



OCEAN PROTECTION COUNCIL

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Item 6

Staff Recommendation

October 6, 2022

Action items:

Consideration of Adoption for the OPC Equity Plan and Approval of Disbursement of Funds for Environmental Justice Small Grants Program

Maria Rodriguez, Climate and Environmental Justice Program Manager

Recommended Action: Staff recommends that the Ocean Protection Council adopts the OPC Equity Plan and directs staff to work with agency and other partners to implement this plan. Staff also recommends that the Council approve the disbursement of up to \$1,300,000 to establish an Environmental Justice Small Grants Program, a strategic priority within the OPC Equity Plan.

Location: Statewide

Strategic Plan Goals and Objectives: Goal 2: Advance Equity Across Ocean and Coastal Policies and Actions; Objective 2.2: Enhance Engagement with Underserved Communities.

Exhibits:

Exhibit A: Proposed Final OPC Equity Plan

Exhibit B: Public Comment and/or Letters of Support on the Draft OPC Equity Plan

Findings and Resolution:

Staff recommends that the Ocean Protection Council (OPC) adopt the following findings:

“Based on the accompanying staff report and attached exhibit(s), OPC hereby finds that:

- 1) The proposed projects are consistent with the purposes of Division 26.5 of the Public Resources Code, the California Ocean Protection Act;
- 2) The proposed projects are consistent with OPC's Environmental License Plate Funding Guidelines (Interim Standards and Protocols, August 2013); and
- 3) The proposed projects are not 'legal projects' that trigger the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section, section 15378.”

Staff further recommends that OPC adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code:

“OPC hereby adopts the OPC Equity Plan (Exhibit A) and directs staff to work with agency and other partners to implement this plan. OPC also hereby approves the disbursement of up to \$1,300,000 to establish an Environmental Justice Small Grants Program, a strategic priority within the OPC Equity Plan.

This authorization is subject to the condition that prior to disbursement of funds, the identified grantee shall submit for the review and approval of the Executive Director of the OPC detailed work plans, schedules, staff requirements, budgets, and the names of any contractors intended to be used to complete the projects, as well as discrete deliverables that can be produced in intervals to ensure the projects are on target for successful completion. All projects will be developed under a shared understanding of process, management and delivery.”

Executive Summary:

Staff recommends the adoption of the OPC Equity Plan, a seminal step for advancing inclusive policy development and actions that directly connect to Goal 2 of OPC's Strategic Plan, “Advance Equity Across Ocean and Coastal Policies and Actions”. Specifically, the Plan is the outcome of Target 2.2.1: Ensure adoption of a collaboratively developed OPC Equity Plan that includes, but is not limited to, equitable, convenient, and affordable access to coastal natural resources and access to and engagement in coastal and marine policymaking.

The Plan represents OPC's comprehensive commitments to advancing equity across ocean and coastal policies and actions in California and strengthening

internal efforts to create a more inclusive workplace at OPC. The Plan outlines priorities, milestones, and outcomes to increase communication and outreach; provide targeted funding and technical assistance; improve staff training and capacity; strengthen environmental justice policies; and further integrate community science, community expertise, and tribal expertise and knowledge into decision-making. The Plan builds from leadership and policies consistent with Governor Newsom’s Administration and individual state agencies to address social and environmental inequities statewide. OPC is committed to implementation of the Plan’s ambitious goals and strategies that will support the transformative policy and research OPC was designed to facilitate by establishing direct and measurable procedures to advance equity.

To continue accelerating momentum in implementing strategies and actions in the Plan, OPC staff also recommends the Council authorize disbursement of up to \$1,300,000 to establish an Environmental Justice Small Grants Program, a strategic priority within the Plan. Goal 1 of the Plan is focused on equitable engagement, outreach, and funding opportunities through establishing and implementing more equitable and sustainable community engagement and funding methods to expand and enhance opportunities for ocean and coastal projects, policies, and research. The Environmental Justice Small Grants program will be developed in partnership with an identified grantee to benefit small and short-term projects across coastal regions that create positive impacts in California’s environmental justice communities.

