

July 24, 2023

Brenda Mallory, Chair
White House Council on Environmental Quality
Arati Prabhakar, Ph.D., Director
White House Office of Science and Technology Policy
Chairs, Ocean Policy Committee
1600 Pennsylvania Ave NW
Washington, D.C. 20500

Submitted via electronic submission to www.regulations.gov.

**Subject: Request for Information, Ocean Justice Strategy
(Dock No. CEQ-2023-0004; 88 FR 37518 (Jun. 8, 2023))**

Dear Chairs Mallory and Prabhakar,

The California Natural Resources Agency (CNRA)¹ appreciates the opportunity to provide comment on the development of a federal Ocean Justice Strategy. CNRA commends the White House Council on Environmental Quality (CEQ) and White House Office of Science and Technology Policy (OSTP) in its effort to identify barriers and opportunities to incorporate environmental justice principles into the federal government's ocean-related activities.

As described in the Federal Register 88 FR 37518-37520, CEQ and OSTP, on behalf of the Ocean Policy Committee, request voluntary information from all interested parties to inform the development of an Ocean Justice Strategy. The Ocean Justice Strategy will: (1) assess how the federal government should define ocean justice; (2) describe barriers to and opportunities for ocean justice; (3) describe how ocean justice should apply to the scientific enterprise of knowledge building, including the appropriate consideration, inclusion, and application of Indigenous Knowledge; (4) describe how ocean justice should apply to access to and management of the ocean, coasts, and Great Lakes; and (5) describe how ocean justice will be implemented by the federal government to build on and expand the work of Tribal, Territorial, State, and local governments, Indigenous communities, the private sector, and the public.

¹ The California Natural Resources Agency (CNRA) submits these comments with support from the Office of Tribal Affairs, California Ocean Protection Council, California Coastal Commission, California Fish and Wildlife Department, and California State Lands Commission.

Background

Existing federal directives and policies can guide the development of the forthcoming Ocean Justice Strategy. The United States Environmental Protection Agency (USEPA) has identified six priority actions in its 2022 Equity Action Plan² to fulfill President Biden's Executive Order 13985, which directs federal agencies to assess whether underserved communities and their members face system barriers in accessing benefits and opportunities through the federal government:

1. Develop a comprehensive framework for considering cumulative impacts in relevant USEPA decisions and operationalize that framework in USEPA's programs and activities.
2. Build the capacity of underserved communities to provide their experience to USEPA and implement community-led projects.
3. Develop USEPA's internal capacity to engage underserved communities and implement clear and accountable processes to act based on communities' input.
4. Strengthen USEPA's external civil rights compliance program and ensure that civil rights compliance is an agency-wide responsibility.
5. Integrate participatory (community) science into USEPA's research and program implementation.
6. Make USEPA's procurement and contracting more equitable.

In addition to these actions, CNRA provides the following comments and California-specific examples to build and expand on these existing federal commitments to strengthen the integration of environmental justice in coastal and ocean policies, programs, and actions.

In California, environmental justice is statutorily defined as "the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."³ The driving concept behind this definition is that all people – regardless of their race, color, nation, origin, or income – are able to enjoy equally high levels of environmental protection. California Executive Order N-16-22⁴ directs State agencies and departments to update strategic plans to advance equity and to respond to identified disparities with changes to the organization's mission, vision, goals, data tools, policies, programs, operations, community engagement, tribal consultation policies and practices, among other actions. California's recent [Outdoors for All](#) initiative further strengthens the movement to expand equitable access to parks and outdoor spaces in communities that need them most, and builds upon two other State priorities, [Nature Based Solutions](#) and [30x30](#), by investing in California's public lands and natural resources.

² United States Environmental Protection Agency. 2022. [Executive Order 13985 Equity Action Plan](#).

³ Cal. Gov. Code § 65040.12, Pub. Res. Code § 72000.

⁴ California Office of the Governor. 2022. [Executive Order N-16-22](#).

