



**Recommendations for
Ensuring Long-Term Engagement of
Communities in
Gulf Coast Ecosystem Restoration**

JULY 2011

A Report Prepared by the

National Environmental Justice Advisory Council
A Federal Advisory Committee to the U.S. Environmental Protection Agency

ACKNOWLEDGEMENTS

The National Environmental Justice Advisory Council (NEJAC) acknowledges the efforts of the NEJAC Gulf Coast Ecosystem Restoration Work Group (Work Group) in preparing the initial draft of this report. The NEJAC also acknowledges the stakeholders and community members who participated in the Work Group's deliberation by providing public comments. In addition, the Work Group's efforts were supported by U.S. Environmental Protection Agency (EPA) staff, notably Ms. Kedesch Altidor, Designated Federal Officer (DFO) of the Work Group, and Ms. Victoria Robinson, NEJAC DFO; and APEX Direct, Inc., which provided contractor support.

DISCLAIMER

This report of recommendations has been written as part of the activities of the NEJAC, a public advisory committee providing independent advice and recommendations on the issue of environmental justice to the Administrator and other officials of the EPA. In addition, the materials, opinions, findings, recommendations, and conclusions expressed herein, and in any study or other source referenced herein, should not be construed as adopted or endorsed by any organization with which any Work Group member is affiliated.

This report has not been reviewed for approval by EPA, and hence, its contents and recommendations do not necessarily represent the views and the policies of the Agency, nor of other agencies in the Executive Branch of the Federal government

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July 23, 2011

Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator Jackson:

The National Environmental Justice Advisory Council (NEJAC) is pleased to submit the report, *Recommendations for Ensuring Long-Term Community Engagement in Gulf Coast Ecosystem Restoration*, for the Agency's review. This report contains advice and recommendations about how the Agency can best engage minority, low-income, and tribal/indigenous communities for input on decisions about Gulf Coast restoration plans, particularly with respect to the impacts of such plans on permitting (such as wetlands restoration, equitable development, revitalization, cleanups, and sustainable energy).

As noted by President Obama, the plan for ecosystem restoration had to come from the people of the Gulf Coast. Specifically, input from communities affected by the disaster and ensuing restoration requires consultation with community-based organizations and community members. Given EPA's lead role on the Gulf Coast Ecosystem Restoration Task Force, the Council was instructed to "take a broad view, and not to limit its recommendations to areas only under EPA's statutory authority, but rather, to explore community engagement at multiple levels (federal, state, tribal, and local) relevant to the restoration of the Gulf Coast ecosystem. The Council's charge is appended to the end of this report as Appendix A.

The following is a list of key recommendations proposed by the NEJAC:

- Coordinate multi-stakeholder efforts to avoid confusion and make it easier for people to participate. Specifically, designate an entity to be responsible for overseeing and coordinating centralized, interagency community engagement efforts within federal initiatives.
- Create a broad based citizen advisory group to advise governments, including any new Council or regional bodies, about policies, funding allocations, megaprojects, and other broad decisions.
- Work with both Federally Recognized and Non-Recognized Tribes
- Define the scope and focus of ecosystem restoration efforts, recognizing that people and communities are part of the ecosystem, and ensuring the diversity of input and opinions.

-
- Address obstacles to participation and engagement by promoting innovative approaches to engaging community members and addressing language access issues and understanding the impact of cultural differences on engagement.
 - Address inconsistent messages and information.

Once again, thank you for this opportunity to provide recommendations for ensuring long-term community engagement in Gulf Coast ecosystem restoration.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth C. Yeampierre". The signature is written in a cursive style and is positioned above the printed name.

