



September 23, 2024

California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105

Via Email to statewideplanning@coastal.ca.gov

Re: Comments on the Draft 2024 Sea Level Rise Policy Guidance Update

To Chair Hart and California Coastal Commission:

Please accept these comments regarding Draft 2024 Sea Level Rise (SLR) Policy Guidance Update (Draft Guidance Update) on behalf of San Diego Coastkeeper (Coastkeeper). Coastkeeper is the San Diego region's leading clean water advocacy organization, member supported since 1995. Our mission is to protect and restore coastal and inland waters in San Diego County using advocacy, community science, and education. Coastkeeper actively seeks agency implementation of federal, state, and local laws, regulations, and permits; regularly engages in the administrative review and public comment procedures for agency actions; and, where necessary, directly initiates enforcement actions on behalf of itself and its members.

Coastkeeper generally supports the adoption of the Draft Guidance Update. In particular, Coastkeeper strongly supports the updates which significantly expand upon the tenants of environmental justice, equality, and social equity, as well as updates to reflect the best available science into the SLR planning document.

Environmental Justice Principles and Planning Considerations

Coastkeeper is especially supportive of the updates emphasizing the need for “meaningful engagement,” and *effective* community inclusion. “When engaging with communities, it is imperative to remind ourselves that members of the public are partners and collaborators, not a ‘checked box’ for outreach.” Draft Guidance Update at 83. *Meaningful* engagement is particularly important due to a confluence of factors which are outlined in Chapter 4 of the Draft Guidance Update: 1) environmental justice communities have historically been underrepresented in, and purposefully excluded from, land use planning and permitting decisions; 2) these communities have experienced land dispossession, displacement, discrimination, and other forms of state-sanctioned violence; 3) these communities suffer disproportionate impacts associated with pollution, climate change, and SLR; 4) members of these communities are commonly unaware of proposed projects, policies, or laws, and correspondingly unaware of the full range of their potential adverse impacts; 5) these communities commonly lack the capital resources and political or administrative connections to decision-making bodies, and also face greater burdens when trying to participate in the public process, including inaccessible meeting times, language and

technology access barriers, lack of outreach, and lack of community capacity; and 6) given the historical and ongoing barriers outlined in factors 1-5, these communities lack trust in state and local governments. As such, as described in Draft Guidance Update, *meaningful* engagement is paramount to correct course, right historical wrongs, and engender trust overtime.

However, as recognized by the Draft Guidance Update *procedural* justice and equity is not enough.

Procedural justice refers to equitable access to, and participation in, the process of land-use decisions that may significantly burden an underserved community. This includes involvement in the political and scientific platforms and agencies that develop the rules for engagement, governance, and decision-making. Distributive justice is concerned with equitably allocating the “fair share” of environmental resources, benefits, and harms across society. Restorative justice is centered in healing the historic inequities in a community through cross-sectoral partnerships, mediation, and trust-building. Together, procedural, distributive, and restorative environmental justice aim to acknowledge, prevent, and heal from historic environmental racism and injustices within overburdened communities and transition to a more just and equitable society. Draft Guidance Update at 78.

Thus, beyond engagement, it is similarly important to act and invest equitably. Hence, Coastkeeper is also highly supportive of updates which prioritize equitable projects, plans, and investment. For example, the update on page 212 adds “[p]rioritize projects providing equitable co-benefits from habitat protection, such as clean water and ecosystem services, for environmental justice communities.” This type of prioritization is necessary to achieve distributive and restorative environmental justice.

In light of the importance of these updates, Coastkeeper suggests the following minor revisions to the language of the Policy Guidance Update:

Executive Summary, Page 14, Paragraph 2, Sentence 1:

“Importantly, sea level rise will exacerbate burdens already **disproportionately** felt among environmental justice and tribal communities who have a higher **social** vulnerabilities to climate change.”

Rationale: It is important to consistently emphasize the *disproportionate* impacts felt by environmental justice and tribal communities, as described in detail in pages 80-81. Further, these communities not only experience higher *social* vulnerability, but also health, economic, environmental, and other vulnerabilities associated with climate change. As such, Coastkeeper suggest the removal of the word “social” and pluralizing “vulnerabilities.”

Executive Summary, Page 14, Footnote 1 (also Page 83, Paragraph 2. Sentence 2) defining “meaningful engagement”:

“Meaningful engagement is the intentional outreach, inclusion, and consideration of the voices and perspectives from presently and historically underserved and marginalized communities in the



design, development, **and** implementation, ~~and~~ of policies **and other agency actions** that may impact the health, environment, and livelihood of their communities.”

Rationale: This is a grammatical update, and “**other agency actions**” is more inclusive than only the inclusion of “policies.”

Best Available Science

Coastkeeper also strongly supports the updates to incorporate the best available science into the Guidance Document pursuant to Coastal Act Sections 30006.5; 30335.5; 30270, and in particular requirements to use the precautionary approach, and the need for adaptive management. Recognizing that this is a dynamic document, and that SLR projections continue to vary widely depending on future emissions and warming, Coastkeeper will continue to support updates to incorporate more recent and robust scientific findings.

Coastkeeper appreciates the opportunity to provide comments regarding the Draft 2024 SLR Policy Guidance Update. Please contact me via email at patrick@sdcoastkeeper.org, or phone at 760-525-6838 if you have any questions or need more information regarding our comments.

Respectfully,

A handwritten signature in black ink that reads "Pat McDonough".

Patrick McDonough
Senior Attorney
San Diego Coastkeeper