

San Francisco Bay Conservation and Development Commission

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TO: Environmental Justice Commissioner Working Group Members
FROM: Shannon Fiala, Planning Manager (415/352-3665; shannon.fiala@bcdc.ca.gov)
Clesi Bennett, Coastal Planner (415/352-3613; clesi.bennett@bcdc.ca.gov)
SUBJECT: Draft Meeting Summary of October 3, 2019 Environmental Justice Commissioner Working Group Meeting

1. **Call to Order, Roll Call, Introductions and Approval of Agenda.** The meeting was called to order by Chair Ahn at the Bay Area Metro Center, 375 Beale Street, Claremont Room, First Floor, San Francisco, California at 11:07 a.m. Working Group members in attendance included Chair Eddie Ahn, Commissioners Sheri Pemberton, Pat Showalter and John Vasquez.

MOTION: Commissioner Vasquez moved approval of the agenda, seconded by Commissioner Showalter. The motion passed by a voice vote with no objections or abstentions.

Staff in attendance included: Chief Deputy Director Steve Goldbeck, Planner Clesi Bennett, Bay Resources Program Manager Erik Buehmann, Permit Analyst Walt Deppe, Planning Manager Shannon Fiala, Enforcement Analyst Matthew Trujillo, Bay Design Analyst Andrea Gaffney, Permits Analyst Morgan Chow and CivicSpark Fellow Amber Leavitt.

Also in attendance were Bay Planning Coalition Senior Policy Associate Roman Berenshyteyn, and Anne Cook and Kelila Krantz from the Port of San Francisco.

2. **Approval of June 20, 2019 Environmental Justice Commissioner Working Group Meeting Minutes.** Chair Ahn entertained a motion to approve the minutes of the June 20, 2019 meeting.

MOTION: Commissioner Vasquez moved approval of the June 20, 2019 meeting minutes, seconded by Commissioner Showalter. The motion passed by a voice vote with no objections or abstentions.

3. **Environmental Justice and Social Equity Bay Plan Amendment Timeline Update.** Ms. Bennett presented the following:

We are meeting today to talk about implementation of the Environmental Justice Bay Plan Amendment. We are planning to mail out the Revised Staff Recommendation in response to comments tomorrow. We are tentatively planning to hold a vote on the Amendment on October 17th.

At this time we haven't created agendas for future Environmental Justice Working Group meetings. We can discuss, if the Amendment passes in two weeks, what should the role of this Working Group be going forward.

4. **Discussion on Implementation and Next Steps.** I will now discuss the implementation and next steps for the Amendment. Our next step is the vote. We will give a brief presentation and will have public comment and the Commissioners will vote on the Amendment.

We also plan to touch on implementation. What you hear today will be a precursor and similar to what we will present at the vote on the 17th.

We have been working on a work plan for the implementation of this Amendment. Many public commenters wondered what implementation would look like. We are thinking of implementation in five different steps.

Those steps would be as follows: scoping and organizing, finalization of the Amendment, internal and external training, and identification of various activities that could be undertaken to further implement environmental justice and social equity into BCDC's work.

For scoping and organizing we will hopefully be wrapping up this phase this month.

Commissioner Showalter asked: Didn't we get a person approved to work on this?

Ms. Bennett replied: We are currently in the midst of hiring an environmental justice and community outreach coordinator. They will be working on the implementation of this Amendment.

To finalize a Bay Plan amendment, we have to send our voted upon and approved changes to the state of California and to NOAA for an administrative law review.

We will also need to redesign the Bay Plan. And then we will need to announce our policies publicly.

We need to train and familiarize our staff with what the policies are and what the policies mean. We need to create some sort of guidance for staff and the public.

Our external training will provide training for applicants and local governments. We are going to need to do some relationship-building between our regulatory staff and many of the community-based organizations.

Other activities could include continuously improving our community outreach and engagement work. We've talked about various ways to improve our public meeting and public process accessibility.

Commissioner Pemberton commented: The State Lands Commission adopted an environmental justice policy this past December. We prioritized staff training.

We focused on training and screening and we are working now on how to do environmental justice outreach and meaningful engagement with the community.

We put together information on how to identify whether there are environmental justice issues and we are developing a list of contacts in the various communities.

It has been a learning process because it is brand new and requires a lot of learning. There are various issues we are discussing that would help facilitate the process.

Commissioner Ahn asked Commissioner Pemberton: Do you have a process for reviewing and do you have set timelines?

Commissioner Pemberton replied: We just kind of figured it out from scratch. We are going to do a broader update in December to our Commission and touch on all these features and then invite their input.

Ms. Fiala chimed in: As we implement, we could think about how we monitor our progress and what would be the metrics for success.

Commissioner Showalter stated: That is a really important thing to think about because I've seen a lot of times where cities or agencies report on public processes based on how many meetings they have had. Sometimes those meetings don't have any public attending.

We need to get to meaningful efforts. We might need some help in figuring this out.

Commissioner Ahn asked: Are outreach metrics part of the new position job description?

Mr. Goldbeck answered: Not metrics and it is a more general description of what the job is like. This is going to be difficult because it isn't like counting widgets.

Commissioner Showalter asked: Who does the administrative law review?

Ms. Fiala replied: The Office of Administrative Law. NOAA does the federal one.

Mr. Goldbeck explained: It is a two-step process. The first step is the State Office of Administrative Law to determine that we went through the right process and that these regulations are valid under state law. But we also apply to the Office for Coastal Management to amend our federally-approved Coastal Management Program to include them. That is a separate review that they look at through their lens and then they approve that.

