



June 23, 2022

Chair Wade Crowfoot and Council Members
Ocean Protection Council
1416 Ninth Street, Suite 311
Sacramento, CA 95814

RE: Draft Equity Plan Public Comment

Sent via electronic submission to: OPCEquityPlan@resources.ca.gov

Dear Secretary Crowfoot and Council Members,

California Coastkeeper Alliance (CCKA) represents a network of California Waterkeeper organizations dedicated to fishable, swimmable, and drinkable waters for all Californians, not just some. We firmly believe that the inclusion of environmental justice, tribal, and equity considerations throughout the government decision-making process will help achieve clean water for all and we appreciate the opportunity to comment on this Draft Equity Plan.

First, we would like to applaud the OPC on the development of this Equity Plan. This Plan is an important step against systemic barriers toward meaningful community inclusion in governmental decision-making. OPC has done an excellent job working with proven advocates for environmental justice and tribal communities to develop goals that will help the agency to integrate equity into its decision-making process. The Plan breaks these goals down into meaningful steps and we support OPC's decision to ensure its goals are met through quarterly, annual, and biennial reports on progress and milestones.

Overall, we are in support of OPC's Equity Plan. In addition, we have four comments we believe will strengthen the Equity Plan and are in line with its objectives.

I. Incorporate the United Nations Declaration on the Rights of Indigenous Peoples.

We recommend that OPC include language from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) where appropriate in this Equity Plan. UNDRIP was adopted by the U.N. in 2007 and represents the most comprehensive international instrument on the rights of indigenous peoples.¹ It creates an important framework that emphasizes how governments can support the rights of indigenous peoples to strengthen their own institutions, cultures, and traditions.

Certain Articles of UNDRIP are already reflected in the goals of this Plan, while other Articles can provide additional insight for OPC as it works to fulfill those goals and develop the policies outlined within the Equity Plan. In addition, including references to the document will help to legitimize OPC's actions on the international stage and ensure that they are in line with an emerging global approach toward indigenous peoples.

For example, goal 3.4 of the Equity Plan is in the spirit of Article 32 of UNDRIP. Article 32 requires States to "consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories."² Similarly, goal 3.4 of the Equity Plan requires OPC to develop partnerships with tribes to identify their priorities and implement actions that address climate

¹ United Nations, [United Nations Declaration on the Rights of Indigenous Peoples](#), (last visited June 15, 2022).

², 61/295. [United Nations Declaration on the Rights of Indigenous Peoples](#), Article 32 (Sept. 13, 2007).

change. Goal 3.4 embodies part of Article 32's idea of consulting and cooperating in good faith with indigenous people, but Article 32 takes this a step further by clarifying that the goal of this consultation is to obtain "free and informed consent prior" to implementing actions. This extra step helps to clarify that consultation is only the beginning and emphasizes importance of obtaining free prior and informed consent, an idea from which the Equity Plan could benefit.

Similarly, Article 29 of UNDRIP recognizes that indigenous peoples have "the right to the conservation and protection of the environment,"³ and Article 25 recognizes that indigenous peoples have "the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas."⁴ These ideas are represented in the OPC Equity Plan, and simply referencing UNDRIP will help to incorporate aspects of this powerful Declaration into OPC's equity work.

II. Commit to Meeting Agendas, Accept Pre-recorded Testimony, or Have Council Meetings After Regular Work Hours.

Goal 3.3.2 of the OPC Equity Plan is to reduce barriers to public participation by increasing meeting accessibility. We believe this is an excellent goal and have three recommendations to help ensure that this objective is met. In addition to the actions already outlined in the Plan, we recommend that OPC: (1) commit to meeting agendas with estimated start times for each agenda item, (2) consider allowing for pre-recorded audio and video testimony, and (3) hold meetings outside of normal work hours as methods of reducing barriers to public participation.

The ability to take time off work to participate in government is an equity issue. When meeting agendas are ignored, even if a community member could participate for certain aspects of a meeting, they may be unable to stay for the entire duration, missing their opportunity for public engagement. Even worse, if any individual had planned on arriving later to speak to issues scheduled for the end of the meeting, any last-minute agenda shift prevents that individual's advocacy all-together. These type of last-minute agenda changes are too common with California's agencies, and it is all but accepted that agendas will be in flux.

To avoid this issue, OPC should commit to meeting agendas and provide estimated times for each issue. While we understand the difficulty of keeping to a strict schedule during agency meetings, ignoring a schedule altogether acts as a substantial barrier to community engagement. In addition, by allowing pre-recorded audio and video testimony, OPC will provide a platform for those who cannot take the time to attend its meetings to both make sure their voices are heard and that decisionmakers can see and hear the community members directly impacted by their decisions. In addition to pre-recorded testimony, OPC should consider holding meetings that are outside of work hours to create additional opportunities for communities to engage.

III. Equity Considerations Should be in Writing and Released Publicly.

Under Goal 3.1.3 of the Equity Plan, OPC staff are required to consider and provide an explanation of any environmental justice impacts for each OPC action or funding proposal prior to adoption. CCKA is in full support of requiring OPC decisionmakers to fully consider the environmental justice considerations for its actions. However, it is unclear what form these considerations must take.

We ask that OPC clarifies whether these equity considerations and explanations must be in writing and released publicly. If this is not the case, we recommend that these considerations be written and released

³ *Id.* at Article 29.

⁴ *Id.* at Article 25.

publicly through OPC's website to ensure full transparency on these issues. This requirement will help to ensure that OPC staff are not simply checking boxes and are fully considering these important issues and showing their work.

IV. Require That at Least One Council Member Has a Proven Track Record for Advocating for Either an Environmental Justice or Tribal Community.

One of the more important steps OPC can take to make sure the goals of its Equity Plan are met is through the development of an internal educated and diverse workforce. For that reason, we are fully in support of the second goal of the Equity Plan. Often, when organizations attempt to include equity considerations into their work, staff are asked to expand their roles without any efforts to proportionally increase their capacity to accommodate the additional work. Goals 2.1, 2.3, and 2.4 would effectively develop a plan to recruit and maintain a diverse workforce, educate staff on environmental justice and tribal issues as they relate to the coast, and develop plans to increase capacity to incorporate that education into their daily responsibilities.

In contrast, the Equity Plan is much less demanding of OPC Council Members. The Plan only requires a single annual equity training for OPC Council Members and the vague goal under 3.2.1 to "identify and implement strategies to improve the diversity of OPC Councilmembers."⁵ We believe that this should be more concrete. Rather than the goal outlined in 3.2.1, we believe that this Plan should contain the commitment to require that at least one Council Member is a proven advocate for environmental justice or tribal communities.

California government exists as a product of systemic inequality. We applaud the Ocean Protection Council for recognizing this fact and taking tangible action to develop and implement effective equity policies. Thank you for the opportunity to comment on this Draft Equity Plan.

Sincerely,

Cody Phillips
Policy Analyst
California Coastkeeper Alliance



⁵ OPC, [Draft Equity Plan](#), at 28.

From: [Maya Weeks](#)
To: [OPC Equity Plan](#)
Subject: OPC Draft Equity Plan
Date: Tuesday, May 10, 2022 12:44:53 PM

Hi,

My name is Maya Weeks. I'm a Californian white settler marine social scientist (I hold my Ph.D. in geography), writer, and editor writing with comments about the OPC Draft Equity Plan. I am in enthusiastic favor of the plan! I see it as an imperative step in creating marine and social justice in California. I am particularly grateful that the plan involves extensive cooperation with Tribes and I see this as an important model for policy in the broader United States. I am particularly enthusiastic about the Draft Equity Plan's attention to creating "[p]athways for increased ancestral land return to California Native American tribes" and integrating Traditional Ecological Knowledge (TEK) into California marine research! Return of Native ancestral lands and integrating TEK in culturally-appropriate ways are much needed for racial justice and climate justice reasons, which of course go hand-in-hand.

I did find that the Draft Equity Plan could be made clearer with a careful copyedit. There were, for instance, certain sentences with typographical mistakes that created ambiguity and confusion. I believe a copyedit would do justice to the sensitive topic at hand. I am wondering if OPC has an editorial team that could attend to copyediting the document or if you would, perhaps, be interested in hiring someone to do that work. I understand that this is a long shot, but I wanted to offer my services if so. I have over 11 years of experience doing copyediting work and would be happy to apply through a formal process and share my resume and references.

Many thanks for considering my comments and I hope you are taking good care.

Sincerely,
Maya Weeks, Ph.D.

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Maya Weeks, Ph.D. (she/her)
mayaweeks.com

My working day may not be your working day. Please do not feel obliged to reply to this email outside of your normal working hours.

From: Miller, Scott E.@Waterboards
To: [OPC Equity Plan](#)
Subject: Support for OPC Draft Equity Plan
Date: Wednesday, May 11, 2022 12:14:45 PM

Hi there OPC,

I am writing to support the OPC's [Draft Equity Plan](#). I believe this will be a big step forward to providing a more equitable working environment, which in turn will better protect our coasts and oceans.

Thank you! Best,

Scott Evan Miller Ph.D.

Water Resource Control Engineer

Recycled Water Unit

State Water Resources Control Board

500 North Central Avenue, Suite 500

Glendale, CA 91203

Phone: 818-551-2043 (Office and Telework)

Email: scott.miller@waterboards.ca.gov

From: [Cecchetti, Aidan@Waterboards](mailto:Cecchetti,Aidan@Waterboards)
To: [OPC Equity Plan](#)
Subject: Public Comment for the OPC Draft Equity Plan
Date: Wednesday, May 11, 2022 12:33:24 PM

To whom it may concern:

The Draft Equity Plan released this week by the Ocean Protection Council (OPC) is a powerful step toward achieving equity for all Californians. The OPC's mission to maintain healthy and productive oceans and coastal ecosystems, while ensuring access to those ecosystems for education and recreation, cultural purposes, and other public uses, is essential to safeguard the health, wellbeing, and livelihoods of Californians. This mission cannot be truly fulfilled until these benefits are delivered equitably to all Californians. I applaud the OPC's efforts to make this mission complete by developing this Draft Equity Plan and for committing to the important actions described therein. It is a proud moment to be a Californian and a member of the California state government.

I have just a few comments regarding the draft plan that I respectfully submit to OPC for consideration as they develop a final version of this Draft Equity Plan. My comments are as follows:

- Under Goal 1, Objectives 1.2 and 1.4 currently describes goals of expanding "... outreach, education, external communications, and knowledge-sharing..." and incorporating "...community engagement into every project funding opportunity..." with strategies related to: (1) "...establishing meaningful opportunities for communities to engage and/or participate..." (Strategy 1.2.4), (2) developing a community outreach and engagement plan "...with community involvement" (Strategy 1.2.5), and (3) including community involvement in "...updating OPC acknowledgement and signage guidelines..."
 - I am generally supportive of these goals and strategies, but I encourage OPC to consider using stronger language to move these forms of community engagement from the level of involvement and outreach toward collaboration and shared leadership (e.g., see the language used in Strategy 3.1.1). As government agencies, we serve and answer to the people of California. However, many marginalized communities have been excluded from the decision-making process and to this day our government agencies do not include meaningful representation from many of those communities. It is important that form strong bidirectional relationships with these communities and consider ways that we can cede power to them during the decision-making process. This should be included in all parts of the Equity Plan.
- Under Objective 1.4, Strategy 1.4.4 appears to be missing or the strategies have been mislabeled. Only Strategies 1.4.1, 1.4.2, 1.4.3, and 1.4.5 are currently listed.
- I would encourage the OPC to add a goal or objective to incorporate consideration of equity in all OPC's policies, programs, and decision-making processes. This would require OPC to review its activities more broadly but reduces the risk that OPC has failed to identify a component of their work that impacts equity. This likely would make the most sense under Goal 2 as it is related to Objectives 2.3 and 2.4.
- Equity considerations can be complex and may involve multiple communities and competing objectives. I would also encourage the OPC to consider adding

development of an equity decision-making framework to the Draft Equity Plan to serve as a tool for navigating what can be a complex decision-making process to ensure that equity considerations are effectively considered and balanced against each other.

It is with great pleasure that I support OPC's continued efforts toward achieving equity in California. I encourage OPC to adopt a Final Equity Plan that addresses the items that I have described above. Thank you for your time and consideration of my above comments!

