

Public Involvement Needs Assessment

Prepared for the State Water Resources Control Board

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Center for Collaborative Policy

PREFACE

This Needs Assessment was prepared by the Center for Collaborative Policy (CCP), a unit of California State University, Sacramento (Sacramento State), pursuant to an interagency agreement with the California Water Boards (formerly known as the State Water Resources Control Board). CCP is a joint program of Sacramento State and the McGeorge School of Law, University of the Pacific. CCP gratefully acknowledges the participation of Water Boards staff, stakeholders, and the public in this Needs Assessment.

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The Center for Collaborative Policy, California State University, Sacramento, is solely responsible for the findings and recommendations contained in this Needs Assessment Report.

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I. EXECUTIVE SUMMARY

A Needs Assessment of outreach and public participation practice at the California Water Boards, which consist of the State Water Board and its nine regional Boards, was performed by the Center for Collaborative Policy (CCP). The purpose of the Needs Assessment was to gather data to inform the development of a manual and companion Water Leadership Academy training course, which will provide tools to Water Boards staff to build their capacity to more effectively design and conduct public participation and outreach efforts. This Needs Assessment Report (Report) will also inform the Water Boards' report to the California State legislature pursuant to Senate Bill 1949.

The Needs Assessment finds that the Water Boards currently have a solid foundation upon which to improve their public involvement practice. This foundation includes executive support as well as growing staff experience with public involvement above and beyond minimum legal requirements. The training course and manual that will be created through the Water Leadership Academy have great potential to assist staff throughout the regions to continue to increase their comfort and skill with public involvement.

This Report also identifies a number of key Water Boards leadership opportunities related to public involvement. Recommendations are provided as targeted actions to address opportunities that seem likely to yield the largest benefits in terms of public satisfaction, staff efficiency, and water quality. Chief among these opportunities to maximize limited resources are:

- Leadership prioritization and support— including staff time and funding —for public involvement efforts that seem likely to avert future problems;
- Providing additional mechanisms for staff to share creative public involvement and resource maximization strategies with one another;
- Improving and expanding websites; and
- Standardizing appropriate materials and procedures across regions.

II. INTRODUCTION AND PURPOSE OF THE NEEDS ASSESSMENT REPORT

In August of 2003, the Water Boards commissioned the Center for Collaborative Policy (CCP) to conduct a needs assessment of outreach and public participation practice at the State Water Board and its nine Regional Water Boards. This Report contains the findings of the needs assessment, as well as CCP's recommendations to the Water Boards for addressing the findings.

The needs assessment consisted of the following components:

1. Data collection on current Water Board outreach and public participation practice including:
 - Face to face or telephone interviews with more than 90 State and Regional Water Board (hereafter collective referred to as the Water Boards) staff and 30 stakeholders;
 - A written survey completed by more than 200 staff and 390 stakeholders throughout the state of California;
 - Nine observations of staff and stakeholder interactions in diverse situations; and
 - Review of a sample of written materials used by staff to communicate with the public.
2. Analysis of the data to identify strengths and weaknesses (needs) of the Boards' current stakeholder outreach and public participation activities.
3. Comparison of needs to a scan of existing outreach and public participation resources available to Water Boards staff.

The Water Boards are committed to the development of an Outreach and Public Participation Manual and an associated Water Leadership Academy training course, which will provide tools to Water Boards staff to build their capacity to more effectively design and conduct public participation and outreach efforts. This Needs Assessment Report will directly inform the development of the public participation manual and course. Additionally, the Water Boards are required by California Water Code, Section 13292 to "undertake a review of the regional boards' public participation procedures. Upon completion of this review, the Water Boards would be required to report to the Legislature regarding their findings and include recommendations to improve regional board public participation processes." This Report will inform the Water Boards' report to the legislature pursuant to the California Water Code, Section 13292. The Water Boards have committed to post the legislative report and public participation manual on the State Water Board website and make them available to the general public. All participants in this Needs Assessment will be informed of their availability. The full Needs Assessment Report will be available through the Water Boards or CCP upon request.

The Needs Assessment found that the terms "outreach" and "public participation" had specific meanings for many staff members, who did not view many of their interactions with the public as either outreach or public participation. The remainder of this assessment uses the terms outreach and public participation in the following narrow senses: "Outreach" is a systematic attempt to provide information or services beyond conventional limits, as to particular segments of a community, while "public participation" refers to legally mandated procedures for public input, such as public notice, public comment, response to comments, and public testimony. An

umbrella term used throughout the remainder of this Needs Assessment Report is “public involvement,” which is a term used by public policy scholars to refer to the broad spectrum of ways in which the public and agencies interact and inform one another. This Needs Assessment addresses ways for the Water Boards to improve public involvement across a broad spectrum of activities, in addition to traditional outreach and public participation.

III. ASSESSMENT DESIGN AND METHODS

A. Design considerations

The Needs Assessment was designed to examine a broad cross section of the Water Boards’ programs, practices, and types of public involvement, to identify agency-wide needs pertaining to public involvement. Working within a limited timeframe and resources, the Needs Assessment was not intended to be a comprehensive evaluation of all public involvement activities conducted by the Water Boards statewide, nor does it single out (for criticism or praise) any specific Water Board region, program, activity, or employee.

One particular outcome sought in the assessment was to inform the development of a staff training manual and course. The assessment also was designed to identify key opportunities for Water Boards leadership to take actions above and beyond the training course and manual that would improve the Boards’ work with the public.

The assessment was undertaken during a period of very constrained resources for the Water Boards, due to the fiscal crisis in the State of California. Recommendations therefore reflect a range of options that Water Boards management can implement, now or at a later date when funding improves, to address public involvement needs.

The assessment aimed to engage key staff members who would be potential users or supporters of the eventual course and manual. This was done both to raise the visibility of the effort within the Boards, and, in keeping with involvement principles, to give the most affected parties a chance to make sure that their needs and ideas were considered. The assessment was also designed to elicit considerable feedback from stakeholders to balance and be balanced by staff perceptions.

B. Data Collection Methods

CCP developed an assessment design that used both qualitative and quantitative analysis of data. Data was gathered through site visits and interviews with staff and stakeholders of the Water Boards, and additionally through a statewide survey of staff and stakeholders. This section contains a basic description of data collection activities. A detailed description of survey methods, data analysis techniques, and the limitations of these methods and techniques, is contained in Appendix F. Survey results are contained in Appendix G.

It should be noted that CCP did not evaluate the merits of individuals’ complaints and compliments, nor did CCP investigate the facts of experiences that were retold to the

interviewers. All data was analyzed to yield broad patterns and instructive examples, which were compared against the project's Criteria for Excellence in Public Participation (See Appendix H).

Site Visits and Interviews

CCP staff conducted site visits and / or telephone interviews at the State Board and each of the Water Boards' nine regional offices, including all of the satellite offices. CCP worked with staff in each region to put together a package of data collection activities including:

- Observation of staff interacting with the public in various settings (e.g. Board hearing, one-on-one informational meeting, educational workshop, technical advisory committee meeting, public advisory committee meeting).
- Individual interviews or focus groups with key staff members (field staff and management from various programs) who had had extensive or informative experiences working with the public.
- Individual interviews or focus groups with stakeholders of various affiliations.
- Review of a sample of materials that staff use in their work with the public (e.g. fact sheets, meeting agendas, reports, Power Point presentations, brochures, checklists, and websites).

CCP spoke with stakeholders covering a broad spectrum of affiliations and interests, who had been involved with a variety of Water Board programs, and who had experienced different forms of public involvement (e.g. educational workshops, Board hearings, collaborative groups, obtaining grants and permits). The range of stakeholders CCP interviewed included some with traditionally adversarial relationships with the Board, as well as some who viewed the Board as their ally.

Interview questionnaires are attached as Appendix C. Interviews were conducted with some flexibility to accommodate the different experiences of interviewees. Interviewers elicited detailed descriptions of interviewee experiences as well as general criticisms, compliments, and suggestions for improvement.

To encourage forthright participation from respondents, all interviewees were given the opportunity to review the notes taken during their interviews to ensure the summaries were accurate, and were granted anonymity.

Surveys of Staff and Stakeholders

To complement the site visits, where a relatively small sample of individuals could be interviewed at some length, extensive staff and stakeholder surveys were conducted. The text of the staff survey is attached as Appendix D. The text of the stakeholder survey is attached as Appendix E. Survey participation was anonymous.

IV. FINDINGS AND RECOMMENDATIONS

This section contains an overview of the findings of the Needs Assessment and CCP's recommendations for how the needs can be addressed by the Water Boards. These findings and recommendations are grouped into the following subsections:

- A. Big picture overview;
- B. Key strengths of current public involvement programs;
- C. Leadership opportunities; and
- D. Course and manual elements.

A. Big Picture Overview

This Needs Assessment of current Water Boards public involvement practice finds that, although there are exceptions, the public served by the Boards generally has a mildly positive or better view of the public involvement work done by the Boards. While both staff and stakeholder respondents were able to identify a number of areas for improvement, the majority of respondents felt that the Board is doing a reasonable job of working with the public.

Staff and stakeholders provided a wide range of examples of public involvement experiences (e.g. Board hearings, technical advisory committees, permit issuance, educational workshops, etc.) that were both beneficial to the Board's mission and satisfied the involvement needs of the public. Though most stakeholders could readily suggest refinements to current practice or give examples of staff deficiencies or missteps, they tended to give staff positive ratings on a variety of public involvement skills and practices. Staff were more likely than stakeholders to suggest major systemic or organizational changes as a way to improve public involvement, whereas stakeholder suggestions tended to focus on staff behaviors or procedures.

The most vehement stakeholder complaints about the Boards during this assessment were most frequently related to existing regulatory procedures or controversial Board actions and decisions. Stakeholders with the most negative views of a Board or Boards tended to be those who had interacted with the Boards primarily in its traditional regulatory and quasi-adjudicatory role, rather than as participants in Board-sponsored outreach, educational, or collaborative efforts.

The Water Boards have a core group of staff who tend to focus their assessment of public involvement on whether or not they meet legal requirements for public participation, and whether they provide good "customer service." These staff members tend to come from point-source regulatory programs, and many of them are in management positions. Other staff, especially those from non point source programs and those working with site remediation such as the staff of the Spills, Leaks, Investigations, and Clean-UP (SLIC) program, tend to take a broader view of public involvement including public education and collaborative policy development. These different views are reflected in staff's sense of priorities for directing resources; one group tends to think that extensive public involvement should be curtailed in favor of a focus on regulatory duties, while the other group tends to think that more resources should be directed to public involvement as a means to achieve long-term water quality goals. This split, which was described with terms such as "there are two sides to the house" or "the Board is divided" was perceived by many staff to create inefficiencies, confusion, and tension

between programs. However, other staff simply viewed the split as natural consequence of the range of activities required of the Water Boards.

B. Key Strengths of Current Public Involvement Programs

When speaking of the strengths of current staff public involvement efforts, stakeholders emphasized staff professionalism, customer service, creativity, caring and knowledge. Stakeholders greatly appreciated staff responsiveness and helpfulness in providing information and answering questions. Perhaps the highest praise was reserved for staff that had formed partnerships with local groups. A sample of comments is below:

“When they have the time and are able to participate, they are really great partners. Every single [staff member] we have worked with in our region has recognized the value of working together, building upon local efforts instead of building a whole new system. It’s a really good thing.”

“When Regional Board staff walk in the room, they listen and give suggestions that really help the system instead of becoming a burden. That’s an asset and it comes across strongly. They are overworked, but they want to work together.”

“Brainstorming, creative thinking, partnership development—the Regional Board was part of that, and we miss their input when they have to leave and focus on other priorities.”

“I’ve really found them to be incredibly supportive of local agencies and nonprofits that are trying to do good work in the spirit of good water quality. They always come in saying, ‘How can we help it to be better?’ ”

“The RWQCB (Regional Water Quality Control Board) representative is a member of the council. She is an incredible partner because of the knowledge and resources she brings to the meeting. She has established a position of trust within the group. She answers questions, freely admits if she doesn’t know, and always follows up with an answer. She helps me with program information, deadline reminders and information sharing.”

“I really think that the folks I’ve worked with at State Board and Regional Boards have been good examples of public servants in that they take their role very seriously and are also helpful to me as a member of regulated community and as a grant applicant. I really respect them greatly, the work they do and the kinds of people they are. They are a lot of good folks trying to do the right thing.”

Staff discussed many factors that they believe have led to their most successful public involvement experiences. These can be summarized as the following:

- Comprehensive preparation and diligent staff work;
- Engaging the public early in the process leading up to decisions or actions;
- Willingness by staff to go the extra mile;
- Responding to stakeholders in a timely manner with informative and accurate answers to questions;
- Flexibility and willingness to meet stakeholders’ needs;

- Listening to stakeholders, respecting their perspectives;
- Two-way communication; and
- Board support.

