

# San Francisco Bay Conservation and Development Commission

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**TO:** Environmental Justice Commissioner Working Group Committee Members

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**SUBJECT: Guidance and Best Practices for Environmental Justice Policymaking**  
(For Environmental Justice Commissioner Working Group consideration on June 7, 2018)

## 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:

- Shoreline Protection;
- Public Access;
- Mitigation; and/or
- Adding a new section on Social Equity and Environmental Justice.

As part of the public engagement strategy for this Bay Plan amendment, staff is conducting one-on-one conversations with leaders from environmental justice and social equity community groups who have expertise on informing environmental policymaking processes. This memo will synthesize the guidance and best practices received to-date from these conversations and recommended resources. Notes from these conversations are included as an appendix below.

California Government Code Section 65040.12(e) defines environmental justice as, “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” This definition implies “distributional” justice, i.e., the equitable and fair distribution of environmental burdens and benefits, which has been the traditional basis for environmental justice policy.

However, many advocates are calling for an expansion beyond distributional justice to “procedural” as well “structural” justice and equity. **Procedural justice** entails meaningful public engagement that is accessible, transparent, and inclusive. **Structural justice** entails recognizing past harms and underlying structural and institutional systems that are the root causes of such harms. Beyond recognizing these harms and root causes, structural justice includes making commitments to correct these past injustices and prevent future harm.<sup>1</sup> Together, these three concepts form a ‘three-pronged’ approach to improving environmental justice and equity.

**Questions for the Commissioner Working Group to consider:**

1. Do these three environmental justice and equity objectives: distributional, procedural, and structural apply to BCDC and its history/policies and, if so, how? Is it possible for BCDC to achieve all three, given its mandates and directives as a state agency and limited staff and budget?
2. As part of the social equity and environmental justice Bay Plan amendment, should BCDC plan larger-scale community workshops or focus on attending regularly scheduled community meetings and events given resource constraints?

### Staff Analysis

Based on conversations with environmental justice and social equity community organizations and their recommended resources, BCDC staff will explore some of the ways that the three objectives, i.e., distributional, procedural, and structural equity/justice, could be achieved via this Bay Plan amendment process.

First, through this process, staff will strive for distributional equity/justice by protecting Bay resources, providing public access for everyone, regardless of race, ethnicity, socio-economic status or place of residence, and prioritizing and protecting human health in communities impacted by environmental injustices.

Second, a robust public engagement process will be necessary for achieving procedural equity/justice in the creation of environmental justice and social equity policy. Given BCDC’s limited resources, what is the best way for staff to engage communities on this amendment?

Option 1: BCDC staff plan large public workshops around the Bay in identified communities (without the resources to pay for venues; provide food/drink, childcare, or translation/interpretation; or create partnering contracts/agreements with organizations to organize or participate in events).

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<sup>1</sup> This framework is detailed in the Urban Sustainability Directors Network (USDN)’s 2017 report titled, *Equitable, Community-Driven Climate Preparedness Planning*, where more information can be found.

Option 2: BCDC staff focus on presenting to established community groups around the Bay, and/or attending events at local libraries, markets, and community events.

Option 3: BCDC staff pursue a mix of presentations at established community gatherings, and large workshops, focusing on those where we are able to partner with other organizations to leverage resources, such as the upcoming Environmental Justice Community Roundtable with State Lands Commission and the Coastal Commission on June 19.

As a part of its Strategic Plan, BCDC staff will also consider—consistent with state requirements, logistical considerations and available funding— how to increase disadvantaged communities’ participation in BCDC’s planning and permitting processes, including: location of public meetings, times, dates, and content; language of public meetings, applications, permits, and public signage; and reviewing other state and local agencies’ outreach efforts to determine how BCDC could apply those to its practices. The Coastal Commission’s draft environmental justice policy,<sup>2</sup> for example, includes recognition that its “conservation mission is best advanced with the participation and leadership of people from diverse backgrounds, cultures, races, color, religions, national origins, ethnic groups, ages, disability status, sexual orientation, and gender identity,” and includes a commitment to “full consideration of environmental justice principles as defined in Government Code 65040.12, consistent with Coastal Act policies, during the planning, decision-making, and implementation of all Commission actions, programs, policies and activities.” The Coastal Commission also hopes to “recruit, build and maintain a highly qualified, professional staff that reflects our state’s diversity.”

Finally, BCDC staff are exploring how to achieve structural equity/justice or recognition. Staff are planning to assess past BCDC permit approvals, focusing on projects in or adjacent to disadvantaged communities that involved shoreline protection, or those that required public access improvements and/or mitigation of Bay resource impacts. The results of that assessment will inform the development of environmental justice and social equity Bay Plan findings and policies. For example, State Lands Commission’s draft environmental justice policy<sup>3</sup> recommends that staff reports for projects that have significant effects on disadvantaged communities include an environmental justice section and that the affected communities are given opportunities for meaningful participation, using information gathered from environmental justice research and outreach, including tribal input; and to the extent practicable, State Lands staff commit to working to “prevent, lessen, and mitigate adverse impacts on communities that are disproportionately impacted, and strive to ensure that benefits and burdens are equitable.”