Best regards,

Aidan R. Cecchetti, Ph.D.
Water Resource Control Engineer
Division of Drinking Water – San Francisco District
State Water Resources Control Board

850 Marina Bay Parkway, Bldg. P, 2nd Fl.
Richmond, CA 94804
E-mail: aidan.cecchetti@waterboards.ca.gov
Phone: 510.620.3457 / Fax: 510.620.3455
Pronouns: they/them or he/him

From:

To: Subject: Date:

Richard E.T. Sadowski OPC Equity Plan

Home Front EJ'S comment on Draft OPC Equity Plan Wednesday, June 1, 2022 5:34:46 PM

Thank You for the opportunity to comment on the OPC Draft Equity Plan.

The OPC Equity Plan is an encouraging document that when implemented will help bring quantitative and qualitative scientific metrics and weave the benefits of anecdotal knowledge and experience of local community members. With sustainable funding and follow through the OPC Equity Plan opens new doors of opportunity and hope for those interested in addressing the climate crisis.

As part of my comment, i am attaching the Home Front EJ, support letter for the establishment of the Chumash Heritage National Marine Sanctuary (CHNMS) were some ideas on funding and potential equity plans could be incorporated into affordable housing for local students and citizen scientist could benefit as well, as the indigineous First Peoples.

...Richard E.T. Sadowski

Home Front EJ, Morro Bay

Home Front EJ, Morro Bay
Support for the creation of the
CHUMASH HERITAGE NATIONAL MARINE SANCTUARY.

Home Front Environmental Justice, Morro Bay (Home Front EJ) is a grassroots group of local citizens who speak out for local environmental justice issues and seek to create opportunities for low and fixed-income residents to take action addressing climate change in their respective communities. Home Front EJ supports citizen science projects that promote educational opportunities through a learn by doing methodology for the betterment of community. Home Front EJ earnestly supported the creation of the Chumash Heritage National Marine Sanctuary (Chumash Heritage Sanctuary).

Environmental Justice (EJ) is defined by the USEPA as;

Environmental justice (EJ) - the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

What does that look like in practice?

How does environmental justice policy translate into reality for the average local citizen?

What does a practical implementation of such an environmental justice policy look like?

With the Climate Crisis upon us, we no longer have the time to argue over a threshold of abuse that can be reasonable or base assumptions on recent history. Times of crisis call for action and create opportunities that didn't seem possible. Meaningful involvement is predicated on education and education leads to understanding and understanding to innovation. In order to understand the severity of climate change crisis, we have an obligation to support our younger generations with credible scientific information and give them the tools to make intelligent recommendations and decisions relating to the changing global climate. Meaningful involvement occurs in a social environment that is rooted in good science where the focus is not anthropocentric but manifested in an atmosphere of bio and cultural diversity. Imagine the Pacific Ocean as a patient in need of a Care Plan; What does an Oceanic Care Plan (OCP) comprise of?

It starts with a heart that cares, a mind that is receptive and a body of caregivers sharing each other's gifts with those around for the benefit of those yet to come. Among other important issues, the proposed Chumash Heritage Sanctuary creates opportunities to bridge cultural, social and economic barriers. Since its inception, the Chumash Heritage Sanctuary was created in an environment of inclusion. Home Front EJ have continually advocated and supported for meaningful cultural representation and have witnessed the local Chumash representatives desire to advance science in a collaborative effort to address the climate crisis.

The infrastructure necessary to bridge the cultural, social and economic divides are rooted in education, research and development. A successful OCP will require a commitment of funding that is sustainable and reliable. The United Nations Sustainable Development Goals serve as a guide to the world's most important sustainability priorities. Included as goals are education, energy and the oceans. California has set bold decarbonization goals and Offshore Wind Farms (OWF) are an integral part of achieving those goals. OWF technology has been advancing

globally opening and creating commercial investment opportunities that directly address Climate Change. With these commercial opportunities comes a responsibility and an accountability to advance the understanding of current climate challenges that we as a humanity find ourselves in.

In an effort to catalyze ancient wisdom and understanding, with the merits that good science brings forth, Home Front EJ takes the position that any commercial OWF in the 399 area, must fund Climate Science research as part of the permitting process. A permit condition for a commercial entity profiting from Wind Energy production must be held fiscally accountable to advance marine science, education along with affordable housing for local student and citizen science groups supporting climate science. Other funding sources to support Climate Science Research and Development (R&D) and education rest in the sub-aquatic transmission line easements that will be necessary to establish through the sanctuary waters. Easement Use Permit fees could help San Luis Obispo County subsidize rental housing cost for Citizen Science groups advancing climate science and Chumash personnel participating in cultural educational programs.

In order to fill data gaps and advance climate science, Home Front EJ suggests that interested investors in the OWF development fund a NOAA Pacific Marine Environmental Laboratory (PMEL) observation buoy system in the 399 area as soon as possible. This will open data share and collaboration avenues between NOAA and the California Polytechnic University of San Luis Obispo's (Cal Poly), Marine Science Department studying Ocean Acidification (OA) and other oceanic climate science issues. In turn, Cal Poly could continue to advance their 'learn by doing' methodology and collaborating with local Citizen Science groups in educating the local citizenry on Ocean Acidification (OA), Harmful Algal Blooms (HAB's) and other climate change issues. Furthermore, recent UN scientific research show that "concepts that integrate the development of offshore multi-purpose platforms (MPPs) – which exploit the synergies and are designed to manage the tensions arising from the co-location of offshore renewable and aquaculture systems – have become increasingly popular in the last decade; however, studies note, these have not yet progressed beyond, at best, the pilot stage. Potential advantages of such projects, should they succeed, include a significant cost reduction – by allowing multiple use of space and infrastructure, through co-located and shared technologies – and an optimization of marine spatial planning." Promoting multi-uses methodology help stimulate innovative solutions and practices that merge climate change challenges. According to a recent United Nations report, 'climate change is putting food production at risk, in the absence of effective adaptation, global yields could decline by up to 30 percent by 2050. In the future, seafood and aquaculture must participate in the development of food systems from both sea and land with lower greenhouse gas emissions and less food waste.

In recent years the California Dungeness Crab fishing industry experienced the effects of HAB's when the Public Health officials shut down the crab fishing seasons due to elevated levels of domoic acid in the catch. Millions of dollars from Federal and State agencies were given to those affected by the ill-fated commercial Dungeness crab seasons in the North Coast. In order to close the knowledge gaps and prevent commercial fisherman from falling victim to structural unemployment with a reliance on governmental subsidies, opportunities for education and collaboration with climate science researchers are made with the establishment of the sanctuary. With a well-funded Climate Science program local commercial fisherman, citizen science groups and academia could pull their respective resources together in a united effort to fill climate science data gaps. Furthermore, the local commercial fishing communities relatively recent

experiences coupled with ancient Chumash cultural wisdom would further climate change awareness and education and foster innovation towards sustainability and restoration.

The Chumash Heritage Sanctuary proposed boundaries include the only persistent upwelling on the U.S. West Coast.

“The complexity of the persistent upwelling through the Arguello Canyon is shaped by a long geological history of tectonic plate movement causing micro-plate fracturing by northbound movement along the Pacific plate, the twisting and rotation at the San Andreas big bend to create the Channel Islands, the lush environment of Rodriguez Seamount, the Santa Lucia Bank upthrust block, the Arguello Canyon fault line and the Arguello Canyon. Added to these seabed and island features are the numerous currents interacting such that a persistent upwelling runs through the Arguello Canyon feeding much of the immediate area’s ocean flora and fauna and north along the coast nourishing California’s kelp forests and other ocean environmental communities. Another part of the complexity is Point Conception designated as the border between two oceanographic provinces and meteorological zones. Thus, the proposed sanctuary area is within the transition zone of these provinces and zones. Impacts of climate change on these oceanographic and atmospheric features remain unknown and present significant and necessary research opportunities.” Karl Kempton, San Luis Obispo.

The current Chumash Heritage Sanctuary designation boundaries should be expanded to include the coastal Blue Carbon areas within the sphere of influence, in particular, the Morro Bay East Estuary State Marine Reserve and the Morro Bay State Marine Recreational Areas. The ability of these coastal ecosystems to remove carbon dioxide (CO₂) from the atmosphere merit added protection for their role in mitigating climate change. The importance of these coastal marine ecosystems cannot be overstated. A UN report by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) states: “The health of ecosystems on which we and all other species depend is deteriorating more rapidly than ever...the report also tells us that it is not too late to make a difference, but only if we start now at every level from local to global, through ‘transformative change’, nature can still be conserved, restored and used sustainably.” These transformative changes are already occurring in the Morro Bay Estuary by evidence of the biodiversity of land and sea birds in the area and the recovering of eelgrass in the Morro Bay Estuary. By including the Morro Bay SMR and SMRMA in the Chumash Heritage Sanctuary designation the Estuary can continue to be revived. With the sanctuary designation potential funding opportunities for local research and educational programs become available and an added level of importance and protection are made to this sacred Chumash area.

In closing, the challenges facing humanity from the climate crisis open opportunities for collaboration, cooperation and innovation. We are at a crossroad in time where we could brave these challenges by further educating ourselves with good science, bringing together people of various cultures and experiences towards the ultimate goal of healing and restoration for our precious Pacific Ocean.

Richard E.T. Sadowski & Marla jo Bruton-Sadowski

Home-Front EJ, Morro Bay

From: [Nancy Faulstich](#)
To: [OPC Equity Plan](#)
Subject: Feedback on draft plan
Date: Thursday, June 9, 2022 12:20:50 PM
Attachments: [OPC Draft Feedback from Regeneración.pdf](#)

Hello,
See attached for feedback from Regeneración - PV Climate Action in Watsonville on the plan.
We appreciate all the work that's gone into making this powerful document!
Best,
Nancy Faulstich

--

Regeneración Project Director

Follow us on Facebook! [@regenerationpajarovalley](#)

Your donation will help us develop a cadre of environmental justice leaders in the Pájaro Valley! Donate securely online at:

www.regenerationpajarovalley.org

Regeneración
Pájaro Valley Climate Action

Regeneración - Acción Climática del Valle de Pajaro

Three staff from Regeneración in Watsonville reviewed and discussed the plan.

Overall impressions:

We are very excited about the plan and support the goals, strategies, and recommended actions to increase equitable access to the coast and make workplaces more diverse.

We support and advocate for transformation from the current unjust, inequitable and oppressive educational, political, legal, health care systems to sustainable, equitable, healthy systems that will allow all to thrive in harmony with the natural world.

We believe this plan is very ambitious. We agree that ongoing assessments and dedicated funding will be needed to review progress.

We question whether sufficient funding will be dedicated so that the goals can actually be achieved.

Some specific appreciations:

- That the history of genocide of Native Californians is discussed - often glossed over in government documents.
- Powerful definition of a “healthy ocean”
- Recommendation to change signage and work with tribes on the process
- Increasing access to coast for people living by coast who never go - for example there is no public transportation to get to beach in Watsonville and many children have never visited the ocean which is just a few miles away from town.
- Separate tribal document with government to government strategies for tribes

Questions -

- How far inland aiming to connect people to coast?
- What could land back to Indigenous communities look like along the coast?

Recommendations

- to include more about the serious threats climate change imposes on California's coastlines;
- ⅔ of southern California's beaches are now predicted to be underwater by 2100 - that changes the conversation completely about coastal access - should the plan address more directly the dire situation we're in with climate change?
- Emphasize supporting school systems by sharing plan with k-12 as well as college educators to support community members who are BIPOC and women and girls to stay motivated/encouraged and succeed in stem fields

- Think freshly about how to get funding to communities in order to reduce burden of application processes and steep competition for funding. Question is how to actually allocate what is needed to make these kinds of transformational changes?
- Use this plan as a model for replication in other areas, sectors, departments.....every public and private entity - schools, City Councils, non-profit organizations, corporations, churches, hospitals - etc etc - should be embedding equity into their strategic plan, operating principles, etc.
- Widely distribute this plan

Some specific comments and suggestions

1.1.1 (pg8)

1 staff 50% of time in 2022 -

Recommendation - Better to have team effort all at once rather than one person taking it on alone - and later putting into other peoples' job descriptions

Support: public facing documents written in plain language

Appreciates: baseline funding for native tribes

+multi year funding

+anything that can be done to make process for applying for funding easier/accessible for EJ communities

+support larger amounts of money

Regarding Small pilot grant applications

Recommendations 1.3.7. We wonder whether the council should identify 6 CBO's ahead of time for the pilot project since intention is small, short term projects. The application process is typically long and exhaustive, highly competitive, and would not necessarily be a good use of time for small groups when most won't end up getting funded.