Elizabeth C. Yeampierre
Chair

cc: NEJAC Members
Cynthia Giles, EPA Assistant Administrator for Enforcement and Compliance Assurance
John Hankinson, EPA Executive Director, Gulf Coast Ecosystem Restoration Task Force
Lisa Garcia, EPA Associate Assistant Administrator for Environmental Justice
Victoria Robinson, NEJAC DFO, OEJ

TABLE OF CONTENTS

LIST of MEMBERS.....	4
1.0 INTRODUCTION.....	1
1.1 Overview	1
1.2 NEJAC Work Group.....	2
1.3 Organization of Report.....	2
2.0 BACKGROUND	3
3.0 COMMUNITY ENGAGEMENT	3
3.1 What is “Community Engagement”	4
3.2 Challenges and Barriers to Effective Community Engagement	4
4.0 FINDINGS AND RECOMMENDATIONS	5
4.1 Accountability and Coordination	5
4.2 Inclusivity and Reach.....	6
4.3 Communication Mechanisms.....	8
4.3.1 Access to Information.....	8
4.3.2 Two-Way Information Sharing.....	9
4.4 Mechanisms to Measure or Track Effectiveness of Engagement Efforts	10
4.5 Resources and Incentives	10
5.0 CONCLUSION.....	11
APPENDIX A: EPA Charge to the NEJAC	

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NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

Recommendations for Ensuring Long-Term Engagement of Communities in Gulf Coast Ecosystem Restoration

1.0 INTRODUCTION

The National Environmental Justice Advisory Council (NEJAC or the Council) is a federal advisory committee chartered pursuant to the Federal Advisory Committee Act (FACA) to provide advice and recommendations to the Administrator of the U.S. Environmental Protection Agency (EPA or the Agency) about matters of environmental justice. According to EPA, environmental justice is 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.

1.1 *Overview*

On October 5, 2010, President Obama issued Executive Order 13554¹, directing the creation of a Gulf Coast Ecosystem Restoration Task Force (Task Force) to coordinate intergovernmental responsibilities, planning, and exchange of information so as to better implement Gulf Coast ecosystem restoration and to facilitate appropriate accountability and support throughout the restoration process. Specifically, the Task Force is charged with the following responsibilities:

1. Develop a Gulf of Mexico Regional Ecosystem Restoration Strategy by October 2011.
2. Ensure full coordination of ecosystem restoration efforts.
3. Establish science and accountability as the basis for decision-making.
4. Engage Gulf Coast communities in the setting of priorities.

The Task Force is comprised of federal and state officials, and is chaired by EPA Administrator Lisa Jackson.

To support the work of the Task Force, EPA requested that the NEJAC provide advice and recommendations about how best to ensure the long-term engagement of communities in Gulf Coast ecosystem restoration efforts. Specifically, the Agency charged the Council to consider the following specific issues:

1. How to best engage minority, low-income, and tribal/indigenous communities for input on decisions about Gulf Coast restoration plans, particularly with respect to the impacts of such plans on permitting (such as wetlands restoration, equitable development, revitalization, cleanups, and sustainable energy). This discussion also should consider how best to facilitate the participation of immigrant populations and communities with potential language barriers.
2. Ways to best address indigenous, cultural, and historical concerns during restoration and recovery efforts.
3. How regulations and policies impede, complicate, or discourage sustained community engagement in decisions about restoration and recovery, and ways to overcome these hurdles.

¹ Presidential Executive Order 13554 of October 5, 2010

The ultimate outcome of the charge is for the NEJAC to develop a set of recommendations that can be replicated, not only in the affected Gulf Coast region, but also in other areas undergoing restoration of ecosystems around the country. EPA's charge to the NEJAC is presented in Attachment A.

1.2 NEJAC Work Group

In response to the Agency's charge, the NEJAC asked EPA to establish a NEJAC Gulf Coast Ecosystem Restoration Work Group (Work Group) to research and identify potential recommendations. The Work Group was formed in February 2011 and was comprised of public and private sector stakeholders. A list of members is shown behind the cover page of this report. Work Group members met via conference call between February and May 2011 on a regular basis to discuss findings and develop recommendations. Additionally, the NEJAC obtained public comments from additional stakeholders, including community groups, in a public meetings on March 31, 2011 and May 10 and 11, 2011. The former was a teleconference meeting specifically focused on engaging affected communities in Gulf Coast ecosystem restoration.