Commissioner Showalter continued: The other thing I didn't see here was working with the BRRIT on the environmental justice considerations because that is a multi-agency permitting body and we want people to go through them all at once.

Ms. Bennett responded: The San Francisco Estuary Partnership who is part of the staff for the Restoration Authority has been thinking a lot about this. An environmental justice panel that they held kick-started their efforts on environmental justice and social equity.

They hired a consultant and they are working on how to implement the recommendations that came out of that. They are dealing with issues around grant monies.

Perhaps I can get some of that information and share it with this group.

Mr. Goldbeck informed the group: We actually have a liaison to the Office for Coastal Management who is very aware of our program. I will touch bases with her to apprise her of our progress.

Chair Ahn asked: How often do we think we should meet?

Commissioner Pemberton replied: Quarterly.

Commissioner Vasquez was recognized: Simply giving us updates through email might be the easiest way and let the program roll out on its own.

Commissioner Pemberton noted a caveat: There is a chance of losing momentum if you get a little distant from it. I do think there is value in meeting. I think the interaction amongst everybody is an opportunity that an email update would lack.

Commissioner Showalter stated: I would suggest that we put the meetings on our calendars quarterly and then if there isn't anything that we need to meet for, we cancel the meeting.

Chair Ahn continued: One other thought I had about this is maybe use the meetings as a convening point within communities. If there is a way to have the meetings in environmental justice communities, that would be positive.

Ms. Bennett opined: I think that is a good idea for increasing attendance from community-based organizations.

Commissioner Showalter added: If there are environmental meetings going on anyway, maybe we could piggy-back on them and be a part of their meeting. That would be helpful.

Ms. Bennett responded: We have to explore as to how to best coordinate our efforts with other agencies that are engaged in similar efforts.

We can also brief the full Commission as agendas allow.

Ms. Fiala added: The Staff Recommendation can be modified if the Commission deems it necessary.

Ms. Anne Cook commented: I think the work that has been done is amazing and I am really glad that you might keep meeting. The Port and the City are embarking on a Race Equity Initiative. That is going to be a really interesting sub-component of the work that you are doing.

I would like to stay closely in touch because we can't just look at it with a City frame; we need to look at it in a different way than other city departments might be looking at it.

We are following some of the models that the City Planning Department has created on the race equity issue. They have done a lot of internal work in creating a social equity plan that includes race but is not solely focused on that one factor.

We have sent out our survey to staff just this week on this and it is interesting the diversity of responses we are getting, considering the wide spectrum of employees that we have. Not all employees are comfortable in discussing these issues.

Sometimes when we go out to speak to the community, it is obvious that our ethnic and racial diversity does not match that of the community. This can be a real stumbling block as well.

Ms. Bennett added: How to institutionalize the racial equity work that we are doing is a big challenge. This is unfunded work and it is not built into any of our work plans.

We have been going around and around on how to best implement this. The hiring piece is really important. How do we diversify our staff, so it does reflect the diversity of the region?

Commissioner Showalter noted: At the Water District, which had about 800 employees, we had employee interest groups. We had a diversity of interest groups that reflected the demographics of the staff. They usually got a free lunch to put on events and it really brought out the masses. (Laughter)

They put on programs that were really thought provoking. The programs were very good, and they weren't very expensive. I would urge you to think about something like that.

Mr. Berenstyn asked: Can you provide any more insight into what the training for applicants would look like?

Ms. Bennett answered: We haven't gotten into that level of detail yet.

Mr. Buehmann added: We have been notifying applicants about the rolling out of our implementation and policy efforts so that they can plan accordingly. We don't want applicants to be caught unaware of these developments.

Ms. Fiala stated: We have been working on establishing a list of planners in our local governments which is quite an impressive list. It is already out of date and it is need of constant updating.

We could schedule workshops to help educate these planners and build relationships.

Ms. Kelila Krantz commented: I am curious about going forward what collaboration would look like between the State Lands Commission and BCDC in terms of the environmental justice part. A number of agencies are looking at the same issues and I'm wondering how collaboration would take place on this.

Mr. Goldbeck stated: We have been collaborating with the Coastal Commission and Conservancy.

Ms. Bennett added: Back when State Lands was still developing their policy, we had a lot of conversations about how to do this. And we also talked to the California Coastal Commission because they are on a similar timeframe.

As far as implementation on specific projects, we haven't quite gotten there because we are in different phases.

Commissioner Pemberton stated: We work with the Coastal Commission in different ways. We have utilized both formal and informal avenues to collaborating.

Our agency is working more broadly with CalEPA and other agencies on training. We need to move BCDC into that because it is covering topics that are relevant.

We are working on creating a curriculum for multiple regional agencies on how to do community engagement. Once this is developed, it could be something that could be shared with other agencies.

Mr. Goldbeck added: We are also talking with our partners in the Bay Area Regional Collaborative, the Transportation Commission and the Air Board who are also doing outreach in this region. We are trying to see how we can better coordinate.

On the other hand we have different missions and different timing. How we do that is something the outreach coordinator is going to be working on.

Chair Ahn continued: I feel like Items 3 and 4 were blended together in the discussion on implementation and next steps.

Ms. Bennett agreed: Yes, those were blended.

5. **Adjournment.** There being no further business the meeting adjourned at 11:59 a.m.