Comment: we support streamlining grant process and providing TA for application processes.

Section 2

How do we grow the program to meet the demands/needs of the community?

Call to Action-

- Will the application process for employees and interns end up favoring people with the most traditional experience?
 - Need to ensure to actualize equity and not just pay lip service

2.1.1 Recruitment

- Who were the interns selected out of the 150 applicants? (did the process have the desired outcome of increasing diversity?)

2.3.1

+support mentorships for new hires

2.3.2

+anonymous survey

- Will demographic info be included? Would that be helpful for understanding peoples' comments/experience? But would it jeopardize anonymity?

+cultural humility training

Goal 3

3.3.2.

+Reduce barriers to public participation

Questions:

What will it actually take to increase public participation? Need bigger societal changes - starting from opportunities for families upon birth of child - to create the conditions for equitable access to public processes and full public participation.

3.5.1

+allow access to fishing in food insecure areas "blue zones"

Goal 4

Questions about implementation

- Concerns about the goals being too far-reaching.

How will this plan interact with much of California's coastline that is inaccessible because of military/private property?

From: [Pat W](#)
To: [OPC Equity Plan](#)
Subject: Equity plan draft
Date: Monday, June 20, 2022 9:40:45 AM

Hello,

The draft of OPC Equity Plan was brought to my attention by one of your advisory group members, Paige Tengeluk. I just wanted to know a little more about the plans on funding with local governments. How do you plan on handling distribution of funds if the area is a smaller, less wealthy, or a native community? The financial challenges many are facing could leave those communities behind. It would be unfair to provide excessive support to larger, wealthier communities that have access to abundant resources when others could grow and flourish with help. Thank you for your time.

Patrick Walsh

From: [Andrea Sanchez Davidson](#)
To: [OPC Equity Plan](#)
Subject: RE: OPC Draft Equity Plan - Comment Letter (resubmission)
Date: Tuesday, June 21, 2022 11:16:20 AM
Attachments: [OPC Draft Equity Plan - Comment Letter - RLF.pdf](#)

Dear Ocean Protection Council staff,

On behalf of Resources Legacy Fund, we commend the Ocean Protection Council (OPC) and its Environmental Justice Advisory Group for releasing its comprehensive draft Equity Plan for public comment. I have attached our comment letter to this email (*now with letterhead*); thank you for your consideration of these comments.

Best,
Andrea

Andrea Sanchez Davidson (she/her)

Program Manager – Ocean, Coast, and Fisheries

Resources Legacy Fund

C: 818-939-1200

asanchezdavidson@resourceslegacyfund.org

www.resourceslegacyfund.org

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Residing on the ancestral homeland of the Kumeyaay Nation

From: Andrea Sanchez Davidson
Sent: Tuesday, June 21, 2022 10:03 AM
To: OPCEquityPlan@resources.ca.gov
Subject: OPC Draft Equity Plan - Comment Letter

Dear Ocean Protection Council staff,

On behalf of Resources Legacy Fund, we commend the Ocean Protection Council (OPC) and its Environmental Justice Advisory Group for releasing its comprehensive draft Equity Plan for public comment. I have attached our comment letter to this email; thank you for your consideration of these comments.

Best,
Andrea

Andrea Sanchez Davidson (she/her)

Program Manager – Ocean, Coast, and Fisheries

Resources Legacy Fund

C: 818-939-1200

asanchezdavidson@resourceslegacyfund.org

www.resourceslegacyfund.org

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Residing on the ancestral homeland of the Kumeyaay Nation



RESOURCES LEGACY FUND
CREATIVE SOLUTIONS. LASTING RESULTS.

June 21, 2022

Mark Gold, California Ocean Protection Council
California Natural Resources Agency
715 P Street, 20th Floor
Sacramento, CA 95814

Re: OPC draft Equity Plan

Delivered by electronic mail to: OPCEquityPlan@resources.ca.gov

Dear Mr. Gold,

On behalf of Resources Legacy Fund, we commend the Ocean Protection Council (OPC) and its Environmental Justice Advisory Group for releasing its comprehensive draft Equity Plan for public comment.

Resources Legacy Fund believes that people and nature are inextricably linked and that the health of both depends on full and meaningful participation of all communities in decisions that define and shape a resilient future. Additionally, we know that Indigenous-led conservation and Tribal sovereignty are essential to solving our world's greatest environmental challenges and reversing the devastating effects of colonialism on the natural world and on the Indigenous Peoples who have stewarded lands and waters since time immemorial.

We share OPC's commitment to the priorities and goals outlined in your draft Equity Plan, including:

- strengthening environmental justice policies,
- further integrating community science and Tribal expertise into decision making, and
- 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.

We believe that the proposed draft Equity Plan gives California a clearer path forward for achieving these goals and look forward to partnering with you on implementation of this important plan.

In particular, we believe that the following efforts will lead to more meaningful engagement by diverse communities: compensating community-based organizations, community members, and members of California Native American Tribes for their time and expertise provided to OPC; assessing internal processes and timelines to create flexibility in establishing meaningful opportunities for communities to engage and/or participate; and providing increased technical assistance,. We also encourage you to consider how OPC grant

funding can include upfront payments in place of invoicing for work done, as this standard state practice can be a major obstacle to smaller and less resourced organizations. In addition to funding education and outreach efforts that directly benefit environmental justice communities and California Native American Tribes and supporting coastal storytelling and histories (policy 1.3.5), we encourage OPC to work with all its grantees to include appropriate recognition of the role, history and stories of Tribes and other environmental justice communities in funded projects and to include this recognition on OPC's own website and other communications. For example, OPC staff reports could make a practice of including land acknowledgements that reference the Tribal nations upon whose ancestral territory the project will occur.

We appreciate the draft Equity Plan's focus on engaging communities, Tribes, and environmental justice organizations in the design and implementation of marine and coastal research and science projects. We encourage OPC to be thoughtful about how the results of the research and other projects it funds are shared and disseminated at completion and specifically to include opportunities for public questions and feedback to inform future efforts. A good example of this approach is the Marine Protected Area (MPA) Ask the Researcher webinars currently being conducted to share the results of MPA monitoring projects with a broader online audience.

We also strongly support OPC efforts to coordinate community engagement across different state and local agencies in order to ensure that engagement is streamlined and effective. One of the major obstacles to public involvement in policy processes is a basic lack of time and capacity to engage. This challenge is particularly true for under-resourced communities and is compounded when a community or individuals are asked to engage in multiple issues across a range of agencies. Developing methods of consolidating engagement opportunities to avoid duplication and simplifying public input could do a lot to improve inclusiveness. Finally, given the amount of work these priorities will entail, we also encourage OPC to dedicate staff time over this first year. We believe this effort will require at least two staff members dedicating at least 50 percent of their time to DEI efforts to ensure the works starts on strong footing.

Thank you for your consideration of these comments.

Sincerely,
Andrea Sanchez Davidson
Resources Legacy Fund

From: [Lucy Lefkowitz](#)
To: [OPC Equity Plan](#)
Cc: [Hillary Hauser](#)
Subject: OPC Draft Equity Plan - Heal the Ocean Comment Letter
Date: Wednesday, June 22, 2022 3:12:32 PM
Attachments: [OPCDraftEquityPlan_HTOcomment_June2022.pdf](#)

Dear California Ocean Protection Council,

Please accept the attached PDF as Heal the Ocean's public comment on the OPC Draft Equity Plan (May 2022).

Thank you.

Sincerely,
Lucy

Lucy Lefkowitz (She/ella)
Policy Director
Heal the Ocean
1430 Chapala Street
Santa Barbara, CA 93101
(805) 965-7570 | www.healtheocean.org

“Sentiment without action is the ruin of the soul.”



1430 Chapala Street, Santa Barbara, CA 93101;
PO Box 90106, Santa Barbara, CA 93190; Telephone (805) 965-7570; fax (805) 962-0651
www.healtheocean.org

June 22, 2022

California Ocean Protection Council
1416 Ninth St., Suite 1311
Sacramento, CA 95814
Attn: Wade Crowfoot, Chair and Mark Gold, Executive Director
via email: OPCEquityPlan@resources.ca.gov

RE: Ocean Protection Council Draft Equity Plan

Dear Chief Crowfoot and Director Gold,

On behalf of Heal the Ocean (HTO), I submit the following comments on the proposed California Ocean Protection Council Draft Equity Plan (Equity Plan). **We are in support of the Equity Plan, but we invite the Council to consider our recommendations for improvement.**

HTO is a non-profit organization founded in 1998. We advocate for a cleaner ocean – and all watersheds feeding the ocean – through engagement with policymakers, scientists, industry, and the public. HTO is committed to forming diverse and genuine partnerships with others to accomplish our mission to ensure a clean ocean for all. We applaud the California Ocean Protection Council (Council) for addressing the long overdue need for an effective equity plan. HTO writes this letter of recommendations in an effort to ensure the final plan is as strong as it can be.

Overview

In reviewing the Equity Plan, HTO appreciates the Council's efforts to address the present inequities in ocean and coastal management in California both internally and externally. The Equity Plan is a specific action by the Council toward fulfilling Goal 2 of the Strategic Plan to Protect California's Coast and Ocean 2020-2025 (Strategic Plan): "Advance Equity Across Ocean and Coastal Policies and Actions."¹ While HTO is in overall support of this draft, there are two recommendations we urge the Council to consider in drafting the final Equity Plan. Prior to the discussion of these considerations, HTO will commend the Council on specific action items within the Equity Plan which we hope will remain present in the final draft (*See, 'Council Objectives'*).

Council Objectives

¹ California Ocean Protection Council, Ocean Protection Council Strategic Plan to Protect California's Coast and Ocean: 2020-2025, Goal 2: Advance Equity Across Ocean and Coastal Policies and Actions, 12-12 (2020).



HTO is in support (or partial support – see italicized recommendations within paragraphs respectively) of fourteen objectives from the Equity Plan. We commend the Council for including these objectives and we seek for the Council to include them within the final Equity Plan.

1. The Council appropriately addresses the lack of compensation yet provided to community-based organizations, community members, and members of California Native American tribes for their time and expertise provided to the Council by seeking to compensate in the future. HTO is in support of this objective and looks forward to its implementation. [1.2.1].²
2. The Council appropriately addresses the demand to determine accessibility needs for the general public by identifying written translation needs for public-facing documents and oral interpretation at Council meetings, workshops, and other events. HTO is in support of this objective and seeks for it to be carried out as soon as possible. Spanish is the second most spoken language in the United States. California has the most Spanish speakers in the nation with 10, 578, 516 individuals as of 2022.³ To ensure all public-facing documents are translated, at a minimum to Spanish, is to ensure adequate public engagement and a higher probability of public participation. In Goal 3, Strategy 3.3.2, the Council seeks to increase public participation specifically for its' quarterly Council meetings. The 1.2.3 objective will help advance this goal. [1.2.3].⁴
3. The Council appropriately seeks to address the present harm in failing to use asset-based language by requiring all staff be trained in collaboration with California Natural Resources Agency partner agencies to adopt asset-based language to describe California communities in all reports and communications. HTO is in partial support of this objective. Asset-based language respectfully recognizes the need to lead communications with shared values and emphasize collective responsibility for solving collective problems. The Council should seek to avoid words and phrases that consider situations or people from a “deficit” lens (e.g., “disadvantaged communities, DACs, etc.”) and instead prioritize language that focuses on strengths and potentials. *However, HTO is in partial support of this objective because we believe the Council could seek to include a date for when training should commence, such as, by the end of 2022.* [1.2.6].⁵
4. The Council appropriately seeks to determine by 2023 the amount of grant funding allocated for projects and programs that directly benefit environmental justice

² California Ocean Protection Council, Ocean Protection Council Draft Equity Plan, 7-7 (May 2022).