CNRA oversees and supports more than 26 distinct departments, conservancies, and commissions with the mission to restore, protect and manage the State's natural, historical and cultural resources for current and future generations using creative approaches and solutions based on science, collaboration and respect for all the communities and interests involved. CNRA's Environmental Justice Policy requires all departments, boards, commissions, conservancies and special programs of the Resources Agency to consider environmental justice in their decision-making processes. CNRA and a variety of departments and programs have committed to supporting the different values and priorities that communities, particularly California Native American tribes and environmental justice communities,⁵ bring to California coastal and ocean science, protection, and restoration.⁶ This includes but is not limited to incorporating environmental justice governmental processes, decisions, and programs by:

1. Identifying relevant populations that might be adversely affected by programs or projects submitted by outside parties, as appropriate.
2. Seeking out and consulting with community groups and leaders to encourage communication and collaboration prior to taking actions that may have an impact on the environment, environmental laws or policies.
3. Broadly distributing public information, in multiple languages if appropriate, to encourage participation in public processes.
4. Ensuring that public documents and notices relating to environmental issues that may have an impact on human health are concise, understandable, and readily accessible to the public, printed in multiple languages if appropriate.
5. Holding required public meetings, hearings, and workshops at times and in locations that encourage meaningful public participation by members of affected communities.
6. Working in conjunction with other federal, state, regional, and local agencies to ensure consideration of disproportionate impacts on relevant populations.
7. Fostering broad access to existing and proposed data sets and technology to better identify, analyze, and respond to environmental justice issues.
8. Providing appropriate training to staff on environmental justice issues so that recognition and consideration of such issues are incorporated into daily program activities.⁷

Definitions. What is ocean justice?

The legacy of institutional and structural racism has resulted in the persistence of generational, environmental injustices.⁸ Government has historically perpetuated injustices through the State-sanctioned genocide of California Native American tribes, their displacement and forced relocation from ancestral territories and the desecration

⁵ California Ocean Protection Council. 2022. [OPC Equity Plan](#). (Defines environmental justice communities as "Communities that are environmentally- and economically-stressed that experience environmental health inequities which contribute to persistent environmental health disparities.")

⁶ California Coastal Commission. 2019. [Environmental Justice Policy](#).

⁷ California Natural Resources Agency. 2003. [Environmental Justice Policy](#).

⁸ CalEPA. 2021. [Pollution and Prejudice: Redlining and Environmental Injustice in California](#).

of sacred lands and cultural resources. Discriminatory land use practices targeting communities of color have concentrated environmental pollution in marginalized communities, resulting in the inequitable distribution of environmental benefits and burdens that still disproportionately burden these populations today. Compounding these inequalities, harmful policy decisions, socio-economic shifts, judicial findings, and the State's increasing population continue to widen these disparity gaps.⁹

In 1991, at the National People of Color Environmental Leadership Summit, attendees defined 17 principles of environmental justice. These principles, among other items, affirm ecological unity and interdependence of all species, protects the rights of those who have suffered damages through compensation and reparations, requires educating the public on diverse cultural perspectives, and recognizes the sovereignty of Native Peoples. In the broader context of environmental justice, these principles are categorized under four pillars:

- Distributional justice;
- Recognitional justice;
- Procedural justice; and
- Participatory justice.

Ocean justice should consider the same principles and pillars for those who have been systemically excluded from the decision-making process while being intentionally harmed by the implementation of those very same decisions. Ocean justice should seek to right these historical misdoings. CNRA and its departments, including but not limited to the California Ocean Protection Council (OPC), recognize the need to acknowledge these injustices and take action to address inequity within our agency and as part of the policies and programs we carry out for the communities we serve. We commend and encourage federal agencies to also acknowledge and seek action to address inequities within the federal government as an institution and inequities perpetuated by federal agency action or inaction.

Barriers and opportunities to address ocean justice.

Early, frequent, and meaningful communication and collaboration between government, Native American tribes, and communities burdened by environmental injustices is foundational to achieving the four pillars of justice. CNRA provides the following recommendations and examples to address barriers and provide opportunities to advance ocean justice.

A. Support early and meaningful engagement of tribal and environmental justice communities in federal actions related to ocean and coastal management.