C. Leadership Opportunities

The Water Boards are taking an important first step by creating a common Water Boards public involvement manual and training course. The following set of findings relates to additional public involvement challenges and opportunities that would require further leadership action to address.

Key findings below are presented in order (high to low) based upon a combination of two factors: 1) importance of the issue to respondents and 2) practical potential for Water Board leadership to take action that is likely to yield a positive impact.

Effect of Limited Resources

A resounding theme throughout the needs assessment was that the current state of constrained resources is, not surprisingly, a major hindrance to Water Boards public involvement efforts. In this time of budget crisis for the State of California, the Water Boards are reported to be widely reducing proactive public involvement in order to maintain what are viewed as core regulatory activities, such as permit writing and enforcement. Staff and stakeholders alike lamented that Water Boards staff do not have sufficient financial resources or staff time to engage the public as effectively as they would like. This concern was mentioned by respondents (staff and stakeholders) more frequently than any other single issue, and was a considerable preoccupation for many respondents.

Staff and stakeholders were particularly concerned with the negative consequences that can occur when there is little proactive outreach, education, and public involvement beyond the legally required minimum for issues before the Boards. Respondents cited many cases whereby the lack of proactive outreach and involvement led to increased difficulty, delays, and expenditures in formulating new regulations and / or achieving implementation and compliance with permits and regulations. Several stakeholders of various affiliations, from regulated parties to environmental activists, urged the Boards to do more collaborative problem-solving before polarized issues come to a head in contentious Board hearings or lead to litigation and increased costs using public money

Recommendations:

Staff in the field are utilizing a remarkable number of creative strategies to conduct public involvement activities within resource constraints. Staff need mechanisms by which to share these ideas and strategies. The Course and Manual can incorporate a number of these ideas. Management may want to consider creating additional incentives and mechanisms for sharing resource-stretching ideas on an ongoing-basis. Examples of such incentives and mechanisms include staff awards, newsletter features, roundtables, use of intranet listserve, and web pages.

Management may consider re-prioritizing resources towards more proactive outreach and involvement on key Board issues in order to minimize negative public reactions such as litigation and low rates of compliance. Management may consider piloting a reprioritization of resources towards proactive public involvement in one or more regions, to test the effectiveness of this strategy in reducing overall delays and expenditures. CCP recommends that any such pilot project include broad staff training through the available Water Leadership Academy courses, applied use of the Manual, dedicating at least one staff position or an equivalent number of staff hours to public involvement (see Dedicated Staff Time below), and consideration of other factors addressed in this report.

Alternately, the Water Boards may want to develop a priority ranking system (at either the state or local level) to help determine the best candidates for additional public involvement expenditures. This prioritizing will be especially helpful in times of tight budgeting.

Dedicated Staff Time

Having dedicated, funded staff time for public involvement was the number one recommendation of staff to improve public involvement. Several staff members wanted this recommendation emphasized above all other recommendations. Suggestions ranged from providing management and budgetary support to current staff to perform more public involvement functions to hiring staff who specialize in public involvement.

Many staff pointed out that they and their colleagues would be willing and able to conduct public involvement efforts, but are constrained by their (funded) full workload from engaging in (unfunded) public involvement. Staff discussed the many financial barriers to public involvement work, including lack of comp time for attending evening meetings and lack of non-program-specific funding for public involvement. These staff wanted management to find ways to fund their participation in additional public involvement efforts.

Some staff and stakeholders pointed out that, with very rare exceptions, Water Boards staff are not hired for their outreach skills, and for most of them outreach is not a career goal. Numerous respondents suggested hiring public involvement specialists to assist staff embedded in Water Boards programs with their public involvement needs. It was recommended several times that there be at least one public involvement specialist per region, though it was also suggested that several Regional Boards might share one specialist's time, or that the State Board develop a cadre of specialists that could serve as statewide resources to assist staff, similar to the Department of Toxic Substances Control's (DTSC) public participation specialists.

Specific suggestions for what specialist staff would do varied, but tended to fall into one or more of the following categories (in order of emphasis by respondents):

- Facilitation resource. Help staff strategize, plan, and conduct outreach and public participation processes. Be an internal "neutral" similar to the model used by DTSC's public outreach specialists.
- Designated press contact / Public Information Officer (PIO). Establish a rapport with local media. Proactively work with media to publicize Water Board activities and inform

the public about water quality issues. Join other staff during media interviews to ensure effective communication.

- Reviewer of work products for public consumption. Review staff work products (reports, fact sheets, brochures, presentations, etc.) to make sure a layman can understand and that public concerns are appropriately addressed. Coach staff on how to present their messages most effectively.
- Community liaison. Become familiar with the geographic and social map of communities in the region. Establish working relationships with local leaders, communities, and organizations. Proactively feed information of interest to and from community leaders and Water Board management / staff. Serve as a liaison and resource to program staff who need to quickly identify those in the community who might need to be involved on a particular issue. Serve as a resource to community members who need help navigating the regulatory structure.

One respondent suggested that as an alternative or supplement to having public involvement specialists, the Water Boards could create a certification / recognition program for different levels of staff achievement or training in public participation and outreach. This would be similar to the method of certification for staff who have completed different levels of safety training. Such a certification program would help to ensure that staff skills are matched to the demands of the public involvement situation.

Recommendation:

The Water Boards may want to develop procedures to explicitly consider all anticipated costs and benefits of funding additional public involvement time, either on a per-project basis or generally. Alternately, the Water Boards may want to systematically apply criteria (e.g. warning signs) that would indicate which projects are good candidates for increased proactive public involvement investment in order to avoid costly public backlash. This will be especially relevant in cases of controversial Board actions, where the costs of corrective action after inadequate public involvement can be disproportionately high. (See Effect of Limited Resources above). Suggested criteria for this purpose should be provided in the forthcoming staff Manual.

Funding additional staff time for public involvement or creation of new staff positions would require organizational support. In addition to the ideas above, some of the Regional Boards already have dedicated public involvement staff, particularly Regions 4 and 7. These regions can serve as models to possibly replicate in other regions. The Water Boards' Watershed Management Initiative (WMI) coordinators serve as a model for combining programmatic duties with funded public involvement.

Public Involvement Culture

While almost all staff are able to quote the regulatory mission, and some are able to quote from the Water Boards' strategic plan, staff present a mixed bag of responses when asked to identify their goals for working with the public. These goals range from ensuring that the public understands and complies with Water Board regulations (one-way education) to ensuring that the Water Board works with the public to identify and respond to public concerns and priorities

(two-way collaboration). Staff easily identify desired behavioral components of good public involvement (for example, trust, respect, honesty, listening, open-mindedness, professionalism, comprehensibility, and follow-through). However, many staff express confusion and frustration regarding what they are expected and supported by management to do to incorporate public involvement into their job duties. In contrast, staff across all regions seem to have incorporated a “customer service” culture into their thinking and actions. The theme of good customer service was mentioned often and independently by staff at all levels. Managers appear to be emphasizing customer service with staff, and many staff have taken the CalEPA customer service training. Staff are also aware of, and receive feedback due to, the online CalEPA customer service survey.

To date, the Water Boards have formulated no official public involvement policy and generally provide little public involvement guidance for staff. At minimum, staff are expected to adhere to legal public participation requirements. Some managers and executives in particular draw a distinction between legally mandated public participation, which is seen as a public right and Water Board duty, and “other” public involvement activities, which may be “nice to do” but are expendable.

Staff across the regions generally exhibit understanding that the purpose of public involvement at the Water Boards is to enable the public to become a part of the solution as the Water Boards pursue and enact their regulatory mission—not to replace or override the mission with other public desires.

Nevertheless, several issues emerged during the assessment, which revolve around the problem of how to set and maintain the boundaries of the regulatory agency’s role when working with the public. Boundary issues include (in no particular order):

- Some staff expressed concerns that enhanced public involvement could lead to wasted staff time, e.g. a “constant parade of externalities” or a “bottomless pit” in which to pour staff resources.
- Many staff were concerned about the potential effects of raising the public’s expectations of influencing staff and Board members. The fear was that staff could be pressured to compromise their professional and statutory obligations in order to please stakeholders.
- A related idea expressed by management was that while staff should try to help meet the needs of stakeholders, they must be wary of over-identifying with the stakeholders’ cause. One staff member offered the metaphor of a Venn Diagram, where one circle is the mission of the Boards, another circle is the agenda being pursued by stakeholders, and the staff’s involvement should never go beyond the area of overlap between these two circles. As one staff member put it, “The ultimate faux pas in a board hearing is for a staff member to become an advocate for a discharger, stakeholder group, or NGO.”
- A related issue is that staff experience trouble dealing with stakeholders who bring concerns that are not within the jurisdiction of the Water Boards.

Many staff expressed desire for management to provide policy direction in the public involvement arena. However, other staff expressed fear that new public involvement policy, if not backed by local executive support, good training, and resources, would damage rather than help local Board / stakeholder relationships. A recurrent idea was that if staff are going to solicit true public input, staff and leadership must be truly prepared to listen and act accordingly.

Recommendation:

Issues and problems pertaining to setting the boundaries of the regulatory agency's role in public involvement can be addressed by the Course and Manual.

Deeper issues regarding policy and executive support for public involvement would require policy formulation and approval by the Water Boards' leadership. The Water Boards may want to consider internal or external facilitation to assist leadership in examining these issues, perhaps in combination with procedural fairness policies as discussed below (See Procedural Fairness). There is great opportunity to formulate a Water Board policy and culture of public involvement so that staff will have a clear mandate to take to heart, similar to the way in which the majority of staff across regions have thoroughly absorbed the concept of customer service. At minimum, the staff Manual should include statements from leadership instructing staff in how the Manual should be used in the fulfillment of staff responsibilities, and how the Manual relates to existing policy such as the Water Boards' Strategic Plan.

Websites

Websites were largely viewed as an extremely valuable tool, both by the public seeking detailed information and by staff, who felt that being able to direct the public to the website for information saved valuable staff time. In addition, staff have found that posting tools such as a permit process decision matrix to the web were very helpful; such tools allow staff to walk applicants through an onerous process in a professional and timely manner, and simultaneously provide the applicant with a future resource. Websites were also seen as important tools for ensuring transparency and timely communication in various projects where successive iterations of documents could be quickly posted to the web for public review.

Each Regional Water Board and the State Water Board has its own website, as do many departments and programs within the Board system. The various websites received mixed reviews on ease of use and quality of information provided, ranging from outstanding to poor. General suggestions for improving less-than-outstanding websites included (in order of importance to respondents):

- Post all current forms needed by the public on the website (either in one central location with links to all regional websites, or on each website as needed).
- Provide search engines that produce fewer targeted results with brief summaries.
- Keep organizational chart and contact information updated so that the public can contact the right person the first time.
- Provide more frequent, timelier, and more prominent updates on events, meetings, and new developments, especially regarding current items before the Boards. Make new information stand out.
- Create several different indexes organized separately, for example by issue, by program, or by pollution type.
- Post all documents referenced by Board agendas for public review.
- Make greater use of FAQs and fact sheets.

- Anticipate or survey the website usage of different stakeholder types, then group together the links they frequently need. For example, one region’s website has a heading “Permitting Problems?” with links that connect permittees to a project application checklist, staff contact list, regional fact sheet, and the ombudsman.
- Provide links to parallel programs at all the Boards, i.e. “one-stop shopping” for a person interested in a statewide issue such as agricultural waivers.

Some stakeholders and staff had specific requests for additional content to provide via the web, including:

- Links to other state and federal regulatory programs.
- Enforcement and violations information.
- Links to educational websites.
- Lists of additional grant resources outside the Water Board.

Recommendation:

Website improvements—particularly providing FAQs, standard forms, up-to-date contact information, decision tree/matrix/flowchart tools to explain complex processes, and updates on current items before the Boards—would be a high-impact investment to save staff time and improve public satisfaction with Water Board public involvement.

Targeted Public Education and Interaction

Most respondents saw targeted education (that is, education and interaction directly related to current or forthcoming regulations, permits, or other Board actions) as an integrated component of staff’s work that should receive more attention.

Many staff mentioned that there is a steep learning curve to initially involve stakeholders who must learn how they can interact with the staff, become informed of what the issues are, and understand technical solutions and constraints. However, most staff respondents felt that the up front investment of time in educating stakeholders would more than make up for itself in time saved in later interactions. Staff gave examples of how, in the absence of proactive public education, misinformation about impending regulations and programs has spread among stakeholders. Such cases of widespread misinformation can result in a tremendous burden on staff to correct false impressions and repair damaged relationships. Staff who had encountered this type of situation largely felt that an up front investment in education would have been much easier and greatly preferable to reactive damage control. In one worst-case scenario where the public was not included in early discussions, staff described a program that had to be withdrawn and rethought after roll-out, since the system could not be practically implemented by the community for which it was designed.

