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Sarah McCormick
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Re: City of Fort Bragg Draft Communications and Engagement Plan

Dear Ms. McCormick,

Thank you for the opportunity to review the City of Fort Bragg's Draft Communications and Engagement Plan (CEP). The Draft CEP overall provides a helpful roadmap and standards for public outreach and engagement on the Noyo Harbor Blue Economy + Visioning Resiliency Implementation Plan (BEVRI Plan) and related LCP updates. Commission staff particularly appreciate that the Draft CEP requires the City to engage the community with varied tools designed to reach different community members and organizations, and creates best practices that emphasize two-way communication, transparency, early and often engagement, inclusivity, and public reporting of engagement outcomes. Recommendations to further strengthen the Draft CEP are provided below.

Information on how, when, and where the public can engage. We received questions from community members regarding the draft CEP and how, when, and where the public should engage throughout this project. Although the Draft CEP states that the public can email the Noyo Ocean Collective with comments and contains a timeline with project tasks near the end of the document, we recommend clearly communicating information regarding when, how and where the public can engage at the beginning of the draft CEP to address community member questions. Figure 2, the timeline for community collaboration during the development process for the BEVRI Plan and LCP updates, indicates the general timeline for the project. This timeline is helpful to visualize the general timeline but could potentially be made more detailed and/or moved toward the beginning of the document to address comments stating that the Draft CEP does not clearly indicate whether and how and when the public will have opportunities to engage on each deliverable. Additionally, comments from community members raised concerns about technical studies and other components of the BEVRI only being available for public review after they are finalized.

Commission staff spoke with the City to discuss these concerns and suggested that the City could, for example, consider creating a summary at the beginning of the Draft CEP that clearly lays out

how, when and where the public can engage with this project (e.g. contact information, avenues for participation, and dates/number of events if known). In response to comments from community members and discussion with Commission staff, the City sent a Public Participation Opportunities graphic. Commission staff appreciate the City proactively addressing these comments and believe this proposed graphic when added to the Draft CEP will largely address the concerns regarding identifying opportunities for public engagement throughout the project. The City's proposed graphic helpfully indicates that the public will have the opportunity to review key deliverables and the type of public engagement that will occur. We recommend indicating a few additional opportunities for public review in the graphic, as the comments on the graphic attached suggest. The Draft CEP focuses on the importance of community collaboration, transparency in the process, and the goal to develop a BEVRI that reflects community visions for the future. In light of this, we also recommend including some additional information on how the City will consider and respond to public comments and feedback, as indicated in our comments.

Commenters raised concerns about posting public announcements and documents on the Noyo Ocean Collective website rather than the City's website. Commission staff discussed this concern with the City, who indicated that public notices will also be cross posted on the City's website. In addition, the City could consider creating a webpage on their website that links to the Noyo Ocean Collective website for the project so that members of the public who visit the City's website for project information can easily navigate to the project page.

Lastly, commenters raised concerns that descriptions of the Blue Economy Visioning Resiliency (BEVRI) Plan focused on the blue economy aspects of the project over climate resiliency and planning aspects. The Draft CEP does discuss the climate resiliency aspects of the project in several places. To further emphasize these aspects of the project, the City could consider, for example, highlighting the climate resiliency and planning components of the project in the BEVRI description or LCP update sections, or even consider include the term "climate" in the title of the Blue Economy Visioning Resiliency Implementation Plan.

Meaningful engagement with environmental justice communities and the public. The Draft CEP states that the City will use tools like surveys, listening sessions, interviews, tabling at community events, and in-person workshops to facilitate community collaboration and a two-way information exchange. Commission staff appreciate the commitment to multiple modes of outreach and engagement as helpful tools to engage different community members, organizations, and stakeholders. The Draft CEP also includes pursuing inclusivity as a best practice. However, the Draft CEP does not specifically plan for engaging with environmental justice communities. We recommend that the Draft CEP consider meaningful engagement with environmental justice communities.

The term "environmental justice" is understood to include both substantive and procedural rights, meaning that in addition to the equitable distribution of environmental benefits, environmental justice communities also deserve equitable access to the process where significant environmental and land use decisions are made.¹ Coastal Act § 30604(h) authorizes the Coastal Commission and

¹ California Coastal Commission [Environmental Justice Policy](#), adopted 2019.

local governments to consider environmental justice (EJ)² in coastal development permit (CDP) decisions. Additionally, the City’s LCP grant agreement requires incorporation of the subject of EJ by, to the extent feasible, analyzing the differential impacts of sea level rise upon various demographics and community groups. Exhibit D1 of the LCP grant agreement further requires that:

All public outreach activities related to the Project shall, to the maximum extent feasible, proactively engage those who already face disproportionate environmental burdens or vulnerabilities to environmental hazards, and/or those who come from communities of existing social inequalities, including members of the public and organizations from the following communities: disadvantaged communities, communities of color and/or low income, communities with low capacity to adapt to climate change, and communities not in close proximity to the shoreline but who visit and recreate there. Outreach activities shall seek to provide maximum opportunities for these groups to engage with and provide input on the tasks of the Project.

In some cases, there may be additional laws that require jurisdictions to identify EJ communities using specific definitions, such as SB 535 and SB 1000, which statutorily define disadvantaged communities and low-income areas.³

There are several ways to identify affected communities, learn about their concerns, and build relationships with them. Regardless of the approach, Commission staff recommend that jurisdictions work with EJ communities to understand who they are and how they have been affected by coastal land management, understand the past and present injustices that exist and the relationships that EJ communities have with the coast, integrate input from communities into planning documents, and be transparent about how any feedback or input from meetings will be used and, if possible, share drafts for review to ensure comments are being used accurately and increase transparency with the community.

