

San Francisco Bay Conservation and Development Commission

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TO: Environmental Justice Commissioner Working Group Committee Members

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SUBJECT: Draft Engagement Plan for BCDC's Environmental Justice and Social Equity Bay Plan Amendment
(For Environmental Justice Commissioner Working Group consideration on May 3, 2018)

Background

At the first Environmental Justice Commissioner Working Group meeting on April 5, 2018, the staff presented several potential public outreach techniques and the working group discussed how to mount a robust public process in support of the Bay Plan amendment. Additionally, the working group asked staff to evaluate public engagement strategies, clarify what BCDC would like to hear from the public as well as a draft survey design to answer those questions.

Questions for the Commissioner Working Group to consider:

1. Is this approach described in this memo achievable? What may be some potential limitations or hurdles in achieving meaningful public engagement?
2. Are there any other potential partnerships you envision?
3. What are your reactions to the potential survey design and questions?
4. What are your thoughts on long-term sustained public engagement at BCDC? How do you envision it? Can this process help inform that vision?

Background Research on Public Engagement

Several efforts are currently underway that demonstrate California's recognition of the importance of and how to achieve meaningful and inclusive public engagement in policymaking and planning, including the California Natural Resource Agency's *Safeguarding California Plan: 2018 Update*; Governor's Office of Planning and Research's *2017 General Plan Guidelines*; California Environmental Justice Alliance's *SB 1000 Toolkit*; and PolicyLink and the Kirwan Institute's *Community Engagement Guide for the Sustainable Communities Initiative*.

California Natural Resource Agency's Safeguarding California Plan: 2018 Update. In the new Climate Justice chapter of this guidance, the first goal is focused on improved engagement, education, and partnerships, especially with frontline communities. Several best practices for achieving this goal have been identified in relation to the sector-specific chapter of the guidance ¹

Governor's Office of Planning and Research (OPR)'s 2017 General Plan Guidelines. In the updated General Plan Guidelines, there is an entire chapter devoted to community engagement and outreach. This chapter provides guidance on how to design a successful community engagement process and enumerates various tools that local governments can use to transition from simply informing the public to collaborating with and empowering communities.²

PolicyLink and the Kirwan Institute's Community Engagement Guide for the Sustainable Communities Initiative. PolicyLink is a national research and action institute advancing racial and economic equity by Lifting Up What Works.³ In PolicyLink and the Kirwan Institute's *Community Engagement Guide for the Sustainable Communities Initiative*, five guiding principles were elucidated for meaningful community engagement. These include:

1. Honor the wisdom, voice, and experience of others;
2. Treat participants with integrity and respect;
3. Be transparent about motives and power dynamics;
4. Share decision making and initiative leadership;
5. Engage in continuous reflection and willingness to change course."⁴

Additionally, PolicyLink and the Kirwan Institute enumerate several guidelines and strategies for meaningful public engagement that can be replicated by local and state governments attempting to improve their engagement outcomes. First, they recommend being proactive in engagement by working with existing social networks, attending existing events as a participant, understanding racial and economic disparities in relevant jurisdictions, seeking out relationships with community leaders (especially with those from non-English speaking communities), translating materials in appropriate languages, engaging faith-based organizations, making connections between organizations, and developing incentives for participation while simultaneously working to reduce barriers to participation.

The second guideline is to build opportunities for community decision-making and partnerships. Recommended strategies for achieving this include: avoiding marginalization of voices of color by having a substantial amount of diverse voices in the decision-making process, funding leadership development of participating residents, setting aside resources to be overseen by community members, and developing partnerships with community groups.

¹ <http://resources.ca.gov/docs/climate/safeguarding/update2018/safeguarding-california-plan-2018-update.pdf>

² http://www.opr.ca.gov/docs/OPR_C3_final.pdf

³ <http://www.policylink.org/our-work>

⁴ <http://www.policylink.org/resources-tools/community-engagement-guide-for-sustainable-communities>

The third engagement guideline requires tackling past failings and current challenges in fragmented and disinvested communities and recognizing that these communities are the building blocks for envisioning a sustainable future. Strategies in achieving this may include: creating entry points for engagement that recognize power dynamics, cultivating trust by recognizing and understanding the communities' concerns even if they are not able to be addressed in the particular setting, and utilizing appropriate conservation tactics as demonstrated in Figure 1 below.⁵

The fourth guideline is the prioritization of community knowledge and concerns by holding listening sessions and storytelling activities, participatory research, and diverse communication techniques. PolicyLink and the Kirwan Institute also recommend cultivating cultural competency skills and humility through staff training and equitable workforce development among others.