In comparison, staff also gave examples of well-planned, proactive public education efforts that resulted in speedy and / or easy adoption of potentially controversial new regulations, with fewer instances of litigation. It was often mentioned that it helped to include potentially affected parties in discussion at early stages of regulation development “before everything was fully cooked.” In

such cases, staff reported information received from stakeholders often resulted in better regulations.

Examples were also given of unusually high rates of compliance resulting from proactive discharger education campaigns. Proactive discharger education was generally seen as preferable to trying to educate the discharger during enforcement proceedings after a violation has occurred. However, creative approaches to enforcement that included attendance at a Workshop of Best Management Practices (BMPs) in lieu of a fine were also seen to achieve high degrees of compliance. Giving grants for peer-to-peer education on BMPs was mentioned as a highly effective use of resources.

Staff and stakeholders also frequently mentioned that proactive education and involvement of stakeholders can lead to an improved level of trust and better working relationships on current and future issues.

Recommendation:

See Effect of Limited Resources above. Numerous staff noted that up front investment of resources in proactive education holds the promise of averting future costs for litigation and enforcement. Leadership may want to shift resources to support more proactive targeted education, or to pilot such an approach in one or more regions. Such a pilot could quantify the potential effectiveness and savings to the public of targeted public education.

For the creation of regulations likely to be especially controversial, leadership may also consider the use of Negotiated Rule-Making (also called Reg-Neg) as a way to educate and involve stakeholders.

Staff Knowledge and Competence

Numerous staff and stakeholder respondents mentioned staff competence as a critical component of outreach. It was noted repeatedly that if staff are seen as less than competent, they will have a much harder time conveying their message to the public. Additionally, a few staff and stakeholders hypothesized that staff who do not feel competent are likely to want to limit their outreach activities, since increased interaction could expose a lack of knowledge.

While many individual staff received kudos for excellent knowledge and proficiency, various respondents had specific complaints about some staff members' lack of knowledge on guiding laws, regulations, and policies; on technical matters; or on the current practices and constraints of dischargers. As a variation of this complaint, some staff (primarily new field staff or management staff) were seen as not having extensive or current expertise or experience in the specific realm they were regulating. As one respondent expressed the concern, "(Staff) assert their authority in order to overcome their lack of experience." Many stakeholders urged staff to be more open to being educated about current issues, constraints, and practices by dischargers or other stakeholder groups.

A related concern voiced by some staff was that due to “siloeing” within the agency, staff might have limited knowledge of current policies and activities in Water Board programs and departments other than their own. As one staff member put it, “I really don’t know what goes on in other cubicles.” Staff receive an overview training of all of the agency’s operations when they are hired, but staff noted that they could benefit from repeating this training after gaining some on-the-job experience. Staff expressed that they are seen by the public as representatives of the whole agency, but have limited ability to discuss issues that fall outside of their own staff unit. Staff in the regions frequently mentioned that they have little to no knowledge of Water Rights, which is the exclusive responsibility of the State Board in Sacramento. Staff gave a few examples of worst case scenarios where two separate Water Board programs enacted conflicting requirements upon the same set of stakeholders, due to lack of coordination and communication between programs.

Respondents suggested multiple ways for staff to increase their knowledge and competence, which was seen as key to maintaining good relationships with stakeholder groups. Many staff and stakeholders recommended an increased emphasis on ongoing technical training, although it was noted that “one-shot” training is rarely effective unless it is complemented by 1) opportunities to apply new knowledge in the field and, 2) guidance and feedback from knowledgeable colleagues. A few respondents mentioned mentoring by knowledgeable Water Board staff, the “old timers who’ve been around the block,” as a good way to increase staff competence. A few stakeholders suggested that staff could benefit from spending more field time getting to know the particulars of their stakeholders’ world.

Some staff recommended increased “roundtable” and conference activity, both within the agency and across agencies / organizations. Internal newsletters and cross-program meetings were mentioned as good ways to distribute information across silos. In some regional offices, staff acting as “liaisons” regularly attend meetings of other units within the same region. In other regions, staff hold periodic brown-bag lunches where, on a rotating basis, each unit informs colleagues about their scope of work. Initiatives such as these can be more widely replicated.

A few respondents noted that, as with any organization, some “problem” staff may not have the desire or ability to raise their competence to acceptable levels. Lack of competence may be exacerbated by other problems, such as lack of professional courtesy or reliability. A few respondents cited personal experiences of their dealings with problematic staff and urged the Water Boards to hold these staff accountable or dismiss them. Such staff were generally described as exceptional, e.g. “a few bad apples.”

Recommendations:

The Water Leadership Academy is providing needed technical and procedural training to staff, and a mentoring proposal is forthcoming from Water Boards management. There is a tremendous opportunity to link these two initiatives so that staff receiving training are also mentored in the application of new knowledge. Water Rights materials and training are available on the Department of Water Rights’ website. These training and mentoring tools will be effective to the degree that they are supported by leadership and utilized by staff across the agency.

Management may consider increasing support for roundtable, newsletter, and conference activity. Management may consider having staff repeat the new-hire overview training.

Management may also encourage staff to actively seek to learn from stakeholder groups, enhancing staff's expert knowledge with stakeholders' on-the-ground local knowledge. This approach can be addressed in the Course and Manual.

Standardization

Every large organization such as the Water Boards must strike a balance between local flexibility and central standardization of its information, systems, and procedures. Although respondents had diverse opinions on whether the Water Boards are too flexible vs. too standardized, more respondents cited problems that could be solved by standardization than those created by standardization.

Numerous staff and stakeholder respondents cited lack of consistent procedures and information across regions, and lack of standardized systems within regions, as sizeable headaches for staff / stakeholder interaction. Staff cited examples of data collection systems that are inefficient and produce data that is incompatible with information from other regions. Staff reported experiences of stakeholders "shopping around" for the answer they wanted from staff. Stakeholders reported experiences of staff providing misinformation or being unable to answer questions pertaining to state programs. Staff and stakeholders also mentioned experiences where they felt that the same legal requirements (e.g. ex parte communication, notification requirements, public records review) were differently and perhaps wrongly interpreted or implemented in different regions.

Recommendations:

Respondents discussed many ways in which standardization could benefit staff's work with the public. In particular, staff and stakeholders supported the creation of:

1. Standardized web-based forms and systems for data collection from permittees / dischargers / grant applicants and staff in various programs, and
2. Standard "base" fact sheets and "traveling road show" presentations on statewide programs and issues such as agricultural waivers, stormwater, and grant programs which could be tailored by local staff to reflect local conditions.

These standardization activities seem likely be high-impact tools to improve staff efficiency and provide readily available, consistent messages to stakeholders.

The Water Board may also consider standardizing the interpretation of legal requirements—particularly ex parte communication (see Procedural Fairness below), notification requirements, and public records review — and standardizing procedures to address these legal requirements across regions.

Procedural Fairness

For the most part, staff and stakeholders felt that Board members and staff treat all members of the public with the same respect and do not deliberately give preferential treatment to one type of

stakeholder over another. However, though staff may intend to treat all equally, many stakeholders and staff expressed a perception that there is a distinct advantage in terms of access to being a long-time Water Board stakeholder who has learned the ropes, or a VIP stakeholder. These “high-access” members of the public are reported to have an easier time getting staff attention to help navigate the complex world of the Water Boards, for example locating resources, getting questions answered, or getting advance notice of upcoming meetings or issues. Many of these “high-access” members of the public voiced sincere concerns for “the little guy” who is not yet as “plugged in” as they are.

Many respondents felt that Board members and staff were equally receptive to listening to viewpoints from across the ideological spectrum, although certain Board members—and, less frequently, staff in certain regions—were seen as having a distinct bias for or against certain groups. This type of bias was often viewed by respondents as serving a “political agenda.” Not surprisingly, stakeholders who were in general most satisfied with the Water Boards expressed that the Boards were their friends or allies, and those who were in general least satisfied felt that the Boards were biased against them or unduly influenced by their opponents.

Regardless of perceived personal or political bias, most Boards and their staff were seen by stakeholders as being procedurally fair and balanced. One notable exception was the perception and reality as reported by staff that regulated parties often have earlier, more frequent, and private contact with staff that is not matched with other stakeholder communities, some of whom may wish to be more involved. One staff member noted that staff are not accused of “back-room cigar-smoking deals.” Instead, the unequal access is a byproduct of the reality that staff must work closely with dischargers in order to get permits, compliance plans, and other regulatory work products written and approved, but staff are not required (and often not funded) to initiate equal opportunities for non-dischargers to interact with staff and influence outcomes.

Another procedural fairness concern expressed was the perception of some stakeholders that Board members unevenly apply ex parte restrictions to different stakeholder types. Several stakeholder respondents expressed confusion about ex parte communication rules as they apply to Board members. Sophisticated stakeholders with access to legal counsel may have an advantage in this arena over less sophisticated grassroots groups, “mom and pop” dischargers, and community stakeholders who may not know if they are entitled to talk with Board members, about what, or how to do so. Additionally, a few stakeholder respondents alleged that certain boards apply ex parte rules unevenly to different types of stakeholders. These respondents perceived that the Boards use ex parte rules as an excuse not to talk with certain groups while allowing access to others. One stakeholder reported that ex parte standards are interpreted differently from board to board. This stakeholder recommended a uniform policy applicable at all boards on ex parte communications.

Recommendations:

Procedural fairness at the level of line staff can be addressed to some extent by the Course and Manual. In particular, the Course and Manual can help staff assess under what circumstances they should engage in additional outreach to stakeholders beyond what is normally required for day to day regulatory activities and by minimum legal requirements. Management may consider

raising the visibility of this issue within the agency and formulating some statement or policy regarding procedural fairness expectations as applied to staff work.

The Water Boards may also want to address procedural fairness concerns at the level of management direction and Board member decisions. This would likely require internal or outside training or facilitation, and could be combined with training or facilitation to solidify an agency-wide public involvement culture. (See Public Involvement Culture above).

As previously noted, ex parte communication procedures are a good candidate for agency-wide standardization. (See Standardization above).

Environmental Justice

The Water Boards currently have no Environmental Justice (EJ) policy, although some staff see EJ as incorporated tacitly in the Water Board strategic plan. Additionally, EJ criteria are explicit in some grant processes. The State Board is currently working on drafting an EJ policy that would outline how CalEPA's EJ recommendations are to be implemented at the Water Boards. The State Board's EJ program is new, but the EJ coordinator aims to eventually incorporate EJ into staff's normal operating procedures and training across programs. Like all Water Board programs, the EJ program is pressed for resources to accomplish its goals.

When directly asked about environmental justice, most staff and stakeholder respondents indicated that staff are doing a satisfactory or better job at meeting EJ needs. However, many suggested ways to improve general public and local community involvement with the Water Boards. These suggestions addressed concerns that are often thought of as EJ issues.

Some staff and stakeholder respondents indicated that staff especially in large urban regions tend to have little familiarity with local grassroots and community groups. Numerous staff respondents asked for ideas and tools that would allow them to efficiently find and link to community groups and outreach to neighborhoods without having to go door to door, or, as one respondent put it, post flyers on telephone poles. Some stakeholders who are professional staff of NGOs or who are volunteer activists concerned with water quality make their own efforts to inform the local affected public and organize groups of the public to attend or send testimony for Board meetings.

Both staff and stakeholders discussed difficulties associated with making meeting attendance feasible for neighborhood and community stakeholders. Staff seemed to be generally aware of the barriers to public participation that come with holding meetings during the day at Water Board offices; however they also have concerns about the feasibility and cost of routinely holding meetings offsite and / or in the evenings. Some Boards are making efforts to hold meetings on some issues after working hours and in convenient locations (e.g. near affected neighborhoods or accessible by public transportation) to accommodate community stakeholders.

Interestingly, some stakeholder groups who are not as heavily resourced as others are beginning to request that the Water Boards not engage in lengthy stakeholder collaborative processes, since stakeholders who have more resources will be at an advantage to participate. In such cases,

lower-resource stakeholders have requested alternate forms of public involvement, such as targeted technical advisory groups.

Several staff and stakeholders expressed concern about the Water Boards' ability to take comment and give information in languages other than English. Many staff expressed concern that California's growing diversity will pose a larger and larger challenge in terms of meeting the language needs of the stakeholder community. When a translator is needed, Water Board staff must either hire a translator at large expense or try to find a staff colleague who speaks the appropriate language. Bilingual staff are a large asset to the Water Boards in this regard, although a number of native English speaking respondents reported difficulty understanding non-native-English-speaking staff.

One cost cutting measure being undertaken at several Boards is to switch much of their communication from hardcopy mailings to email. All Boards making the switch have created protocols to allow people without computer access to continue to receive hardcopy. However, some staff expressed concern that, as staff come to rely more routinely and heavily on email and web-based communication, people without computer access could be inadvertently disadvantaged.