We recommend that the Draft CEP consider the recommendations below.

- **Identify and engage environmental justice communities.** As discussed above, EJ communities can be defined in various ways. There are several resources available that can aid in identifying EJ communities, including quantitative information from resources such as the State’s [CalEnviroScreen](#) tool, the U.S. EPA’s [EJScreen](#) tool, and U.S. Census data, and qualitative information from meetings with community members and organizations and social and local news media.

² The term “environmental justice” is defined in Government Code § 65040.12 (e) and Coastal Act § 30107.3.

³ [SB 535](#) (De Leon) added Section 39711 of the Health and Safety Code directing the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities based on geographic, socioeconomic, public health, and environmental hazard criteria, which CalEPA currently designates using CalEnviroScreen and lands under control of federally recognized Tribes (see [CalEPA website](#) for more information). [SB 1000](#) (Leyva) defines “disadvantaged communities” as an area identified pursuant to Section 39711 as well, but also considers “low-income area”, defining it as “an area with household incomes at or below 80% of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development’s list of state income limits adopted pursuant to Section 50093.”

- **Learn about the racial and tribal history of the area.** The City could consider including in the Draft CEP or developing as part of its outreach plan information on the racial and tribal history of the area. This information can help local governments understand how development patterns and policies may have led to the burdens that under-resourced and tribal communities face today, including housing, access to open spaces, and coastal recreation.
- **Plan to engage with community-based organizations.** Connecting and partnering with community-based organizations working in or with EJ communities can help local governments build a meaningful engagement process. Community organizations can include local nonprofits, faith-based organizations, school associations, and clubs. Government staff can begin building trust with these organizations by attending existing community meetings and getting to know organization leaders and members. The City should also consider how it will directly engage with other community-based organizations such as environmental organizations. Community-based organizations may have limited capacity, and local governments should consider how they can support the organization’s work or priorities. The [Partnering with Community-Based Organizations for More Broad-Based Public Engagement](#) resource by the Institute for Local Government identifies some common issues that community organizations experience when trying to partner with local governments, as well as practices to avoid these pitfalls.
- **Consider engaging with visitors to Noyo Harbor.** The City should consider engaging with visitors to Noyo Harbor that may not live near the harbor. Members of EJ communities affected by development in their coastal zone jurisdiction may live outside of a city or county boundary and outside of the coastal zone, but they may travel into or through their jurisdiction for work or to visit coastal resources and recreational opportunities. Additionally, Exhibit D1 of the LCP grant agreement states, “Public outreach shall target all interested members of the public, including visitors and other non-residents to the maximum extent feasible for the purpose of meaningful engagement in policy development, technical studies, and other tasks conducted pursuant to the grant Project.” To the extent feasible, the City may want to consider if outreach and engagement opportunities could target visitors, and particularly those from EJ communities, as well as residents.
- **Ensure outreach and events are accessible to all.** When developing a public outreach strategy, it helps to identify the many unique barriers that EJ communities may encounter during the public participation process, such as language, meeting times, childcare, transportation access, and technology access. The Draft CEP considers some of these barriers by requiring that workshop facilitation and materials, surveys and social media posts will be made available in both English and Spanish, and that these materials be ADA compliant. Additionally, the Draft CEP states that public outreach will occur through tabling at community events. Commission staff appreciate these considerations. The City could potentially consider additional means to address barriers such as making public comment at a time certain or holding events in areas near public transit, depending on the barriers that EJ communities in the area may face.

Tribal consultation and coordination. Exhibit D1 of the LCP grant agreement requires that: “Grantees shall also seek to engage with California Native American Tribes in line with the Coastal Commission’s [Tribal Consultation Policy](#) (adopted August 2018).” The Tribal Consultation Policy

sets out procedures for consultation and meaningful engagement between staff and tribes and requires consideration of tribal cultural resources (not just archaeological resources) in planning and permitting decisions. The LCP grant agreement also states that public findings will be presented at Sherwood Valley Band of Pomo Indians Tribal Council meetings. Additionally, the Coastal Commission's [Public Trust Guiding Principles & Action Plan](#) encourages local governments to consider the impacts of sea level rise on tribal interests by, for example, coordinating with tribes and considering impacts to tribal cultural resources in sea level rise vulnerability assessments and adaptation plans funded by the Commission's LCP Grant Program. The Draft CEP states that the draft document will be presented at a Sherwood Valley Band of Pomo Indians Tribal Council meeting. We recommend expanding on the City's plan for tribal consultation and coordination on this project. To the extent feasible, the City should consider coordinating with tribes to identify tribal interests and tribal cultural resources in Noyo Harbor that may be impacted by sea level rise, the BEVRI, and associated LCP updates.

Stakeholders. The LCP grant agreement identifies agency stakeholders that share responsibility for Noyo Harbor, such as the Noyo Harbor District and Mendocino County, and outlines actions that the City will take to engage stakeholders. The agreement also explains the role of the Noyo Ocean Collective. The Draft CEP does not identify these stakeholders or include a plan for engagement with them. We recommend including a plan for outreach and engagement to stakeholders in the final CEP.

Overall, the Draft CEP sets forth innovative and thoughtful ways to engage with the community and best practices intended to foster transparent public engagement. The comments in this letter are recommendations to further consider when finalizing the CEP to the extent feasible. Please feel free to reach out with any questions or to discuss.

Sincerely,

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