Establishing authentic relationships and partnerships, and pursuing early and meaningful engagement with underserved and/or environmental justice communities and tribes, is critical to ensure equitable representation of systemically excluded communities in

⁹ California Coastal Commission. 2019. [Environmental Justice Policy](#).

ocean and coastal management. Collaborative engagement can support agencies in addressing the environmental and social impacts of climate change for disproportionately impacted communities, and support identifying regional priorities and implementing actions that help promote ecosystem health, coastal community resilience, and a thriving ocean-based economy. Many communities face historical exclusion from policy decisions that directly impact their health and quality of life, often as a result of institutional barriers, such as governmental process design, inaction, or exclusion.¹⁰

Meaningful community outreach, engagement, and funding are important to mend relationships and establish partnerships with environmental justice communities, tribes, and tribal communities. CNRA recognizes that following this approach requires providing adequate resources and support in ways that are representative and proportional to each communities' needs.

To advance meaningful engagement between tribes and the State of California, Governor Edmund G. Brown, Jr. issued Executive Order B-10-11¹¹ in September 2011, which states that California is "committed to strengthening and sustaining effective government-to-government relationships between the State and the Tribes."¹² The Order specifies that the Governor's Tribal Advisor "shall oversee and implement effective government-to-government consultation between [the] Administration and Tribes on policies that affect California tribal communities."¹³ The Order continues by providing, among other things, that it is the policy of the Administration that "every State agency and department... shall encourage communication and consultation,"¹⁴ including through opportunities "to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities."¹⁵

In June 2019, Governor Gavin Newsom issued Executive Order N-15-19¹⁶ apologizing on behalf of the State to California Native Americans for the many instances of violence, mistreatment and neglect inflicted upon California Native Americans throughout the State's history, leading to the creation of a tribally-led, consultation-informed Truth and Healing Council to address these issues. This Executive Order reaffirmed Executive Order B-10-11 and incorporated its tribal consultation principles by reference.

Another critical action to further build on California's leadership in expanding opportunity and justice for all is Executive Order N-16-22,¹⁷ signed by Governor Newsom in September 2022. This executive order directs State agencies and departments to take additional actions to embed equity analysis and considerations in their mission, policies and practices. As part of these efforts, agencies and departments will incorporate more

¹⁰ California Coastal Commission. 2019. [Environmental Justice Policy](#).

¹¹ California Office of the Governor. 2011. [Executive Order B-10-11](#).

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ California Office of the Governor. 2019. [Executive Order N-15-19](#).

¹⁷ California Office of the Governor. 2022. [Executive Order N-16-22](#).

inclusive public engagement and data analysis to better address unequal circumstances and disparities in access to help drive equal outcomes for all Californians.

In October 2022, OPC adopted a collaboratively-developed [Equity Plan](#) (OPC Equity Plan), representing the agency's commitment to centering equity across ocean and coastal policies and actions in California and strengthening internal efforts to create a more inclusive workplace. The Plan aims to reflect collective action by all relevant partners to support the different values and priorities that communities, particularly California Native American tribes and environmental justice communities, bring to California coastal and ocean science, protection, and restoration. Specifically, the Plan highlights internal and external strategies, priorities, and goals for conducting equitable outreach, engagement, and funding; creating a more inclusive workplace and workforce; designing equitable coast and ocean policies; and integrating community and tribal expertise and knowledge in coast and ocean science research and decision-making. The actions and strategies in the Plan build upon leadership and policies consistent with broader CNRA efforts and the State's equity directives, including California's Executive Order N-16-22, and individual State agencies to address social and environmental inequities statewide.

Examples of existing agency resources and tools designed to inform meaningful engagement are provided below.

Public Engagement Resources and Tools

California State Entity	Resource
Air Resources Board	Community Engagement Resources
Coastal Commission	'Participate' Webpage
Department of Conservation	CalGEM Public Health Rulemaking "Early Engagement" Process Highlights
Department of Public Health	Engaging Communities for Health Equity and Environmental Justice
Natural Resources Agency	Digital Environmental Engagement Resource Catalog
Office of Environmental Health Hazard Assessment	California Communities Environmental Health Screening Tool: CalEnviroScreen 4.0
Office of Research and Planning	Community Engagement and Outreach
San Francisco Bay Conservation and Development Commission	Community Vulnerability Mapping and Community Based Organization Directory Tool
State Coastal Conservancy	Tips for Meaningful Community Engagement
State Parks	Statewide Parks Program Community FactFinder
Strategic Growth Council	Racial Equity Resource Hub
Governor's Office of Tribal Affairs	Cultural Humility Training

