

## Chapter 5 *Disadvantaged Communities, Environmental Justice, and Native American Tribal Considerations*

### 5.0 Introduction

The 2012 Integrated Regional Water Management (IRWM) Program Guidelines call for consideration of the following specific Disadvantaged Communities (DACs), Environmental Justice (EJ), and Native American Tribal (Tribal) concerns. These include involvement of and collaboration with disadvantaged, Latino and Hmong, and Tribal communities in preparation of the Yuba County IRWM Plan (IRWMP), identification of economic trends and conditions in the watershed that affect these communities, and identification of impacts of Plan implementation that affect disadvantaged, Latino and Hmong, and Tribal communities, with a particular emphasis on issues of environmental justice. These topics are addressed below, and help outline a collaborative process that will engage a balance of interest groups.

Additionally, the guidelines call for consideration of projects that identify and address the water-related needs of the communities; assisting DACs in developing projects (e.g., needs assessments, design, engineering, feasibility studies) and methods to advance such projects; identifying specific benefits to disadvantaged and Tribal communities; and consider redressing inequitable distribution of environmental burdens and access to environmental goods. The project development aspects of disadvantaged, Latino and Hmong, and Tribal issues and communities are discussed in Chapter 14 *Project Application, Development, and Review*.

### 5.1 Overview of Disadvantaged, Latino and Hmong, and Tribal Community Involvement

At the first Regional Water Management Group (RWMG) meeting in June 2013, the need to involve diverse communities in the planning process was acknowledged by the RWMG members. The RWMG directed the project team to work with individual RWMG members to initiate an outreach effort. The effort was to be focused on systematic recruitment, outreach, and involvement activities, with the expressed intention of not only gaining involvement in Plan preparation, but also ongoing and long-term involvement during Plan implementation.

**Central Principles:** A number of central principles applied to all of the DAC, Latino and Hmong, and Tribal outreach contemplated under the Yuba County IRWMP update process included:

1. use of a phased approach to outreach that gradually reached greater numbers of people living or participating in targeted communities;
2. recognition of the financial and economic challenges of targeted communities and utilization of a “go to them” approach as much as possible (versus a “come to us” approach);
3. identification of community-specific, water resource-related issues and priorities;
4. working with targeted communities to develop projects or project components that addressed their articulated water-related issues and concerns;
5. working with other project sponsors (e.g., agencies, organizations, groups) who have already developed projects to identify opportunities for collaboration with DACs, Tribes, and EJ communities to augment or refine those projects, if appropriate;

6. conducting one-on-one outreach with individuals or with volunteer boards or, where appropriate, through other social structures such as schools and churches;
7. creation of written materials that serve to both educate communities and support increasing levels of involvement with the IRWMP Program; and
8. building a simple database that supports systematic and consistent contacts with community members (e.g., a contacts directory).

**Common Strategies:** A variety of common strategies applied to all of the outreach contemplated under the Yuba County IRWMP update process, regardless of the targeted community – DAC, Tribal, and/or Latino and Hmong.

These common strategies included:

1. conducting outreach to inform representatives and community members about opportunities and potential benefits presented by the IRWMP process; informing, educating, and recruiting participation through regional meetings, word of mouth, the IRWMP website, and through other materials as needed;
2. encouraging involvement in IRWMP decision-making through invitations to participate in meetings, committees, work groups, and document review;
3. conducting outreach to communities in a manner that clearly identified benefits and opportunities presented by the IRWMP process, and soliciting meaningful feedback to the development of the Plan, development of projects, participation in decision-making, and revisions to the Plan over time;
4. conducting outreach to inform representatives and community members about opportunities and potential benefits presented by the IRWMP process;
5. informing, educating, and recruiting participation through regional meetings, subregional meetings, word of mouth, the IRWMP website, and through other materials as needed;
6. identifying and developing community-specific projects by providing in-kind technical support (e.g., planning, project design, preliminary cost/benefit analysis) to ensure that community issues are addressed wherever possible;
7. for rural communities, placement of IRWMP information, documents, materials, and data in local libraries (or other public equivalent) to facilitate public access and build awareness, understanding, and involvement in the IRWMP process;
8. conducting workshops focused on building capacity for fundraising and other needs as identified through the community outreach;
9. looking to the longer-term horizon of the Plan and working with communities to increase participation in IRWMP decision-making and governance; and
10. working with communities to identify barriers to IRWMP participation (e.g., IRWMP adoption), and to identify possible solutions.

