

April 2024 Proposed Recommendations with Tribal Feedback in redline

**Preliminary Recommendations Developed by Authority Staff
with Input from California Native American Tribes**

Staff of the San Francisco Bay Restoration Authority's (Authority) invited the region's California Native American tribes and tribal organizations (tribes) to engage in a collaborative process to develop Tribal Engagement Recommendations. After meeting with five of the region's tribes, staff incorporated their input into this draft. The next draft of these recommendations will be reviewed by tribes once more and presented to the Authority's Advisory Committee. Finally, the staff intends to seek the Governing Board's approval to implement these recommendations.

Our goal is to provide tribes with equitable access to the Measure AA Grant Program and the benefits that Measure AA projects provide. It should be noted that the Authority may only enter into a grant agreement with federally recognized tribes and nonprofit organizations. However, other tribal organizations may be engaged in our grant programs in other ways, such as through fiscal sponsorships. This document is a continuation of staff efforts from the [Tribal Engagement Policy Development Memo](#) presented to the Governing Board in June of 2022. The recommendations outlined below are organized into the Authority's [Equity Framework Outline](#) presented to the Advisory Committee on February 10, 2023. We recognize that tribes have experienced state sanctioned violence and racism that have excluded them from the San Francisco Bay shoreline, and have made Bay stewardship, access to outdoor spaces and natural resources, preparation for climate change, and representation on decision making bodies extremely difficult. Equitable access to our programs can increase access to outdoor spaces, protect cultural resources, institute traditional stewardship, and fund more projects led by tribes along the San Francisco Bay shoreline.

To accomplish this, Authority staff reviewed recommendations for improving engagement that were gathered through surveys and reports conducted by other natural resource agencies. Staff reached out to these agencies for the non-confidential feedback they had gathered from tribes with respect to engagement. Some examples of the documents we reviewed include, but are not limited to, the San Francisco Estuary Partnership Regional Water Needs Assessment – September 2022, Ocean Protection Council Tribal Engagement Strategy – January 2023, State Coastal Conservancy Strategic Plan 2023-2027. We took this initial step to minimize the burden of requests to tribes to educate natural resource agencies. Staff then worked directly with tribes to refine these recommendations, establish goals, and potentially develop a separate grant program that serves tribes.

Below, we summarize issues identified from the information we gathered and potential actions the Authority can take to improve access to San Francisco Bay shoreline projects for tribes. This version of the Recommendations has been edited in redline with tribal input. This summary is a work in progress, and we welcome input from tribes on how Authority staff can best provide tribes with equitable access to the Measure AA grant program. After discussions with tribes, it

was decided to not recommend a new grant program at this time, but to explore other ways to provide flexibility for tribes interested in managing their own grant.

Recommendations

Applications and Grants

Goal: Work with tribes to develop or change policies and practices that reduce barriers to accessing and managing grants from the Authority.

Potential Actions:

1. Increase applications from tribes and the number of grants awarded to tribes by:
 - a. Allocating time and training resources for a designated Tribal Liaison and other staff to provide technical assistance to tribes.
 - b. Developing clear guidance for tribes on what staff can provide as technical assistance. Some examples include working with tribes to meet eligibility requirements; discussing and co-developing eligible projects with tribes; navigating the application process; assisting tribes in understanding and meeting grant agreement conditions (such as invoicing and reporting); and connecting tribes and fiscal sponsors.
 - c. Prioritizing grants that fund tribes to complete projects of their interest.
 - d. Adding flexibility to enable tribes to work with Authority staff to develop special projects to be funded outside of the annual grant round cycle. Developing a tribe-oriented grant program. Include elements of the Community Grants Program into program design, such as an abbreviated application, consultation with Authority staff, and a rolling application deadline to allow for a flexible timeline and technical support.
2. For tribes that are not interested in being a direct grantee to the Authority, provide support through grants to their restoration partners or fiscal sponsor by:
 - a. Prioritizing projects that demonstrate strong partnerships with tribes. Work with tribes to define what strong evidence is (for example, a formal letter of support from a tribe or a tribe hired as a subcontractor).
 - b. Actively matching tribes with restoration partners, fiscal sponsors, and/or technical experts (scientists, engineers, planners, etc.) to develop project ideas and prepare grant applications together.
 - c. Encouraging projects to include timelines and budgets for continuous engagement, including proper compensation of tribal members for their expertise.
 - d. Encouraging projects to consider budgeting for potential cultural resources monitoring if desired by tribes.
3. Ask tribes about barriers to accessing our grants. Improve application and grant management processes to reduce barriers.
4. Remain flexible throughout the grant process to support the needs of tribes.