Recommendations:

Leadership may want to consider a long-term strategy to provide resources such as funding, staff time, and comp hours to meet the agency's EJ needs. Management may also encourage staff to experiment with creative strategies to meet immediate EJ needs, such as enhancing the participation of low-resource groups.

The State Board's EJ coordinator may contribute a section to the Manual outlining the State Board's approach to EJ. The Manual can also address community outreach strategies, such as partnering with NGOs and known community organizations to access grassroots networks.

General Public Water Quality Education

Although a few respondents felt that it is not the Water Boards' job to educate the public about water quality issues not directly related to current or impending regulations and permits, many staff and stakeholders felt that general public education is vital to meeting the Water Board's regulatory mission. Many respondents pointed out that in the non-point source programs, successful pollution control relies upon the actions of millions of individuals whom the Water Boards cannot individually regulate. These respondents felt that successful non-point source pollution control will depend upon educating the general public about the effects of their activities on water quality.

The Water Boards typically use two methods to educate the public about general water quality issues.

- Individual staff educational efforts such as school visits, field trips and demonstrations, booths at community events and fairs, and forming partnerships with other educators or educational groups.

- Requiring “public service announcement” type media campaigns as a condition of a regulated entity’s permit or as part of restitution for permit violations.

Historically, the Water Boards have devoted more staff time and resources than they currently do to individual staff public education efforts. These educational activities tend to be highly interactive and, in the words of one respondent, “put a personal face on the Water Board” in a less controversial context.

Respondents had mixed opinions about the value of spending staff time on these general public water quality education opportunities. A majority of staff and stakeholders who discussed these activities during the assessment have personally been involved in these activities. Respondents with personal experience of these activities nearly unanimously reported that these, particularly school visits and field demonstrations, are a high-yield investment in the future and can be an effective motivator of behavioral and attitude change that will benefit water quality. It was noted by a few respondents that school visits help the Water Boards reach minority and immigrant communities, whose children are enrolled in high numbers in public schools.

A few respondents who discussed these activities stressed that general public water quality education activities such as these are not a high priority during budget-constrained times. Most of these respondents were not personally involved in general public water quality education activities, instead coming from a management or regulatory perspective.

The bulk of individual staff’s general public water quality education is currently done on a volunteer basis by staff who expressed the wish that their efforts were better supported financially by the agency, both in terms of staff time / travel and the physical props and financial resources needed. Many staff requested resources such as visual aids, portable booths, take-away marketing items such as stickers and pens, kits for doing demonstrations, and additional, updated curriculum and lesson plans targeted to different age groups.

In addition to individual staff efforts, the Water Boards regularly require regulated parties to provide public education as a condition of their permits or as part of restitution for permit violations. Staff typically do not dictate the methods or messages to be conveyed by permittees, but staff do review permittee outreach plans to ensure they meet agency needs. Almost unanimously, staff and stakeholder respondents saw this kind of partnering with permittees as a high-functioning, highly effective way to leverage limited staff resources.

Recommendations:

Staff already utilize a wide range of creative ideas and available lesson plans, activities, and curriculum in their individual general public education activities. Public education would benefit from providing staff with mechanisms by which to share these ideas and resources. The Course and Manual can incorporate a number of these ideas. Management may want to consider creating additional channels for sharing these ideas and resources, such as newsletters, roundtables, intranet listserve, or website.

The Water Boards may want to explicitly consider short-term and long-term planning or guidelines for balancing immediate, focused regulatory needs with general public water quality education, which many staff and stakeholders said they view as a critical component of a long-term non point source (NPS) pollution control strategy.

The Water Board's current approach to partnering with dischargers to conduct water quality media campaigns appears to be working very well. One small change the Water Board may consider is to make the agency's ties to these permittee efforts more explicit in the public's mind. (See Visibility below.)

Visibility

With a few regional exceptions, most staff and stakeholder respondents indicated that the Water Boards have a very low public profile. Typically, people would characterize this as "invisibility" or that "no one knows the Water Board exists," and if they do know it exists, they do not know what it does. This was seen to hamper efforts to introduce regulatory programs and induce compliance, since dischargers may not take the Boards seriously, and affected communities may not realize how they can participate until the issue has become highly publicized and polarized. Respondents generally would like to raise public awareness of the Water Boards.

Respondents offered a variety of suggestions for increasing visibility, including (in order of importance to respondents):

- More proactive educational workshops with targeted discharger groups to discuss specific requirements and programs (see Targeted Public Education above).
- Staff time (see Dedicated Staff Time above) to build relationships with community leaders, umbrella groups, and grassroots groups.
- Proactive use of news media to air current issues before the Boards and to publicize success stories.
- "Public service announcement" media campaigns to raise public awareness of the Water Board as an agency, its mission, and / or what members of the public can do to improve water quality.
- Non-program-specific public workshops for Water Board leadership to go out and meet with communities / constituencies and hear their priorities.
- Formalizing a consistent "look" to Water Board materials to give the boards a visual identity.

Numerous respondents mentioned that "State Water Resources Control Board" and "Regional Water Quality Control Board" are not names that are easily remembered by the public or distinguished from other agencies. Several staff and some stakeholders suggested that the Water Boards should be known to the public for their role in protecting water quality rather than as regulators. Suggested slogans were, for example, "guardians of water quality" or "protectors of water quality."

Recommendations:

“Public service announcement” water education media campaigns are already widely conducted by permittees as a condition of their permits from the Water Boards. The Water Boards may want to ask permittees to include the Water Boards’ name (or logo or slogan, should one be created) in such campaigns, to increase public awareness of the Water Boards’ role.

Additional proactive use of news media, proactive educational workshops with dischargers, general public workshops to hear community priorities, and dedicated staff time to forming relationships with communities would all be high-impact means to increase visibility and put a human face on what can seem to be an anonymous regulatory agency to many members of the public. Moreover, these activities could be expected to yield additional public involvement benefits, such as facilitating future work with communities.

Grants

The grants process was one of the areas of highest stakeholder dissatisfaction. Although staff working to award and administer grants were usually not personally faulted, stakeholders expressed great concern over confusing application procedures, and the large amount of time, effort, and paperwork needed to secure, administer, and remain in compliance with grants. Staff working on grants expressed pride in the on-the-ground accomplishments being achieved through grant programs, but generally agreed with the need for continued procedural reform. Additionally, several staff expressed a desire to broaden the pool of grant applicants beyond “the usual suspects” by more widely publicizing the availability of grants and reaching out to new potential grantees.

Recommendation:

The Water Boards’ grant process is currently being examined at the state level.

The Course and Manual may provide resources for information dissemination that can be used by grant program staff.

D. COURSE AND MANUAL ELEMENTS

The Water Boards are committed to creating a training course and manual through its Water Leadership Academy to assist staff in public involvement activities. Staff and stakeholders raised a number of issues and needs, detailed below, which can be addressed by such a manual and course. Additionally, staff provided suggestions for how to make the manual most useful and likely to be used, which are summarized at the end of this section. Appendix A of this report gives a suggested framework for organizing the manual. Appendix B gives suggestions for the training course focus.

Organizational Support

Many staff clearly conveyed that they would like more guidance and support from leadership regarding public involvement. A training manual or course should be contextualized with a

statement from leadership about the purpose and intended use of such materials. Also useful would be a clear explanation of how public involvement links to the Boards' Strategic Plan.

Staff also requested more information about the State Board's programs that have a public involvement focus, such as the office of the Education Coordinator and the Environmental Justice Coordinator. Staff want to know how they can use these offices. Staff want to have good contacts and procedures for when they need assistance, for example ordering educational materials or getting press releases approved.

What is Meant by Public Involvement

Many staff do not see what they do as public involvement. The Water Boards' public involvement program would benefit from enhanced staff education regarding what is meant by public involvement, what are the goals, and how it applies to staff across the agency. One possible tool would be to give diverse examples of staff / stakeholder interaction across the Board system, all of which are part of public involvement. Staff also raise many issues to setting boundaries around public involvement and maintaining the integrity of the agency's mission (See Section IV.C. above, Public Involvement Culture). The fact that good, appropriate public involvement never requires compromising on the agency's basic interests and requirements should be explicitly conveyed, along with explicit criteria for excellence in public involvement, such as those used in this Needs Assessment. (See Appendix F). As mentioned above, one possible tool is to provide examples from practice to show public involvement challenges and success stories.

Legal Guidance

Staff need a ready reference that lays out the requirements of relevant laws and policies, including CEQA, Bagley-Keene, Public Records Act, and the Administrative Procedures Act. Connections should be explicit between the text of the laws and what they imply for practical actions such as stakeholder file review, ex parte communications, and notification. Different regulatory programs have their own noticing requirements, which would be helpful to compile in one document. Staff have also requested guidance on knowing when they should seek legal advice.

Diagnostic Tools

Many staff requested resources that will help them determine what type of public involvement is called for, where to start, and what to do when they have trouble and need help. It was suggested that some sort of flowchart or decision tree would be a useful tool to help staff navigate not only the manual, but also the real life situations they are faced with. The staff manual may contain this kind of diagnostic tool and be organized in a logical way to parallel the diagnostic tool. The manual may also have a section on troubleshooting, or recognizing, avoiding, and recovering from problems.

Skill Building

A number of useful skills for staff training or a manual were either directly suggested by staff and stakeholders, or can be inferred from the data analysis. These skills can be categorized as follows:

Skills for getting to know a community:

- Community mapping
- Stakeholder assessment
- Networking and relationship building.

Skills for conveying a message:

- Plain language / lay person communication skills
- Public speaking
- Risk communication
- Answering questions
- Media skills
- Teaching skills
- Methods of information dissemination
- Effective written materials (e.g. press releases, fact sheets, brochures, meeting announcements, letters, forms)
- Websites
- Presentations
- Videos

Skills for getting input:

- Giving and receiving feedback
- Types of meetings (traditional meeting, workshop, open house, field trip)
- Meeting management
- Surveys
- Facilitation skills
- Dealing with difficult people
- When to bring in an outside facilitator

Skills for collaboration:

- Identifying stakeholder representatives
- Collaborative process design
- Convening and participating in collaboratives
- Positions vs. interests
- Collaborative problem-solving / conflict resolution

How to Make the Manual Useful and Used

Staff suggested that the manual should:

- Be visually interesting
- Not be too textually dense.
- Have short sections that are focused, well indexed, and easy to digest.

- Contain tips, pointers, checklists, “top 10” lists, dos and don’ts.
- Use case studies on successes and failures.
- Give references or links to available resources and supplemental materials.
- Give tips for stretching limited resources.
- Give examples of documents, calendars, protocols, etc.

Staff also stressed that the manual should be able to be updated frequently. Staff requested a variety of formats, from web-based to paper to CD, though most agreed that an online manual would be useful.

V. CONCLUSION

The Water Boards currently have a solid foundation upon which to improve their public involvement practice. The training course and manual that will be created through the Water Leadership Academy have great potential to address a number of significant staff needs for improving staff comfort and skills with public involvement. Additionally, this assessment identified a number of key Water Boards leadership opportunities related to public involvement, where targeted action seems likely to yield the largest benefits in terms of public satisfaction, staff efficiency, and / or water quality.