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<sup>2</sup> For more information: <https://documents.coastal.ca.gov/reports/2017/3/w6e-3-2017.pdf>

<sup>3</sup> For more information: <http://www.slc.ca.gov/Info/EJ/DraftEJPolicy-05-2018.pdf>

## Notes from Conversations with EJ organizations and Recommended Resources

Several of the representatives from groups that BCDC staff have interviewed have offered guidance and resources on how to achieve these three objectives. The following section will outline suggested strategies and best practices gleaned from these conversations.

### 1) Violet Saena - Acterra: Action for a Sustainable Earth

- a) Community involvement is one of the, if not the most, important aspect in achieving environmental justice.
  - i) Many communities have the desire to be involved but not the resources or accessibility.
  - ii) Some best practices for increasing accessibility and ability to participate are monetary compensation for participating, food/drink at events, scheduling events at convenient times/dates/locations for targeted communities and providing translation/interpretation, advertising for events through varying mediums in appropriate languages (i.e. emails, flyers, radio, etc.).
- b) In order to maximize community engagement, goals need to be very clear. BCDC needs to have a very clear idea of what it wants from community members and how it will be used. This message needs to be comprehensible and not difficult to communicate.
- c) Education is key in having successful, useful community engagement. Communities cannot fully participate and give meaningful feedback if they do not fully understand the issues. Technical or complex issues take time to convey. This was evident with the Resilient by Design process that did outreach around climate change.
- d) Information sharing needs to go both ways between communities and the agency or group conducting the outreach. There are many things to be learned from communities that are not always seen at larger governance scales.
- e) Good engagement builds trust and is sustained. It is about building relationships with communities over time and not merely going to communities when input is needed. Some ways to build this trust include trainings, leadership development, education, and information dissemination. Delivering on promises and incorporating communities' input is necessary to maintain this trust.

### 2) Jordyn Bishop - Greenlining Institute

- a) Connecting communities to policymaking is key in achieving environmental justice. However, accessibility to policymaking processes can be difficult for some communities.
  - i) Best-practices for increasing this accessibility include targeted advertising (i.e. community newspapers, radio), scheduling events at convenient times/dates/locations for targeted community, providing childcare, and providing translation/interpretation.
- b) Another way to connect policy processes with communities is to speak at established community meetings. This can be helpful if resources to host meetings are limited.
- c) Advertise events through the California Environmental Justice Alliance (CEJA)'s (and other respected environmental justice and community groups') newsletters.

- d) Make sure to include indigenous communities in engagement processes as they are also vulnerable communities but often get left out of the environmental justice conversation.
  - i) Emphasize the importance of traditional local knowledge – even if it is just recognition.
- e) Naming and recognizing past issues and injustices even if you cannot address them is very important in achieving environmental justice.
- f) Using real-life examples to ground public workshops can clarify complex or wonky policies and concepts. Carrying these examples throughout workshops can be a way to educate the audience on these policies and concepts.
- g) BCDC needs to be clear about asking communities what they need in an accessible way. This can include naming and explaining what the policies are and that the issues are somewhat wonky. Invite requests for clarification if needed.

### 3) Aimee Maron – consultant

- a) Good facilitation can make or break community engagement attempts. Facilitation needs to be well-designed to the specific needs of the community.
- b) Use concrete examples of where BCDC's lack of community engagement has led to a poor (economic loss) or unjust outcome if these exist. This can demonstrate why this amendment is important and why the communities should care and be involved.
- c) Drawing from Adult Education principles can be a good start for designing facilitation processes. Draw on lived experiences of the community to educate. Don't just talk at people but rather fill in the blanks on what they do not know in relation to their daily experiences. Play to people's strengths. They may not know about specific policies, but they will know about how they've been engaged in past processes.
- d) Use case studies or examples of past BCDC projects/permits that are relevant to the community/region. You could ask the community, "how could we have done this better?" But, be careful not to create the notion that you can go back and fix things if we cannot. Be clear that it is just an exercise. Otherwise, this can burn any existing or gained social capital.

### 4) World Institute on Disability

- a) People with disabilities are disproportionately vulnerable to the effects of climate change. There is a need to protect communities where people with disabilities live in the face of climate change. This requires long-term planning. For example, how will relocation look for people with disabilities? There are concerns around displacement. Will emergency response be adequate?
- b) World Institute on Disability is working on planning and policies around sustainable communities that are transit-oriented and provide universally accessible access to open spaces.
- c) Public access/recreation needs to be as universally accessible as possible, this includes transit-oriented locations, paved trails, and universally accessible public facilities.
- d) There are many co-benefits of universal design. It may be easier to encourage universal design in guidelines if we cannot mandate it.