Although there is much work ahead, California directives and policies have strengthened government engagement with tribes and environmental justice communities throughout the state. To remedy barriers to meaningful engagement and rectify historical injustices, the federal government should follow the examples set forth in these directives and policies, and pursue actions including:

- Establishing environmental justice community and tribal advisory boards to advise on ocean justice initiatives and to engage in federal decision-making processes, including but not limited to pre-application review for federal actions impacting individual communities and/or tribal resources.
- Establishing permanent tribal and environmental justice community liaison positions within federal agencies.
- Increasing coordination across state and federal actions to elevate tribal priorities for the coast and ocean, including enhanced partnerships between states and National Marine Sanctuaries in support of tribal stewardship.
- Regularly evaluating and as needed, modifying federal program priorities, grant funding, contracting, hiring practices, communications, and consultation practices to advance improved relationships and engagement with environmental justice and tribal communities.
- Enhancing outreach, education, external communications, and knowledge-sharing opportunities through inclusive language and targeted, culturally responsive engagement with communities and tribes.
- Disseminating public outreach and communications materials that are community-informed and culturally-inclusive in accessible languages, such as languages spoken by those communities where engagement is being targeted.
- Engaging with existing inter-tribal, state, and regional community forums representing underserved and/or environmental justice communities and tribes to co-develop and inform ocean justice initiatives, improve participation in decision-making processes, and share information regarding marine, ocean, and coastal grant opportunities.
- Providing public-facing guidance that easily explains public participation processes.
- Providing accommodations to improve and facilitate community engagement and public participation in federal agency decision-making processes, including but not limited to providing virtual and hybrid meetings in a manner consistent with federal law, increasing meeting accessibility through technology and adjusted meeting times, and providing childcare or activities for children during public meetings.
- Providing compensation, where feasible, to community-based organizations, underserved community members, environmental justice community groups, and California Native American tribes for their time and expertise provided in federal engagement and outreach opportunities.
- Funding opportunities to support state grant programs designed to provide financial resources and assistance to community-based organizations to increase public engagement and ocean access through a variety of methods, including but not limited to improved transportation, community science, education, and recreation.

For communication and consultation with tribes specifically, OPC has developed a comprehensive [Tribal Engagement Strategy](#), informed by California coastal tribes, to provide a framework for enhanced partnership between OPC and tribes to support respectful and effective outreach. It is only through open, inclusive, and regular communication efforts that the interests of tribes will be prioritized in the larger context of complex natural resource policy decision-making.

Best practices for tribal outreach and communication, as outlined in the Tribal Engagement Strategy, should be reflected in federal agency outreach and communication:

- Tribes must be engaged early, often, and meaningfully in the development of regulations, rules, policies, programs, projects, plans, property decisions, or activities that may affect them.
- In recognition of the unique status of tribes, agencies should prioritize consultation as its primary method of engagement with tribes. Other, less formal ways of engaging can supplement consultation.
- For policies and programs available for the wider tribal community, agencies should leverage a variety of outreach platforms (e.g., requests for consultation with tribal chairpersons and/or councils, formal letters to tribal chairpersons, outreach to tribally-run organizations or associations, email updates, text messages, phone calls/videoconferences, social media posts, existing committees and workgroups, etc.) to ensure that opportunities for engagement are distributed widely within tribal communities.
- In recognition of current limitations on tribal capacity, agencies should work with other agency partners to significantly improve efficiencies and minimize burdens on tribes.
- Federal and state agencies should provide dedicated funding and technical assistance to tribes to enhance their ability to meaningfully engage with federal and state agencies.

California is exemplifying these principles through efforts that include: elevating tribal stewardship as a central component of the State's initiative to conserve 30% of lands and coastal waters by 2030, supporting the launch of a statewide [Tribal Marine Stewards Network](#) that is returning stewardship and management of ocean and coastal territories to tribes, and including tribal representation on state advisory bodies such as California's Marine Protected Area Statewide Leadership Team. Tribes are also playing a central role in planning for offshore wind development in California. The California Coastal Commission included meaningful tribal engagement as an explicit condition in its consistency determination for the Bureau of Ocean Energy Management's lease sale for offshore wind. A tribal advisory group is currently being convened to ensure that tribes benefit economically from this new industry and that implementation of the State's ambitious targets for energy generation does not adversely impact natural and cultural resources of importance to tribes.