Appendix A: Suggestions for Public Involvement Manual Organization

1. Letter of support from executive leadership—Why have a manual? How are staff expected to use the manual?
2. Introduction—What is meant by appropriate public involvement? Goals of public involvement. Boundary setting.
3. Policy support--Relationship to Water Boards' Strategic Plan. Education Coordinator Tom Mays' outreach plans. Environmental Justice Coordinator Adrian Perez on EJ. Others?
4. The basics—Big 10 Commandments for Public Involvement. This is the “If you read only one page, read this one” page.
 - Competence—right person for the job
 - Proactive communication—find out who needs to be involved
 - Clarity of roles and expectations
 - Equal access and input opportunities for all
 - Transparency—how, why, and when things happen
 - Good customer service—timeliness, helpfulness, and respect
 - Collaborative mindset--seek to truly understand where others are coming from
 - Appropriate responsiveness--meet the interests of others without sacrificing agency mission
 - Justifiable rationale for actions
 - Follow through—with promises, updates, and future opportunities for involvement
5. “Where do I start?” This may be a flowchart or other diagnostic tool. Legal requirements are the baseline, and criteria are given for when you need something more. The “something more” leads to the big categories of skills that follow (Getting to Know a Community, Conveying a Message, Getting Input, and Collaboration). Each set of skills builds on the previous. Diagnostic tool might also lead to pages describing when Water Boards staff should bring in an outside facilitator, when they are in a situation that is not right for collaboration, when they should seek legal advice (including when to cut their losses and allow issues to be fought out in court), and recognizing when a controversial issue is properly addressed in a cross-agency or regional collaborative effort rather than handled by the Water Boards alone.
6. Skills for getting to know a community. There are some materials in the DTSC manual, chapter 6 Section A that can be modified for use here.
 - Community mapping
 - Stakeholder assessment
 - Networking and relationship building.
7. Skills for conveying a message : There are some materials in the DTSC manual, Chapter 6 Sections B – E that can be used here.
 - Plain language / lay person communication skills
 - Public speaking

- Risk communication
- Answering questions
- Media skills (should include guidance on whether / how media releases get reviewed by State Board)
- Teaching skills, principles of effective education (adults vs. kids)
- Methods of information dissemination
- Effective written materials (e.g. press releases, fact sheets, brochures, meeting announcements, letters, forms)
- Websites
- Presentations
- Videos

8. Skills for getting input : There are some materials in the DTSC manual, Chapter 6 Section F that can be used here.

- Giving and receiving feedback
- Types of meetings (traditional meeting, workshop, open house, field trip)
- Meeting management
- Surveys
- Facilitation skills
- Dealing with difficult people
- When to bring in an outside facilitator

9. Skills for collaboration. This is the “desktop reference” to the series of 3 courses being offered by CONCUR as part of the Water Leadership Academy. It should also give reference and add value to the materials being developed by the TMDL roundtable. This section should include at minimum:

- Identifying stakeholder representatives
- Collaborative process design
- Convening and participating in collaboratives
- Positions vs. interests
- Collaborative problem-solving / conflict resolution
- Special considerations for cross-agency collaboration

10. Trouble shooting. This section can cross-reference key previous sections that can help staff get out of a tricky situation, such as:

- Diagnostic tool (make sure you are using the right process)
- Networking (make sure you understand the people)
- The Big 10
- Positions vs. interests
- Dealing with difficult people
- Conflict resolution

11. Legal / Procedural Guidance—This section should include relevant laws and policies, including CEQA, Bagley-Keene, Public Records Act, Administrative Procedures Act, ex parte communication. Different programs have their own noticing requirement in statute and policy—

mention and / or list here. Connections should be explicit between the text of the laws and what they imply for practical actions such as stakeholder file review, ex parte communications, and notification. This section should include guidelines from counsel for when to seek legal advice.

12. Internal go-to list. This section should tell staff where to go and whom to speak to when they need help with EJ, outreach, media releases, websites, printing materials, ordering outreach materials, etc.

Appendix : list of available resources.

Glossary

Index

The manual should be peppered with illustrative success stories, available resources, ideas for stretching resources, cautionary notes, top reasons for success and failure, etc.

Appendix B: Suggestions for Course Content

CCP suggests that the training course be designed to 1) familiarize staff with the accompanying manual, and 2) provide targeted training in key skills that are not covered by other Water Leadership Academy courses.

We suggest that the course first introduce staff to how to use the manual, particularly the diagnostic and trouble-shooting tools. Participants can be encouraged to bring their challenging situations, past or present, to the course. Interactive exercises can be conducted whereby participants use the diagnostic tool and discover what assistance the manual can provide, applied to their real situations.

The course should also provide targeted skill building from the list of items in manual sections 6 (Skills for getting to know a community) and 7 (Skills for conveying a message). Likely candidates for these skill-building sections are:

- Community mapping;
- Networking and relationship-building;
- Plain language / lay person communication skills;
- Media skills;
- Effective written materials; and
- Effective Power Point presentations

Skill building sections should be designed to be interactive, drawing upon the materials in the manual and providing opportunities for participants to try out the skills, critique, and be critiqued.

Course instructors should be prepared to address questions about the legal and policy sections of the manual.

Appendix C: Interview Questionnaires

Note: Interviewers used some flexibility in determining which questions to ask each interviewee, given the variety of experiences and variance in time available for the interview.

Stakeholder Questionnaire: Short Form

Interviewer introduces self, describes the study and expected outcomes, describes how anonymity will be provided.

1. Briefly describe the ways in which you interact with the State and Regional Board Water Boards. How do you get information and / or give input?
2. How do you stay informed on the Water Board issues that are of interest to you?
 - a. Is it easy to stay informed on opportunities for involvement?
 - b. If not, what could be done differently?
3. In general, how do you feel your comments are received?
 - a. Are you treated respectfully?
 - b. Do you feel that your concerns and the information you provide are understood by staff and Board members?
 - c. What could be done to improve the way in which the Water Board becomes informed by public opinion?
4. Do you feel that you and others who share your interests are treated any differently from other stakeholder groups who may have a different orientation to the issues?
5. Can you give examples of situations where you felt your input made a difference in the eventual policy, decision, or action taken by the Water Board?
6. What would you advise the Water Board as an agency, or its staff specifically, do differently in order to improve the way in which they work with the public?
7. What would you compliment the Water Board on--as an agency, or its staff specifically--in terms of working with the public? What are they doing right?
8. Complaints? Pet peeves? War stories? Praise? Suggestions?
9. Anything else you'd like to tell me?

Stakeholders Interview Questionnaire—Long Form

Interviewer introduces self and explains the purpose of the study, gathering information in order to create a manual and course to help Water Board staff do outreach and public participation better. Interviewer explains how anonymity will be provided.

Interviewer reminds interviewee why they were chosen to be interviewed—they participated in X process.

- Walk me through your experience:
 - How did you learn about the opportunity?
 - How far in advance did you get notice, and in what form?

- Did the advance notice give you a good idea of what to expect—did it give you a good grasp of what was under consideration, and what / when your opportunities to participate would be?
- Why did you decide to attend?
- What went on during X process?
 - Did the process match what you thought it would be?
- Were there many other members of the public there?
 - Was there a diversity of people / interests represented?
 - Why do you think there was / wasn't a good turn-out?
 - Was the venue and timing convenient and accessible for participation?
- What opportunities were there for public participation?
 - What did you personally do in terms of participation?
 - Do you feel you took full advantage of the opportunities the SWRCB created for you to participate?
 - If there was more than one meeting, did you skip any meetings? If so, why?
 - Did you drop out of the process before it ended? If so, why? (This section is trying to get at whether the setting made it likely that people would participate—was it inviting? Was there sufficient time? Were the methods clear?)
- Was it clear to you what was the public's role in the decision-making process, and how input would be used?
- Did you have any opportunity to help design what the public's role would be?
- What was staff response to the public's participation?
 - On the spot, how was public input received by staff? What was their attitude / reaction? Were staff respectful?
 - Do you feel the process treated you fairly? Treated other members of the public fairly?
 - Do you feel the staff engaged in a genuine dialogue with the public?
 - Did you get the sense that staff were there mainly to defend a particular position, or were they genuinely interested in learning from what the public had to contribute?
- What do you believe the staff's goals or objectives were for involving the public?
- To your knowledge, did the public's participation make an impact?
 - Was this opportunity to participate sufficiently early in the process for you to have a meaningful impact?
 - What actually happened as a result of the public participation?
 - To your knowledge, what follow-up did staff do with the public? (How was the public informed of the final decision / action?)
- If a decision was made, were you involved in overseeing the implementation of the decision?
 - If not, were you invited to?
- On a scale of 1-10, how satisfied were you with this opportunity for participation? (Separate satisfaction with the eventual decision from satisfaction with how input was gathered and used).

- What were the strengths of what the Board did in terms of public participation?
- What did they NOT do that they should have done?
- Is there anything else that prevented you from participating as fully as you would have liked?
- What advice would you give WRCB in general to improve the way they conduct public participation?

Staff Interview Questionnaire

Interviewer gives background of study, defines what we mean by outreach (one-way transmission of information, e.g. booths, tables, classroom presentations) and public participation (two-way, opportunity for public impact). Explain that by “working with the public” we are including both outreach and public participation. Provide and explain IAP2 Spectrum.

Interviewer gives roadmap for the conversation and confirms time frame (approx 1 hour or less).

- Give me an overview list of your experiences working with the public here in the last few years. *(If they filled out a survey, interviewer mentions the items on the survey and probes for more).* Compare experiences to the IAP2 spectrum.
 - What would you say is your office’s general approach to working with the public? (May be different for different audiences or topics).
 - What are the main goals or objectives that you try to achieve when working with the public? (May be different for outreach and public participation).
 - What motivates you conduct these activities? (Any statutory or legal requirements? Water Board policies / job descriptions?)
 - Have you done anything that you think was unique that other offices could learn from?
 - Picking a time when you felt that you were very successful in meeting your goals with the public, describe what happened. What was good about it? What made it successful?
 - Picking a time when things didn’t go as you’d hoped, what happened? What would have made it go better?
 - What is your worst nightmare about what could happen? What do you do to prevent this?
 - What would you say have been the major obstacles that prevented you from working with the public as well as you would like?
 - If you were king / queen for a day, what would you change about the way your office works with the public?
 - In general, if you were giving tips to your colleagues about working with the public, what would you tell them? Do’s and don’ts?
 - Prompt for inspirational stories or cautionary tales we can use (anonymous if desired). *(Interviewer does not take a case study in the interview—case studies will be done as follow up using case study format. This interview prompt is just to get interviewee thinking about examples to flesh out later).*

- Samples of materials used? (*Interviewer is looking for things that are unique or that illustrate best practices or mistakes to avoid*).
- For this particular effort to create a manual and course, what do you think folks in your office could particularly benefit from that could be included in that manual and course? (Re: outreach? Re: public participation?) What could be in there that you would actually take it off the shelf and use it?
- Existing resources that you have found valuable? E.g. websites, manuals, training courses, handouts?

Feedback on draft manual /course outline

Share with interviewee our draft manual outline. Inform them the manual will probably be an electronic (online or CD) version as well as paper. Offer interviewee the option of taking a few minutes to review the outline and discuss right away, or take it away and provide comments via follow-up phone call or email.

- What do you think about this outline?
 - What do you like best?
 - What seems off target to you?
 - What's missing?

Last thoughts

Is there anything I haven't asked during this interview that I should have? Any last words?

Appendix D: Staff Survey

California State Water Resources Control Board Outreach Survey for Water Board Staff

Welcome! Your opinions are important to us; please take a few minutes to let us know what you think.

DEFINITIONS

For the purpose of this survey, “the public” is defined as

- * general public (unorganized);
- * interested stakeholders (organized or unorganized);
- * grantees;
- * members of the regulated community; AND / OR
- * consultants and attorneys representing any of the above.

“Working with the public” is defined as

- * Outreach / educational efforts, where staff are trying to inform or teach something to the public; AND / OR
- * Public involvement efforts, where staff are soliciting input, feedback, information, suggestions, and / or concerns from the public for consideration in Water Board actions, decisions, permits, etc.

QUESTIONS

1. Please indicate your job classification.

- Engineer Analyst Manager
- Scientist Administrative
- Other (please describe):

2. Please briefly describe the ways in which you personally have worked with members of the public over the past year as part of your job with the State Board or Regional Board.

3. a. Approximately what percentage of your time do you spend preparing for / conducting outreach activities? (See definition above)

3. b. Approximately what percentage of your time do you spend preparing for / conducting public involvement activities? (See definition above)

3. c. Do you foresee any upcoming changes in the amount or type of outreach / public involvement you will be doing in the future as part of your work with the Water Board? If yes, please explain the changes you foresee.

- Yes No

4. a. Please describe an experience your office has had working with the public that was particularly memorable-- either for its success or lack of success.

4. b. To what do you attribute these results?

5. What are the main goals or objectives that you try to achieve when working with the public?

6. What tips would you like to give to your colleagues about what to do or what NOT to do when working with the public, i.e. what lessons have you learned that others should know about?

7. Do you feel that the public has been able to have appropriate input into and impact upon the projects upon which you work? Why or why not?

8. Please give an example of a case where you felt that the public's input made a difference (for better or for worse) in your work. What happened?

9. Environmental Justice is defined as "the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies." Please rate the State and Regional Water Board's performance in fairly involving all interested parties, including ethnic and low-income communities, in its work.

- Excellent, no improvement needed
- Satisfactory, but could use some improvement
- Poor, needs major improvement

10. How can the Water Board best improve educational and involvement opportunities for the general public (e.g. more management measures workshops, more school visits, better presentations, better use of the media, better outreach to affected neighborhoods, more attention to environmental justice issues, etc.)?

11. What do you see as the benefits and drawbacks of an enhanced public outreach and public involvement program?

12. What topics and tools should be covered in the manual and course described above that would be particularly helpful to staff in your office to improve your ability to work effectively with the public? Please mark all that apply.