The Work Group specifically was tasked to explore, consider, and present findings and recommendations to the NEJAC (for submittal to EPA) about how to best engage communities in long-term ecosystem restoration efforts. The Work Group was instructed to take a broad view, and not to limit its recommendations to areas only under EPA's statutory authority; but rather, because of EPA's lead role on the national Task Force, to explore community engagement at multiple levels (federal, state, tribal, and local) relevant to the restoration of the Gulf Coast ecosystem.

In accordance with EPA's request, the recommendations in this report primarily focus on ways to enhance the effectiveness of long-term community engagement in historically under-represented (or environmental justice) communities. The NEJAC understands that barriers to effective long-term community engagement exist in environmental justice communities – on broad and local levels. The recommendations proposed in this report are intended to broadly address issues, rather than to prescribe detailed processes to be universally applied. While there are commonalities and perhaps universally applicable factors with respect to effective, sustainable community engagement, community engagement by definition must take into account the unique and specific nature of each local community. That said, affected communities at large would benefit from the implementation of the recommendations presented in this report.

1.3 Organization of Report

The remaining sections of this report include the following:

- 2.0 Background – Provides an overview of the issue, discusses long-term community engagement as part of the Gulf Coast Restoration Strategy, and describes the relevance of the issue to environmental justice.
- 3.0 Community Engagement – Presents a discussion of the critical elements of effective long-term community engagement, and describes challenges to community engagement.
- 4.0 Findings and Recommendations – Introduces cross-cutting themes, and outlines findings and recommendations organized under those themes.
- 5.0 Conclusion – Provides concluding statements that summarize the report.

2.0 BACKGROUND

The Gulf of Mexico is a natural resource of critical importance to citizens and commerce nationwide.² Thirteen percent of the nation's natural gas production, 30 percent of its oil production, and nearly one third of the seafood harvested in the United States comes from the Gulf. Tourism combined with the commercial and recreational fishing industries contribute billions of dollars to the national economy.

As outlined in the Mabus Report, the Gulf Coast has been suffering from various legacy environmental issues, including but not limited to hypoxia, erosion and subsidence of land, loss of coastal barrier marshes and islands that offer coastal communities protection from frequent hurricanes, and loss of habitats. After decades of environmental decline and neglect, and increasingly high demands on the resources of the Gulf, these issues have become ever more pressing. These legacy issues are exacerbated by natural disasters such as Hurricanes Rita and Katrina, as well as the Deepwater Horizon oil well disaster.

There is a clear and strong relationship between environmental and economic health in the Gulf. In his executive order, President Obama clearly stated that restoration of coastal and marine ecosystems must be a critical component of a plan for ecosystem restoration in the region.

"The United States needs a vibrant Gulf Coast, and the Federal Government is committed to helping Gulf Coast residents conserve and restore resilient and healthy ecosystems in the Gulf of Mexico and surrounding regions that support the diverse economies, communities, and cultures of the region. To effectively address the damage caused by the BP Deepwater Horizon Oil Spill, address the longstanding ecological decline, and begin moving toward a more resilient Gulf Coast ecosystem, ecosystem restoration is needed. Ecosystem restoration will support economic vitality, enhance human health and safety, protect infrastructure, enable communities to better withstand impact from storms and climate change, sustain safe seafood and clean water, provide recreational and cultural opportunities, protect and preserve sites that are of historical and cultural significance, and contribute to the overall resilience of our coastal communities and Nation."³

3.0 COMMUNITY ENGAGEMENT

In his Executive Order, President Obama was emphatic that the plan for ecosystem restoration had to come from the people of the Gulf Coast. As a result, community engagement in the development of the Gulf Coast Ecosystem Restoration Strategy is a critical component in the White House's charge to the Task Force and, in turn, EPA's charge to the NEJAC. Specifically, input from communities affected by the disaster and ensuing restoration requires consultation with community-based organizations and community members.

