



EJ Bay Plan Amendment Policy Concepts



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San Francisco Bay Conservation
and Development Commission

Project Goal

Amend the San Francisco Bay Plan to incorporate principles of environmental justice and social equity into the planning, design, and permitting of shoreline projects in and along the San Francisco Bay.



Recap

- 1/17 Commissioner Workshop
 - Heard many suggestions for potential solutions on several topic areas
- Two meetings with BCDC legal staff
 - McAteer-Petris Act Consistency
- Two meetings with BCDC regulatory staff
 - What goes in the Bay Plan?
- One meeting with EJ Review Team lead
 - Process and planning



Recap (2)

- McAteer-Petris Act consistency
- What goes in the Bay Plan?
- Additional EJ recommendations



McAteer-Petris Act Consistency



- “That further filling of San Francisco Bay...should be authorized only when public benefits from fill clearly exceed public detriment...” (66605(a))
- “It is therefore declared to be in the public interest to create a politically-responsible, democratic process by which the San Francisco Bay and its shoreline can be analyzed, planned, and regulated as a unit.” (66600)

McAteer-Petris Act Consistency (2)



- “The Legislature further finds and declares that uncoordinated, haphazard filling in San Francisco Bay threatens the bay itself and is therefore inimical to the welfare of both present and future residents of the area surrounding the bay...” (66601)
- “A permit shall be granted for a project if the commission finds and declares that the project is either (1) necessary to the health, safety or welfare of the public in the entire bay area, or (2) of such a nature that it will be consistent with the provisions of this title and with the provisions of the San Francisco Bay Plan then in effect.” (66632(f))

EJ Policy Concepts



- Recognition of historic and current environmental injustice in the Bay Area
- Definitions and guiding principles
- Required community outreach and engagement

EJ Policy Concepts (2)

- EJ/equity analysis for projects
- Encouragement of local economic development
- Coordination with local government and other regulatory agencies



EJ Policy Discussion Questions



- What can BCDC do to better collaborate with local governments on land use decisions (given that local governments have primary land use authority)?
- Given BCDC's regulatory authority, what projects should BCDC require to include community engagement and EJ/SE analyses?

EJ Policy Discussion Questions (2)



- Given that regulatory authority, what aspects of EJ/SE should be required as part of such an analysis, e.g., economic development issues?

Public Access Policy Concepts



- When appropriate and feasible, create public access in communities lacking open/public space
- Require local community involvement in the design of public access spaces and amenities
- Implement education and programming to encourage stewardship

Public Access Policy Concepts (2)

- Signage needs to be in the appropriate languages and/or icon-based
- Public Access around the Bay needs to accommodate a broad range of water-oriented recreational activities for people of all races, cultures, ages, income levels, and abilities



Public Access Discussion Questions



- How can BCDC best ensure that public access areas are inclusive for all communities?
- What are the best ways for BCDC to engage all communities in the design of public access?

Shoreline Protection Policy Concepts

- Consider adjacent impacts
- Public involvement in the development process
- BCDC's commitment to water access in the face of "hard" shoreline protection
- Require best available rising sea level and groundwater science in contaminated lands clean-up projects



Shoreline Protection Discussion Questions



- How can BCDC best ensure that local communities are engaged in the development of shoreline protection projects?
- How can BCDC best ensure that the best available science is used in designing and implementing the remediation of contaminated lands?

Mitigation Policy Concepts

- Consider project impacts to humans and communities
- Community involvement in all project phases (including identification and prioritization of projects)
- Encourage local job creation and training in habitat restoration field



Mitigation Discussion Questions



- How can BCDC best ensure that local communities are engaged in the development of mitigation projects?
- How can BCDC best ensure that social and community impacts are taken into account when mitigation projects are designed?

Additional (non-Bay Plan) EJ Recommendations



- Meeting accessibility
 - Translation/interpretation
 - Meeting times/locations
 - Stipends, food, childcare
- Tribal Consultation Policy and Liaison
- Public Access Design Guidelines and Design Review Board

Additional (non-Bay Plan) EJ Recommendations (2)



- Increased staff resources and expertise to address EJ issues
- EJ/equity considerations in permit application and filing requirements
- Improved information on impacts and regulatory responsibility
- EJ/equity considerations in enforcement program

Environmental Justice Bay Plan Amendment Process



Initial Public Hearing:
July 18, 2019

January 17th &
March/April, 2019
EJCWG meetings

Final Action: Sept 2019
(assuming one hearing)



Background Report
and Staff Planning
Report: May 10, 2019

What is next?

- Call with EJ Review Team
 - Bay Plan overview
 - Regulatory process overview
- Meeting with BCDC Regulatory staff
- Writing Background Report and Staff Planning Report
- April EJ CWG meeting with EJ Review Team