- | | |
|---|---|
| <input type="checkbox"/> Media / interviewing skills | <input type="checkbox"/> Determining what type of outreach / public participation is called for |
| <input type="checkbox"/> Presentation skills / public speaking | <input type="checkbox"/> Stand-up facilitation |
| <input type="checkbox"/> Effective outreach materials / campaigns | <input type="checkbox"/> Planning a public involvement process |
| <input type="checkbox"/> Meeting and agenda design | <input type="checkbox"/> Conflict resolution / dealing with difficult situations |
| <input type="checkbox"/> Open meeting law compliance | <input type="checkbox"/> Community networking / mapping communities of interest |

Fundamentals of environmental justice

13. Please list and give references if possible of existing resources you have found valuable in your work with the public. (e.g. websites, manuals, books, courses)

Appendix E: Stakeholder Survey

California State Water Resources Control Board Outreach Survey for Water Board Stakeholders

DEFINITIONS

For the purpose of this survey, “the public” is defined as

- general public (unorganized);
- interested stakeholders (organized or unorganized);
- grantees;
- members of the regulated community; AND / OR
- consultants and attorneys representing any of the above.

“Working with the public” is defined as

- Outreach / educational efforts, where staff are trying to inform or teach something to the public; AND / OR
- Public involvement efforts, where staff are soliciting input, feedback, information, suggestions, and / or concerns from the public for consideration in Water Board actions, decisions, permits, etc.

QUESTIONS

1. What is your affiliation or area of interest in connection with the State Water Resources Control Board or Regional Water Quality Control Boards? (e.g. agriculture, environmental group, homeowner, local government representative, recreational water user group, regulated industry representative, private well owner, timber, etc.)

2. How long have you been interacting with members or staff of the State Water Resources Control Board or Regional Water Quality Control Boards (hereafter referred to collectively as the Water Board)? Please mark an X in the parentheses next to your selection.

- () Less than one year
- () One to four years
- () Five to ten years
- () Greater than 10 years

3. Please indicate the ways in which you personally have interacted with members or staff of the Water Board in the past year. Please mark an X in the parentheses next to all that apply, and add additional detail in the comment section as needed.

() I have submitted comments on upcoming Water Board actions or testified at Board meetings.

() I have personally called or met with Water Board staff to explain my interests and concerns regarding water quality issues or water rights.

I have received written or verbal information from staff on Water Board policy, actions, or ways to achieve water quality objectives .

As a member of the regulated community, I have worked with staff regarding conditions or changes to conditions for my permit, and what I must do to achieve compliance.

I have sought or received grant funding through the Water Board.

I have participated in a task force, technical team, or other advisory group to the Water Board.

I have attended informational community meetings, presentations, or other briefings conducted by Water Board staff.

A Water Board staff member serves as a technical resource to another group in which I participate.

Other (please explain)

Comments:

4.a. How do you find out about upcoming opportunities to interact or work with the Water Board or its staff on items of interest to you? Please mark an X in the parentheses next to all that apply.

Water Board mass communications

Please indicate all that apply:

website

letter

email listserve

other:

Personal contact with Water Board members or staff

Public news source

Please indicate all that apply:

radio

TV

print media

other:

Word of mouth

Other (please explain)

b. Is this communication effective? If not, how could it be improved?

5. Please rate the statements below on the scale provided. Please explain any “Disagree” response and suggest what could be done to improve the situation.

a. Water Board staff are adequately skilled at public speaking and giving public presentations.

1—Agree 2—Neutral / No Opinion 3—Disagree

Comments:

b. Water Board staff present technical information in a manner that is easily understood by a lay audience.

1—Agree 2—Neutral / No Opinion 3—Disagree

Comments:

c. I am able to obtain needed information and assistance from staff in a timely fashion.

1—Agree 2—Neutral / No Opinion 3—Disagree

Comments:

d. Written materials provided by staff are clear, up to date, and meet my needs.

1—Agree 2—Neutral / No Opinion 3—Disagree

Comments:

e. Water Board staff provide helpful guidance to regulated groups, grantees, and / or the general public on how to achieve water quality objectives.

1—Agree 2—Neutral / No Opinion 3—Disagree

Comments:

f. The Water Board members and staff are receptive to learning about my concerns and needs.

1—Agree 2—Neutral / No Opinion 3—Disagree

Comments:

g. I am able to have meaningful involvement on the issues / decisions that are important to me.

1—Agree 2—Neutral / No Opinion 3—Disagree

Comments:

h. Water Board staff make adequate efforts and accommodations to ensure that all audiences have equal access to the educational and decision-making process (e.g. disadvantaged communities, ethnic communities, the disability community, opposing interests).

1—Agree 2—Neutral / No Opinion 3—Disagree

Comments:

6. In your experience, what has the Water Board or its staff done especially well in terms of working with the public and the regulated community?

7. What could the Water Board or its staff do differently to improve their work with the public and the regulated community?

8. Do you feel that the public has been able to have appropriate input into and impact upon Water Board actions? Why or why not?

9. Please give an example of a case where you felt that the public's input to the Water Board members or staff made a difference. What happened?

10. Environmental Justice is defined as "the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies." Please rate the State and Regional Water Board's performance in involving all interested parties, including ethnic and low-income communities, in

its work by marking an X in the parentheses next to your choice.

- Excellent, No Improvement Needed
- Satisfactory, But Could Use Some Improvement
- Poor, Needs Major Improvement

Comments:

11. How can the Water Board best improve educational and involvement opportunities for the general public (e.g. more management measures workshops, more school visits, better presentations, better use of the media, better outreach to affected neighborhoods, more attention to environmental justice issues, etc.)?

12. Please provide any additional comments you believe would be helpful..

Appendix F: Survey and Analysis Methods and Limitations

Survey Methods

For the staff survey, all 2,026 staff of the State and Regional Boards at the time of survey administration were contacted via email, and were invited to either complete the survey online, or to request a paper copy of the survey via traditional mail. Completed surveys for 204 staff members were submitted online or by mail, yielding a response rate of 10.0%.

For the stakeholder survey, a sample of stakeholders was contacted by email or traditional mail, and was invited to either complete the survey online, or to request a paper copy of the survey via traditional mail. The population of stakeholders was identified through existing mailing lists that have been compiled by the SWRCB and RWQCB for various purposes, including mailing lists for specific programs or projects as well as general agenda mailing lists. These lists included 8,529 individual names. Invitations to participate in the survey were emailed to all 1,970 of the individuals on the lists who had valid email addresses. Of the remaining 6,559, a random sample of 20% was selected to receive an invitation letter addressed to their mailing address. In all, 3,114 invitations were distributed statewide by mail and email. Of these, 394 surveys were completed online or submitted by mail, yielding a response rate of 12.7%.

Survey Limitations

Considering three limitations of the survey methods—likely depressed response rates among those staff and stakeholders who were personally interviewed for the project, the modest overall response rates, and the online survey administration—caution must be exercised when interpreting the survey results. Because staff and stakeholders who were personally interviewed for this study likely did not also participate in the survey, survey results may not reflect this portion of the Water Board staff and stakeholder population (which included the majority staff with the most public involvement experience, and as small percentage of stakeholders with ongoing or deeply invested relationships with the Water board). Because the surveys were administered online (and because a hard copy survey was distributed to anyone who requested one), it is likely that some portion of the completed surveys were submitted by individuals other than those who were initially invited to participate. Thus, the response rates reported above should be interpreted as upper ceilings on the true response rate, and it should be presumed that the results likely include overrepresentation of some stakeholders who may have encouraged their friends and associates to participate. It is also conceivable, though less likely, that one or more respondents submitted multiple surveys to strategically influence the overall findings. In consultation with the SWRCB, CCP elected to administer the survey online to control research costs, and to efficiently disseminate the surveys as widely as possible.

In light of the modest response rates, online administration, and potential that in-person interviewees self-selected out of survey participation, *the survey results, and the quantitative and qualitative findings based on those results, cannot be interpreted as representing the views of Water Board staff or stakeholders as a whole.* The surveys reflect the opinions of only those staff and stakeholders who chose to participate.

Data Analysis Methods

It should be noted that CCP did not evaluate the merits of individuals' complaints and compliments, nor did CCP investigate the facts of experiences that were retold to the interviewers. All data was analyzed to yield broad patterns and instructive examples.

Site visits and interviews

For all interview notes, CCP staff read the notes and compiled recurring themes (both criticisms and compliments) and novel suggestions. CPP staff highlighted any quotations that were especially effective at exemplifying each major theme. CCP staff also compared interviewee's accounts of their experiences with the project's criteria for excellence in public participation. (See Appendix F).

For all observations, CCP staff reviewed the detailed observer notes and 1) compared the interaction described to the project's criteria for excellence in public participation in order to determine public involvement strengths and weaknesses; and 2) identified staff skill development that would potentially have improved the interaction.

For all sample materials, CCP reviewed the materials for effectiveness of communication and identified staff skill development that would potentially have improved the materials.

Surveys of Staff and Stakeholders

For close-ended survey questions (e.g. agree, disagree, neutral), frequencies and other descriptive statistics were compiled (see Appendix H), and quantitative analyses were conducted to compare the mean views for various categories of stakeholders.

For each open-ended question, all the comments submitted from all the individual surveys were collated into a single text file. Proceeding question by question, CPP staff read each comment and noted recurring themes (both criticisms and compliments) and novel suggestions. CPP staff also highlighted any quotations that were especially effective at exemplifying each major theme.

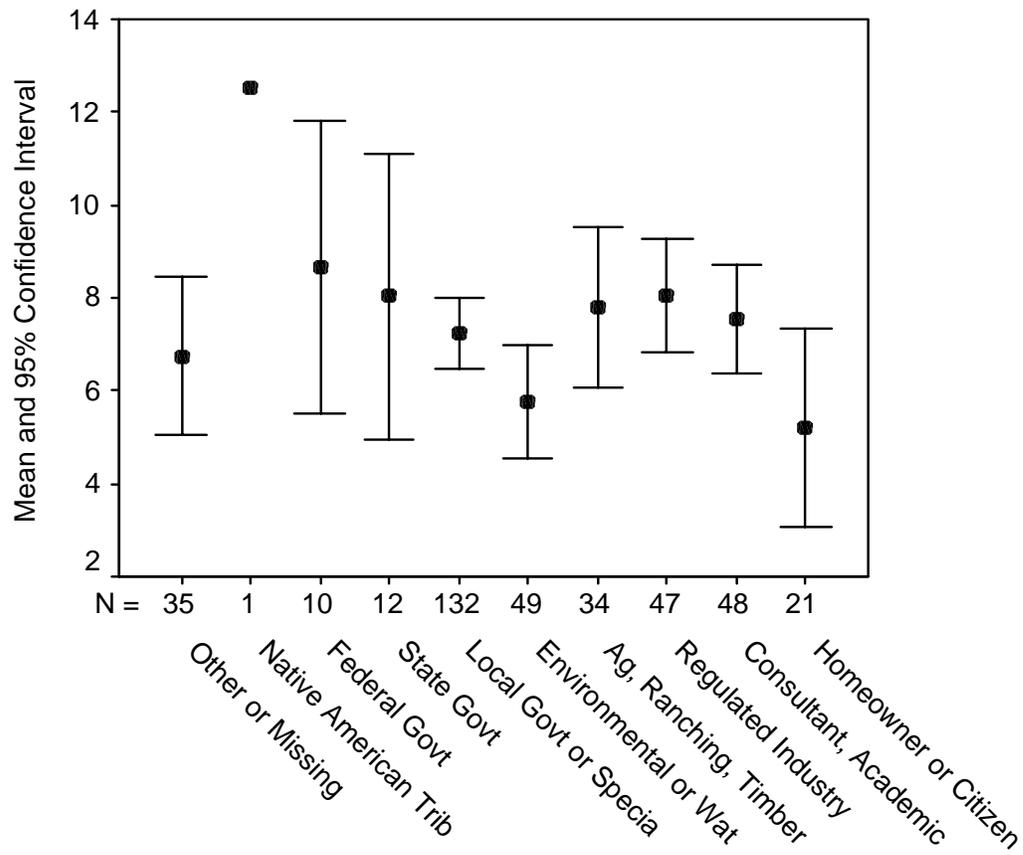
Appendix G: Staff and Stakeholder Survey Analysis

Quantitative Analysis of the Stakeholder Survey: Comparing Opinions Across Nine Stakeholder Categories

Prepared by Bill Leach, January 15, 2004 .