**Ongoing RWMG Commitment to DAC/Tribal Outreach and Involvement:** The Yuba County IRWMP RWMG is committed to ensuring the ongoing participation of the communities that have worked so hard to be involved in the Plan update process. In support of continuing these efforts, the RWMG has identified the following commitments to implement over time:

1. ongoing outreach to disadvantaged and Tribal communities and entities to ensure that opportunities for involvement are clearly understood, including ongoing outreach by designated RWMG members to identify groups and support ongoing involvement; and

2. sustaining stakeholder involvement by recognizing it during RWMG meetings and according it the same importance as any other input, questions, or requests; and being prepared to hear what stakeholders say and respecting the passion they bring to their participation.

## 5.2 DAC Involvement

Per the 2012 IRWM Program Guidelines, a DAC is defined as a community with an annual median household income (MHI) less than 80 percent of the statewide annual MHI. Based on the 2010 Census, six communities within the Yuba County IRWMP region are now identified as DACs (MHI is \$48,706 or below). The statewide annual MHI in California in 2010 was \$57,708.<sup>1</sup> The following text explains how the DACs were identified, recruited, involved, and provided technical support.

### 5.2.1 DAC Identification

The DAC involvement program began with a determination of the DACs in the Plan area (using both DWR mapping and Census data to ensure all possible participants were identified). The communities in the Yuba County IRWMP region that qualify as DACs are listed below in **Table 5-1**.

<b>Table 5-1. Communities in the Yuba County IRWMP Region Designated as Disadvantaged (less than 80 percent of the California median household income)</b>		
<b>County</b>	<b>Census Places</b>	<b>MHI</b>
Yuba	Dobbins (just east of Oregon House)	\$42,946
	Camptonville	\$27,031
	Beale	\$41,917
	Marysville	\$34,351
	Olivehurst	\$42,565
	Linda	\$37,364

These six communities were the core focus of the DAC outreach and involvement effort.

### 5.2.2 DAC Outreach

Following the determination of the DAC areas, the project team initiated a systematic outreach to DAC representatives and residents. This effort relied heavily on a “go to them” or what became known as a “circuit-riding” strategy.

This stratagem was employed in direct response to a first round of phone contacts with local agencies and organizations. It became clear almost immediately that most of the entities in the region were suffering from limited budget and staff time to support travel and multiple meetings, both as a result of their intrinsically disadvantaged status, as well as the cumulative and ongoing effects of the 2008 economic slowdown. This outreach also focused on identifying critical water needs, as well as identification of instances where

<sup>1</sup> US Census Bureau, *American Fact Finder*, <http://factfinder2.census.gov>.

availability of water was limited or compromised. Chapter 3 *Stakeholder Involvement* provides an extensive description of this process.

### **5.2.3 DAC Project Development**

The DAC outreach process included a strong focus on project development. Team members attended numerous meetings with DACs, assisted in identification of possible projects and options for project integration, and assisted directly in the development of the Project Solicitation Forms (**Appendix 14-1**) which were required of each project prior to its inclusion in the IRWMP. Technical support, ranging from phone conversations to project development workshops to one-on-one meetings, was given as required or requested.

As part of the project development process for DACs, not only were individual DACs contacted and provided with technical support for project development, but the DWR “A-L Review Criteria” relating to critical water supply concerns were also integrated into the outreach and project development program.

## **5.3 Environmental Justice Outreach**

To address issues of environmental justice, outreach focused on two primary constituencies: Latino/Hispanic and Hmong communities.

The Latino population in the Plan area is relatively high (comprising 25 percent of the area population, with some communities made up of larger percentages of Latino constituencies, such as Olivehurst, which is comprised of 36.6 percent Latino residents). The Hmong community comprises roughly four percent of the Plan area population. Outreach to these two communities was focused primarily on local groups and leaders, as well as local “person-on-the-street” interviews.