Project Benefits

Goal: Increase the number of shoreline projects that provide benefits to tribes and their communities as well as the quality of those benefits.

Potential Actions:

1. Achieve more culturally relevant restoration in areas accessible to tribes by:
 - a. Providing more culturally relevant and inclusive public access amenities (for example, trails, picnic areas, bathrooms, interpretative areas and signs).
 - b. Prioritizing projects that include access to foraging and ceremonial gathering, that protect cultural resources and culturally significant spaces, and increase cultural practices along the shoreline (for example, planting, harvesting, and tule boat launching).
 - c. Providing clear guidance on benefits to tribes that can be funded as part of a shoreline restoration project (for example, culturally relevant native plant palette, training, storytelling and interpretation, and educational workshops).
2. Encourage grantees to invite tribes to engage in traditional stewardship and cultural practices on ancestral land and co-management of their ancestral lands and natural resources. Encourage grantees to invite tribes to reconnect with the land in the capacity they choose (for example, paid hands-on stewardship days, longer-term engagement as a subcontractor, or with planning and design review). Assist tribes to regain access to their ancestral lands along the Bay shoreline through the Authority's grant programs. There are limited opportunities to acquire lands within SFBRA's jurisdiction, however our agency can provide technical support and encourage landowning grantees to offer cultural easements to tribes.
3. Prioritize grants that help tribes build their organizational capacity by:
 - a. Offering workforce development opportunities for native people.
 - b. Offering consultations and training opportunities with restoration experts to enable tribal members and staff to regain ecological knowledge and learn other skills, such as data collection and restoration practices.

Meaningful Engagement

Goal: Improve the level of meaningful, culturally sensitive communication and engagement of tribes in shoreline projects; Ensure that engagement from the Authority is thoughtful, persistent, and beneficial to tribes and adapts to their changing organizational capacity.

Potential Actions:

1. With the help of a designated Tribal Liaison, coordinate early, regular, and culturally sensitive communication about projects, programs, and resources related to shoreline or other closely related work. Staff will gather communication preferences and protocols of tribes to conduct these communications.

2. Build relationships with tribes and work to understand each tribes' concerns, interests, and capacity and where some of our programs can meet tribes' needs. (Per the Authority's Tribal Consultation Policy, staff offer a consultation and/or facilitate potential collaboration with the applicant if a tribe requests.)
3. Encourage grant applicants to include payment to tribes and those engaging tribes in the scope of work for their project, and to include funding for tribal engagement tasks (for example, food, childcare, stipends, or honoraria) in grant budgets.
4. Support inclusion of tribes' voices, leadership, and perspectives, including traditional ecological knowledge and stewardship in project development and implementation.
5. Respect confidentiality when tribes do not wish to share cultural or traditional ecological knowledge with others.
6. Track changes made to project design and implementation as a result of tribal engagement.
7. Conduct internal ~~staff~~ training for the Board Chair, tribal liaisons, and staff on protocols for tribal consultation and engagement, and on key topics relevant to tribes of the Bay Area (for example, the history and ongoing impacts of colonialism, when to communicate with sister agencies, legislation and policies related to tribal sovereignty, and culturally sensitive and trauma-informed engagement).
8. Adequately review previous materials or communications to tribes to ensure that requests for input from tribes are not duplicative.

Outreach and Partnerships

Goal: Increase outreach to tribes and build relationships that will allow for meaningful and timely communication and coordination on Authority projects and programs.