**5) Hannah Doress - consultant, co-founder Shore Up Marin**

- a) Equity needs to be embedded in any policy changes.
- b) Policies need to be implementable, not just aspirational. BCDC must avoid a policy that merely redefines environmental justice and social equity. There is a need instead, to actually create action around environmental and climate justice.
- c) For consistency's sake, it may be prudent to recognize the current policy (CA state definition of environmental justice) but build on it to make it stronger.
- d) Vulnerable community involvement in environmental and climate justice policymaking is key. Resources are needed for community involvement, such as stipends for participation and transportation. Many of the people working on these issues in the communities are not paid. At the very least, go to the community, do not make them go to you.
- e) BCDC needs to spend time with organizations who are familiar with equity concerns around coastal development, but this will probably require the provision of resources.
- f) Think creatively around ways to get funding. Can BCDC facilitate funding from source (foundations?) to groups?
- g) Displacement is a huge issue that cannot be overlooked. The Bay Area needs development without displacement. Any kind of improvement of open/green spaces leads to displacement. Communities need to have a say in whether these projects happen and if they do, we need to ensure there are protections against displacement.
  - i) Can BCDC provide incentives for local governments or developers to protect against displacement (if our authority does not let us address it)?
  - ii) Mitigation and restoration need to provide real benefits, not just look nice.
- h) There is a growing need to think about how new adaptation strategies are going to challenge old regulations and the need to be adaptable to this.

**6) Dwayne Marsh, Julie Nelson, Leslie Zeitler - Government Alliance on Race and Equity (GARE)**

- a) Community engagement is integral in incorporating racial equity into government. Community engagement is ultimately about shifting power.
- b) Transparency is key to good public engagement. Be explicit in how input is being used. This is important because of long history in government of public comments not being incorporated.
- c) It is necessary to invite people to participate in a manner that is not exclusive.
- d) There is a continuum of engagement: inform → consult → collaborate → shared decision-making → ownership.
  - i) Overall, we want to move from left to right but that is not true for every single government decision, especially small ones that are already decided on.
  - ii) Governments and agencies need to be honest with the public about where they are on this continuum and what methods they are employing, otherwise this can irreparably damage relationships.
- e) Strategies for inclusive engagement:
  - i) Build personal relationships

- ii) Ask: How best do we reach people? We may need to go out of our normal circles and solicitation methods.
- f) Create a welcoming atmosphere
  - i) Ask: Does this process reflect, honor, and welcome the community?
  - ii) Ask: Do the venues you chose invite participation?
- g) Increase accessibility
  - i) Language (country of origin and “government” speak), location, time, transit, childcare, food, and power dynamics need to be appropriate.
- h) Develop alternative methods of engagement
  - i) Do not just hold meetings. Some strategies include developing surveys, interviewing people, holding listening sessions, holding trainings, leadership development, etc.
- j) Maintain a presence within the community
  - i) Do not just engage community when you need something. Develop sustainable relationships. One tactic is to regularly go to established meetings and community events.
  - ii) Partner with community-based organizations and other agencies
    - (1) This is good for leveraging resources
    - (2) BUT this is not enough, you need to go into the communities themselves.
- k) Credibility + reliability + vulnerability = Trust
- l) Acknowledge History → Apologize → Action
  - i) Community engagement involves being intentional about interrupting the status quo. Part of that is acknowledging and apologizing for the historical wrongdoings of your agency/jurisdiction. This includes overt wrongdoings and implicit biases that created or perpetuated injustices. Do not act like problems just appeared out of nowhere or that they do not exist.

## 7) Sheridan Noelani Enomoto – Greenaction

- a) At the heart of environmental justice is community. Meaningful community involvement is necessary.
- b) Unless community engagement is done meaningfully (where the community can drive the process, input is reflected in policy, and they are compensated), it can lead to feelings of being used, burned, and can result in eventual retraction from engagement in public processes. Currently in the Bay Area, there are many attempts at community engagement from government on the same issues without any compensation and where input is not meaningfully reflected in policies, projects, or programs. This is leading many communities to feel used.
- c) If an agency cannot ensure that engagement is done well, they can achieve good engagement by meeting communities in their spaces by regularly attending established community meetings throughout the region. Go to community spaces and talk to folks (i.e. libraries, community centers, markets, events, etc.). The goal is to build sustainable relationships with communities. This is essential to getting to know communities, which is central to achieving environmental justice.

- d) The community needs to be engaged from the onset and throughout the entire process. They need to be central (e.g. Save the Bay's "Bay Smart Communities" project) and not an after-thought or engaged part way through (e.g. Resilient by Design). Different communities face different challenges so will need to be engaged differently.
  - i) The educational component of climate change and sea level rise can be a starting point for community engagement. BCDC could use a watershed lens to re-connect people to the Bay.
- e) Community engagement efforts will want to answer the questions:
  - i) Who is BCDC? What is the Bay Plan? What is permitting?
  - ii) Why should I care?
  - iii) How are we connected? (Communities, BCDC, and the Bay)
  - iv) What can the Bay teach us?
  - v) We say we live at the Bay but what does that actually mean?
- f) Spend time at various communities' shorelines, observing how people interact with the Bay and how the Bay interacts with the communities. We can see the health of the people by looking at the health of the land.