³ World Population Review, Spanish Speaking States 2022. Last visited 06/19/2022.

<https://worldpopulationreview.com/state-rankings/spanish-speaking-states>

⁴ California Ocean Protection Council, Ocean Protection Council Draft Equity Plan, 8-9 (May 2022).

⁵ *Id.* at 9.



communities and California Native American tribal communities to establish a baseline. HTO is in support of this action item. A baseline that identifies how much funding is going directly to environmental justice communities will be useful in determining whether there is an equitable allocation of resources or whether the Council must seek to change its' allocation methods. This baseline will also be helpful for organizations, such as our own, community members, and other groups to hold the Council accountable in its disbursement of funds. [1.3.1].⁶

5. The Council appropriately plans by 2024 to create sustained, multi-year funding opportunities to allow for long-term, flexible investments specifically for environmental justice communities that will result in redefining priorities and redistributing funds to ensure equitable budget and allocation. HTO is in support of this plan. The Council provides a reasonable timeframe (by 2024) to develop opportunities for long-term and flexible investments specifically to benefit environmental justice communities. [1.3.2].⁷
6. The Council appropriately plans to directly fund inland projects both within and led by environmental justice communities and California Native American tribal communities with a land-to-sea connection. Moreover, the Council seeks to fund education and outreach efforts that directly benefit environmental justice communities and tribal communities. HTO is in support of this planned funding. These are specific plans to disburse monies directly to environmental justice communities and California Native American tribal communities with a purpose of benefiting such communities through education and outreach. [1.3.3 to 1.3.5].⁸
7. The Council appropriately seeks by 2023 to create a small grants program with six community-based organizations across coastal regions to benefit small and short-term projects that create positive impacts in environmental justice communities and California Native American tribal communities. HTO commends the Council on this action. The timeframe is exceptional (by 2023). Moreover, this is a direct action that will provide organizations already doing environmental justice work with funding to continue or to expand on their efforts. [1.3.7].⁹
8. The Council responsibly plans to review application evaluation criteria and scoring approaches for current and ongoing funding opportunities, to identify equity gaps and implement updates to prioritize and advance projects led by or informed by environmental justice communities and California Native American tribal communities. HTO is in partial support of this plan. We hope with implementation of this plan to see more equitable budgeting in consideration of environmental justice communities and

⁶ *Id.* at 9.

⁷ *Id.*

⁸ *Id.* at 10.

⁹ *Id.*



California Native American tribal communities. *However, HTO is in partial support of this objective because it lacks a direct plan for how this expansion will be implemented. The Council fails to provide explicit examples of how it plans to implement an expansion in outreach to environmental justice and tribal communities. For example, the Council could seek to include language that requires the Council maintain partnership contacts with environmental justice and tribal communities to provide an adequate and guaranteed avenue for sharing funding opportunities.* [1.5.1].¹⁰

9. The Council appropriately seeks to improve the internal environment of the Council by identifying opportunities to adjust Council job requirements by expanding education qualifications and experience, to consider more diverse skill sets. Additionally, the Council plans to identify potential job classifications that allow for more accessibility to a wider pool of candidates. HTO commends the Council on this plan. This will provide an avenue for ensuring the Council diversifies its workforce. [2.1.1].¹¹
10. The Council (por fin!) seeks to adopt an environmental justice policy for California's ocean and coasts by 2023. The Council plans to carry out this objective through partnering with environmental justice communities, California Native American tribal communities, and state agency partners. The plan also outlines specific actions that must be taken to ensure adequate and equitable involvement in the development of the policy. HTO partially commends the Council on this plan. California is long overdue for an environmental justice policy for California's ocean and coasts. This policy will be instrumental in ensuring accountability on behalf of the Council in all ocean and coast-related management. *However, perhaps the Council should include explicit language in the Equity Plan under Goal 3, that recognizes the need to ensure the benefits from such a policy are delivered directly to environmental justice and California Native American tribal communities.* [3.1.1].¹²
11. The Council seeks to, by 2025, in partnership with the California Natural Resources Agency, State Coastal Conservancy, California Coastal Commission, State Parks and Recreation, State Lands Commission, and the San Francisco Bay Conservation and Development Commission, develop a "Coastal Access for All" plan that ensures several outlined actions are implemented. For example, the plan seeks to ensure "equitable public access to and along the ocean, including an improved permitting process for community-based organizations and tribes, that is inclusive, equitable, and prioritizes meaningful engagement."¹³ HTO is in support of this plan. This objective has a specific and

¹⁰ *Id.* at 11-12.

¹¹ *Id.* at 16.

¹² *Id.* at 21.

¹³ *Id.* at 24.



appropriate timeframe. Additionally, in line with the public trust doctrine, the Council seeks to ensure equitable access to our ocean. [3.5.1].¹⁴

12. The Council appropriately plans to develop a shared state definition of “healthy oceans” grounded in human health and well-being, ecosystem-based science, and the intrinsic value of ecosystems and species by 2023. HTO is in support of this plan. The Council provides an appropriate timeframe (by 2023). The objective to provide for a non-Eurocentric definition of “healthy oceans” is long overdue. The plan to develop the definition in partnership with environmental justice communities and California Native American tribal communities will seek to ensure an equitable definition. [3.6.1].¹⁵
13. The Council prudently seeks to co-develop and fund research, monitoring, and restoration projects with California Native American tribes. HTO appreciates the Council’s efforts to acknowledge the continually undervalued environmental knowledge from Native American tribal communities. The United States has taken a step in the right direction by appointing the first Native American Cabinet Secretary of Interior, Deb Haaland. However, Native American tribes maintain their own councils and overall government structures, separate from the United States, and yet live on interconnected lands. Thus, collaboration is imperative to ensure an equitable and sustainable future for all. [4.1.1].¹⁶
14. The Council wisely seeks to, at early stages of research and scoping, develop questions to assess whether inter- and transdisciplinary approaches should be considered or integrated into the study. Additionally, where applicable, research questions should be designed to assess potential environmental justice and equity impacts from research to human populations or affected communities and assess human dimensions by analyzing different ways human use, experience, value, or depend on ocean and coastal resources. HTO commends the Council on this objective. Inclusion of environmental justice communities and Native American tribal communities at the early stages of project/program/policy development will be the most efficient way to ensure such project, program, or policy is equitable. [4.2.3].¹⁷

Recommendations

HTO has two recommendations we urge the Council to consider when drafting the final Equity Plan.

¹⁴ *Id.*

¹⁵ *Id.* at 25.

¹⁶ *Id.* at 28.

¹⁷ *Id.* at 29.



I. To address Goal 1 effectively, the Equity Plan should provide a direct funding mechanism that recognizes the required infrastructure in environmental justice communities to prepare for groundwater rise concerns resulting from sea level rise.

The Equity Plan should provide a direct mechanism to fund research and implementation of preparation methods to address the disproportionate impact groundwater rise will pose to environmental justice communities across California. HTO recognizes and appreciates the Council's efforts to address sea level rise (SLR) (e.g., the most recent SLR Action Plan). The Equity Plan is expansive in its reach but lacks language regarding rising groundwater concerns. Specifically, the Equity Plan fails to address the issue of toxic contamination exposure from groundwater rise. Without adequate planning, rising groundwater levels due to sea level rise will present a public health concern, first and foremost, to environmental justice communities.

Groundwater rise is the reaction from sea level rise encroaching on the ground water table to the point that it rises.¹⁸ This is of concern, not only from a flooding perspective, but from a contamination perspective. There are numerous ways in which toxins may rise to the surface through groundwater. For example, rising sea waters infiltrating upward can flow through hazardous contaminants that are presently stored deep in the soil and push them to the surface.¹⁹ Additionally, where rising seas push the water table upwards towards the surface, water will impose on underground sewer pipes and systems.²⁰ This would result in the pipes and systems becoming more vulnerable during high tides and storms leading to leaks, breaks, and other catastrophes.²¹ In turn, this would present a higher risk of raw sewage seepage in fresh groundwater aquifers or sewage backups into streets and homes.²² Additionally, some of these chemicals vaporize and humans can breathe them in unknowingly (e.g., aerosolized VOCs).²³ As the groundwater table rises, it saturates the soil, unlocking contaminants, such as benzene. These chemicals are highly volatile, and as gases, can easily move through sewer lines and into homes.²⁴

Groundwater rise will resurface toxic substances that have remained for years underground. For example, through the postwar and World War II-era, contaminants were dumped informally. These contaminants have remained buried deep underground. With groundwater rise, these

¹⁸ Kendra Pierre-Louis, *How rising groundwater caused by climate change could devastate coastal communities*, MIT Technology Review (December 13, 2021), <https://www.technologyreview.com/2021/12/13/1041309/climate-change-rising-groundwater-flooding/>.

¹⁹ Rachel Ehlers, *What threat does sea-level rise pose to California*, LAO Report, 7-7 (August 2020), <https://lao.ca.gov/Publications/Report/4261>.

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ Kendra Pierre-Louis, *How rising groundwater caused by climate change could devastate coastal communities*, MIT Technology Review (December 13, 2021), <https://www.technologyreview.com/2021/12/13/1041309/climate-change-rising-groundwater-flooding/>.



contaminants will also rise. Additionally, there are toxic sites that are considered contained but will now pose a new threat as water ascends. The Council needs to prepare for this public health concern.

Environmental justice communities will be on the frontlines of this issue. Along the California coast, previously industrialized areas (areas where contaminants are buried deep in the soil) have now become places for low-income housing.²⁵ Again, the site may be considered contained, but deep pollutants in the soil are not considered in these determinations and will pose a threat with groundwater rise. For example, in the Bay Area, Kris May, a coastal engineer and climate scientist who founded Pathways Climate Institute, notes, “there’s so much legacy contamination under the ground from military use, from the Silicon Valley tech booms – it left a lot of nasty stuff.”²⁶ Once these areas are remediated, low-income housing often is developed in these same areas.²⁷ The concern is, there remains a certain amount of contamination in the ground because the present regulations on hazardous waste remediation do not account for groundwater rise.²⁸

The seminal research on the phenomenon of groundwater rise was conducted in 2012 at the University of Hawaii Manoa by Kolja Rotzoll, a postdoctoral researcher.²⁹ Rotzoll’s findings presented evidence of inland well water levels fluctuating with the occurrence of large offshore waves from storms, high tides, and other events.³⁰ This led to the conclusion that because tides and wave energy affects coastal water tables, sea level rise will likely have an impact on water tables inland as well.³¹

A. The funding mechanism that prioritizes infrastructure for environmental justice communities to prepare for groundwater rise, should seek to include monies directed toward septic to sewer system conversion.

There are various discussions happening, for example with Miami-Dade County, Florida, on ways to prepare for groundwater rise. Miami-Dade County, is facing groundwater rise problems with septic tanks.³² To properly filter, septic tanks require a layer of soil two feet deep.³³

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Grace Mitchell Tada, *The Sea Beneath Us*, Bay Nature Magazine (March 25, 2019), [https://www.google.com/search?client=safari&rls=en&q=Grace+Mitchell+Tada%2C+The+Sea+Beneath+Us%2C+Bay+Nature+Magazine+\(March+25%2C+2019\).&ie=UTF-8&oe=UTF-8](https://www.google.com/search?client=safari&rls=en&q=Grace+Mitchell+Tada%2C+The+Sea+Beneath+Us%2C+Bay+Nature+Magazine+(March+25%2C+2019).&ie=UTF-8&oe=UTF-8).

³⁰ *Id.*

³¹ *Id.*

³² Kendra Pierre-Louis, *How rising groundwater caused by climate change could devastate coastal communities*, MIT Technology Review (December 13, 2021), <https://www.technologyreview.com/2021/12/13/1041309/climate-change-rising-groundwater-flooding/>.