Potential Actions:

1. Build Relationships with tribes with the support of trained tribal Liaisons.
 - a. An Authority Tribal Liaison is the designated point-of contact for tribes. The State Coastal Conservancy's Statewide Tribal Liaison is also available to advise Authority staff on tribal policy issues.
2. Conduct more and better outreach to tribes.
 - a. Streamline outreach communications to tribes related to Authority programs, projects, or other developments that are identified by tribes as topics of interest with the help of the Tribal Liaison.
 - b. Communicate with concise, culturally informed, and accessible language. Make the request of the tribe and next steps clear. Reach out via a known and trusted person or organization if needed.
 - c. Provide an invitation to consult on and potentially collaborate on projects early in the grant cycle, when the staff releases the preliminary list of projects they intend to bring to the board for approval in the coming year.

- d. Repeatedly go back to tribes to offer opportunities to engage, as their capacity and interests may shift with time. Encourage grantees to have multiple touchpoints with local tribes throughout project phases.
3. Conduct joint outreach where appropriate. Coordinate with the State Coastal Conservancy, Bay Conservation Development Commission, the Metropolitan Transportation Commission - San Francisco Estuary Partnership, Wetland Regional Monitoring Program, and the U.S. Environmental Protection Agency to collaborate on requests and information sharing.

Representation

Goal: Increase representation of tribes in decision making bodies, project advisory roles, environmental careers, and as leads on shoreline projects.

Potential Actions:

1. Strive for increased representation of tribes on staff, Advisory Committee, Oversight Committee, and/or Governing Board and cultivate an inclusive culture. This will allow tribes to provide input on Authority policies and project selection criteria. Seek qualified native and nonnative representatives who are embedded in and trusted by the tribal community and can share the tribal worldview with these bodies when tribal members themselves do not have the capacity to join committees.
2. Support environmental workforce development and career guidance that increase diversity in the conservation field. To accomplish this, support and prioritize applications that:
 - a. Support job training and internships for tribes.
 - b. Build capacity of tribes to participate in shoreline work.
 - c. Pay members of tribes who provide their time and expertise to a project related to their tribe's access, cultural resource protection, traditional ecological knowledge, or other areas of interest to tribes.
3. Prioritize project applicants that are tribes.
4. Encourage grantees to include members of tribes in technical advisory groups or in other stakeholder roles for projects of interest to tribes.

Accountability and Transparency

Possible Solution(s): Develop accountability measures and transparent processes to build better relationships with tribes; Incorporate culturally relevant metrics into project monitoring to improve our agency's work to advance its Equity Guidelines.

Potential Actions:

1. Co-develop relevant tribal equity metrics to track the Authority's success in advancing Equity Guidelines. Include these equity metrics among the Authority's performance measures and continue to track and report on these performance measures annually.

2. Develop timelines, expectations, and ground rules for a potential collaboration with input from the tribes and consideration for tribal processes.
 - a. Establish ground rules and confidentiality protocols to the extent allowable by state laws.
 - b. Tribes lay the ground rules about what information can and can't be shared.
3. Send results of studies and surveys back to tribes along with all the context and information needed to understand the results. This may include a supplemental document explaining the results and/or a presentation that allows for questions and additional follow-up regarding the results.
 - a. Be precise with language about findings and avoid generalizing about all tribes when sharing specific viewpoints.
 - b. Provide multiple avenues for outreach and feedback, allowing tribes to respond in ways best suited to them.
4. Complete loops of communication regarding project applications. If an applicant claims to work with, engage with, or receive support from a tribe, staff will follow-up with the tribes to confirm or request the grantee provide a letter of support from the tribe to ensure that project applicants consult with tribes as partners or stakeholders.
5. Incorporate culturally relevant environmental indicators for wetland projects in Authority's project monitoring requirements. Allow tribes to define measures of success.

Engagement with Bay Area tribes in the development and implementation of these actionable recommendations offers great potential for advancing equity along the San Francisco Bay shoreline. We welcome Bay Area tribes to participate in any capacity to provide suggestions, additional insight, or other resources to help staff improve upon the goals and actions outlined here.