**8) Chione Flegal - PolicyLink** (from the CA Natural Resource's Agency's Climate-Safe Infrastructure Working Group webinar on Social Equity and Inclusion in Infrastructure Planning)

- a) PolicyLink provided four key actions to achieving social equity and inclusion in infrastructure planning, including:
  - i) "Choose strategies that promote equity and growth simultaneously.
  - ii) "Target programs and investments to the people and places most left behind."
    - (1) "Using data to identify and examine historical patterns of disinvestment/disproportionate impact and seek to reverse them."
    - (2) "Set tangible investment benchmarks."
    - (3) "Revise program guidelines and applications to reflect equity goals."
    - (4) "Work to minimize barriers in program design."
    - (5) "Establish technical assistance programs to expand access to communities with limited capacity."
  - iii) "Assess equity impacts at every stage of the policy process."
    - (1) Assess "Who will benefit, who will pay, and who will decide"
    - (2) Conduct Racial Equity Impact Assessments - "Racial Equity Impact Assessments are a formal process in which a government agency analyzes how a budgetary or policy decision is likely to impact different racial and ethnic groups."
    - (3) "Set up clear evaluation metrics and systems to measure impacts over time."
  - iv) "Ensure meaningful community participation, voice, and leadership."
    - (1) "Achieving equity requires shared decision-making that is rooted in transparency and a commitment to changing inequitable policies and practices, intended and unintended.
      - Community leaders are experts
      - Failing to include community can result in unintended harm
      - Inclusion creates buy-in"

- (2) “Community engagement and partnerships are necessary vehicles towards achieving equity but in and of themselves, do not achieve equity.”

**Notes from Recommended Resources:**

**1) CEJA (California Environmental Justice Alliance) Environmental Justice Agency Assessment 2017**– recommended by the Asian Pacific Environmental Network (APEN)

a) Environmental Justice Principles for Policy Implementation at Regulatory Agencies:

- i) “Prioritize and value prevention, human health, and improving quality of life: These needs must be given full weight in decision-making, not overlooked in favor of business interests or cost effectiveness, as is often the case, and particular concern must be given to the health and well-being of residents in highly impacted neighborhoods.
- ii) Do no harm: Regulatory agencies must commit to actions that do not further harm environmental justice communities. The most egregious decisions are those that actively exacerbate environmental health and justice inequalities, and these are unfortunately all too common.
- iii) Prioritize environmental justice communities: There is a long-standing history of pollution burdens and environmental hazards disproportionately impacting low-income communities and communities of color, which is well documented by communities themselves, as well as academic and state agency studies. It is simply not sufficient to look at impacts of policies moving forward; there is a historic legacy and burden the regulatory agencies have a responsibility to proactively address. There is an ethical, environmental and public health imperative to ensure that environmental justice communities are prioritized for targeted resources and programs and receive special consideration within regulatory decision-making by state agencies.
- iv) Meaningful community engagement: Residents in environmental justice communities must have the ability and opportunity to inform design and implementation for policies that impact their health and quality of life. Many agencies use a flawed “decide, announce, defend” process whereby an agency determines and releases documentation on a policy devoid of any community input, engages with environmental justice communities in public discussions after the fact, and ultimately moves forward with implementing their initial proposed policy without incorporating significant feedback from environmental justice communities. Other times, community organizations and members are engaged in dialogue, but agencies do not alter any decisions even after hearing significant feedback. Environmental justice communities must be engaged early, often, and in a meaningful way.
- v) Responsiveness: Agencies must respond, and be willing to address, community concerns once they have been articulated rather than simply noting them in the public record. Without a clear commitment to responsiveness, community

engagement efforts become a “check box” rather than a meaningful attempt to work with stakeholders in policy design and implementation.

- vi) Accountability: As the public stewards of a clean and healthy environment for all Californians, state regulatory agencies must be accountable for any and all (in)actions and commitments made from policy or project inception through implementation, all decision-making processes, and all relevant impacts from their (in)actions, commitments, and decision-making processes, including benefits and harm.
- vii) Transparency: Agencies must be clear in: (a) detailing the processes by which all decisions are made and regularly reviewing the processes to ensure accessibility by communities most impacted by environmental hazards; (b) disclosing all factors and stakeholders that inform and influence all decisions affecting all policies and projects; and (c) describing decisions made, in addition to upholding the principles of engagement and responsiveness outlined above.
- viii) Proactivity: To be truly stellar on environmental justice issues, regulatory agencies need to work proactively and in partnership with environmental justice communities and organizations to develop innovative ways of addressing key environmental justice issues in communities.”

b) Often these principles can be hard to envision. To understand what they look like in practice, staff have compiled a list from the CEJA’s 2017 agency assessment of what improvements agencies took in adhering to the above principles and what pitfalls occurred that distanced them from these principles.

i) Improvements:

- Appointing an environmental justice representative on board/commission.
- Hiring an environmental justice-focused staff member at the manager/senior-level.
- Creating an environmental justice/equity/tribal affairs office or department within the agency.
- Hosting accessible community workshops (with appropriate location, times, dates, providing translation/interpretation, providing a variety of materials and ways to engage that are interactive).
- Providing many opportunities for community feedback in a variety of locations.
- Responding to public comments and concerns in a timely manner.
- Posting important documents to agency’s website.
- Partnering with local organizations or environmental justice organizations to host public workshops.
- Producing materials and publications in appropriate languages, including indigenous languages.
- Requiring the examination of potential adverse human and environmental health impacts on disadvantaged communities in programs and projects.
- Requiring plans for how to assess and mitigate adverse human and environmental health impacts on disadvantaged communities.
- Requiring community input on major agency decisions.