³³ *Id.*



However, with ground water rise, as the water table rises, the soil layer shrinks.³⁴ During storms, 56% of the county's septic tanks are compromised.³⁵ Failed septic systems contaminate aquifers and pose a public health concern to the local drinking water.³⁶ Miami-Dade County has determined that one solution to this problem is to convert all septic systems to sewer systems.³⁷ The estimated cost for such a switch is around 2.3 billion.³⁸

In California, many rural areas, and environmental justice and tribal communities remain on septic systems and will be presented with the same issue as Miami-Dade County. With a direct funding mechanism for necessary infrastructure for environmental justice communities to prepare for groundwater rise, processes such as septic conversion would be planned for efficiently. The council must directly plan for groundwater rise as it relates to environmental justice communities to ensure the Equity Plan is efficient and effective.

B. The funding mechanism that prioritizes infrastructure for environmental justice communities to prepare for groundwater rise, should include monies directed toward monitoring wells to track maximum groundwater levels near active contamination and closed contamination sites to ensure environmental justice communities have access to safe drinking water and clean air.

Environmental justice communities will be disproportionately effected by groundwater rise in California. Kristina Hill, an associate professor at UC Berkeley's College of Environmental Design has been researching the effects and required adaptation methods for urban and shoreline communities against climate change impacts.³⁹ Hill and her colleagues have analyzed and published data estimating the depth of groundwater in Bay Area coastal communities. The results demonstrated water below residents' backyards on average is within 6 feet of the surface when within a mile of the bay's edge.⁴⁰

Hill's major concern is that the groundwater may begin to flow into contaminants no longer monitored because they have been considered contained, and those toxic substances will begin to move unnoticed.⁴¹ Alec Naugle, who heads the toxics cleanup division for the San Francisco Regional Water Quality Control Board, notes the alarming fact that it is possible humans will not see or smell the contamination in the water.⁴² Exposure to these contaminants can increase one's

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ Laura Klivans, *Groundwater beneath your feet is rising with the sea. It could bring long-buried toxic contamination with it*, KQED (December 15, 2020), <https://www.kqed.org/science/1971582/groundwater-beneath-your-feet-is-rising-with-the-sea-it-could-bring-long-buried-toxins-with-it>.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*



risk of cancer.⁴³ Hill and her colleagues have found that many Bay Area communities at most risk, such as Marin City which has topography like a bowl, have large Black and Latino populations (historically underrepresented communities).⁴⁴ These communities are often already environmental justice communities by living near major freeways, and in Oakland, the port.

Environmental justice communities live disproportionately close to contaminated sites across the United States.⁴⁵ Contaminated lands along our coastline are at a high risk of both surface and groundwater flooding from SLR.⁴⁶ For example, coastal landfills (both active and closed), and “brownfields” (e.g., Superfund sites, military cleanup sites, and California Department of Toxic Substances Control sites) are all at risk of exposing ground surfaces to further toxic contaminants.⁴⁷ Many of these sites, as noted, may be considered contained, but without adequate monitoring (i.e., *at a maximum*, not average, level) groundwater rise poses a threat to release these contaminants on nearby environmental justice communities. The Council should seek to provide direct monies from the funding mechanism for infrastructure to environmental justice communities, toward monitoring wells in relevant site locations.

C. The funding mechanism that prioritizes infrastructure for environmental justice communities to prepare for groundwater rise, should include monies directed toward supporting plans to map contaminated sites and groundwater rise to ensure communities are well-informed.

Some organizations and departments are already working on developing maps to inform the public on groundwater rise and relevant contamination sites. California’s Department of Toxic Substances Control deputy director for site mitigation and restoration, Grant Cope, plans to work with U.S. Geological Survey to overlay maps that show groundwater rise onto maps of contaminated sites, to use as a warning system for site managers.⁴⁸

Heal the Ocean has developed, in coordination with a certified GIS mapper, a map of the California coast, identifying contaminated sites and overlaying this map with groundwater rise projections. This map will serve as a guide for all of California. The Council has the opportunity to build upon existing knowledge of groundwater rise and its prevalence in environmental justice

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Carmen Ross, *People of color live disproportionately close to superfund sites*, UAB Institute for Human Rights Blog (January 15, 2021), <https://sites.uab.edu/humanrights/2021/01/15/people-of-color-live-disproportionately-close-to-superfund-sites/>.

⁴⁶ Grace Mitchell Tada, *The Sea Beneath Us*, Bay Nature Magazine (March 25, 2019).

⁴⁷ *Id.*

⁴⁸ Laura Klivans, *Groundwater beneath your feet is rising with the sea. It could bring long-buried toxic contamination with it*, KQED (December 15, 2020), <https://www.kqed.org/science/1971582/groundwater-beneath-your-feet-is-rising-with-the-sea-it-could-bring-long-buried-toxins-with-it>.



communities by supporting organizations and agencies working to inform the public on the concern of groundwater rise.

II. The Council should seek to include consistent cross-collaboration efforts with the Integrated Regional Water Management (IRWM) groups across all 48 regions in California.

IRWM representatives across the 48 regional water management groups in California have diligently worked to include an environmental justice lens throughout their management efforts. The Council has the opportunity to include within the Equity Plan a strategic and consistent cross-collaboration goal with IRWM programs that are already distributing millions in State funding to historically underrepresented and environmental justice communities (which the state refers to these communities as, “disadvantaged communities” (“DACs”)). This would provide the Council with more capacity to reach its goal of expanding environmental justice throughout ocean and coastal management efforts across California. The Council plans to collaborate with various commissions and departments in an effort to advance its equity goals. However, there is no mention of the IRWM programs throughout California. The Council should include specific language seeking for consistent cross-collaboration with IRWM in the Equity Plan.

The State Water Resources Control Board, in collaboration with the Regional Water Quality Control Boards (Water Boards), has established an environmental justice program to promote and ensure public outreach, participation and education at Water Board meetings, hearings, and activities.⁴⁹ Historically, environmental justice communities did not receive equitable benefits from IRWM program projects.⁵⁰ As a result, from 2011-2015, the California Department of Water Resources in 2014, funded seven pilot projects to ensure greater engagement from environmental justice and tribal communities in IRWM projects and provide for a more equitable distribution of benefits.⁵¹ The teams from the pilot programs were then brought together to achieve consensus about lessons learned and recommendations for IRWM for future work.⁵² Eight recommendations were made to reflect a collective plan for changes that should be made in IRWM work for underrepresented communities.⁵³ These recommendations were shared with leaders of the Department of Water Resources and the State Water Resources Control Board.⁵⁴

⁴⁹ California Water Boards, Central Coast – R3, Environmental Justice, https://www.waterboards.ca.gov/centralcoast/water_issues/programs/enviro_justice/enviro_justice.html (last visited June 22, 2022).

⁵⁰ Robert & Patricia Switzer Foundation, Grants, Environmental Justice and Water Management in California, <https://www.switzernetwork.org/grants/environmental-justice-and-water-management-california> (last visited June 22, 2022).

⁵¹ University of California, Assessing Environmental Justice Impacts and Social Learning of Integrated Regional Water Management Planning, Agriculture and Natural Resources, California Institute for Water Resources, <https://ciwr.ucanr.edu/files/273403.pdf> (last visited June 22, 2022).

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.*



Since then, the recommendations have continued to circulate to water leaders across California.⁵⁵ This demonstrates the capacity and astuteness IRWM regional representatives had over a decade ago to strive for a more equitable foundation for water management. The Council should be seeking to collaborate with dedicated groups, such as IRWM. Today, millions in IRWM funding goes specifically to environmental justice communities.

A recent equity advancement by an IRWM regional water group is demonstrated by the Lahontan region of California. IRWM representatives from the Lahontan region developed an Environmental Justice Program Implementation document in January 2015.⁵⁶ The overall goal of the program is to improve efforts to benefit environmental justice and tribal communities in the region.⁵⁷ The report addresses the inequities of environmental justice and tribal communities including significant adverse impacts from climate change, such as reduced snowpack, increased flood risks, and overdrafted groundwater basins.⁵⁸ The report makes several recommendations to improve environmental justice efforts within the region, one of which is to dedicate more funding for environmental justice and tribal communities and for agencies who assist these communities, including the Lahontan Water Board.⁵⁹ Many of the recommendations are similar to those within the Council's Equity Plan. An effort on behalf of the Council to cross-collaborate with regions such as the Lahontan would prevent duplication, and more importantly, provide greater capacity to ensure the Council's goals are met.

Conclusion

We thank the Council for seeking to address the present inequities, and for considering our two recommendations.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'L' and 'L' followed by a horizontal line.

Lucy Lefkowitz
Policy Director

⁵⁵ *Id.*

⁵⁶ California Water Boards, Lahontan Region, Report to the Lahontan Regional Water Quality Control Board (January 2015).

⁵⁷ *Id.* at 1.

⁵⁸ *Id.* at 2.

⁵⁹ *Id.*



Hillary Hauser

Hillary Hauser
Executive Director



1430 Chapala Street, Santa Barbara, CA 93101;
PO Box 90106, Santa Barbara, CA 93190; Telephone (805) 965-7570; fax (805) 962-0651
www.healtheocean.org

July 20, 2022

California Ocean Protection Council
1416 Ninth St., Suite 1311
Sacramento, CA 95814
Attn: Wade Crowfoot, Chair and Mark Gold, Executive Director
via email: copcpbublic@resources.ca.gov

RE: Amendment to Comment Letters: (1) OPC Draft Equity Plan, and (2) OPC Sea Level Rise Action Plan

Dear Chair Crowfoot and Director Gold:

On behalf of Heal the Ocean (HTO), I submit the following letter to amend the HTO comment letters on the OPC Draft Equity Plan and the OPC Sea Level Rise Action Plan.

In both letters, I miswrote "Chief" in place of "Chair." I apologize for making this error. Please accept this letter as an amendment to both letters.

Thank you.

Sincerely,

Lucy Lefkowitz
Policy Director

From: [Lucero Sanchez](#)
To: [OPC Equity Plan](#)
Subject: San Diego Coastkeeper's comments on the Draft Equity Plan
Date: Wednesday, June 22, 2022 6:30:42 PM
Attachments: [OPC Equity Draft Comments SDCK.pdf](#)

Good afternoon,

Please see attached pdf for San Diego Coastkeeper's comment on the Equity Plan.

Best,

--

Lucero Sanchez | Community Policy Coordinator
714.855.8340 | she/her/hers

[San Diego Coastkeeper®](#) | 3900 Cleveland Avenue, Suite 102 | San Diego, CA
92103

Show your support for protecting and restoring fishable, swimmable, and drinkable waters in San Diego County with a [donation today](#).

From: San Diego Coastkeeper

To: OPCEquityPlan@resources.ca.gov

Re: Comments on the Ocean Protection Council's Draft Equity Plan

San Diego Coastkeeper is a nonprofit environmental organization founded in 1995, dedicated to preserving, protecting, and restoring the environment, wildlife, and natural resources of San Diego County watersheds. We are guided by the belief that humans and the environment share a fundamental right to clean water. We are thrilled to see a comprehensive and thoughtful Draft Equity Plan (Plan) from the Ocean Protection Council.

We offer the following suggestions to ensure this Plan succeeds.

Increase dedicated staffing roles and retention strategies.

We commend OPC's commitment to establishing more equitable practices in its external and internal operations. Additional staff resources will be crucial to the success of this Plan, and OPC clearly shows it understands that importance by including goals such as increasing diversity, passing on institutional knowledge, and increasing upward mobility. A few additions to the Plan's dedicated staffing and resources could significantly improve its implementation.

- Objective 1.1.1 designates “at least one staff member with experience working on equity issues to spend a minimum 50% time on OPC Equity Plan implementation.” This robust plan will need **at least** one full-time staffer to help implement and maintain accountability. This staff member should report directly to the Executive Director for maximum effectiveness. Their job responsibilities should include attending, moderating, updating, and intaking any feedback provided by the regional working groups proposed in objective 3.4.2.
- To maximize retention as included in Objective 2, we highly recommend including staff retreats and bonding activities to foster a positive work culture. To increase equity internally, OPC should build a framework that acknowledges that staff members thrive under different circumstances from one another, and affording them flexibility in their work structure can lead to increased productivity and morale.

- Under Objective 2, guarantee cost of living pay increases that reflect yearly California inflation and consider adjustments based on rising fuel costs for all staff.
- Consider including opportunities for interns to work within partner organizations that prioritize equity, justice, and diversity.

Establish clear indicators of success and measurable objectives.