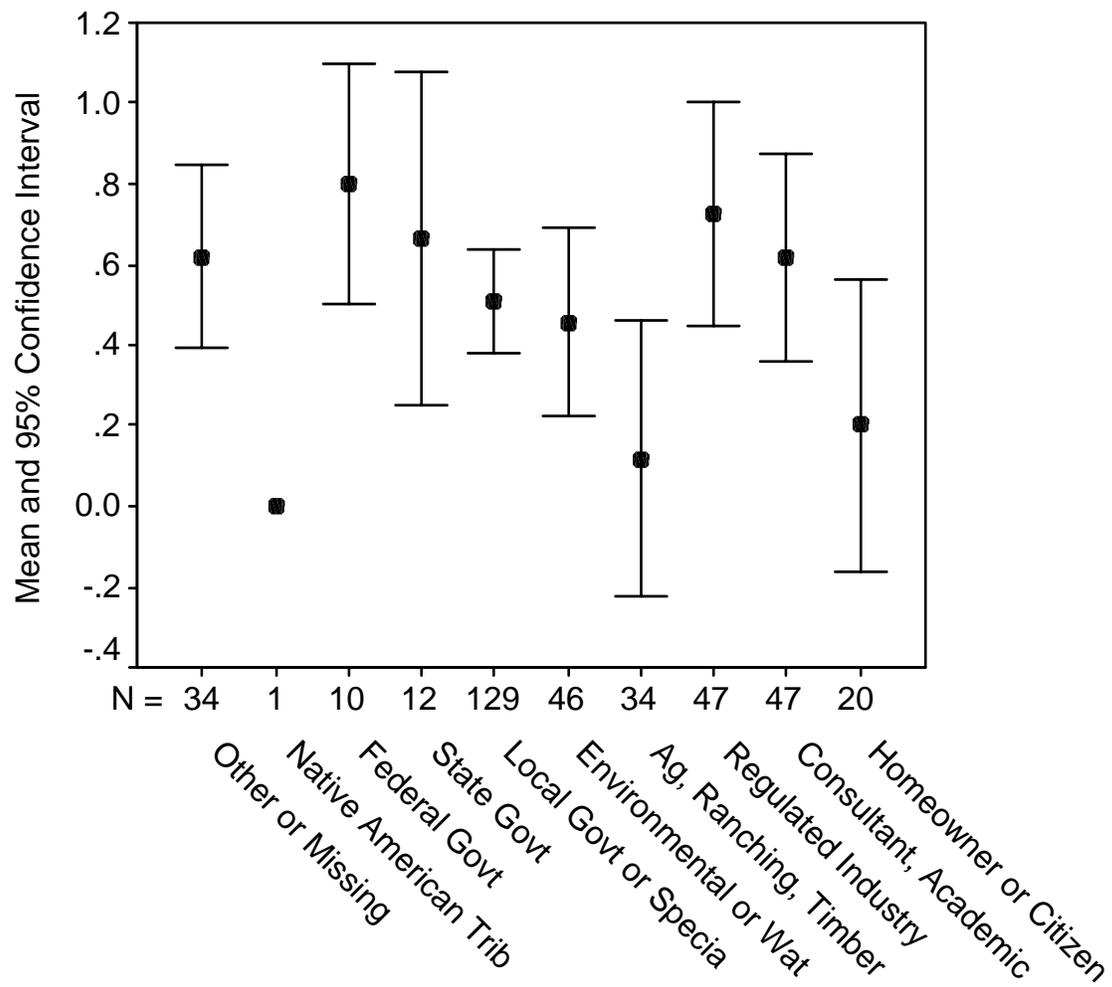
Table 1. Number of responses from each category of stakeholders

	Frequency	Percent
Other or Missing	35	8.9
Native American Tribe	1	.3
Federal Govt	10	2.6
State Govt	12	3.1
Local Govt or Special District	132	33.7
Environmental or Watershed Group	49	12.5
Ag, Ranching, Timber	34	8.7
Regulated Industry	47	12.0
Consultant, Academic, Scientist, Engineer, Researcher	50	12.8
Homeowner or Citizen	22	5.6
Total	392	100.0



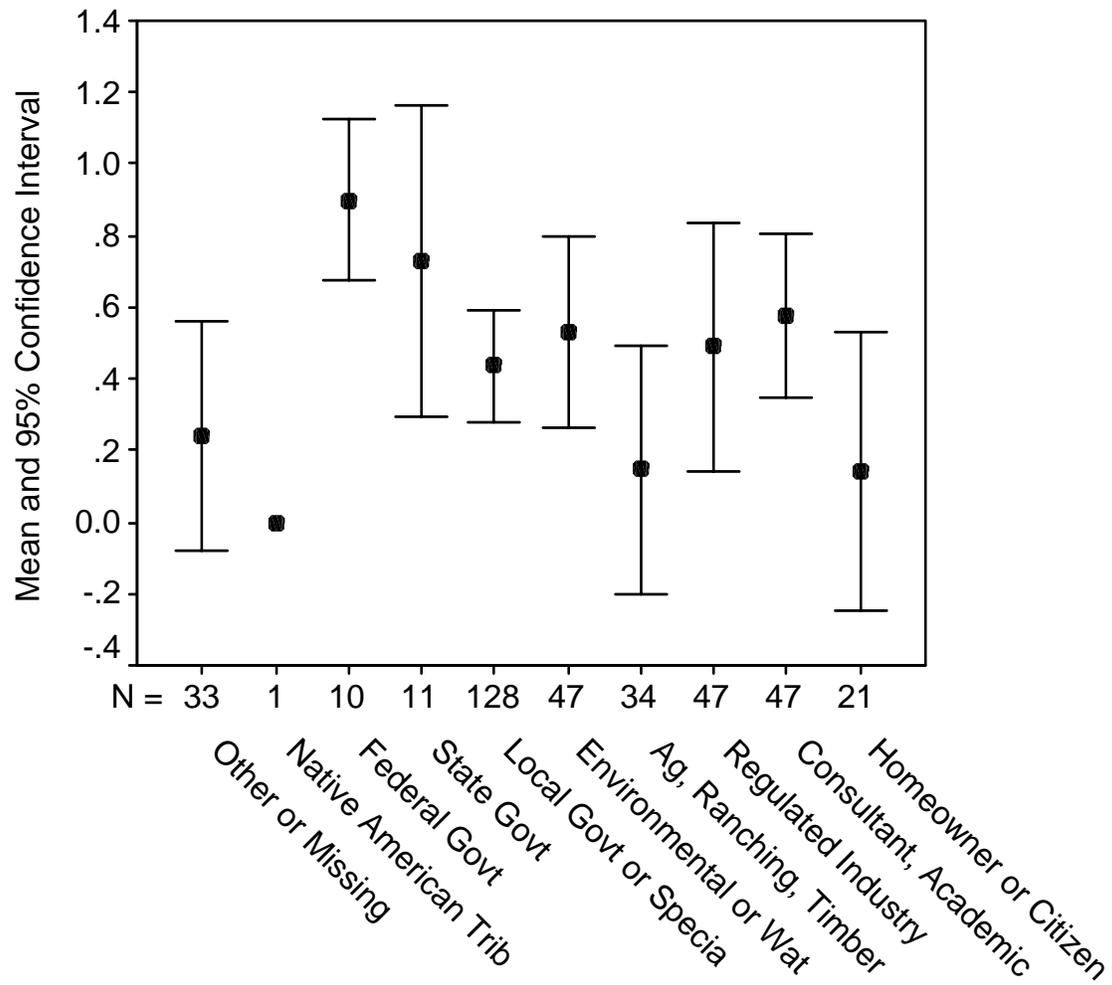
2. How long have you been interacting with members or staff of the State Water Resources Control Board or Regional Water Quality Control Boards (hereafter referred to collectively as the Water Board)?

- Less than one year
- Five to ten years
- One to four years
- Greater than ten years



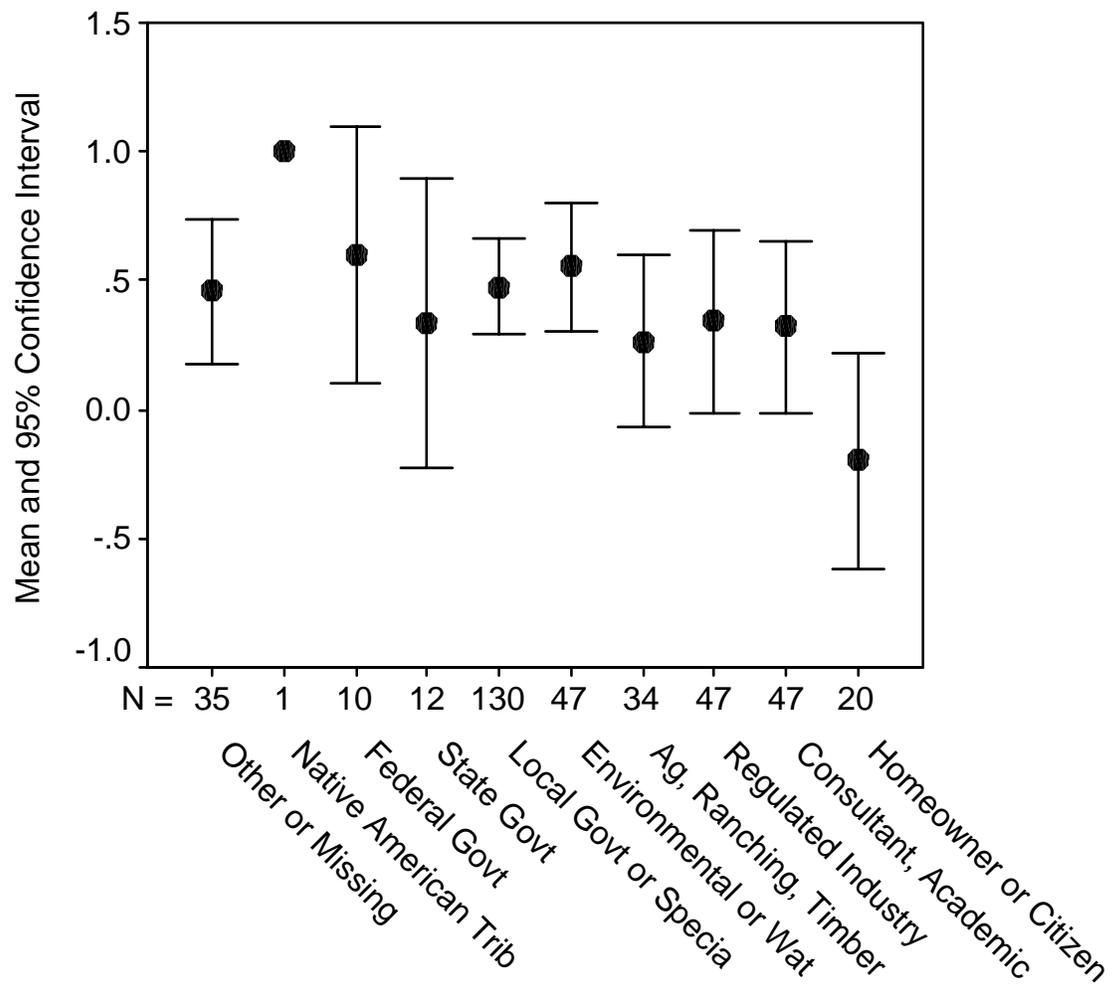
5a. Water Board staff are adequately skilled at public speaking and giving public presentations.

- Agree (recoded as +1)
- Neutral / No Opinion (recoded as 0)
- Disagree (recoded as -1)



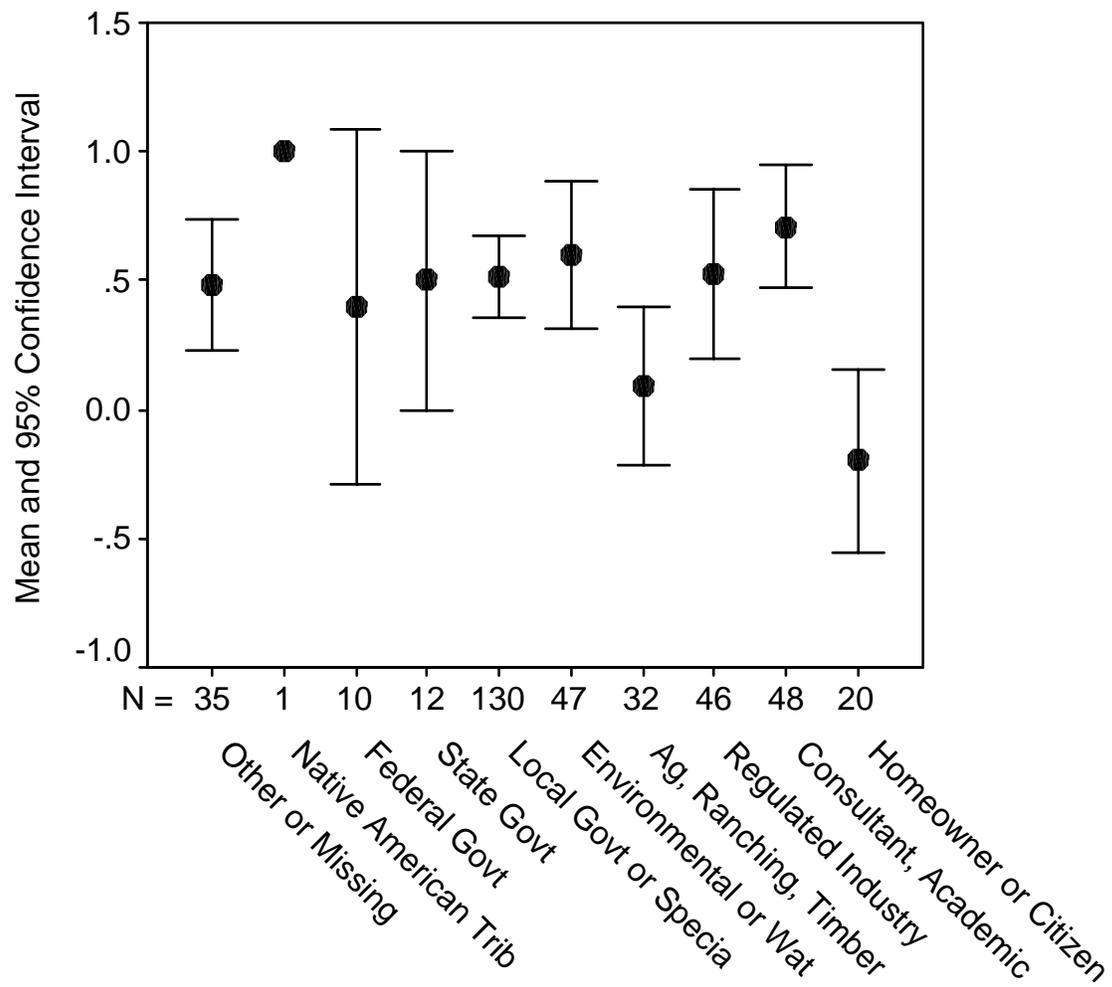
5b. Water Board staff present technical information in a manner that is easily understood by a lay audience.