The population in Yuba County is becoming increasingly diverse, with minority communities rapidly growing throughout the area. Hispanics (or Latinos, as some prefer) currently make up 25 percent of the county’s population, an increase from 17.4 percent during the previous census. All trends point to this number continuing to grow throughout the foreseeable future.

Many minority communities generally do not engage in planning processes such as the IRWMP, due in part to linguistic, cultural, and historic barriers. Spanish-speaking residents comprise 17.18 percent of Yuba County’s population. Asian or Pacific Islander languages, primarily Hmong, are spoken among 4.42 percent of the community. With more than one-fifth of the county’s population potentially having Limited English Proficiency (LEP), concerted efforts are necessary to effectively engage these populations in planning processes.

The Latino population is as diverse in its origins as the Anglo population, representing multiple countries of various continents around the world. Some Latinos are native English speakers and some have a rudimentary or nonexistent fluency in English. The same holds true with Hmong populations. White Hmong and Green Hmong differ culturally and linguistically and, as with Spanish speakers, levels of English proficiency vary significantly, particularly amongst different Hmong generations.

The Yuba County IRWMP’s outreach efforts focused on this latter group of LEP community members, those who are mono-linguistic or linguistically isolated (where all adults in a household speak a language other than

English and none speaks English proficiently) and, therefore, require assistance to understand or benefit from government or social services. Outreach efforts to such communities are further hampered by a cultural distrust of government, and of quasi-governmental agencies or efforts, which is how a state-funded IRWMP effort would likely be perceived, and a need to focus on day-to-day life challenges, such as work, family, and financial obligations.

### **5.3.1 Latino/Hispanic Outreach**

Due in part to language and perception-based isolation, the Latino community is not engaged in water planning processes, and the information and engagement opportunities being generated by these processes are not effectively reaching this audience. It is therefore a high priority for any comprehensive water planning to proactively engage this community.

To better understand the water needs of the Latino community in Yuba County, members of the Alliance for Hispanic Advancement were contacted via one-on-one, in-depth interviews. Person-on-the-street interviews were also conducted with 17 Latino residents in Olivehurst, Linda, and Marysville, which are the three communities in Yuba County with the largest Latino populations: 36.6 percent, 32.5 percent, and 24.2 percent respectively. **Appendix 5-1** includes a draft and final outreach plan for the Latino community.

Below are some of the main findings from this Latino-focused outreach:

#### Water Quality

- The Latino community is overwhelmingly unaware of water issues, the watershed, or where its water comes from.
- None of the person-on-the-street interviewees could confidently identify his or her water purveyor. The vast majority didn't know, and a few tentatively answered that the city provided their water. Most of the interviewees live in apartment complexes, so utilities may be included in their rent, thus eliminating direct interaction with their water purveyor.
- None of the individuals interviewed trust the quality of the water that comes into their homes. Several people reported a foul smell in their water, identifying it as perhaps chlorine or another chemical. One of the in-depth interviewees claimed that the smell was caused by sewer water being recycled and used as potable water. There is clearly a dearth of community trust in relationship to water quality.
- Because community members mistrust the quality of the water, many instead purchase bottled water. Every person-on-the-street interviewee volunteered that they purchase bottled water rather than drink the water that comes out of their faucets, even as some lamented the high cost of doing so. One in-depth interviewee estimated that about 80 percent of the Latino community in Yuba County purchases bottled water.
- On the basis of the outreach, it appears that changing perceptions about the quality of local water will be a difficult proposition. When asked whether information showing the quality of their water would improve trust and confidence in the water, responses were evenly split. About half of the respondents said information would help them trust the water. Close to the same number of people stated that it would not affect their perceptions and that they would continue purchasing bottled water.

#### Recreational Use

- Recreational use of water was touched upon briefly in the interviews. It was noted that Latinos have not typically used the rivers in the area for recreational purposes, but that community members are beginning to do so more and more. As this trend continues, the county may need to prepare for

higher utilization of these resources. Issues of consumption of local fish with associated health risks may also arise as a result of this increased use. Lastly, signage for local recreation areas in Spanish (or using the universal symbols) should be considered.