B. Advance tribal co-management.

In September 2020, Governor Newsom released a Statement of Administration Policy on Native American Ancestral Lands.¹⁸ This policy statement encourages state entities to seek opportunities to support tribes' co-management of, and access to, natural lands that are within a tribe's ancestral land and under the ownership or control of the State of California. The policy statement also encourages state entities to work cooperatively with tribes that are interested in acquiring natural lands.

The State of California recognizes that developing co-management agreements with tribes is an important step toward righting historic wrongs, healing from past trauma, and reconnecting tribes with their ancestral territories for the benefit of both people and nature. Adopting meaningful co-management strategies that recognize and support tribal stewardship will protect our State's biodiversity and cultural resources for generations to come.

The federal government is encouraged to increase co-management of ancestral lands, waters, and natural resources by pursuing the following actions, many of which are listed as high priorities for California in OPC's Tribal Engagement Strategy:

- Working with tribes and relevant federal and state agencies to advance formal co-management of ancestral coastal lands and waters through a) Supporting the development of co-management agreements, and b) Implementing and expanding co-management pilot projects along the coast.
- Unifying federal and state agencies in developing a process that facilitates a clear, streamlined, efficient, and transparent path for tribes to engage in the development of co-management agreements.
- Supporting and utilizing research on co-management, including successful efforts to serve as potential models to advance co-management.
- Working collaboratively with tribes to address co-management issues that may arise regarding territories and/or resources shared by multiple tribes
- Consulting with tribes to implement pathways for the consideration of tribal science (including tribal-led research and monitoring) and Traditional Knowledges in coastal and ocean management decisions, and to co-develop research, monitoring, and restoration projects with tribes.
- Co-developing and funding research, monitoring, and restoration projects with California Native American tribes to develop such projects in partnership with tribes, rather than seeking to include tribes in projects that are already planned or under way, when possible. When this is not possible, work with tribes and the research community to identify tribal researchers, including graduate students, interested in partnering on specific projects or initiatives. Additionally, identify ways to improve efficiencies and minimize regulatory burden for tribal-led restoration projects.

¹⁸ California Office of the Governor. 2020. [Statement of Administration Policy, Native American Ancestral Lands](#).

C. Enhance coastal access for all communities.

Equitable access to the coast and the protection of coastal natural resources for all is essential to remediate the legacy of institutional and structural racism that has disconnected California Native American tribes, communities of color, and other environmental justice communities from coastal and ocean spaces and resources. A key barrier to realizing ocean justice is the lack of access for historically harmed communities and lack of representation or inclusion in marine related activities. This lack of access can be due to distance, lack of transportation, or lack of knowledge about recreational opportunities or of marine related fields — both of which establish feelings of belonging in and connection to the ocean.

Ocean justice cannot be achieved without an explicit accounting and recognition of past loss of access or ownership of land on or near the coast. In a study conducted by Dr. Mindy Fullilove, in partnership with the Institute for Justice, states that between 1949-1973, at least “2,532 projects were carried out in 992 cities that displaced one million people, two-thirds of them African Americans.”¹⁹ While many of these properties were in urban centers, some were also located in or near prime beachfront locations. A successful action which remedied past harms in California is the case of Bruce's Beach in Los Angeles County. This beach was historically a place where people of color would recreate, but as white neighbors increased racist harassment, the Manhattan Beach City Council condemned the property and took the land through eminent domain. In 2022, after a long legal battle, Los Angeles County officials finally returned the land to the Bruce family after more than a century.²⁰

Critically, the federal government should support coastal and ocean access for tribes to enhance connections to ancestral lands, waters, and traditional practices, including for ceremonial, educational, and research purposes as part of a forthcoming Ocean Justice Strategy. Reconnecting tribal citizens to ancestral lands and waters, supporting the relearning of stewardship practices, and recognizing that tribes are the best stewards of their lands and waters can begin to repair the human and environmental damage caused by the forced relocation of many tribes away from the coast. For example, in 2022, OPC supported the return of 46 acres of coastal land on Humboldt Bay – known as *Mouralherwaqh*, or wolf's house – which will henceforth be preserved for its cultural significance to the Wiyot Tribe and its environmental importance to the area²¹. The tribe will restore coastal uplands and wetlands on this land, benefiting biodiversity, while also establishing it as a culturally significant gathering place for tribal citizens.