Finally, they recommend supporting capacity building of community members and organizations through training and education, leadership development, and aiding communities in identifying ways to connect institutional/governmental capacity to marginalized populations. It is essential that engagement is iterative and reflective with benchmarks for success and check-ins. Lastly, resources and opportunities need to be identified to continue ongoing engagement to prevent engagement from being disjointed, duplicative, and transactional.⁶

California Environmental Justice Alliance SB 1000 Toolkit. The California Environmental Justice Alliance is a statewide, community-led alliance that works to achieve environmental justice by advancing policy solutions.⁷ Inclusive community engagement with diverse populations is critical to successful environmental justice and social equity policy development. According to the California Environmental Justice Alliance (CEJA) there are two main reasons why this engagement is integral to environmental justice planning and policymaking:

1. Community members are holders of local knowledge and listening to their voices can lead to better and more effective planning decisions, and
2. A core part of [environmental justice] is listening to the people most impacted."⁸ Additionally, CEJA identifies requirements for implementing a meaningful public engagement strategy, including sufficient time, multiple opportunities, and funding.⁹

In its *SB1000¹⁰ Implementation Toolkit*, CEJA advises local governments on how to incorporate environmental justice elements and/or policies into their General Plans. includes the International Association of Public Participation's Public Participation Spectrum (see Figure 2 below). One effective way that local and state government agencies can move to the right side of this spectrum is by partnering with local community-based organizations, as these organizations are already trusted entities within communities, can provide engagement

⁵ <http://www.policylink.org/resources-tools/community-engagement-guide-for-sustainable-communities>

⁶ <http://www.policylink.org/resources-tools/community-engagement-guide-for-sustainable-communities>

⁷ <https://caleja.org/about-us/vision-and-history/>

⁸ <https://caleja.org/2017/09/sb-1000-toolkit-release/>

⁹ <https://caleja.org/2017/09/sb-1000-toolkit-release/>

¹⁰ SB1000 requires local governments to incorporate an Environmental Justice element into their General Plans

expertise, and can be partners in leveraging resources.¹¹ There are currently several efforts to cultivate these partnerships at the regional and state level, such as the Bay Area Air Quality Management District's work pursuant to AB617 and the Natural Resources Agency's partnership with the Climate Justice Working Group in updating *Safeguarding California*.¹²

Moreover, there are several community engagement principles that CEJA recommends for increasing the level of public impact (see Figure 2). In order to create inclusivity, CEJA believes that the process needs to be accessible in terms of language, time, location, variety of participation methods, content (not overly technical with large amounts of jargon and acronyms), and other services such as transportation, food, and childcare. Policymakers and planners need to be transparent throughout the entire public engagement process about timelines, resources, limitations, and how community feedback and input will be used. Decision-makers also need to be responsive to all community feedback in a timely manner. Accountability is necessary throughout the entirety of the public engagement process. It is important to recognize how past policies and planning often created environmental injustices. Checking in with community-based organizations and giving transparent and timely updates on the process is essential to avoid poor past planning and policymaking practices. The most meaningful participation comes from a diverse and balanced set of participants. Potential stakeholders can include: area-based community groups; faith-based groups; local businesses; local community and civic organizations; residents from a diversity of racial, ethnic, and cultural groups; and students. Honoring and including local knowledge can significantly increase the robustness and effectiveness of the community engagement process as local communities can define issues and policy solutions as well as plan and facilitate meetings. Some methods for incorporating this knowledge are listening sessions, storytelling, walking tours, art, and participatory research/citizen science.¹³

¹¹ <https://caleja.org/2017/09/sb-1000-toolkit-release/>

¹² In Fall 2016, the Climate Justice Working Group (CJWG), including environmental justice, public health, and climate equity leaders, convened to develop recommendations for ensuring that the 2017 update of *Safeguarding California*—California's climate change adaptation strategy—is responsive to environmental justice and climate equity concerns.