Communities that are the most affected by disaster recovery and restoration efforts often already face many challenges and barriers associated with meaningful involvement and adequate representation in the

² Mabus, Ray, Secretary of the Navy. *America's Gulf Coast, A Long Term Recovery Plan After the Deepwater Horizon Oil Spill. The Mabus Report.*

³ Executive Order 13554

development, implementation, and enforcement of environmental laws, regulations, and policies. Many Gulf Coast communities are considered vulnerable and sensitive populations, and have historically been left out of decision-making processes. The findings and recommendations presented herein seek to achieve environmental justice for these communities.

3.1 What is “Community Engagement”

Long-term community engagement is critical to sustaining the involvement of affected communities in decision-making around restoration activities. There are many individuals and communities that are impacted by restoration and environmental justice issues more broadly, who are not aware that they are stakeholders. Effective long-term community engagement should include the following critical elements:

- A two-way process of distributing and receiving information. It is a dialogue that encompasses active listening and the exchange of information.
- A process that aims to increase the number of community members who recognize themselves and their communities as stakeholders in the issues at hand.
- A system of processes and mechanisms for community outreach, input, and involvement at different levels.
- A greater emphasis on the quality of community input rather than the quantity of input. The quality of community engagement should be based more on by what is “uploaded from” the community than what is “downloaded to” the community; and how well agencies are able to practically apply the input received from community members.
- Recognition of local community members as an “encyclopedia of experientially-tested and validated insight”, and consultation of that resource as part of the foundation of restoration efforts. The success of regional ecosystem restoration efforts depends on the maximal utilization of local community members for the foundation (not just an added value) to a comprehensive, holistic approach. Considering the community as a vital part of the foundation of restoration efforts would facilitate all other specific activities.
- Efforts to “meet people where they are.” Methods, processes, and information should be targeted and applicable to the specific communities.
- An approach that is tailored to the specific, unique needs of the particular community where activities are being implemented. Common elements of engagement should not overshadow the uniqueness of every community.

3.2 Challenges and Barriers to Effective Community Engagement

Identification of common barriers or challenges to community engagement helped lay the foundation for hard-hitting recommendations intended to convey the critical importance of community engagement in the Agency’s decision-making processes. Examples of challenges and barriers to long-term community engagement include:

- Availability of resources (specifically, availability of and access to funding and staff to conduct the needed activities over the long term)
- Poor or little coordination among and between various federal, state, and local government and other entities
- Language and cultural differences
- Identification of and coalition building among local leadership within a community
- Lack of cultural competency among agencies trying to cultivate community engagement
- Lack of recognition among communities and individuals of their stakeholder status in environmental justice and restoration issues

Note that these are only a few examples of potential barriers and do not represent an exhaustive list of challenges that may present themselves in the future. Some of these key barriers or challenges are also incorporated into the findings of the following section, which form the basis for the recommendations.

4.0 FINDINGS AND RECOMMENDATIONS

The critical components of effective long-term community engagement, and the barriers or challenges to be addressed, generally fall under one or more of these cross-cutting themes:

- Accountability and Coordination
- Inclusivity and Reach
- Communication Mechanisms (including access to information and two-way information sharing)
- Mechanisms to Measure or Track Effectiveness of Engagement Efforts
- Resources and Incentives

The following findings and associated recommendations are organized around these themes.

4.1 *Accountability and Coordination*

Coordinating Multi-stakeholder Efforts: There is a need for better coordination and synergy when multiple agencies or parties are involved. The lack of such coordination can lead to frustration and confusion for local communities; and creates a challenge for sustained community engagement. Measures need to be put in place to avoid confusion and make it easier for people to participate.