#### Environmental/Climate Change

- In-depth interview respondents stressed that the community needs education about how their actions affect water quality.
- Most person-on-the-street interviewees were unaware of whether or not they lived in a designated floodplain. One respondent said he believed that he did, because he had heard that years ago snowmelt flooded the area where he lives.
- None of the person-on-the-street respondents were aware of any city- or county-led efforts or plans to alleviate the impacts of heat waves. Respondents were not aware of any cooling centers or places they could go to in order to escape the effects of the heat.

While the number of interview participants is not large enough to constitute a statistically significant sample whose findings may be applied across Yuba County's Latino population, it does provide meaningful information that can be used as the foundation for future outreach and engagement efforts.

## Recommended Actions

Several short-term and long-term next steps can be taken to further learn the needs of the Latino community and better engage this important stakeholder group. The RWMG has approved the recommended actions.

### Short-Term Activities

<b>Recommendation</b>	<b>Description</b>
1 Presentations to Latino community-based organizations	<p>During the initial outreach, one of the organizations that was identified and engaged was the Alliance for Hispanic Advancement (AHA). Further engagement of this organization and other similar ones would be beneficial. Yuba RWMG representatives should attend one of AHA's scheduled meetings and present on water issues and specific projects that are being considered, especially those of potential significance to the Latino community. Input from AHA would be helpful in better understanding the priorities of this community and identifying additional issues or projects not currently being considered. Working with AHA to identify the top three water-related issues, for instance, would serve to narrow the focus of subsequent outreach. It would also further strengthen the link between both organizations, potentially forging stronger involvement from Latino leaders in water issues and therefore finding more effective ways to leverage the education opportunities by coordinating with leadership outreach.</p>
2 Additional person-on-the-street interviews	<p>During the initial outreach phase, it was identified that the Latino community needs more education about the impact their actions have on the environment. Additional person-on-the-street interviews should focus specifically on identifying areas where environmental education would be beneficial and on finding out which individuals or organizations the locals would trust as purveyors of the information.</p> <p>From experience in other regions, we could make an educated guess that some of these issues may be related to improper disposal of motor oil and cooking fats, oils, and grease; proper cleanup and stewardship of rivers, lakes, and other waterways; and the negative environmental impact of the large number of water bottles used by stakeholders. These are guesses, albeit based on experience in other Latino communities. However, it is imperative that we reach out to the community to clearly identify these topics, rather than assuming that they are the same from community to community. This information would help identify education needs and develop education models to enhance the community's awareness of the impact their actions have on the watershed.</p>
3 Develop bottled water and drought brochures	<p>Create and distribute a brochure, in Spanish, educating consumers about the quality and cost of tap water versus bottled water and the benefits of changing their current reliance on bottled water, as well as the environmental consequences of using bottled water. Copy for a similar brochure has already been developed for another water</p>

region, so it would only require minor revisions (e.g., quotes by local leaders, pictures and diagrams that are locally relevant) to localize the materials for the Yuba County community. Sponsorship of the brochure by organizations such as AHA and promotion in local Spanish-language media should be considered to ensure that the source of the information is trusted by the larger community. Another option would be to create a bilingual flyer with the same information and distribute it as a bill insert to all water agency customers. Further, education on the impacts of drought could also be included in this brochure or in a separate publication. Strategies will need to be developed to ensure that renters also receive these brochures.

### Long-Term Activities

<b>Recommendation</b>	<b>Description</b>
1 Work with existing water groups to incorporate focus on Latino issues	Identify stakeholders or organizations within Yuba County who are already working on water education and outreach efforts and collaborate with them to implement efforts specifically targeting Latino communities. Existing or proposed water projects could also be identified that would benefit from incorporating Latino outreach and education elements.
2 Develop Spanish-language water-quality education effort	The Yuba County RWMG could take steps to help educate the Latino community about the quality and safety of their water, and try to help curtail the high use of bottled water. A targeted campaign designed to reduce use of bottled water could include development of educational materials (for use in schools, as well as with adults), such as flyers, brochures, public service announcements (radio and television) and more, as well as public relations efforts, such as engaging Spanish media and development of Spanish news releases to increase coverage of the issue.
3 Outreach to Latino leaders and key community members	Engage additional Latino leaders and key community members to have an ongoing feedback loop into the Latino community. By doing so, the Yuba County RWMG can stay atop the changing needs of the Latino community and adapt as those needs change. Furthermore, engaging Latino leaders and other community members enhances the opportunity to have that community represented at the table as decisions on water issues and water planning are being made.