While this Plan includes goals and objectives with completion dates and progress assessments, it lacks tangible measures of success and requires a clear plan of action or process in the event the Plan begins to fall behind.

- Throughout this draft Plan, the word “meaningful” was used to describe ideal interactions with the community. Quantifying this will build trust in a community wary of entities promising “meaningful engagement” and not delivering, as the Plan pointed out in objective 4.1.1.
- Including a biennial assessment can ensure accountability and progress. However, this Plan should indicate a course of action if the assessment finds shortfalls, so it doesn’t become merely a reporting document.
- Develop a plan for cross-agency change and collaboration on implementing the equity principles outlined in this Plan. Often entities become siloed, and it hinders collective progress. Identify “other relevant state agencies” and have them formally commit to this Plan.
- Avoid using unclear language, such as “when possible”, “when available”, etc. Unclear phrasing can lessen the impact of the overall message of the Plan and can decrease the confidence of potential partners in OPC meeting the Plan’s objectives.

Create a more robust outreach plan.

The new outreach and community engagement guidelines will undoubtedly create a more positive, accessible, and collaborative relationship between OPC and the community. We are pleased to see the inclusion of compensation for stakeholders' time and expertise. However,

many stakeholders may hesitate to engage due to past dynamics. We suggest the following modifications.

- Objective 1.2.1 should include an inventory of all current partners to add demographics, relationship dynamics, and perceptions of OPC to the baseline.
- “Potential grantees” may not participate in the survey mentioned in objective 1.5.2 if they have felt discouraged in the past. To be effective, the Plan must rebuild trust and avoid participant bias. This should include formally acknowledging past accessibility barriers such as income, food, transport, language, culture, and children, and specific methods to prevent such barriers from persisting
- Include outreach to high school students. The younger students learn about career fields, the more opportunities they will have to set themselves up for success. This will also increase visibility and trust at a younger age.

We at San Diego Coastkeeper are impressed with this draft Equity Plan. We applaud OPC’s commitment to building a more equitable future for the coastal protection movement and are excited to partner with OPC in the future to get there.



Lucero Sanchez
Community Policy Coordinator
San Diego Coastkeeper

From: [Sofi Magallon](#)
To: [OPC Equity Plan](#)
Cc: [Irene Takako Farr](#)
Subject: OPC Draft Equity Plan Public Comment
Date: Thursday, June 23, 2022 8:01:17 AM
Attachments: [CAUSE- OPC Equity Plan Comment Letter - Google Docs.pdf](#)

Dear Ocean Protection Council,

Attached please find our public comment for the 2022 OPC Draft Equity Plan.

Thank you,

Sofi

--

Sofi Magallon
CAUSE Policy Advocate
W: www.causenow.org

June 23, 2022

California Ocean Protection Council
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

RE: OPC Draft Equity Plan Public Comment

To the Ocean Protection Council,

As the Ocean Protection Council helps inform the design and implementation of a statewide plan for equity and environmental justice at California's Coasts, we appreciate the thorough, solution-based draft Equity Plan which acknowledges the inequities faced by low-income and communities of color, specifically those residing in coastal communities. We respectfully ask that the community's voices are taken into account during this public comment process to ensure a statewide plan wherein the purpose is to protect the health and wellbeing of California's coastal residents while reducing the inequitable distribution of environmental benefits and burdens.

CAUSE, as a predominantly Latinx led non-profit, has the mission of building grassroots power to achieve social, economic and environmental justice with a focus on the underrepresented coastal communities of Ventura and Santa Barbara County. The biggest region we work in is Oxnard, CA, with a population of approximately 75% Latinos. Oxnard's coast contains operating fossil fuel plants, a superfund site, a water treatment site, and The Port of Hueneme which makes accessing Ormond Beach and Wetlands inaccessible to residents along with leaching high levels of pollution in these communities.

We respectfully ask the Ocean Protection Council to implement an Equity Plan that considers our feedback in an effort to protect our EJ communities from ongoing coastal inequities:

- **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.**
 - **1.1** We are in agreement with the goal and strategies outlined for increasing staff capacity by onboarding more staff to be dedicated to EJ work as well as providing more resources and training for current or future staff to be well informed and have experience working with equity issues.
 - **1.1.2** We are in agreement with the goal and strategies outlined for continuing to work alongside state agencies such as the State Coastal Conservancy and Coastal Commission to ensure that they adapt the OPC Equity Plan recommendations when making decisions and strategic plans under their respective agencies and have ongoing coordination when developing other equitable coastal plans such as

“Coastal Access for All”.

- **1.2** We would like to emphasize the goal to “expand and enhance outreach, education, external communications, and knowledge-sharing opportunities through inclusive language and targeted, culturally-responsive engagement with communities and tribes” as improving language access has allowed EJ communities like Oxnard who are majority Latinx to be able to be informed and included in these decision-making spaces. We urge that webpages, informational resources, and public meetings are accessible to our EJ communities.
- **1.2.3** We urge there to be a hired simultaneous interpreter in both English and Spanish, and any other requested language, that can utilize the zoom interpretation feature rather than have the back-to-back consecutive interpretation which was not time effective during virtual meetings.
- **1.2.5** We support the proposal to develop a community outreach and engagement plan by the end of 2023 and would like to request that this plan have a period for communities to review and comment on.
- **Goal 2: Create a more inclusive workplace through creative and equitable employee recruitment and retention, building staff fluency on environmental justice, and increasing internal staff capacity.**
 - We are in agreement with the goal and strategies outlined for increasing staff capacity by onboarding more staff to be dedicated to EJ work as well as providing more resources and training for current or future staff to be well informed and have experience working with equity issues and have no further feedback.
- **Goal 3: Adopt an environmental justice policy for California’s ocean and coasts by 2023.**
 - We are in agreement with the goal and strategies outlined in this section — especially the plan to follow a collaborative process, identify objectives that reduce compounded human health, safety risks, and regional data gaps, and continue “to increase public participation in ocean and coastal policy making” through reducing barriers to participation — and have no further feedback.
- **Goal 4: Lead the state in a comprehensive and interdisciplinary approach to coastal and ocean science by valuing and integrating broader knowledge sources to enhance the understanding of OPC’s areas of research.**
 - We are appreciative of and want to uplift OPC’s goal to address the “need to expand science sources to adequately address the scientific needs and goals of California Native American tribes and communities, coastal communities experiencing environmental injustices, and communities that are historically underrepresented in the field of ocean and coastal science”.
 - **4.3.3/ 4.3.4** We would like to uplift the strategies of improving coastal access

research by connecting with communities as well as organizing two community workshops per region with EJ communities and California Native Americans to co-develop region specific metrics. We would like to see more details on how coordination to include communities in this process will be conducted.

Given CAUSE works with EJ communities in regions with limited coastal access due to industrialization, inclusivity and support with research and metrics would be crucial for providing evidence and credibility when trying to inform policies that can benefit our communities.

Sincerely,

Sofia Magallon, Policy Advocate

Central Coast Alliance United for a Sustainable Economy

From: [Asokan, Anupa](#)
To: [OPC Equity Plan](#)
Cc: [Norris, Jennifer@CNRA](#); [Gold, Mark@CNRA](#); [Eckerle, Jenn@CNRA](#)
Subject: OPC Draft Equity Plan
Date: Thursday, June 23, 2022 3:52:18 PM
Attachments: [OPC Equity Plan comment letter.pdf](#)

Please consider the comments in the attached letter as the Ocean Protection Council's Equity Plan is finalized. I, or the individuals from any of the organizations represented in these comments, would be happy to provide further input and support the next iteration of this Equity Plan as requested.

Thank you,
Anupa

ANUPA ASOKAN [SHE/HER]
Senior Oceans Advocate
Nature Program

NATURAL RESOURCES DEFENSE COUNCIL
1314 SECOND STREET
SANTA MONICA, CA 90401
C 352-804-8744
AASOKAN@NRDC.ORG
WWW.NRDC.ORG



June 23, 2022

The Honorable Wade Crowfoot
Chair, California Ocean Protection Council
Secretary, Natural Resources Agency

The Honorable Mark Stone
Member, Ocean Protection Council
California State Assembly, 29th District

The Honorable Jared Blumenfeld
Vice-Chair, Ocean Protection Council
Secretary, Environmental Protection Agency

The Honorable Michael Brown
Public Member
Ocean Protection Council

The Honorable Ben Allen
Member, Ocean Protection Council
California State Senate, 26th District

The Honorable Jordan Diamond
Public Member
Ocean Protection Council

RE: Ocean Protection Council Equity Plan

To Secretary Crowfoot and Ocean Protection Council Members and Staff:

On behalf of the undersigned organizations representing ocean users, advocates, and science and policy experts, we thank you for your leadership and attention to advancing equity throughout the Ocean Protection Council’s work with the Draft Equity Plan, which implements Goal 2 of the *Strategic Plan to Protect California’s Coast and Ocean: 2020- 2025, “Advance Equity Across Ocean and Coastal Policies and Actions.”* We understand that a commitment to equity and justice in ocean and coastal policy decisions must underpin environmental protection and enjoyment of California’s natural resources, including its majestic coast. As noted in the Draft Equity Plan, “generations of injustices towards California’s Native American tribes and communities, people of color, and other marginalized populations ... has resulted in inequitable distribution of environmental benefits and burdens that still disproportionately burden these communities today.” For the ocean, this includes coastal access and protection policies which impact these communities’ access to the benefits our ocean provides. This Plan is an important step in re-evaluating, re-thinking and undoing systematic barriers to meaningful inclusion of communities of color and underserved communities in policies impacting California’s ocean and coast.

We appreciate the draft Plan's commitment to identifying needs and gaps in support, and using collaborative approaches to better engage and serve California Native American Tribes and environmental justice communities. Existing strategies in the Plan such as diversifying OPC's workforce, racial equity training and accountability in job descriptions, and requiring consideration of environmental justice implications for OPC's actions and funding proposals are key foundations to more equitable decision-making and policy. To further strengthen this Plan's commitment to equity, inclusion and environmental justice, please incorporate the following recommendations.

Update terminology to acknowledge needed progress

Decision-making must be inclusive and reflect the diversity of perspectives from impacted communities. However, fundamental to creating inclusive decision-making processes is an acknowledgement of not only past injustices, but the current biases embedded in today's systems and processes. As a living document intended to lead on how California's agencies will foster more inclusive and just practices, terminology and word choice matter. This sets the baseline for OPC's efforts to advance equity and should carefully reference the progress we have yet to make. In particular, marginalized and underserved communities face challenges due to systematic inequities. Please remove "historically" in reference to marginalized, underserved and/or communities of color in the Call to Action; pages 2, 6, 20 and 26; and Strategy 2.2.2. Reference to these descriptors as "historic" may preclude evaluation of OPC's current processes which can unintentionally perpetuate these inequities.

For meaningful progress, the principles of environmental justice, equity, diversity and inclusion should be a mandate. "Require" should replace the use of "consider" in the Plan's objectives and strategies.

As noted in the Plan's introduction, equitable access to the coast is essential for all Californians. To that end, "access" should be specified across all dimensions in objective 3.5 to ensure equity in both physical access and quality of experience for communities across California.¹

The Glossary of Terms should also be updated and broadened to include other important definitions for implementing this Plan. We recommend adding both Social and Racial Justice in addition to Environmental Justice, as they are indisputably intertwined and recognizing intersectionality should be a priority for this Plan. We recommend definitions from the Center for the Study of Social Policy as a reference.²

Include metrics and timelines for accountability

Timelines and metrics are critical to accounting for progress of this Plan and should be incorporated for all goals, objectives and strategies, not just for some. For accountability and tracking progress, OPC should consider using the SMART Goals concept,³ or a similar framework, for the objectives and strategies outlined in the Plan. For example, in Strategy 1.3.1, measuring the amount of grant funding allocated for projects doesn't necessarily hold OPC accountable to equity goals. However, tracking the percentage of total funds with a target of at least 50 percent⁴ to support underserved communities and communities of color would allow for measurable progress and accountability.