1. **Designate an entity – preferably an existing one, where possible – to be responsible for overseeing and coordinating centralized, interagency community engagement efforts within federal initiatives that can:**
 - Partner with local, existing community organizations and local information sources to get the word out about community engagement opportunities and processes.
 - Serve as a clearinghouse for information pertaining to meetings and events to solicit community input. A “one-stop” source of information (e.g., a consolidated calendar) about meetings and events – including details about the hosting agency, the event time and location, the mechanisms for providing input, and how the input will be used – would help community members prioritize their time and make better decisions about which events to attend and how best to provide input.
2. **Create and maintain an easy-to-understand, at-a-glance document or matrix, written for a**

community audience, which lists the various agencies and entities involved in post-disaster efforts; the jurisdictions and regulatory authority governing each; the role of each entity; and the point of entry or contact for community input and engagement. Such a resource would help members of the public navigate through the community engagement process. The expected level of participation from the community member (e.g., at monthly meetings) and the results of any participation (i.e., comment will be part of final documents vs. comments will be taken under consideration, but will not be part of final document) should be made clear. The document should inform the community member of the stages of the process (i.e., scoping stage and final recommendations will not be presented to the agency until Dec. 2012), and be concise and only as long as necessary to avoid information overload and confusion.

3. Create a broad based citizen advisory group to advise governments, including any new Council or regional bodies, on policies, funding allocations, megaprojects and other broad decisions. The group should, to the extent possible, be self-selected from among eligible regional and community groups.

4. Support local community facilitated strategies and collaborative governance structures and processes to implement on the ground projects that are funded with restoration funds. Community facilitated strategies are community-led collaborations that engage stakeholders in deciding on the best set of strategies to address impacts from existing or proposed projects and seek agreements on the best ways to address those impacts. If agreements are not achieved, the participants will select the legal, political, or collaborative tools to accomplish their goals. They may take the form of local, regional, state, or federal convened processes involving all affected communities and groups, government entities, businesses, non-profit organizations, and persons with scientific, technical or local knowledge from universities, colleges, community organizations, and others. They are designated to achieve broad agreements that integrate resources from a variety of sources to implement projects. (See Recommendations 3.1a and 3.1b in the NEJAC report on *Reducing Air Emissions Associated with Goods Movement*.⁴)

Sustaining Meaningful Engagement over Time: Community engagement efforts, initiated by government agencies in particular, often appear to begin with vigor, then over time, the efforts dwindle and trail off. Measures are required to sustain meaningful long-term community engagement efforts.

5. Find ways to sustain meaningful community engagement efforts, including processes of moving from crisis to recovery, over the long term. Ensure that ongoing projects are institutionalized, staffed, and given appropriate resources.

4.2 Inclusivity and Reach

Working with Federally Recognized and Non-Recognized Tribes: Federally recognized tribes have a sovereign relationship with the United States and share in a government-to-government consultative relationship. In addition to federally recognized tribes, there are many tribes throughout the Gulf Coast region and the country that are not federally recognized. In the Gulf Coast region, the majority of the tribal communities is not federally recognized, and therefore not included in that consultative relationship.

⁴ NEJAC. 2009. *Reducing Air Emissions Associated With Goods Movement: Working Towards Environmental Justice*. A Report of Advice and Recommendations of the National Environmental Justice Advisory Council. November. Pages 13-18. <http://www.epa.gov/compliance/ej/resources/publications/nejac/2009-goods-movement.pdf>.

Many of these communities have sites that are of historical and cultural significance that also need to be protected and preserved during restoration and recovery efforts.

6. Impacted and vulnerable non-federally recognized tribes should be given the same level of inclusion in decision-making processes as federally recognized tribes. This recommendation is not intended to define or alter sovereign government-to-government relationships, but rather to ensure the equitable engagement of impacted and vulnerable communities.