Additional efforts on this issue are needed. Whether it is one of the suggestions listed above, a comprehensive combination of some or all of the suggestions, or different ideas altogether, the Latino community is substantial in number and growing fast, and needs to be effectively engaged. Any water projects or issues must include the Latino community for them to be successful and relevant. As time passes, this issue becomes more critical and harder to accomplish.

This document and the efforts that led to its development are the first step in this process. Additional work is needed and the Yuba County RWMG is in a position to make it happen.

## 5.4 Native American Tribal Involvement

DWR uses the term “California Native American Tribe” to signify all Indigenous Communities of California, including those that are Non-federally Recognized and Federally Recognized, and those with allotment lands, regardless of whether they own those lands. Additionally, some water bodies and Tribal boundaries may cross regional boundaries. Therefore, IRWMP outreach efforts should include all Tribes that are impacted by water in an Yuba County IRWMP region. Further, DWR recognizes that there are challenges to some types of Tribal participation in the IRWMP process (e.g., need to adopt the Plan in order to be a project sponsor), and continues to work with Tribes to address these challenges at the state level (DWR Tribal Communication Plan Draft, Summer 2008).

The Yuba County IRWMP region includes both Federally Recognized Tribes (FRT) and Non-Federally Recognized Tribes (NFRT). FRTs have sovereign powers, a unique political status that requires government-to-government relationships. For outreach purposes, it is important to note that FRTs generally have paid staff and clear points of entry for communication efforts (e.g., Environmental Director, Tribal Council), whereas NFRTs often do not. Further, individual NFRT members may themselves be geographically dispersed, making outreach more difficult.

Because the Yuba County IRWMP’s prior outreach efforts did not result in the desired high level of Tribal participation, a different outreach strategy has been employed.

HDR, Inc., who is coordinating the FERC Tribal outreach for Yuba County Water Agency’s (YCWA) FERC relicensing effort, was identified as the appropriate consultant to assist with IRWMP Tribal outreach. The initial outreach strategy included identification of Tribal entities with interests in the Plan area, drafting a letter for YCWA signature inviting identified Tribal contacts to a meeting to discuss IRWM and project development, conducting the scheduled meeting using facilitators familiar with Tribal process, following up on meeting action items, and identifying additional opportunities for a subsequent Tribal meeting. **Appendix 5-2** includes a copy of the letter soliciting participation in the September 2013 meeting, materials distributed at that meeting, a list of attendees and a copy of a second letter distributed in August 2014 requesting Tribal review of the draft Yuba County IRWMP document, and copies of agendas and meeting notes from Tribal Outreach.

Based on the outcome of the two Tribal outreach activities, the following ongoing involvement strategies will be pursued:

- Outreach to include Tribal concerns in the IRWM process will continue.
- This outreach will be developed and refined based on ongoing communications with Tribal entities.
- The RWMG remains committed to engaging Tribal members in the IRWMP process.

**Table 5-2. Latino, Hmong, and Native American Tribal Communities Contacted During Preparation of the Yuba County IRWMP Update**

Tribal Entities	
Nevada City Rancheria Washoe Tribe of Nevada and California Tsi Akim Maidu United Auburn Indian Community Concow Maidu Tribe of Mooretown Rancheria Greenville Rancheria Tribe of Maidu Indians Mechoopda Indian Tribe of Chico Rancheria Shingle Springs Rancheria Tyme Maidu Tribe of Berry Creek Rancheria	Pakan-Yani Band of Strawberry Valley Rancheria Maidu/Miwok Nisenan/Maidu Enterprise Rancheria of Maidu Indians Maidu Nation Tyrone Gorre Maidu Cultural and Development Group Colfax-Todd Valley Consolidated Tribe Susanville Indian Rancheria
Hispanic Community	
Alliance for Hispanic Advancement La Cooperativa Campesina de California	North Valley Hispanic Chamber Ampla Health
Hmong Community	
Hmong American Association Hmong Women’s Heritage Association	Hmong Cultural Center of Butte County