¹⁹ Fullilove, Mindy T. 2015. [Eminent Domain & African Americans, What is the Price of the Commons?](#)

²⁰ The Associated Press. 2022. [California beachfront returned to heirs of Black owners.](#)

²¹ California State Polytechnic University, Humboldt. 2022. [Reclaiming Mouralherwaqh.](#)

The federal government is encouraged to increase and enhance coastal and ocean access, and remediate past harms and injustices, by:

- Assessing federally owned land along the nation's coastlines to determine how many families and communities lost access to the ocean through federal actions, including broken tribal treaties. This assessment should conclude with a process by which descendants and communities can begin to claim former ownership to receive compensatory or in-kind reparations and develop a process by which communities can gain access to inaccessible coastlines due to private ownership of these properties taken through discriminatory eminent domain practices of the past. Further, the federal government should support and encourage states to conduct a similar analysis for state and local actions for all people of color and tribes.
- Prioritizing funding for projects and efforts that will improve tribal access to the coast and ocean and natural resources, particularly in areas that are part of tribal ancestral territories.
- Acknowledging the unique relationship between tribes and ancestral lands and resources, and partnering with tribes with coastal ancestral lands and waters, or other coastal cultural connections, to develop strategies to evaluate sacred or otherwise culturally sensitive coastal areas protections from potentially deleterious access and use by the public. In particular, the federal government should identify opportunities to return coastal land to tribes.
- Coordinating state-federal programs and investments to expand coastal access to ensure equity in both physical access and quality of experience for all communities, encourage and foster recreational opportunities for environmental justice communities, and share coastal histories and connections to the ocean.
- Supporting state efforts and research to identify barriers and opportunities to increase coastal access. This includes, but is not limited to advancing federal programs and technical tools to support in identifying barriers and opportunities to enhance coastal access for all communities, including the creation of interactive maps with coastal access points and data that measures both physical access and amenities to support the quality of coastal access experiences (e.g., proximity to public transportation, availability of parking, mobile accessibility, and restrooms).

D. Identify and reduce pollution and climate stressors to increase coastal community adaptation and climate resilience, including opportunities to promote training, capacity-building, and workforce development.

Communities burdened by environmental injustice are also on the front lines of climate change, biodiversity loss and often have the least capacity to adapt. These communities, including Native American tribes, are disproportionately impacted by climate change, experience increased vulnerability to environmental pollution, and often face barriers to coastal and ocean access. Environmental and ocean justice must be accounted for in federal, regional, and state actions to support the nation's biodiversity and climate resilience goals.

Conservation actions must also elevate and amplify the voices of marginalized communities, distribute power to them, and ensure that the priorities of these communities are centered. This includes, but is not limited to accounting for environmental justice in coastal infrastructure relocation or design to increase community resilience and adapt to rising sea levels, addressing and remediating transboundary pollution, including but not limited to transboundary pollution in the Tijuana River Estuary and along the Southern California coast, enhancing coastal air quality and supporting marine life by reducing commercial vessel speeds in whale migration corridors, abating plastic pollution, recovering lost and abandoned fishing gear, supporting multi-benefit projects that improve public health and provide high quality jobs, and addressing the numerous risks facing coastal communities, marine health, and the blue economy.

The federal government is encouraged to advance equitable programs, policies, and funding opportunities to increase coastal community adaptation and climate resilience by:

- Coordinating with states to develop regional tribal and environmental justice community needs assessments for relevant science and research programs to identify priority needs and actions for the coast and ocean.
- Providing funding and policy support for climate vulnerability assessments of cultural sites, tribal cultural resources, gathering areas, and sacred sites, with a focus on sea level rise, and support development of resilience plans and adaptation projects to protect ancestral lands, waters, and cultural resources.
- Evaluating environmental justice implications and/or considerations for each federal policy, program, action, or funding proposal impacting ocean and coastal resources to inform actions that promote and advance environmental and ocean justice, including funding and requirements to support workforce training and economic benefits in communities affected by federal projects.
- Identifying opportunities that optimize local economic benefits for environmental justice and tribal communities through workforce development, youth training and other community capacity-building structures.
- Establishing long-term stable and dedicated federal funding sources for natural climate solutions²² to prioritize resources for environmental justice communities and tribes.
- Encouraging and exploring ways to leverage federal funding and permitting processes to incentivize the use of public trust revenue generated by ports to alleviate burden on environmental justice communities, consistent with the law (e.g., use funds for open medical facilities, parks, etc.).
- Directing federal funding to clean up toxic and hazardous sites along the coast and shoreline that impact environmental justice communities and tribes, particularly areas vulnerable to sea level rise.
- Banning new federal offshore oil and gas leasing and incentivizing the phasing out and decommissioning of existing oil and gas operations in federal waters.

²² CNRA. 2021. Advancing 30x30 and Climate Smart Lands. [Using Nature-Based Solutions to Advance Equity](#).

E. Identify and address regional data and research gaps and priorities for environmental justice and tribal communities.

The nation's current scientific workforce does not adequately represent the demographic diversity of the general population, and subsequently, does not adequately reflect the diversity of knowledge.²³ This results in a broad, systemic exclusion of Traditional Knowledges, tribal science, lived experiences, and additional forms of cultural knowledge in the scientific field, workforce, and in agency decisions informed by science and research. CNRA and OPC acknowledge a need to expand sources of knowledge to adequately address the complex nature of the climate and biodiversity crises, support the priorities of coastal communities experiencing environmental injustices, and increase representation of communities that are underrepresented in the field of ocean and coastal science and management.

In recent years, significant progress has also been made toward more meaningful tribal engagement in coastal and marine research efforts. As described above, the [Tribal Marine Stewards Network](#), composed of five partner tribes (Tolowa Dee-ni' Nation, Resighini Rancheria, Kashia Band of Pomo Indians, Amah Mutsun Tribal Band, and Santa Ynez Band of Chumash Indians) seeks to establish long-term, consistent engagement with State and federal agencies, while implementing both Traditional Knowledges and tribal science into management practices. OPC has further committed to working with tribes, academics, and other partners to develop and implement a trusted pathway for the consideration of tribal expertise and Traditional Knowledges in ocean and coastal management decisions, in an inclusive way that recognizes each tribe's protocols for the study, sharing, and use of Traditional Knowledges and the diversity of such knowledges among different tribes.

The federal government can harness existing environmental justice tools, prioritize tribal and community-informed research, and pursue new tools and practices to advance ocean justice nationwide by:

- Integrating relevant state and regional data, including [CalEnviroScreen](#), collected by CNRA and California Environmental Protection Agency (CalEPA) departments, boards, and commissions into ocean justice policies and programs.
- Integrating USEPA's Environmental Justice Screening and Mapping Tool (EJScreen 2.0), the Council on Environmental Quality's Climate and Economic Justice Screening Tool, Center for Disease Control's Social Vulnerability Index, and USEPA's Pollution Prevention Environmental Justice Facility Mapping Tool, into a single user-friendly visual map resource. Integrating tools can support a range of environmental and ocean justice priorities, including but not limited to identifying priority communities for federal funding, workforce development, and educational opportunities for students in inland and underserved communities to engage in ocean and coastal programs and activities.

²³ Kozlowski, et al. 2022. "Intersectional inequalities in science." Proceedings of the National Academy of Sciences.

- Partnering with states to identify trusted and respectful pathways to collaborate with tribes, environmental justice communities, and community partners to include Traditional Knowledges, tribal science and expertise, local knowledge, social science, historical context, and lived experiences into ocean and coastal science and research.
- When possible, including tribal governments and community partners in scoping science and research projects and related funding opportunities to inform research questions, and ensure that funded projects are responsive to the needs of tribes and environmental justice communities.
- At the early stages of research scoping, developing questions to assess whether inter- and transdisciplinary approaches should be considered or integrated into study. Where applicable, research questions should be designed in partnership with communities to assess potential environmental justice and equity impacts of research on human populations or affected communities, and assess human dimensions by analyzing different ways humans use, experience, value or depend on ocean and coastal resources.
- Augmenting research budgets to allow potential engagement opportunities from interdisciplinary science backgrounds and disciplines and local/regional community groups, as appropriate.
- Improving accessibility to coastal and ocean research and data by partnering with state agencies, environmental justice communities, tribal governments, and tribal communities to develop a public platform that includes federal data and reports relevant to ocean and coastal programs.
- In collaboration with tribes, co-developing a comprehensive study on species of cultural importance to federally and non-federally recognized tribal nations to ensure the protection and co-management of those species.
- Developing a forum, either federally or at the state level, in which regulatory agencies can engage with tribes to develop policies and practices that allow for the collection of identified species of cultural significance.