- Specially focusing programs to reduce harm on disadvantaged communities
  - Creating a disadvantaged community advisory group of impacted citizens to help guide programs and projects.
  - Proactively engaging with communities, including visits to meet the communities rather than having them come to the agency offices.
  - Moving disadvantaged communities from being an after-thought to a core consideration in decision-making.
  - Regularly attending community events/being proactive in the community.
  - Changing/adjusting processes and policies based on community feedback.
  - Including disadvantaged community in funding guidelines.
  - Creating incentives for non-disadvantaged communities to include disadvantaged communities within their projects.
  - Ensuring projects benefit individual communities, not just the region as a whole.
  - Reaching out to environmental justice groups to get feedback on programs and projects on an on-going basis.
  - Reaching out directly to community members to get feedback on programs and projects on an on-going basis.
  - Explaining the reasoning both in the public comment phase and after the conclusion of the process to environmental justice/community groups if their feedback is not incorporated.
  - Holding public workshops on complex topics to educate public and allow them to guide the process in a meaningful way.
  - Emphasizing the importance of human and environmental health in policies.
  - Requiring grant applicants to include several criteria related to environmental justice.
  - Requiring grant applicants to develop plans around community engagement and displacement-avoidance.
  - Requiring grant applicants to prioritize disadvantaged communities.
  - Being receptive to requests for meetings, calls, forums, tours, etc.
  - Building sustainable relationships with environmental justice organizations and communities.
  - Building relationships (including visiting) with communities where potential projects may occur.
  - Seeking feedback from community-based organizations where program may be confusing or unclear.
- ii) Setbacks:
- Prioritizing industry (costs to industry are weighed more heavily than costs to human health in decision-making).
  - Perpetuating the development of toxic hotspots.
  - Community feedback and input on policy implementation is not clear or well-defined in how it will be incorporated or impact decision-making (if it is included at all).

- Not addressing negative unintended consequences on disadvantaged communities from policies, such as displacement.
- Lack of oversight and enforcement due to drawn-out investigations and insignificant fines.
- Failing to ban toxic substances.
- Environmental justice staff are not at high enough levels within agencies to effect real change.
- Focusing on acute effects and not chronic effects
- Workshops/meetings are only in English linguistically prohibitive.
- Community members scolded for not adhering to public engagement framework.
- Important documents posted to agency's website are only in English, overly technical, and not-user friendly.
- Working with industry behind closed doors/lack of transparency.
- No public accountability.
- Delayed decision-making on issues with human and environmental health consequences.
- Inadequate enforcement of policies.
- Reluctance to address site-specific concerns.
- Failure to meet deadlines.
- Failure to secure funding needed to protect vulnerable communities.
- Allowing polluting practices with expired permits.
- Ad hoc, unreliable, and inefficient public engagement.
- Outdated, cumbersome websites that are only in English.
- Policies are not based on the best available science.
- Failing to produce environmental impact reports.
- Ignoring public comments.
- Granting permits without public notice or hearings.
- Lax disclosure requirements.
- Failure to collect and publish important human and environmental health information.
- Incomplete and unadopted regulatory reforms.
- Timelines of hearings/meetings are shifted/changed last minute
- Ex parte meetings.
- Refusing to negotiate with community groups.
- Lack of inclusive and extensive follow up with project recipients on how disadvantaged communities are being incorporated into the project processes.
- Lack of public access to important data required to evaluate effectiveness of programs.
- Integrating environmental justice and community engagement inconsistently among departments/programs.
- Strict grant requirements (including high project readiness) that exclude some community-based groups from applying.
- Only including environmental justice when/where/how statutorily required to.

- Public meetings are overly technical and during normal work hours.

2) **Climate Justice Working Group Guiding Principles for Climate Justice** – recommended by the Asian Pacific Environmental Network (APEN) and the Greenlining Institute

a) In informing the 2018 *Safeguarding California* update, the Natural Resources Agency convened the Climate Justice Working Group of representatives from several California environmental justice organizations. The group created several guiding principles for achieving climate justice in California. They are as follows:

- i) “Actively engage frontline communities in research, planning, implementation, education, and decision making about potential climate change impacts and about the development, funding, implementation, and evaluation of adaptation and resilience policies. Create enabling conditions for frontline communities’ early, continuous, and meaningful participation in the development of adaptation policy and funding decisions. Partner with local leaders and community-based organizations to enhance the effectiveness of adaptation research and innovation, education, decision making, and policy implementation. This overarching principle applies to all of the subsequent climate justice principles and recommendations.
- ii) Identify and reduce frontline communities’ vulnerabilities to climate change, with a focus on physical, economic, and quality-of-life factors.
- iii) When planning for infrastructure investments, prioritize actions that increase the resilience of essential facilities and associated services that provide health care, food, drinking water, evacuation routes, and emergency shelter for frontline communities. Reduce community health and safety risks from potential damage to sensitive facilities such as water treatment plants, hazardous waste facilities, and power plants and transmission lines.
- iv) Promote adaptation policies, funding decisions, and implementation actions that increase training, employment and economic development opportunities among frontline communities. Where applicable, prioritize opportunities that advance a “just transition” from dependence on fossil fuels and further enhance community resilience to the impacts of climate change.
- v) Promote and support regional and local adaptation efforts that generate multiple benefits across sectors.
- vi) During planning and implementation of land use and community development decisions, consider and avoid negative consequences of actions, including displacement, that could inadvertently increase frontline communities’ and individuals’ climate vulnerability.
- vii) Promote adaptation co-benefits of toxic chemical and greenhouse gas reduction policies by supporting those that also reduce frontline communities’ climate vulnerability and enhance their resilience.
- viii) Ensure that adaptation policies, funding decisions, and implementation actions comply with relevant laws and policies that are designed to protect and advance civil rights and environmental justice.