¹ Hispanic Access Foundation, "[What is Access, and What Makes it Equitable?](#)"

² Center for the Study of Social Policy, "[Key Equity Terms and Concepts: A Glossary for Shared Understanding](#)"

³ University of California, "[SMART Goals: A How to Guide.](#)"

⁴ Power in Nature 30x30 Coalition Equity Committee [Letter to President Pro-Tempore Atkins on FY 2022 Proposed Budget Request for State 30x30 Goals RE: Environmental Justice and Equity](#)

Progress towards goals and milestones should also be publicly reported with a public feedback process to identify gaps and areas for further improvement. Particularly in the first two years of the Plan's implementation, we anticipate the need to be agile and shift quickly during the early stages of the implementation process. Feedback and updates may be required sooner than the biennial cycle identified in order to more effectively operationalize the principles the Plan puts forth.

Sustained and dedicated funding along with an earnest commitment to implementing this Plan is critical to its long-term success. To effectively build and maintain relationships with underserved communities, OPC must have the resources to implement the strategies outlined, compensate environmental justice and Tribal community partners, and be able to ensure its sustainability and dedication to implementing the Plan beyond 2024. We suggest an added objective such as, "seek legislative approval or authorization for specific equity-related investments that will be identified after each biennial assessment and provide legislative recommendations for sustained funding beyond 2024."

Incorporate strategies for meaningful inclusion

While the Plan identifies pathways and opportunities to create a more diverse and inclusive body of staff, partners and interns at OPC, specific structural commitments are necessary to result in meaningful change for, and engagement from, marginalized communities. The final Plan should include the following throughout its supporting strategies:

Increased capacity and resources - A key pathway for meaningful representation would be a commitment to require that at least one of the Council's public members is from an environmental justice community, and that public members are offered compensation for their time and effort.

A designated staff member committed to spending time on OPC Equity Plan implementation is essential to success, but this should be a full-time and fully resourced role, with the flexibility to bring in a supporting team as the Equity Plan is implemented. This position should also be a key team member and decision-maker internally among OPC's programs.

Intentional recruitment - OPC leadership should be required to reevaluate and expand methods of recruitment, hiring processes, and performance evaluations to be more inclusive and attract and retain staff members of color and diverse backgrounds. Particularly in recruitment for open positions, grant funding and community engagement, new methods and avenues of communication must be a priority in outreach efforts for these opportunities, including mechanisms to identify and target community partners impacted by OPC's programs and planning.

Increased access and knowledge sharing - Similar to the strategies for making coastal ocean research and data publicly available (4.3.3) and organizing community workshops for community health and resilience (4.3.4), the Plan should create a web portal or dashboard to make information collected through public participation and comment processes readily available to the public. This will help facilitate sharing perspectives and insights between community groups. Making this information publicly available will also help hold OPC accountable to incorporating public perspectives on its policies, programs and projects. The Plan should also include a cadence of introductory community meetings to create space and enhance engagement for those still learning or interested, but may not yet understand public process and how to stay informed on opportunities to engage in OPC's policy decisions.

Thank you for this opportunity to provide input on the Ocean Protection Council's draft Equity Plan. We look forward to working with you to advance diversity, equity, inclusion and environmental justice for California, and are happy to support as this Plan is finalized and put into action.

Sincerely,

Anupa Asokan
Senior Oceans Advocate
Natural Resources Defense Council

Sonia Diaz
Public Policy Manager
Outdoor Outreach

Emily Parker
Coastal and Marine Scientist
Heal the Bay

Pamela Heatherington
Board of Directors
Environmental Center of San Diego

Mandy Sackett
California Policy Coordinator
Surfrider Foundation

Michael Quill
Marine Programs Director
Los Angeles Waterkeeper

Rikki Eriksen
Director, Marine Programs
California Marine Sanctuary Foundation

Luis Villa
Executive Director
Latino Outdoors

Susan Phillips
Director, Robert Redford Conservancy
Pitzer College

Pamela Flick
California Program Director
Defenders of Wildlife

Ashley Eagle-Gibbs
Legal and Policy Director
Environmental Action Committee of West Marin

From: [Sonia Diaz](#)
To: [OPC Equity Plan](#)
Cc: [Rodriguez, Maria@CNRA](#); [Lesford Duncan](#)
Subject: OPC Equity Plan Draft Comments - Outdoor Outreach
Date: Thursday, June 23, 2022 4:32:41 PM
Attachments: [OPC Equity Plan_OO_Comments_June 2022.docx \(2\).pdf](#)

Dear Ocean Protection Council Staff,

I am submitting these comments for your consideration on behalf of Outdoor Outreach for the OPC's Draft Equity Plan. We thank you for the opportunity to participate in this stakeholder process to help develop this draft plan. We look forward to continuing to work in partnership with the OPC to ensure that equity and environmental justice is front and center in advancing the protection of our ocean and coastal resources.

With gratitude,

--

Sonia Diaz (She/Her)
Public Policy Manager

5275 Market Street, Suite 21

San Diego, CA 92114

O: 619-238-5790 x123

[This is Kumeyaay land](#)

[outdooroutreach.org](#) | [Facebook](#) | [Instagram](#) | [Twitter](#) | [LinkedIn](#)

[Connecting youth to the transformative power of the outdoors.](#)



June 23, 2022

The Honorable Wade Crowfoot
Chair, California Ocean Protection Council
Secretary, Natural Resources Agency

The Honorable Mark Stone
Member, Ocean Protection Council
California State Assembly, 29th District

The Honorable Jared Blumenfeld
Vice-Chair, Ocean Protection Council
Secretary, Environmental Protection Agency

The Honorable Michael Brown
Public Member
Ocean Protection Council

The Honorable Ben Allen
Member, Ocean Protection Council
California State Senate, 26th District

The Honorable Jordan Diamond
Public Member
Ocean Protection Council

Dear Chair Crowfoot and Members of the Ocean Protection Council:

On behalf of Outdoor Outreach, we thank the Ocean Protection Council (OPC) for the opportunity to submit comments on the [OPC's Draft Equity Plan](#), which implements Goal 2 of OPC's *Strategic Plan to Protect California's Coast and Ocean: 2020- 2025*, "*Advance Equity Across Ocean and Coastal Policies and Actions*." Outdoor Outreach has been honored to serve on the Environmental Justice Working Group, a 13-member group of stakeholder representatives from seven regions across the state to help develop and inform this plan over the past several months. Outdoor Outreach is a nonprofit 501c3 organization based in San Diego, California, that is committed to promoting positive youth development and equitable access to our coastal resources through meaningful outdoor engagement.

Outdoor Outreach supports this Equity Plan because it recognizes the historical, social, and economic barriers that have marginalized and disconnected communities of color and California Native American tribes from our ocean and coasts and commits to correcting these inequities. We appreciate the collaborative approach that OPC has used to solicit feedback from community partners committed to equity and environmental justice. The Equity Plan thoughtfully integrates interagency collaboration and multi-disciplinary approaches to ensure that an equity and environmental justice lens is used across all of OPC's work internally and externally, from its staff structure and leadership to its grantmaking guidelines, research and monitoring, and policy recommendations.



While this Equity Plan sets out to implement a set of ambitious strategies by 2024, we feel that it can be further strengthened by addressing the composition of the OPC itself to ensure that at least one public member has experience working directly with communities that are disproportionately burdened by, and vulnerable to, high levels of pollution, issues of environmental justice, and limited access to coastal resources, including, but not limited to, communities with diverse racial and ethnic populations and populations residing in low-income areas. This ensures that these communities are adequately represented and have a voice in all of OPC's decisions. This letter highlights the key strategies that we support along with a set of recommendations to help strengthen the Equity Plan across all of its stated goals.

Key Points That We Support:

Goal 1:

- 1) Commits to identifying gaps in equity needs internally and externally through coordination with existing agencies, including CNRA's Assistant Secretary of Equity and Environmental Justice (1.1), and includes a commitment to a biennial assessment with a plan to collect baseline data and metrics to measure progress toward these goals (1.1.1).
- 2) Recognizes the value of public participation and ongoing collaboration to ensure that communities that have been marginalized from policy decisions, scientific research, and conservation approaches are included in a meaningful way; provides compensation for their time and expertise and multilingual outreach materials (1.2.1 and 1.2.3).
- 3) Commits to identifying multi-year funding opportunities for environmental justice communities and California Native American tribes and leveraging multi-sector partnerships, collaboration, and community engagement to ensure that projects are informed by community needs (1.3 and 1.4).
- 4) Solicits public feedback for improvement of the grantmaking process including reporting requirements for grants awarded to ensure that the process is more flexible given the current capacity of community partners (1.5.2).

Goal 2:

- 5) Commits to recruiting and retaining a diverse workforce within OPC (2.1, 2.2, and 2.3).
- 6) Commits to including racial equity work and training in job duties (2.4.2) and includes in
- 7) OPC staff job descriptions roles and responsibilities as it relates to equity, environmental justice, and community engagement (1.1.1).

Goal 3:

- 8) Requires consideration of environmental justice implications for each OPC action and funding proposals prior to adoption (3.1.3).

- 9) Commits to adopting an environmental justice policy for oceans and coasts by 2023 in coordination with state agency partners, tribes, and community partners, identifying regional priorities and data gaps (3.1).
- 10) Inclusion of standing agenda items at every OPC meeting on environmental justice issues and progress of the Equity Plan. (3.3.1).
- 11) Supports collaboration with Coastal Commission and Coastal Conservancy to implement the “Coastal Access for All Plan 2025” (3.5.1) and advances a “Healthy Ocean” policy and science that intersects with human health impacts and climate change as it relates to the “30x30” Initiative (3.6).

Goal 4

- 12) Integrates equity in research and monitoring recognizing the role that intersectionality plays in our ocean ecosystem and that a scientific approach to research must include an environmental justice lens.
- 13) Integrates California’s Native American tribes in the conservation and stewardship of our ocean and coastal resources by including a parallel Tribal Engagement Strategy and incorporating traditional ecological knowledge and tribal-led research and community-led science (4.1 and 4.2).
- 14) Incorporates interdisciplinary approaches to research (4.2.3).
- 15) Commits to increasing diversity within the Science Advisory Team to ensure that environmental justice perspectives are represented (4.3.1).
- 16) Co-develops with environmental justice communities and California Native American tribes region-specific metrics and indicators for community health and resilience (4.3.4).

Recommendations

- 1) Critical to the Equity Plan is its sustainability beyond 2024. At a minimum, the OPC should commit to establishing a dedicated full-time staff position to implement the adopted Equity Plan and seek funding to address ongoing equity and environmental justice needs by 2024 (*See Goal 1*). To ensure that the various strategies are fully implemented within the Equity Plan, we suggest including a statement to the effect of: “seek legislative approval or authorization for specific equity-related investments that will be identified after each biennial assessment and provide legislative recommendations for ensuring ongoing funding beyond 2024.”
- 2) The Equity Plan should clearly state how it seeks to “identify and implement strategies to improve the diversity of OPC Councilmembers” (*See 3.2.1*). Requiring equity training alone for Councilmembers is not enough. We stress the importance of not just regional diversity but also recruitment of members with professional and/or lived experience in communities disproportionately impacted by environmental injustices and social inequities. If feasible, we

suggest mirroring the structure of the Coastal Commission by including a public voting member representing environmental justice communities to ensure that marginalized voices are heard and included in decision-making matters of the OPC. This would require an amendment to existing law Public Resources Code §35600 subdivision (b) to require at least one member to have professional experience with environmental justice communities and issues. This structure has proven effective in ensuring that all of the Coastal Commission's decisions use an equity and environmental justice lens to uphold the Coastal Act as it pertains to public access. In the same way, OPC can ensure that the original intent of the Ocean Protection Act does not exclude communities disproportionately impacted by pollution, climate change, and accessibility of our oceans and coasts.

Another option would be to create an Environmental Justice Advisory Board composed of public members from different regions throughout the state that presents at every quarterly meeting and makes recommendations to the OPC. Just like all multi-state agencies, boards, and commissions, all meetings of this Advisory Board shall be subject to open meeting requirements of the Bagley-Keene Act. Creating another advisory board to OPC's existing working groups and advisory bodies may be duplicative, hence creating an actual seat on the OPC may be advantageous and strengthens the voice of the environmental justice communities.