F. Improve internal agency capacity and workforce development.

CNRA is working to make our work more inclusive and give voice to those traditionally unheard by public systems. From ensuring proper naming conventions of our State Parks and transportation system²⁴ features to administering funding streams to projects dedicated to protecting our cultural and natural resources,²⁵ we are persistently working towards better addressing issues of discrimination and oppression in the resources space. This work starts by looking inward and ensuring our own workplace is welcoming for all and reflective of California's diverse residents. Additionally, we must intentionally focus on our outreach and communication to vulnerable communities and marginalized voices to give power and voice to those who need it most. We know we can improve in

²⁴ CNRA. 2020. [State Agencies Announce Steps to Address Discriminatory Names, Inequities in State Parks and Transportation System Features](#).

²⁵ CNRA. 2019. [Natural Resources Agency Announces Awards to Protect Cultural, Community and Natural Resources](#).

this area. This work is continuous, and there is no metric by which we will define an end to these efforts.

To serve the people of California and embed equity in our work, CNRA commits to applying an equity lens to every phase of workforce development to examine practices and policies that may reflect implicit bias and institutional racism – policies that regardless of intent, may result in outcomes that favor one population or background over another – and adopting and evaluating practices that are more equitable.²⁶ The federal government should similarly seek to increase equity and environmental justice in the federal workforce and improve staff capacity for inclusive action by:

- Evaluating and identifying internal capacity needs to implement federal environmental and ocean justice strategies, and securing federal funding to address capacity needs to sustain ongoing implementation.
- Creating an inclusive workplace through equitable employee recruitment and retention, and building staff fluency on equity and environmental justice.
- Valuing employees for their unique contributions and expertise and considering more diverse skill sets and job classifications that apply to a wide pool of candidates.
- Strengthening career pathways to federal ocean and coastal programs by establishing new partnerships with a range of educational institutions and by increasing outreach and visibility of career opportunities, including internship programs and other student opportunities.
- Increasing opportunities for federal agency staff and contractors to continue to build their understanding of environmental and racial justice as it relates to the coast and ocean through implicit bias, racial equity, cultural humility related to tribal engagement, among other relevant trainings.
- Identifying and implementing strategies to improve workplace diversity to be inclusive of members with lived or work experience in communities disproportionately impacted by environmental injustices and social inequities.

Conclusion

CNRA is committed to ensuring that all Californians, particularly those who have been historically burdened and harmed by environmental injustice, have a voice in the management of our State's natural resources. We commend CEQ and OSTP for undertaking the development of a federal Ocean Justice Strategy, and support a Strategy that addresses barriers to ocean justice, encourages co-management with Native American tribes, enhances coastal access for all communities, identifies important knowledge gaps related to equity and environmental justice, ensures that equity is embedded at the forefront in efforts to enhance the climate resilience of coastal ecosystems and communities, and provides recommendations for ensuring that federal agency workforces are reflective of our nation's diversity and proactively responsive to the needs of all communities.

²⁶ CalEPA. 2020. Practices to Advance Racial Equity in Workforce Training.

In California, we know that it is only by sincerely and meaningfully embedding equity into all agency programs, policies, and actions that we can begin to right historic wrongs and address systemic injustice. With both high-level policy directives and boots-on-the-ground projects, California is leading by example in the push to make ocean management more just, equitable, and inclusive. We stand ready to support the development and implementation of this groundbreaking Strategy.

Sincerely,

A handwritten signature in black ink that reads "Wade Crowfoot". The signature is written in a cursive, slightly slanted style.

Wade Crowfoot
Secretary, California Natural Resources Agency