- ix) Promote local, regional, and state agency transparency, accountability, and adaptive management by developing and applying easy-to-understand climate justice metrics, data and information resources, and annual reporting protocols.
- x) Identify needed funding, establish needed funding mechanisms, and allocate adequate funding to support adaptation policy development, implementation, and evaluation in frontline communities.”
- xi) Specifically, on the coastal and ocean sector, the working group offered the following relevant recommendations:
  - (1) Vulnerability assessments
    - Need more input from community residents
    - Need community events/workshops for education and awareness-building of the vulnerabilities
  - (2) Public trust
    - Should prioritize public trust, access, and recreation over private property as coastlines retreat
  - (3) Coastal development
    - Avoid protection measures that protect beachfront homes at the expense of public recreation areas
  - (4) Research and management
    - Hazardous conditions should be communicated in an accessible, respectful, and appropriate way
  - (5) Adaptation co-benefits
    - Location of energy facilities needs to be considered in relation to disadvantaged communities when assessing co-benefits
    - The development of adaptation co-benefits criteria needs to include environmental justice communities
  - (6) Other
    - Clean-up sites in coastal areas must be addressed
    - Improve flood resilience by limiting and reducing coastal industrial infrastructure
    - Coastal resilience planning must include environmental justice communities
    - Outreach and education needs to be culturally and linguistically appropriate
    - Public meetings need to be accessible
      - Provide interpretation
      - Offer a variety of public comment periods
      - Hold meetings in alternative locations, closer to vulnerable communities
    - Vulnerable communities may need incentives and programs to adapt to sea level rise and coastal flooding
    - Race, income, and linguistic isolation are important to include when identifying vulnerable communities.

- Energy facilities need to be considered when assessing vulnerability to sea level rise
  - New proposals for energy facilities on the coast must consider sea level rise and mitigation of the impacts to surrounding communities
- xii) Specifically, on the land use and community development sector, the working group offered the following relevant recommendations:
- (1) Some local governments have historically excluded low-income communities and communities of color. Recognizing this and creating a shift may be difficult but is necessary.
  - (2) Need to include policies on preventing and mitigating displacement and gentrification

3) **Bay Smart Communities for a Sustainable Future (Save the Bay)** – recommended by Hannah Doress (RCI) and Greenaction

- a) Save the Bay worked with several local and regional environmental justice community groups in the Bay Area to develop a set of “Bay Smart” recommendations. Save the Bay recognizes that, “Based on the Bay Area’s projected population growth of 30% by 2040, [their] work must now focus on development plans upstream and upland from the shoreline that threaten the health of the Bay.”
- b) “[Save the Bay] is proposing ecologically sound and equitable policies to ensure that the Bay Area’s growth benefits the Bay and builds broad and deep support for it among the region’s many diverse communities, with special care to engage those who have suffered environmental injustice.”
- c) Save the Bay identified four pillars for a “Bay Smart Community,” including:
  - i) Stormwater Management: “protect waterways and enhance freshwater resources through green stormwater infrastructure, urban canopy, and sustainable landscaping practices.”
    - (1) Save the Bay recommends utilizing green stormwater infrastructure (GSI) to mitigate pollution in urban runoff as well as the water capturing for infiltration into groundwater basins.
  - ii) Transportation: “Invest in bicycle, pedestrian, and public transit infrastructure to reduce roadway runoff, greenhouse gases, and particulate matter.”
    - (1) Save the Bay recommends reducing the number of miles traveled by vehicles to best reduce the pollution from the transportation sector and employing transit-oriented development (TOD) in partnership with communities while ensuring affordable housing and preventing displacement.
  - iii) Housing: “Prevent displacement and enable access to the Bay shoreline.”
    - (1) Save the Bay supports compact development (e.g. TOD and accessory dwelling units) to reduce energy, water use, and air pollution but recognizes this type of development (as well as GSI) can lead to gentrification and displacement. Because of this, Save the Bay recommends prioritizing affordable housing and halting displacement.
  - iv) Urban Planning: “Promote environmental justice and facilitate equitable and inclusive infrastructure planning.”