¹³ <https://caleja.org/2017/09/sb-1000-toolkit-release/>

Figure 1:

Basic Community Conversation Guidelines:

DO	DON'T
<ul style="list-style-type: none"> ☑ Work with a skilled facilitator who can guide this conversation with respect. ☑ Underscore shared, deep values (<i>opportunity, connectedness, good health, and a sustainable and productive economic future</i>). ☑ Acknowledge that individualism is important, but that the healthiest individual is nurtured by a community invested in everyone's success. ☑ Propose policies that are universal <i>and</i> targeted. By this we mean, posit a universal goal—i.e. “everyone graduates from high school”—but recognize that individuals and schools will need different types of resources to achieve this. ☑ Be aware that word choice matters. Using “minority” to refer to people of color is outdated and tends to carry a subordinate connotation. ☑ Acknowledge cultural assets and contributions. ☑ Be prepared for emotionally charged sentiments from residents, particularly at the beginning of the process. 	<ul style="list-style-type: none"> ⊘ Don't present disparities only and then leave them there. (<i>Contextualize them. Draw out—how they occurred and why they are harmful to everyone in the community.</i>) In other words, emphasize the opportunity frame and fairness. Be forthright about acknowledging the forces that led to marginalization of low-income communities and communities of color. ⊘ Don't frame action as robbing Peter to pay Paul. (<i>Grow the entire pie, utilize resources more effectively, don't fight over tiny pieces.</i>) ⊘ Don't separate out people in need from “everybody else.” (<i>Everyone, at some point in time, needs help from other people.</i>) ⊘ Don't glide over real fears, shared suffering, or the fact that people are often internally conflicted. ⊘ Don't feel the need to solve all problems or resolve all conflicts, but do hold the space to legitimize and recognize concern or conflict. ⊘ Don't dismiss the importance of individual efforts.

Figure 2:

Figure 4-1 / IAP2 Public Participation Spectrum

Increasing Level of Public Impact

Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	Public Participation Goal	Public Participation Goal	Public Participation Goal	Public Participation Goal
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, and/or solutions.	To obtain public feedback on analysis, alternatives, and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the Public	Promise to the Public	Promise to the Public	Promise to the Public	Promise to the Public
We will keep you informed.	We will keep you informed, listen to, and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example Tools	Example Tools	Example Tools	Example Tools	Example Tools
<ul style="list-style-type: none"> ➤ Fact sheets ➤ Websites ➤ Open houses 	<ul style="list-style-type: none"> ➤ Public comment ➤ Focus groups ➤ Surveys ➤ Public meetings 	<ul style="list-style-type: none"> ➤ Workshops ➤ Deliberate polling 	<ul style="list-style-type: none"> ➤ Citizen Advisory Committee ➤ Consensus-building ➤ Participatory decision-making 	<ul style="list-style-type: none"> ➤ Citizen juries ➤ Ballots ➤ Delegated decisions

Source: International Association of Public Participation

Source: CEJA

Staff Analysis

In considering these recommendations staff recognizes that BCDC has limited staff resources, an aggressive schedule, and cannot pay for such things as food. Also, BCDC must retain decision making authority, albeit with robust public input. Staff have developed a strategy for community engagement to inform the environmental justice and social equity Bay Plan amendment as described below. BCDC staff believe that this strategy can provide a robust, inclusive, transparent, and accountable public engagement process by leveraging state, regional, internal, and community resources to facilitate broad and balanced participation.

Approximate timeline for public engagement:

Ongoing – Commissioner Working Group meetings (open to the public)

May 2018 – Developing relationships by having one-on-one conversations with contacts at environmental justice-related organizations

June-July-August 2018 – Planning and facilitating public workshops; designing, disseminating, and analyzing surveys

September 2018 – Preparing the initial staff background report

October 15, 2018 – Publishing Notice of Public Hearing, including the staff background report

Nov 15, 2018 – Public Hearing

December 2018 – Commission vote

Environmental Justice Commissioner Working Group meetings. In addition to public engagement for problem and solution development, all Environmental Justice Commissioner Working Group meetings are open to the public. Meeting agendas, minutes, and materials will be posted to BCDC's website.

Relationship Development. Thus far, staff have had conversations with other state and regional agencies that are conducting robust public engagement processes for environmental justice and social equity-related initiatives to understand the current efforts, identifying opportunities for coordination and collaboration, and sharing best practices. BCDC staff are also attending community events and meetings to speak with community members, hear their concerns and thoughts on environmental justice in their communities, and inform them of this process (including providing an informational flyer) (attached).

As recommended above by CEJA and PolicyLink, staff have identified numerous environmental justice organizations and Bay Area tribal entities, including state-wide groups, regional groups and coalitions, and local community-based organizations, that could be involved in the amendment process as their interest and capacity allow. Staff envision this involvement ranging from partnerships in developing engagement opportunities, such as workshops or listening sessions, to being included on an Interested Parties list and receiving project updates at major milestones. Currently, staff is working to establish relationships with these organizations and tribal entities by reaching out individually and by attending community events and meetings.