Project Summary:

Background:

For many populations, the legacy of institutional and structural racism results in the persistence of generational, environmental injustices. Government actors have historically perpetuated such injustices through the mobilization of settlers to displace California Native American tribes and communities, discriminatory land use practices targeting communities of color, the intensification of environmental pollution and burdens on such groups¹, and the desecration of sacred lands and cultural resources. These inequalities, in addition to harmful policy decisions, socio-

¹ Roller et al., 2019.

economic shifts, judicial findings, and the state's increasing population, widen these disparity gaps.²

As a government agency, OPC recognizes the need to acknowledge these injustices and take action to address inequity within our agency and as part of the policies and programs we carry out for the communities we serve. The Equity Plan represents a seminal step towards advancing equitable policymaking and research procedures that incorporate the knowledge, perspectives, needs, and desires of underrepresented groups across California to support the different values and priorities that communities, particularly California Native American tribes and environmental justice communities, bring to coastal and ocean science, policy, and resource management.

In May 2021, OPC staff, in collaboration with grantee, Better World Group (BWG), embarked on the process to develop OPC's first ever Equity Plan. The process consisted of two major phases, first, building the Plan's foundation and second, transforming recommendations into goals, objectives, strategies, and actions to develop the Plan itself. During the foundational phase, the project team conducted internal information gathering, including review of key pertinent background documents, plans and policies to develop a baseline understanding of OPC's procedures and identify opportunities for organizational growth on diversity, equity, and inclusion (DEI) measures. Additionally, an [Environmental Justice Advisory Group \(EJAG\)](#) comprised of expert community leaders and advocates representative of California's diverse regions, was formed to help strengthen and guide the Plan's development, and assist with the planning of public outreach and engaging priority equity communities. EJAG members engaged on the Plan's development by providing feedback and recommendations on coastal and ocean equity issues through focused discussions, leading to several iterations of the Plan. Furthermore, the Plan's development was also informed by extensive collaboration and feedback from state agency partners (listed in the Plan's acknowledgement section), OPC's DEI instructor, Kikanza Nuri-Robins, and California Natural Resources Agency (CNRA) Executive leadership, including the Assistant Secretary for Equity and Environmental Justice, Moises Moreno-Rivera, Assistant Secretary of Tribal Affairs, Geneva E.B. Thompson, and Deputy Secretary for Access, Katherine Toy, as well as public comment.

² California Coastal Commission. 2019. [Environmental Justice Policy](#).

Public Outreach Process

A year later, in May 2022, OPC released its comprehensive draft Equity Plan for a 45-day public review and comment period³. The project team, including agency partners and members of the EJAG, supported outreach and engagement efforts to solicit public feedback on the draft. An internal outreach toolkit was developed to guide communications across various platforms, in both English and Spanish languages. OPC received around 15 public comment emails (Exhibit B), that when dissected produced a total of approximately 120 comments for specific areas in the Plan. Public comments were representative of non-affiliated public members, community-based organizations, and state agencies. All comments were carefully reviewed and considered for integration into the final proposed Equity Plan. When addressing public comment and feedback, changes in the Plan were made consistent with state law, and in a way that compliments and augments agency-wide efforts, as well as the Administration's broader strategies to embed equity in California.

Project Summary:

The Equity Plan is a guiding document for OPC Councilmembers and staff to advance equity and environmental justice within the Council and along the California coast. By approaching equity efforts as both internal and external to OPC, the Plan proposes measurable actions that empower the agency to create solutions for strategic leadership and partnership, inclusive cultural and recruitment practices, improved engagement and funding distribution, comprehensive sourcing of knowledge, and advanced access to ocean and coastal spaces. The Equity Plan highlights the equity priorities within coastal and ocean policymaking and research that are primed for statewide action. Importantly, the goals, objectives, and strategies proposed in the Plan are a product of a collaborative design process that engaged OPC staff, OPC leadership, the public, state agency partners, and OPC's EJAG. The Plan aims to reflect collective action by all relevant partners and contains four overarching goals focused on core areas (Engagement, Inclusive Workplace, Policy, and Science) with objectives, strategies, and actions that advance equity and justice within the state and the Council. The goals of the plan are:

³ Ocean Protection Council. [OPC Releases its Draft Equity Plan for Public Comment!](#) May 9, 2022.

Equitable Outreach, Engagement, and Funding

- **Goal 1:** Establish and implement more equitable and sustainable community engagement and funding methods to expand and enhance opportunities for ocean and coastal projects, policies, and research.