- (1) Save the Bay recognizes that any stormwater infrastructure, transit infrastructure, or housing needs to be planned in a just, equitable, and inclusive manner.
  - (2) Save the Bay recommends using The Partnership for Southern Equity's guidelines for green infrastructure planning, which include:
    - "Make equity a pillar of the planning effort;
    - Ensure diversity among participants, include diverse knowledge areas;
    - Invest in relationships and explore shared values;
    - Use a systems approach to evaluate infrastructure options based on values, interests, co-benefits, and cost; and
    - Allow participants to steer the process."
  - (3) Save the Bay includes the Resilient Communities Initiative (RCI)'s recommendation of the creation of partnership agreements or MOUs between community-based organizations and larger non-profit or government entities to ensure just, equitable, and inclusive planning.
  - (4) Save the Bay also includes Causa Justa's recommendation of creating inclusive participation in the public process by providing "language services, disability access, onsite childcare, and being flexible with location and timing of meetings..."
- 4) **Resilient Communities Initiative's Equity Checklist (RCI)** – recommended by Hannah Doress (RCI) and Greenaction
- a) RCI's equity checklist is designed to help funders and implementing agencies to account for equity in their work by identifying vulnerable populations, understanding the equity implications of their proposed work, and ensuring collaboration with community groups.
  - b) The checklist is broken down into three project elements. The first element, Project Impact Demographics helps to identify where vulnerable populations are located based on a number of socioeconomic indicators. This section also ensures that the project, program, or policy addresses these identified communities in part two.
  - c) Part two, Project Goals and Evaluation seeks to understand how this work will improve the lives of the identified populations, including clear goals and ways to monitor and measure these improvements.
  - d) Part three, Community Leadership in Project Design and Implementation ensures that communities are respectfully and equitably involved in the project, policy, or program. RCI recommends conducting thorough outreach before the initiation of any work to ensure the involvement community leadership in the development/design of the work. Further, RCI recommends that communities have defined design-making power in the form of a contract, formal partnership, or MOU. Lastly, the project, program, or policy needs to be clearly communicated to community members (in a linguistically appropriate manner) and approval needs to be gained by long-standing community groups.
  - e) RCI references the partnering agreement first adopted by the West Oakland Toxics Reduction Collaborative as model.

- i) This collaborative was a partnership between West Oakland community residents, community-based organizations, faith-based organizations, neighborhood associations, schools, non-profit environmental groups, labor groups, youth, local government agencies, state agencies, federal agencies, and local industry/business community. It was convened to address adverse human and environmental health impacts facing the West Oakland community using a cooperative, multi-stakeholder approach. The collaborative worked together to create a partnering agreement that outlined goals, roles, and processes, giving equal ownership and agency to the impacted community. This helped alleviate unequal power structures that would typically marginalize the community. One way that this was achieved was through the creation of several issue specific workgroups with each having at least one co-chair who was a member of the West Oakland community. These workgroup co-chairs also sat on the collaborative steering committee, which oversaw the direction of the group. Moreover, the partnering agreement spelled out the process for conflict resolution in decision-making, which ensured that community members had an equal role in the process and that collaborative partners were never obliged to partake in any action with which they did not agree.
- 5) **Climate Action through Equity (City of Portland and Multnomah County)** – recommended by GARE
- a) In 2012, the city of Portland adopted the *Portland Plan*, the city's overarching strategic plan. This plan included a broad equity framework and recognized the need to prioritize racial equity throughout the city. Borrowing from this framework, Portland/Multnomah County's 2015 Climate Action Plan update was conducted through the lens of equity.
  - b) In order to complete this update in a manner that could result in tangible (equitable) results, several new processes were created diverging from a standard plan update. Funding was secured for community engagement and consultancy, the community engagement process was community-designed, an Equity Working Group was created through the allocation of sub-grants to local community organizations, common vocabulary and goals were co-established by communities and the local government, and long-term partnerships were established.
  - c) Undertaking this plan update did not come without challenges. Originally, the Equity Working Group was to identify equity implications for each proposed climate action for each chapter of the draft Climate Action Plan via conference calls and culminate in in-person meetings. Community members, however, found that this process constrained creativity and perpetuated power imbalances. The process was then completely overhauled to avoid these negative outcomes. In-person meetings were scheduled from the onset and grantees (community representatives on the working group) were also given space to share experiences (both challenges and opportunities) from their communities on the topic areas. Staff was then tasked with determining how this feedback could inform the formulation of the plan. Although this change in process took considerable time (with the project already behind schedule), it was agreed that this change was necessary and lead to better opportunities for achieving equity.