These organizations and tribal entities include, but are not limited to:

350 Bay Area
 Acterra: Action for a Sustainable Earth
 Alliance of Californians for Community Empowerment
 Asian Pacific Environmental Network
 Azul
 Bay Area Regional Health Inequalities Initiative
 Bay Localize/Rooted in Resilience
 Bayview Hunters Point EJ Response Task Force
 Breakthrough Communities
 Brightline Defense
 CA Environmental Justice Alliance
 California Pan-Ethnic Health Network
 California Climate and Agriculture Network
 California Indian Environmental Alliance
 Canal Welcome Center
 Causa Justa/Just Cause
 Center for Land-Based Learning
 Center on Race, Poverty and the Environment
 Citizens for East Shore Parks
 Clean Water Action - CA
 Climate Justice Alliance
 Communities for a Better Environment
 Community Alliance of Family Farmers
 Community Food and Justice Coalition
 East Bay Community Law Center
 East Bay Housing Organizations
 Environmental Justice Coalition for Water
 Environmental Law Foundation
 Greenaction
 Greenaction/Bayview Hunters Point
 Mothers and Fathers Committee for Health and Environmental Justice
 Greenlining Institute
 Grid Alternatives
 HealthxDesign
 Healthy 880 Communities
 Sogorea Te' Land Trust
 Human Impact Partners
 Impact Fund
 Indian People Organizing for Change
 Literacy for Environmental Justice
 Mercy Housing
 Movement Generation Justice and Ecology Project
 Movement Strategy Center
 Neighborhood Funders Group
 Nonprofit Housing Association of Northern California
 North Bay Organizing Project
 Oakland Climate Action Coalition
 Oakland Tenants Union
 People Organizing to Demand Environmental and Economic Rights
 PolicyLink
 Prevention Institute
 Resilient Communities Initiative
 Resources Legacy Fund
 Shore Up Marin
 SIREN (Services, Immigration Rights and Education Network)
 Sunflower Alliance
 Tenants Together
 The Ecology Center
 The Watershed Project
 TransForm
 Urban Creek Council (CA Urban Streams Partnership)
 West Berkeley Alliance for Clean Air and Safe Jobs
 West County Toxics Coalition
 West Oakland Environmental Indicators Project
 Western Center on Law and Poverty
 Wild Equity
 World Institute on Disability
 Youth United for Community Action (YUCA)

Koi Nation of Northern California (Lower Lake Rancheria)
 Northern Chumash Tribal Council
 United Auburn Indian Community of the Auburn Rancheria of California
 Federated Indians of Graton Rancheria
 Middletown Rancheria
 North Valley Yokuts Tribe
 Wuksache Indian Tribe Eshom Valley Band
 Yocha Dehe Wintun Nation
 Nor-Rel-Muk Nation
 Lytton Rancheria of California

Sherwood Valley Band of Pomo Indians
 Cloverdale Rancheria of Pomo Indians of CA
 Wilton Rancheria
 Kashia Band of Pomo Indians of the Stewarts Point Rancheria
 Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
 Potter Valley Tribe
 Habematolel Pomo of Upper Lake
 She Bel Na Band of Pomo Indians
 Costanoan Rumsen Carmel Tribe
 Amah Mutsun Tribal Band

Advisory Committee. Staff is still considering the need for and whether and how to establish an advisory committee.

Public workshops. BCDC staff hope to partner with regional and state agency partners, including BCDC's own ART Program, to leverage existing resources. For example, BCDC staff have joined several Resilient by Design public outreach events in San Rafael, North Richmond, Fremont, South San Francisco, and Marin City. BCDC staff have requested BAAQMD disseminate fact sheets about the Bay Plan amendment at their ten upcoming AB617 public workshops. BCDC staff plan to collaborate with staff from MTC and BCDC's own ART Program to integrate the Bay Plan amendment outreach process with the ART Bay Area regional vulnerability assessment. We are also partnering with State Lands Commission and Coastal Commission on their ongoing environmental justice outreach efforts, including a joint public workshop in June. Finally, over the summer, BCDC staff will hold public workshops either at a BCDC Commission meeting or in communities of concern.