- Develop mechanisms such as advisory committees or other structurally achievable approaches, to elevate the inclusion of impacted and vulnerable non-federally recognized tribes that do not share in the government-to-government consultative relationship.
- Keep tribal communities informed and take into account the concerns and needs of tribal communities during restoration and recovery activities.
- Encourage the coordination of state, federal, and local officials with all tribes, including non-recognized tribes, in order to protect sacred sites and tribal communities and to organize response and recovery efforts.⁵

Defining the Scope and Focus of Ecosystem Restoration Efforts: The scope and focus of ecosystem restoration efforts often are defined by geographical boundaries and disregard the human aspect of restoration activities. Many communities, such as subsistence fishers and tribal populations, rely heavily on the natural environment and resources to provide for their means of survival. These communities may have historic and culturally significant areas that could be impacted by restoration activities. Members of these communities, and the natural and cultural resources that they rely upon, may not be bound by political or topographical features on a map.

7. Recognize that people and communities are part of the ecosystem; and the interconnectedness of communities with each other and ecosystems such as the cypress swamps and coastal marshes.

8. Engage underrepresented or systematically-ignored communities on issues such as defining the scope of restoration. Such communities include cultural and historical communities; fishing communities (e.g., fleet fishers, subsistence fishers); and tribal communities (e.g., federally-recognized, state-recognized, and non-recognized tribes).

9. Broaden the definition and scope of ecosystem restoration, and associated community engagement initiatives, beyond physical geography.

10. Identify all historic and culturally significant landmarks (such as, above-ground cemeteries and Indian mounds) in restoration areas and develop measures to protect them.

Ensuring Diversity of Input and Opinions: Community engagement efforts often do not reflect the true diversity of opinions and experience of the communities meant to be the recipients of such efforts. For example, there is a tendency for agencies to reach out specifically to established local initiatives and organizations. While those groups represent an important point-of-access, many people do not wish to be part of a group and are not directly tied in with those efforts. Communities have many residents who are not involved with local efforts, but share the impacts of environmental decline and disaster with the

⁵ National Congress of American Indians. 2010. *Resolution #RAP-10-054: Support for Coordination with State-Recognized Louisiana Tribes in Responding to the Deepwater Horizon BP Oil Spill*. June.

rest of the community. Further, there are many communities and community members that are not aware of their stakeholder status in these issues.

11. **Recognize that meaningful community engagement must go beyond engaging those already directly involved in efforts through community-based organizations and initiatives; and endeavor to engage all representative populations within a community, so that the diversity of opinions and input will truly represent the people living in the area.** Attempt to engage those community members who are not already tied in with local groups, via open forums that are widely broadcasted and inviting (i.e., convenient in terms of location, time, etc.).

12. **Incorporate as a goal of community engagement throughout restoration efforts to increase the number of individuals and communities that recognize themselves as stakeholders in environmental justice and restoration issues.**

4.3 *Communication Mechanisms*

This section presents findings and recommendations associated with access to information and two-way information sharing.

4.3.1 *Access to Information*

Addressing Obstacles to Participation and Engagement: Community members have multiple obstacles to participation and engagement in opportunities to give input to decision-making processes, including limited access to transportation as well as restricted hours of availability due to work schedules and other personal obligations.

13. **Assess the unique aspects of each community (such as the general availability of community members (e.g., evening hours, usually) and the community's existing calendar of events and observances) before planning community engagement events in that specific community.**

14. **Promote innovative approaches to engaging community members, such as live broadcasting and call-in public comment periods.** Maximizing the use of local resources such as cable access television and public radio stations, where they are available, will create more points of entry for engagement of all members of the community.

Addressing Language Access Issues: Historically underrepresented communities face the challenge of adequate access to information on issues that affect them. Many members of environmental justice communities do not speak English as their first language and are therefore not able to understand information presented to them in English. However, translation alone is not enough. Community members may not be familiar with the technical concepts and issues that affect them, and therefore not be able to fully understand how the situation impacts their daily lives. Access also needs to be provided in a timely fashion.