- d) With the guidance of the Equity Working Group, staff developed a basic equity assessment for every action in the draft Climate Action Plan. Nine equity considerations were developed that formed the basis of this assessment. These considerations (and accompanying questions) that were screened for each of the proposed actions in the plan included:
- i) Disproportionate impacts: “Does the proposed action generate burdens (including costs), either directly or indirectly, to communities of color or low-income populations? If yes, are there opportunities to mitigate these impacts?”
  - ii) Shared benefits: “Can the benefits of the proposed action be targeted in progressive ways to reduce historical or current disparities?”
  - iii) Accessibility: “Are the benefits of the proposed action broadly accessible to households and businesses throughout the community – particularly communities of color, low-income populations, and minority, women and emerging small businesses?”
  - iv) Engagement: “Does the proposed action engage and empower communities of color and low-income populations in a meaningful, authentic, and culturally appropriate manner?”
  - v) Capacity building: “Does the proposed action help build community capacity through funding, an expanded knowledge base or other resources?”
  - vi) Alignment and partnership: “Does the proposed action align with and support existing communities of color and low-income population priorities, creating an opportunity to leverage resources and build collaborative partnerships?”
  - vii) Relationship building: “Does the proposed action help foster the building of effective, long-term relationships and trust between diverse communities and local government?”
  - viii) Economic opportunity and staff diversity: “Does the proposed action support communities of color and low-income populations through workforce development, contracting opportunities or the increased diversity of city and county staff?”
  - ix) Accountability: “Does the proposed action have appropriate mechanisms to ensure that communities of color, low-income populations, or other vulnerable communities will equitably benefit and not be disproportionately harmed?”
- e) Throughout this process, the city of Portland and Multnomah County learned several sharable lessons on integrating equity into climate change planning. These lessons learned included:
- i) Meeting the needs of participants – Here, the city and county learned that rather than adhere to strict predetermined planning processes, it was better to be flexible and allow for new processes to emerge. In addition to funding community engagement opportunities and providing grants for the participating members of the Equity Working Group, several other procedural changes were made. These included: moving the location of meetings in impacted communities, printing materials rather than providing them electronically, restructuring meeting agendas for more discussions around community experience and knowledge, holding separate meetings with group members who could not attend regularly scheduled meetings, and extending timelines to allow for longer discussions on complex topics.

- ii) Facilitating with awareness of power and privilege – In order to achieve equity, the city and county learned the importance of creating space to acknowledge power dynamics between communities and government, people of color and white people, and socio-economic class differences. They achieved this through the creation and enforcement of ground rules, staff training, and 1-on-1 check-ins with participants.
  - iii) Building capacity and relationships – In order to successfully integrate equity into their climate planning, the city and county built relationships with communities and provided technical assistance and education on climate change and climate-related issues. It was in this relationship development phase that common vocabulary and goals were identified between staff and communities.
  - iv) Funding matters – funding was a decisive matter that made it possible for community organizations to participate. Without it, this process could not have happened.
  - v) Implementation and metrics – in many cases the implementation of climate actions carries equity implications rather than the actions themselves. Discussions around this topic with the working group lead to the creation of The Equity Implementation Guide to accompany the Climate Action Plan.
  - vi) This work takes time – In order to create a process that could be successful in planning for equity, several process norms were reestablished, and more time needed to be allocated to discussions on complex issues. The original expected completion date was the end of 2013, but the process was finally completed in June 2015.
- 6) **Guide to Equitable, Community-Driven Climate Preparedness Planning (Urban Sustainability Directors Network (USDN))** – recommended by the Greenlining Institute
- a) USDN promotes three objectives for achieving equity as were described above: 1) procedural, 2) distributional, and 3) structural.
  - b) USDN promotes a racial equity framework for institutionalizing the above objectives (the same framework is used by GARE).
    - i) Normalize – this includes explicitly discussing race and racism in understanding organizational priorities
    - ii) Organize – this includes building mechanisms and partnerships for engagement
    - iii) Operationalize – this includes the use of data and tools by staff and leadership to advance racial equity institutionally
  - c) USDN lists several characteristics of an equitable, community-driven preparedness planning process. They are:
    - i) Identifies inequities
    - ii) Engages with communities most impacted
    - iii) Promotes democracy and transparency in government
    - iv) Address inequities
    - v) Supports integrative government
    - vi) Fosters sustainability
  - d) USDN reformulates the conventional planning process to create a process of equitable, community-driven planning.

- i) The conventional process is as follows:
  - (1) Project initiation
  - (2) Data collection and analysis
  - (3) Visioning and alternatives
  - (4) Plan development
  - (5) Plan and project implementation
  - (6) Monitoring and review
- e) Equitable and community-driven planning includes a pre-step of community and local government readiness which is essential for achieving equity. This step attempts to build social cohesion, gain common understandings of the issue(s), and power within the community and assesses the agency or jurisdiction's time and resource commitment for building trust and creating an equitable process.
  - i) Additionally, each of the traditional planning phases are adjusted to incorporate equity and the community.
    - (1) In project initiation, this includes co-design of work plans between planners and communities (in particular, vulnerable communities).
    - (2) In data collection and analysis, this includes allowing communities to identify strengths, assets, hazards, and vulnerabilities.
    - (3) In the visioning and alternatives stage, this approach may include developing guiding principles and project vision alongside the community. Also, with the community, this phase will assess any unintended consequences or new impacts from the project.
    - (4) In plan development, planners should prioritize strategies that benefit vulnerable communities.
    - (5) During the plan and project implementation, planning departments should partner with communities to ensure that inequities are not exacerbated, or unintended consequences created. Communities should also be involved in the communication of the plan/project.
    - (6) Lastly, planners should engage communities in the monitoring and evaluation of plan implementation to ensure accountability and transparency. Communities should be involved in any plan updates or amendments over time and be given monitoring data and information.