In order to create inclusivity, BCDC will strive to make these workshops accessible in terms of language, time, location, variety of participation methods, content (not overly technical with large amounts of jargon and acronyms), and, if non-state resources can be found, to provide other services such as food. As described by CEJA in the 'SB 1000 Toolkit,' BCDC staff will be transparent about timelines, resources, limitations, and how community feedback and input will be used, and we commit to responding to comments and feedback in a timely manner.

Finally, BCDC staff will implement Policy Link and Kirwan Institute's recommendation of tackling past actions by examining past BCDC permit approvals with consideration of environmental justice and social equity issues and analyzing Bay Plan maps to assess the proximity of priority use areas to communities of concern, as well as improving public engagement in our permitting and planning processes in general.

Surveys. Surveys are another tool that BCDC staff are exploring. Respondents can take them online for free and they can be distributed through the organizations and tribal entities listed above. Through these surveys, BCDC staff hope to gather input on the scope of problems related to environmental justice and to begin to assess potential policy solutions, particularly from interested parties that may not be able to attend workshops or other events.

Sample questions:

1. What do you like most about living in the Bay Area?
2. Do you go to the Bay waterfront?
 - a. If yes, what do you do there?
 - b. If no, why not?
3. What are fond memories of times spent in the Bay or on the Bay shoreline?
4. What makes you proud to be from your particular Bay Area community?
5. What does your ideal Bay or waterfront look like?
6. What does your ideal community look like in the future?
7. What activities would you like to do (or do more of) at the Bay?
8. What are a few of your concerns about the Bay's future?
9. What are your existing resources for addressing your concerns?
10. What do you need to realize your ideal SF Bay? Your ideal community?
11. Who would you need to partner with to realize your ideal future Bay and community?
12. What does your community need to become resilient to a changing climate? To fight against environmental injustices? To build equity?
13. What could the State or local government (cities/counties) do to improve the bay and your community?
14. If you cannot go to the Bay (or not as often as you want) , what might you need to get there (or get there more often)?

Public Hearing. Notice for the public hearing will be distributed 30 days in advance to the Interested Parties List. During that time, comments may be submitted in writing or over the phone. At the public hearing(s), the process defined in the Commission's law and regulations will be followed; the public will have the opportunity to formally comment and Commissioners will deliberate and provide direction to staff as needed. After the close of the public hearing(s), staff will analyze and respond to comments received before and during the hearing and will provide a proposed recommendation for the Commission.

Project updates. Throughout the process, BCDC staff will regularly update the project webpage (<http://www.bcdc.ca.gov/ejwg/BPAEJSE.html>) and send project updates to the Interested Parties List.

All of this will benefit the broader effort identified in BCDC's Strategic Plan to continue to engage environmental justice communities in BCDC's planning and permitting processes and to identify what resources may be necessary to improve BCDC's connection with communities around the Bay.

San Francisco Bay Conservation and Development Commission



Bay Plan Amendment Process for Environmental Justice

What is BCDC?

The San Francisco Bay Conservation and Development Commission (BCDC) is a California state planning and regulatory agency with regional authority over the San Francisco Bay, the Bay's shoreline band, and the Suisun Marsh. BCDC was created in 1965 and is the nation's oldest coastal zone management agency. Our mission is to protect and enhance the San Francisco Bay and to encourage the Bay's responsible and productive use for this and future generations.



Source: Dai Sugano/Bay Area News Group/The Mercury News (2017)

What is the San Francisco Bay Plan?

The Bay Plan is the regulatory framework that guides BCDC's permitting decisions for proposed development in the San Francisco Bay and the Bay's shoreline band. Its findings and policies provide guidance to BCDC in balancing shoreline development with protecting the Bay's natural resources and the public's right to access the Bay shoreline.

Why incorporate environmental justice and social equity into the Bay Plan?

Shoreline flooding often affects low-income and minority communities disproportionately for a variety of reasons. These impacts include loss of housing, schools, jobs, and communities, as well as access to recreational opportunities, such as parks and trails, and potential exposure to pollutants mobilized by flood waters from nearby contaminated and industrial sites.

How can you be involved?

We want to hear from you about how we can best fulfill our mission to protect and enhance the San Francisco Bay, its shoreline, and residents in an equitable manner as we experience new and unprecedented challenges posed by rising sea level. We want to understand your concerns and priorities and how best to address them moving forward. Our hope is that this will be a collaborative process with policy changes rooted in needs identified by communities.

For more information, please visit our website at:
<http://www.bcdc.ca.gov/ejwg/BPAEJSE.html>

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