- 3) While the Equity Plan recognizes the need to reduce barriers to public participation at OPC meetings, there is a need to include a fully transparent and fair public process for appointments to the OPC. This will require robust public outreach and education on the roles and responsibilities of the OPC and workshops on how to apply for vacancies. Vacancies should be advertised widely, utilizing multilingual public listservs, outreach to nonprofits and trusted messengers, and placing ads in print, radio, and social media. To encourage a larger pool of applicants for public membership, we recommend, if feasible, providing compensation to public members for their participation, including but not limited to, attendance at trainings proposed (3.2.2). Currently, *all* Councilmembers serve without compensation and this can be a barrier for people that would otherwise be qualified candidates but have outside obligations that limit their participation.
- 4) We support the intent of OPC to adopt culturally inclusive and asset-based language. The Equity Plan should maintain consistency in using this language. For example, the use of "historically marginalized" should be written in a context that acknowledges past injustices but recognizes the current inequities created by policies, institutions, and practices that state agencies are trying to address. To that end, the Equity Plan must include, at a minimum, a timeline in 1.2.6 and 1.2.7 for the adoption of culturally inclusive language and asset-based language and tribal land acknowledgments for public-facing documents and signage.

- 5) Include a more specific definition of “equitable access” in the glossary of terms and apply it to strategies in 3.5 (Improve Coastal Access). As noted in the Equity Plan’s introduction, equitable access to the coast is essential for all Californians. “Access” should be specified across all dimensions of physical, functional, economic and social access. Examples include access to safe spaces, access to low-cost recreational opportunities and accommodations; access to culturally relevant and multilingual programming; access to quality outdoor spaces and amenities; access to workforce training opportunities and meaningful engagement; and access to a welcoming environment free from local hostility and intentional efforts to restrict access on the basis of race, gender identity, income or disability.
- 6) For greater consistency, all goals and objectives outlined should be specific, measurable, attainable, and timebound. For example, in strategy 1.3.1, include a metric and timeline to ensure the equity goals are met in grantmaking: “..track percentage of total funds allocated to environmental justice communities and California Native American tribes (with 50% targeted by 2024).” In Goal 2, there should be specific metrics on the composition of OPC’s workforce, including retention and promotion rates, and number of professional development opportunities offered and completed.
- 7) In response to 1.3.6 and 2.2, the lack of diversity in careers in ocean science and ocean policy has been well-documented. We encourage the OPC to expand beyond its own internal internship programs and leverage outside partnerships and existing programs that create career pathways in ocean science and policy for youth ages 16-30 from underrepresented communities. Entry-level job opportunities and internships should serve as a pipeline of talent, encouraging retention of this workforce, with the ultimate goal of promotion into permanent positions with livable wages. One idea to achieve this is for OPC to work with California Volunteers and the Coastal Conservancy to expand the existing conservation corps to include a statewide Ocean Corps and provide grant programs to support community-based organizations committed to workforce training for underrepresented communities.
- 8) Our ocean ecosystem knows no borders. Ocean pollution is at unprecedented levels and the resulting disproportionate public health impacts on our communities needs to be addressed. As we move toward greater accessibility of public participation and information-sharing, we encourage the OPC to take a binational policy approach collaborating with U.S. EPA and Mexican government agencies and academic institutions to share best practices in supporting cross-border equity and environmental justice initiatives.

Thank you for taking the time to consider these comments and recommendations to the Equity Plan. We look forward to continuing to work in partnership with the OPC to ensure that equity and environmental justice is front and center in advancing the protection of our ocean and coastal resources.



Sincerely,

A handwritten signature in black ink, appearing to read "Sonia V. Diaz".

Sonia Diaz
Public Policy Manager

A handwritten signature in black ink, appearing to read "Lesford Duncan".

Lesford Duncan, MPH
Associate Executive Director

CC: Mark Gold, D.Env., Executive Director, Ocean Protection Council and Deputy Secretary for Oceans and Coastal Policy, California Natural Resources Agency;
Dr. Jennifer Norris, Deputy Secretary of Biodiversity and Habitat, California Natural Resources Agency;
Maria Rodriguez, Environmental Justice & Equity Lead, Ocean Protection Council;
Moisés Moreno-Rivera, Assistant Secretary for Equity and Environmental Justice, California Natural Resources Agency;
Katherine Toy, Deputy Secretary for Access, California Natural Resources Agency

From: [Gail McNulty](#)
To: [OPC Equity Plan](#)
Subject: Public comment for OPC Draft Equity Plan
Date: Thursday, June 23, 2022 6:38:43 PM

Dear Ocean Protection Council,

While I am heartened that the Council recognizes that to be successful your work must "be inclusive and reflect the diversity of perspectives and needs of California's communities," I fear that the outreach and grant processes you are suggesting place too much burden on overstressed communities. I would also like to see more inland representation in your Environmental Justice Advisory Group since inland regions tend to be heavily impacted by California's abusive water systems, extraction, etc. (which ultimately impact the ocean) and many coastal tribal communities have been forced to move inland as part of ongoing and historic gentrification.

As a white mother with a high earning husband, I have had the privilege of attending many community outreach events over the years in affluent and segregated Santa Cruz County. Even when the meetings are held in Watsonville, a predominantly low income community with a high Latino population—many working in the agricultural industry—these rooms tend to be filled with people like me who work one or less jobs, can afford childcare, and have time to keep up with public notices. The people on the front lines of environmental racism—the voices most needed in conversations for just transition—are often working multiple jobs to put food on the table. They want healthier lives for their families but our unjust labor system, lack of social safety nets, and intentionally complex and dangerous immigration laws keep them from raising their voices for change.

True justice and visionary ocean protection would look more like reparations for communities impacted by environmental racism, genocide, and forced migration. What if instead of placing the burden of grant applications on overstressed communities, the money was automatically allocated to the most impacted places with a menu of options for how it might be spent offered in the form of public school outreach in addition to the regular outreach process? Perhaps presentations could be given to school children who could then bring home the 'menus' to their parents so that they could explain the choices. Parents could have the option of submitting their feedback online or by returning forms to schools. Regardless of the feedback, the money would be given to the impacted communities and community members would be empowered to use their wisdom as to how it should be spent.

It's easy to use terms like "JEDI" to make it sound like you are doing the right thing. It's much harder to actually bring long silenced voices to the table with adequate compensation for their time and wisdom to ensure that you are actually helping to create a just, sustainable future for ALL.

As a mother who realizes that my children's future is inherently tied to the future of all children on this miraculous abused planet, I look forward to seeing the Ocean Protection Council Equity Plan evolve in the most powerful way possible. Together we can create a future where instead of having the right to "pursue happiness", people everywhere have enough and live happily with clean water all around.

Thank you,

Gail McNulty



[linkedin.com/in/gailmcnulty/](https://www.linkedin.com/in/gailmcnulty/)

“You have to act as if it were possible to radically transform the world. And you have to do it all the time.”—ANGELA DAVIS

From: [Tia Tevaseu](#)
To: [OPC Equity Plan](#)
Cc: PT@phadvocates.org; [Lutiaiafa Lagoo](#); [Bernadine Tuisavalalo](#); [Uriah Blackwell](#)
Subject: Feedback for OPC Equity Plan
Date: Thursday, June 23, 2022 9:00:57 PM

Hello,

Hope this email finds you all healthy and happy!

I am Tia Tevaseu with the Central Valley Pacific Islander Alliance (CVPIA).
Thank you for the opportunity to provide the following feedback.

Overall, this is such a hopeful, thoughtful, and truly community-centered plan! Malo lava (Extremely Great Job) on putting this Plan together! We especially appreciate:

a. 1.3.7. Piloting small grant programs as it's such a great way to build funding, knowledge, and skills capacity for community organizations and members.

b. 2.2.2 Providing paid internships. Could it be extended to include volunteer internships for high school students? In American Samoa, we have environmental stewardship educational programs at the high school level that have been so valuable in directing students into these environmental fields.

c. 3.1.4. Having community informational sessions is a great way to keep taking all this back to the community. These sessions would be a great opportunity for OPC to co-host with community organizations/leaders to run these sessions, and I know we would love to help with that.

d 3.2.2. Absolutely love that equity training, cultural humility training, etc. will be required for OPC Councilmembers. Just a great self-check for the leaders and to get everyone on the same page with values. Would the trainings, especially the ones about the historic and current injustices experienced by the tribes, be conducted by tribal members and leaders?

e. 4.1.1. Extremely proud of you all for specifying that the development and planning of projects will be done WITH tribal leaders and/or tribal researchers if needed. Such a significant step that should be more common-sense in equity projects but is not practiced often enough.

f. 4.2.3. We see great value in this as it allows for communities, like Pacific Islanders, to be able to share the value of the ocean and lands to us - to incorporate our own environmental justice-centered cultural values, histories, and languages.

We were wondering what existing partnerships/future efforts are with educating private real estate/development firms that show interest or have projects along coastal or sacred lands. We saw that this could possibly be covered under 1.3.2., so just hoping that there will be enough funded protections/processes against any harmful commercial real estate developments. We were also wondering about the timeline but we saw that this will be decided by the end of 2022, so we are excited to see what that will look like!

We hope this feedback is helpful!

With Gratitude and Respect,
Tia

From: [Joyce Dillard](#)
To: [OPC Equity Plan](#)
Subject: Comments to OPC Draft Equity Plan due 6.23.2032
Date: Thursday, June 23, 2022 10:11:44 PM

We are not clear how Equity is defined. Is it based on one's race/ethnicity, age, place of residence, income or another factor?

We see minimal references to disabilities or their representative groups. What are the allocations for this category. How are you going to address mobility devices such as wheelchairs.

Will fish and wildlife be addressed.

Under Improved Coastal Access, you indicate plans to increase ancestral land return to California Native Americans tribes. Is there a due process procedure. How will this effect the equity for every member of the public.

What assessment tools are being applied. What data and statistics are being accessed.

How are local and regional permitting being addressed.

The economic aspects of coastal development does not seems to be omitted.

Joyce Dillard




RESOURCES LEGACY FUND
CREATIVE SOLUTIONS. LASTING RESULTS.

September 29, 2022

VIA Electronic Transmission

Wade Crowfoot, Secretary for Natural Resources
Chair, Ocean Protection Council
California Natural Resources Agency
1416 9th Street, Suite 1311
Sacramento, CA 95814

Re: Support for Item #6, 7, and 9: OPC Equity Plan and Environmental Justice Small Grants Program, Marine Protected Area Management Program Priorities, and MPA Connectivity Modeling

Dear Chair Crowfoot and Members of the Ocean Protection Council:

Resources Legacy Fund (RLF) offers our support for the approval and disbursement of funds in items 6, 7, and 9: The Ocean Protection Council's (OPC) Equity Plan and Environmental Justice Small Grants Program, Marine Protected Area (MPA) Management Program Priorities, and MPA Connectivity Modeling.

Equity is central to effectively and durably advancing ocean protection for the benefit of all. Item 5, the OPC Equity Plan and Environmental Justice Small Grants Program, formalizes OPC's commitment to inclusive and equitable marine management as described in OPC's 2020-2025 Strategic Plan. Approval of item 5 will provide a roadmap for integrating equity and community-led priorities into decision making moving forward. RLF and many of our partners submitted comments to inform the plan's final draft, and look forward to continued engagement with OPC on its implementation.

Item 7 furthers California's MPA Management Program by supporting efforts that will enhance compliance and enforcement, education and outreach, and long-term science and monitoring. The suite of grants underscores that partnerships will continue to make the MPA network a collaborative success, through support to California State Parks, California Sea Grant for four long-term MPA monitoring projects, California Collaborative Fisheries Research Project, and for RLF's proposed grant focused on community informed and led compliance activities in partnership with the MPA Collaborative Network, MPA Watch, California Marine Sanctuary Foundation, and others.

Item 9 will augment ongoing MPA connectivity modeling efforts to allow for expanded network-scale analysis of California's MPAs. This will provide important information to inform management of the 124 MPAs as interconnected protected places. As the state looks to the MPA Decadal Management Review and beyond, the investments in items 7 and 9 will provide important data and public engagement in support of an effectively management MPA network.

September 29, 2022

Page 2 of 2

We appreciate OPC's commitment to equity and partnership-based management of the MPA network and California's ocean and coastal resources.

Sincerely,

Kaitilin Gaffney
Director of Ocean, Coast, and Fisheries