15. **Provide translation services to non- and limited-English-speaking communities to address language access barriers.** Offer information materials and conduct meetings in the primary language(s) of affected communities. Identify a liaison from the community at issue to assist in the translation and outreach.

16. **Explain unfamiliar concepts with clear, relatable examples to facilitate the community's understanding of the full scope of the issue(s) of concern.** Communicate positive and negative impacts of restoration efforts to communities so that they fully understand how they are affected. When possible, provide relatable visual explanations of concepts. Communication and engagement efforts need to inform and educate. People don't know whether they care until they know enough to care and can relate the information back to themselves and/or their family.

17. **Make information available early and throughout the community engagement process to allow community members to fully participate in, and contribute to, the decision-making process.**

18. **Make data collection and analysis processes more transparent to local communities.** For example, invite community members to observe water and air quality testing in their communities.

4.3.2 *Two-Way Information Sharing*

Two-Way Exchange of Information Between Communities and Agencies: There is a need for a two-way exchange of information between communities and agencies, instead of the traditional one-way communication approach of merely conveying agency information to communities. Agencies should meaningfully engage communities in "real dialogue" by combining efforts to outreach to communities with efforts to gather input from communities. This shift in approach would require agencies to establish stronger relationships of trust within communities so as to encourage greater input from community members.

19. **Reach out to local leaders and representatives, and community-based organizations, including faith-based organizations, that are respected and trusted by the community to understand local concerns.** Recruit their help in distributing information to community members. Solicit their input in a non-biased way, so that the community's concerns are truly represented and not influenced by the agency. Provide "points of entry" for community residents, community-based, and non-governmental organizations to become meaningfully involved in restoration efforts.

20. **Tap into long-term knowledge and experience within the community.** Incorporate the institutional knowledge of community members who understand the issues of concern that impact their community by, for example, involving them in planning meetings and preparing and reviewing meeting materials,

Maximizing Local Expertise: In communities throughout the country, there is a rich, diverse group of individuals and organizations that have significant knowledge, experience, and expertise to share and contribute to community-based decisions and processes. These individuals and groups already have a track record with local communities and can help agencies understand the issues of concern among the communities they serve.

21. **Recognize and work with existing community-minded expertise in the region (e.g., local institutions, scientists, and other agencies) as a resource and asset in restoration and recovery planning efforts.** It is appropriate for communities directly impacted by restoration and recovery to be involved in defining and framing the issues that need to be addressed.

Addressing Inconsistent Messages and Information: Communities often receive inconsistent messages and information from agencies about the issues that affect them. Inconsistent messages can create confusion and feelings of distrust among community members towards the government.

22. Ensure consistency in messages and information conveyed to the community in order to foster and maintain trust. Ensure that local representatives and community-based organizations are well versed in the agency's message to the community so that they can likewise maintain the trust of the community when they disseminate information.

Tracking Accountability and Community Input: Communities are often asked to attend meetings, provide input and comments, and otherwise "participate." Too often, however, they are not informed about how or when their input will be acted upon. Furthermore, they often are not informed of whether the agencies or organizations involved in restoration efforts have the ability or resources to do anything about, or take action on, the specific concerns or questions raised. This lack of "feedback" results in frustration, misunderstanding, confusion, and misplaced expectations.

23. Clearly and honestly inform communities of how and when their input will be addressed; and the ultimate impacts and benefits of their participation to local efforts.

- When and where possible, provide timelines and timeframes to help set realistic expectations among community members.
- Upon successful completion of each phase of restoration, provide periodic status updates.
- Acknowledge all recommendations received, update the community on how their input and concerns were addressed, and provide explanation for why certain recommendations, if any, cannot be implemented.

4.4 Mechanisms to Measure or Track Effectiveness of Engagement Efforts

Meaningful Involvement and Measuring Progress: There is concern that agencies do not engage communities in a meaningful way and that they are merely engaged in the "token" involvement of community members. This can result in a lack of trust and interest of the community towards agency efforts. Community members need to be meaningfully involved and kept informed of the progress that is made as a result of their input into the restoration process.