Building an Inclusive Workplace and Workforce for California's Coast and Ocean

- **Goal 2:** Create a more inclusive workplace through creative and equitable employee recruitment and retention, building staff fluency on equity and environmental justice, and increasing internal staff capacity

Designing Equitable Ocean and Coastal Policymaking

- **Goal 3:** Lead equitable ocean and coastal policymaking in California.

Integrating Equity in Coastal and Ocean Science and Research

- **Goal 4:** Lead the state in a comprehensive approach to coastal and ocean science through intentional investments in research and monitoring that value and integrate broader knowledge sources.

Implementation

OPC staff and leadership will leverage OPC's inaugural Equity Plan to advance more equitable and comprehensive ocean and coastal science research, policies, programs and projects that reflect the connection between people, communities, and natural systems. As a living document, the Plan aims to establish the foundation for existing and future equity needs. Through the implementation process, OPC will further refine baseline analyses to inform performance measures, such as benchmarks and other metrics, to provide a systematic process to track progress and accountability. OPC commits to reporting⁴ on Equity Plan progress and milestones on a quarterly basis leading up to a biennial assessment of the Plan to: 1) evaluate progress and conduct reporting; and 2) identify future updates to the Plan (e.g., changes and refinements to recommendations) based on assessment outcomes.

⁴ OPC may utilize quantitative, qualitative, and anecdotal data as potential metrics to inform reporting.

Environmental Justice Small Grants Program

In adopting the OPC Equity Plan, OPC staff also recommends the Council authorize disbursement of up to \$1,300,000 to establish an Environmental Justice Small Grants Program, a strategic priority within the Plan. As a pilot program, OPC's Environmental Justice Small Grants program will continue OPC's ongoing efforts to advance equity and environmental justice throughout California by creating a dedicated funding path to prioritize investments for small and short-term projects across coastal regions that create positive impacts in California's environmental justice communities. This competitive small grants program will be designed in partnership with a grantee who will administer the small grants program. Identification and selection of the final grantee to administer the program will be based on the following criteria: necessary operational capacity and expertise; relationships and/or networks with targeted communities; experience providing technical assistance and capacity-building tools; and the ability to administer the grants and report on progress and deliverables of the funded projects. This program will directly implement Strategy 1.3.7 of the Equity Plan.

Project Timeline

Upon adoption of the OPC Equity Plan, OPC staff will work on identifying a grantee in the following months to help design and administer a competitive Environmental Justice Small Grants program.

Project Financing:

Staff recommends that the Ocean Protection Council (OPC) authorize encumbrance of up to \$1,300,000 to establish an Environmental Justice Small Grants Program.

OPC's Environmental License Plate Fund	\$1,300,000
TOTAL	\$1,300,000

The anticipated source of funds will be from the OPC's Environmental License Plate Funding Guidelines (Interim Standards and Protocols, August 2013). The recommended program addresses the critical need for improving equitable access to funding for projects led by or within environmental justice communities

and further advances OPC's commitment to implement dedicated funding to prioritize such investments.

Consistency with California Ocean Protection Act:

The proposed project is consistent with the Ocean Protection Act, Division 26.5 of the Public Resources Code, because it is consistent with trust-fund allowable projects, defined in Public Resources Code Section 35650(b)(2) as projects which:

- Eliminate or reduce threats to coastal and ocean ecosystems, habitats, and species.
- Improve the management of fisheries and/or foster sustainable fisheries.
- Improve coastal water quality.
- Allow for increased public access to, and enjoyment of, ocean and coastal resources, consistent with sustainable, long-term protection and conservation of those resources.
- Improve management, conservation, and protection of coastal waters and ocean ecosystems.
- Provide monitoring and scientific data to improve state efforts to protect and conserve ocean resources.
- Protect, conserve, and restore coastal waters and ocean ecosystems.
- Address coastal water contamination from biological pathogens.
- Provide funding for adaptive management, planning coordination, monitoring, research, and other necessary activities to minimize the adverse impacts of climate change on California's ocean ecosystem.

Compliance with the California Environmental Quality Act (CEQA):

Adoption of the OPC Equity Plan is not a “legal project” that triggers the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21068 and Title 14 of the California Code of Regulations, section 15378. Future projects that may be funded by the Environmental Justice Small Grants Program will be required to comply with CEQA and other necessary environmental permitting requirements, or otherwise explain why permits are not applicable to the project.