benefits rather than biological resource benefits?
4. How can BCDC ensure more community involvement in all stages of mitigation projects?

IV. New section of the San Francisco Bay Plan on Social Equity and Environmental Justice

A. Potential Policy Areas to Address in New Section on Social Equity and Environmental Justice

1. **Recognition of historic and current environmental justice issues around the San Francisco Bay Area**
2. **Definitions, terms, concepts**
 - a. Environmental justice
 - b. Social equity
 - c. Climate justice

- d. Vulnerable community
- e. Disadvantaged community
- f. Underrepresented community

3. **Guiding Principles**

- a. First National People of Color Environmental Leadership Summit's 1991 Principles of Environmental Justice
- b. The California Environmental Justice Alliance (CEJA)'s Environmental Justice Principles for Policy Implementation at Regulatory Agencies
- c. The Environmental Justice Leadership Forum on Climate Change's Principles of Climate Justice
- d. Second National People of Color Environmental Leadership Summit's 2002 Principles of the Youth Environmental Justice Movement

- 4. **Community Outreach and Engagement.** Meaningful, robust, and authentic community engagement is at the heart of environmental justice and should support all of BCDC's work. BCDC's public process needs to be accessible to all Bay Area residents and users of the Bay. This can include commission meeting locations, times, and dates; the provision of food, childcare, travel stipends, and participation stipends for meetings; translation and interpretation of meetings and meeting materials; remote participation options; and expanded noticing requirements.
- 5. **Local Workforce Development.** Local workforce development, job training, and local economic development in projects come up in many discussions regarding environmental justice.
- 6. **Equity or Environmental Justice Analyses.** Analysis could quantify disproportionate burdens or benefits of the projects that BCDC approves, potentially allowing for the conditioning of approvals to reduce such disproportionality, including required community outreach and engagement as well as additional mitigation.
- 7. **Coordination with Local Governments and Other Federal, State, and Regional Agencies.** As local governments retain most land use authority in California, it is crucial that BCDC coordinate with local governments to work towards environmental justice and social equity. Other issues related to environmental justice and social equity may be outside BCDC's authority or jurisdiction, but may be within the purview of a federal agency, another state agency, or another regional agency. Again, it is crucial that BCDC work effectively and efficiently with other agencies.
- 8. **BCDC Workforce Development and Staff Training.** Through its involvement with the Government Alliance on Race and Equity (GARE), BCDC should improve its workforce development, including recruitment and retention to be more reflective of the general population of the Bay Area. As is mentioned in BCDC's Strategic Plan for 2017-2020, staff should receive training on environmental justice and social equity on an on-going basis.

B. Other relevant BCDC Policies, Procedures, and Practices

1. **Regulations.** BCDC's regulations, found in the California Code of Regulations Title 14 Division 5, contain the procedures and processes for many actions at BCDC including amending the San Francisco Bay Plan; advisory boards; Commission meetings, hearings, and voting; dredging procedures; enforcement procedures; fees; permit procedures; public comments; and special area planning.
2. **Strategic Plan.** Currently, environmental justice is mentioned in BCDC's most recent strategic plan update under Goal 2: Increase the Bay's natural and build communities' resilience to rising sea level.
3. **Other Planning Initiatives (including the RAP).** see descriptions above.
4. **Internal Workforce Development.** see description above.
5. **Staff Training.** see description above.

C. Examples/Case Studies or Complementary (non-BCDC) Efforts

1. **Save the Bay's Bay Smart Communities Program.** In Save the Bay's "Bay Smart Communities for a Sustainable Future" report, the authors lay out a framework for equitable and sustainable development policies in the Bay Area, with focuses on water, transportation, housing, and environmental justice policies and planning.
2. **California Coastal Commission's Environmental Justice Policy.** The California Coastal Commission is in the process of developing an environmental justice policy. The Coastal Commission has developed a list of principles to guide their policy as well as a public engagement strategy.
3. **California State Lands Commission's Environmental Justice Policy.** The California State Lands Commission adopted their environmental justice policy in December 2018. The policy has an introduction recognizing the history of environmental injustice throughout the state of California as well as a set of environmental justice goals that the policy aims to achieve. Lastly, the policy includes an implementation blueprint with strategies to reach each goal.
4. **Resilient by Design's Briefing Book.** The Briefing Book is a compilation of resources assembled with Resilient by Design's partners that served as a complement to the Collaborative Research Phase of the design challenge. The book discusses relevant themes, tools, and organizations that helped orient teams to the regional resilience challenges in the Bay Area. The book emphasizes the necessity of equity in resilience.
5. **SFPUC Environmental Justice Analysis.** SFPUC prepared an environmental justice analysis on the biosolids digester facilities project and community benefits program in Bayview-Hunters Point to better quantify potentially disproportionate impacts related to SFPUC's footprint in Southeast San Francisco.

6. **City of Portland and Multnomah County’s “Climate Action through Equity” Report.** The City of Portland and Multnomah County’s “Climate Action through Equity” report contains a list of nine equity considerations for conducting equity assessments of all actions in their Climate Action Plan.
7. **CEJA’s SB1000 Implementation Toolkit.** CEJA’s SB1000 Implementation Toolkit provides a blueprint for local governments to implement SB1000 by integrating environmental justice into their general plans. The toolkit provides a breakdown of the requirement, a guide for meaningful and robust community engagement, and case studies.
8. **City of Richmond’s Health and Wellness Element of the Richmond General Plan 2030.** Richmond’s Health and Wellness Element contains several goals and actions related to environmental justice and equity on areas where BCDC’s work converges including public access, climate adaptation, and shoreline protection.
9. **City of Vallejo’s Propel Vallejo General Plan 2040.** The Propel Vallejo General Plan 2040 contains several goals and actions related to environmental justice and equity on areas where BCDC’s work converges including public access, climate adaptation, and shoreline protection.

D. Questions to Consider

1. Which definitions and terms should BCDC use in its San Francisco Bay Plan amendment?
2. Should BCDC include a set of guiding principles or goals for environmental justice and social equity in the San Francisco Bay Plan?
3. How can BCDC conduct meaningful, robust, and authentic community engagement around the Bay Area given its legal, staffing, and monetary restrictions?
4. Can BCDC address local workforce development in the projects it approves or in the public access and mitigation it requires?
5. Can BCDC require an equity or environmental justice analysis for its approval of projects? If so, what would such an analysis look like? Would an analysis be the same for all projects or analogous to the project size and type? How could it align or compliment other environmental justice analyses that may be required by other planning or regulatory processes?
6. How can BCDC improve its coordination and consultation with other relevant federal, state, and regional agencies, as well as local governments to work towards environmental justice and social equity in the Bay Area?
7. How can BCDC improve its workforce development and staff training given resource constraints?
8. Are all of the policy areas listed above appropriate to include in a San Francisco Bay Plan section on social equity and environment justice or do they belong in other BCDC policies, plans, and procedures?