24. Develop parameters or standards by which progress can be measured in the definition and scope of ecosystem restoration, to ensure communities are adequately informed about the impacts of restoration.

4.5 Resources and Incentives

Fostering Strong Commitment to Long-Term Community Engagement: Long-term community engagement requires a strong commitment from both the government agencies involved in working with the community and community members themselves. Resources such as time and funds are often limited for all parties involved. As a result, resources and incentives may be useful to encourage participation among community members and sustain community engagement activities.

25. Create training and subsequent job opportunities to benefit local residents of affected communities.

26. Provide funding sources to institutionalize and sustain community engagement efforts over time, in terms of staffing and resources.

27. Provide incentives to encourage participation by community members, such as scholarships, technical assistance, or payment for their participation. This should be done on a consultant rather than a grant basis on the grounds that their participation is necessary to achieve complete and robust solutions. Funds for participants and for any needs for third party assistance, such as facilitators, should come from project sources, similar to design and engineering costs, rather than from agency budgets.

5.0 CONCLUSION

The NEJAC appreciates the opportunity to provide timely input and has endeavored to meet the EPA's timeline. We must make clear, however, that well-founded, true consensus advice takes more time and dialogue than this exercise afforded. The Work Group operated under time constraints very different from those experienced by previous work groups. Despite the restrictions of time, we were able to identify pertinent issues, and to affirm the usefulness of specific guidance given by our predecessor Councils.

This process reminds us that the deliberative process in which the Council historically has engaged has long-term value to the Agency in seeking to implement environmental justice throughout its programs. We urge EPA to allow the NEJAC adequate time, access to relevant EPA experts, and resources to tackle complex questions. This support would allow the Council to make the consensus recommendations to help EPA lay the foundation for a future in which long-term community engagement is a keystone in continual progress toward environmental justice in this country.

ATTACHMENT A

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL Ensuring Long Term Engagement of Communities In Gulf Coast Restoration Efforts CHARGE February 11, 2010

BACKGROUND

On October 5, 2010, President Obama issued Executive Order 13554, directing the creation of a Gulf Coast Ecosystem Restoration Task Force. The Task Force was formed to build on the ongoing spill response and natural resource damage assessment effort, as well as achieve overall recovery for the Gulf. The Task Force is comprised of federal and state leaders and informed by stakeholders in the region. President Obama appointed EPA Administrator Lisa P. Jackson, as chair of the Task Force.

ISSUE

The Task Force is charged with developing a Gulf of Mexico Regional Ecosystem Restoration Strategy by October 2011. In coordination with the natural resource damages assessment, the strategy will (1) drive restoration efforts under existing authorities; (2) identify new policies and authorities needed; and (3) provide the basis for allocating new and future funding. In addition to developing the restoration strategy, the Task Force is responsible for:

- Ensuring full coordination of ecosystem restoration efforts
- Establishing science and accountability as the basis for decision-making
- Engaging Gulf Coast communities in the setting of priorities

THE CHARGE

EPA requests that the NEJAC provide advice and recommendations about how best to ensure the long-term engagement of communities in Gulf Coast restoration efforts. As the NEJAC considers this question, EPA asks that the NEJAC explore how best to:

1. Engage minority, low-income, and tribal/indigenous communities for input into decisions about Gulf Coast restoration plans, particularly for the impacts of such plans on permitting (such as wetlands restoration, equitable development, revitalization, cleanups, and sustainable energy, etc.). This discussion also should consider how best to facilitate the participation of immigrant populations and communities with potential language barriers.
2. Consider indigenous, cultural, and historical concerns during restoration and recovery.
3. Identify any regulatory and policy hurdles that impede, complicate, or discourage sustained community engagement in decisions about restoration and recovery.

The ultimate outcome for this charge is a set of recommendations that can be replicated, not only in the affected Gulf Coast region, but also in other areas around the country addressing environmental restoration.