- Agree (recoded as +1)
- Neutral / No Opinion (recoded as 0)
- Disagree (recoded as -1)



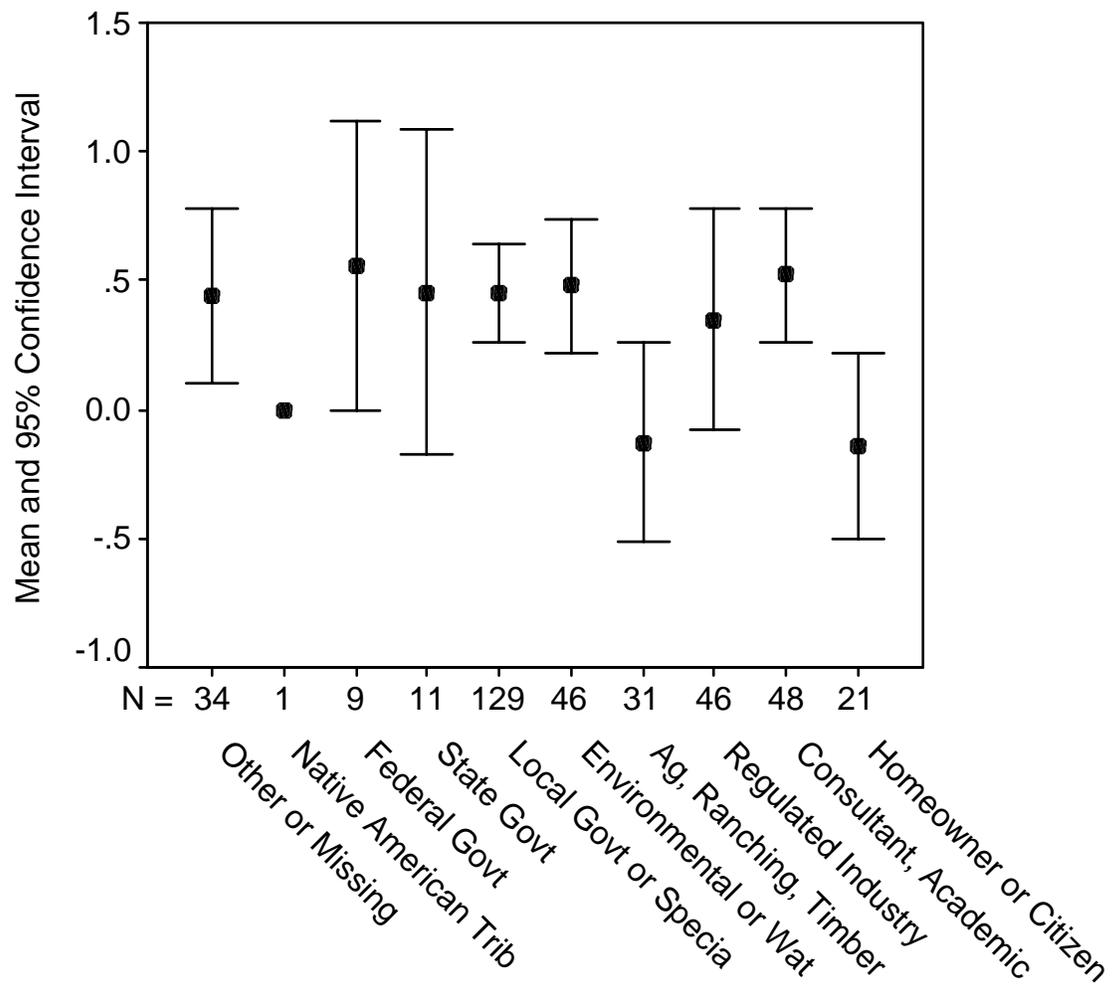
5c. I am able to obtain needed information and assistance from staff in a timely fashion.

- Agree (recoded as +1)
- Neutral / No Opinion (recoded as 0)
- Disagree (recoded as -1)



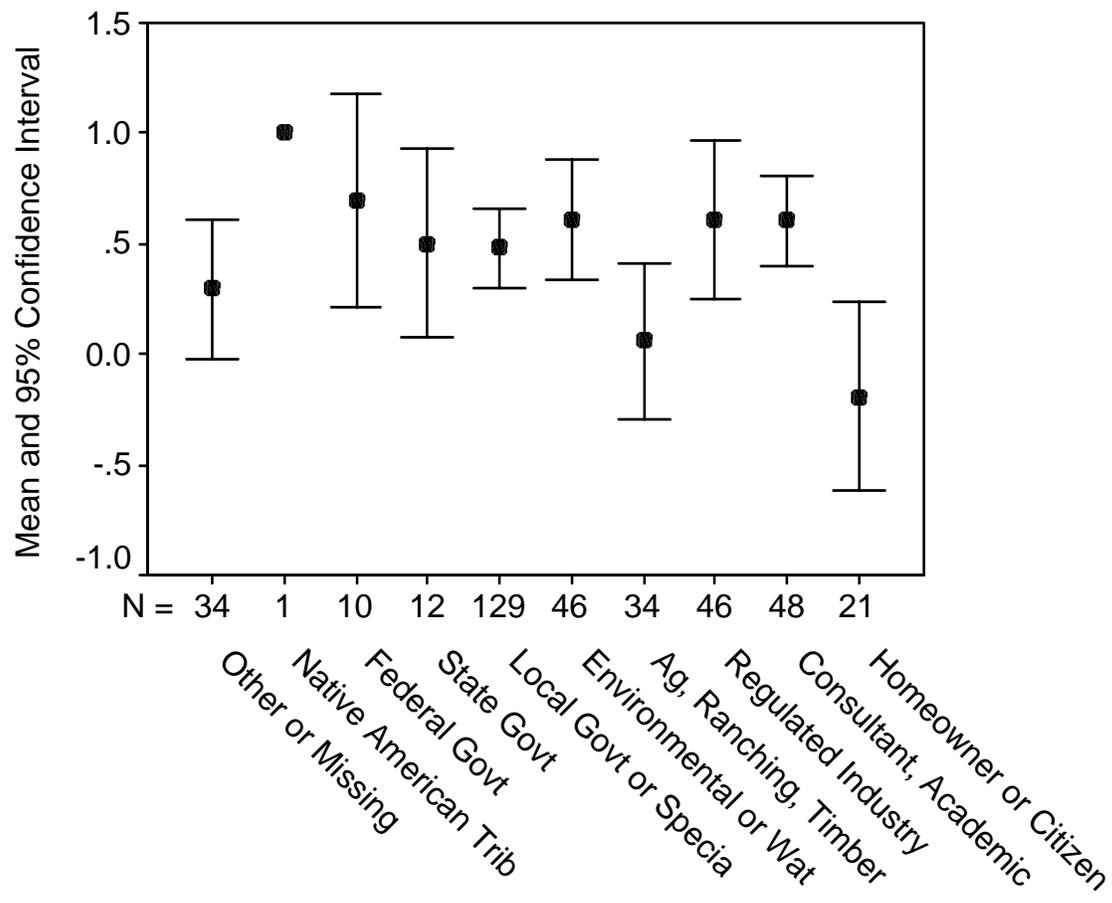
5d. Written materials provided by staff are clear, up to date, and meet my needs.

- Agree (recoded as +1)
- Neutral / No Opinion (recoded as 0)
- Disagree (recoded as -1)



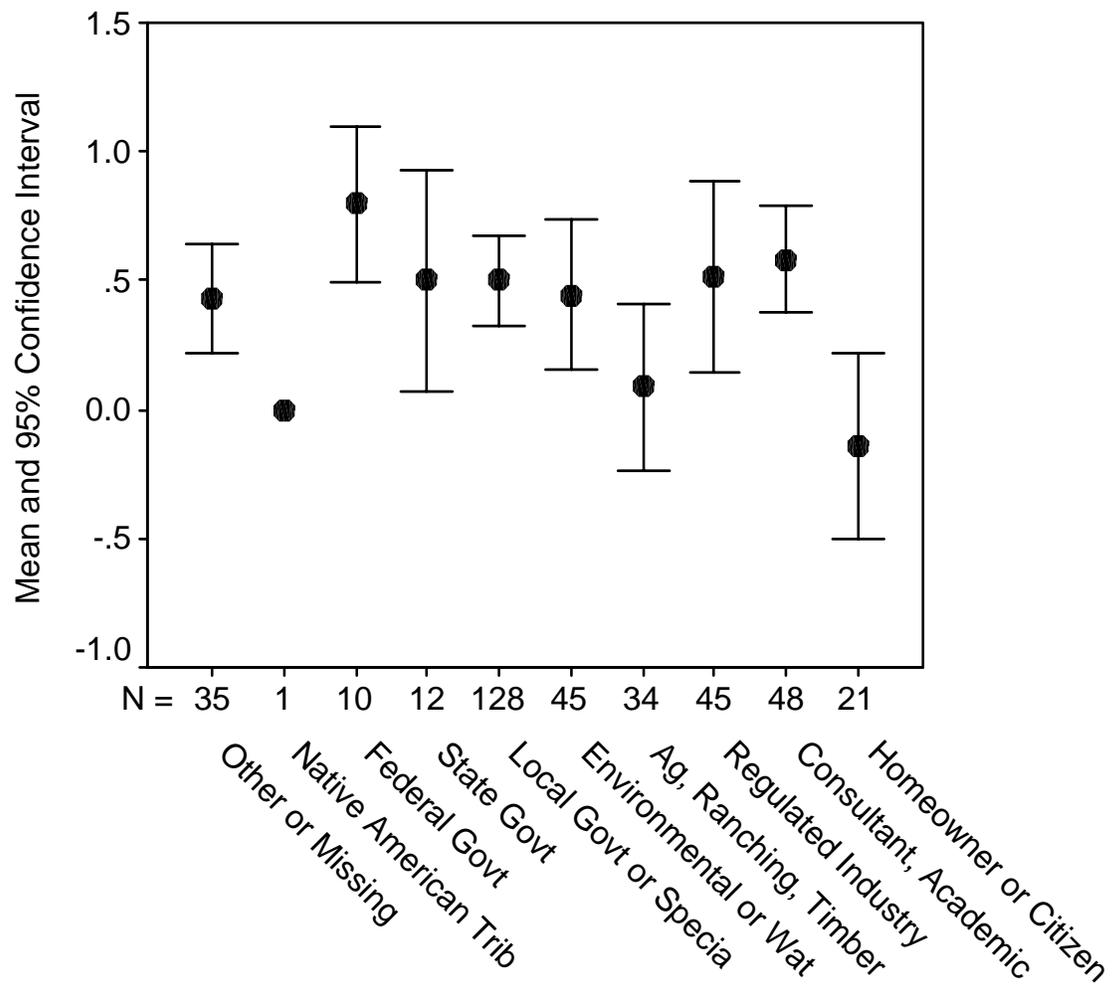
5e. Water Board staff provide helpful guidance to regulated groups, grantees, and / or the general public on how to achieve water quality objectives.

- Agree (recoded as +1)
- Neutral / No Opinion (recoded as 0)
- Disagree (recoded as -1)



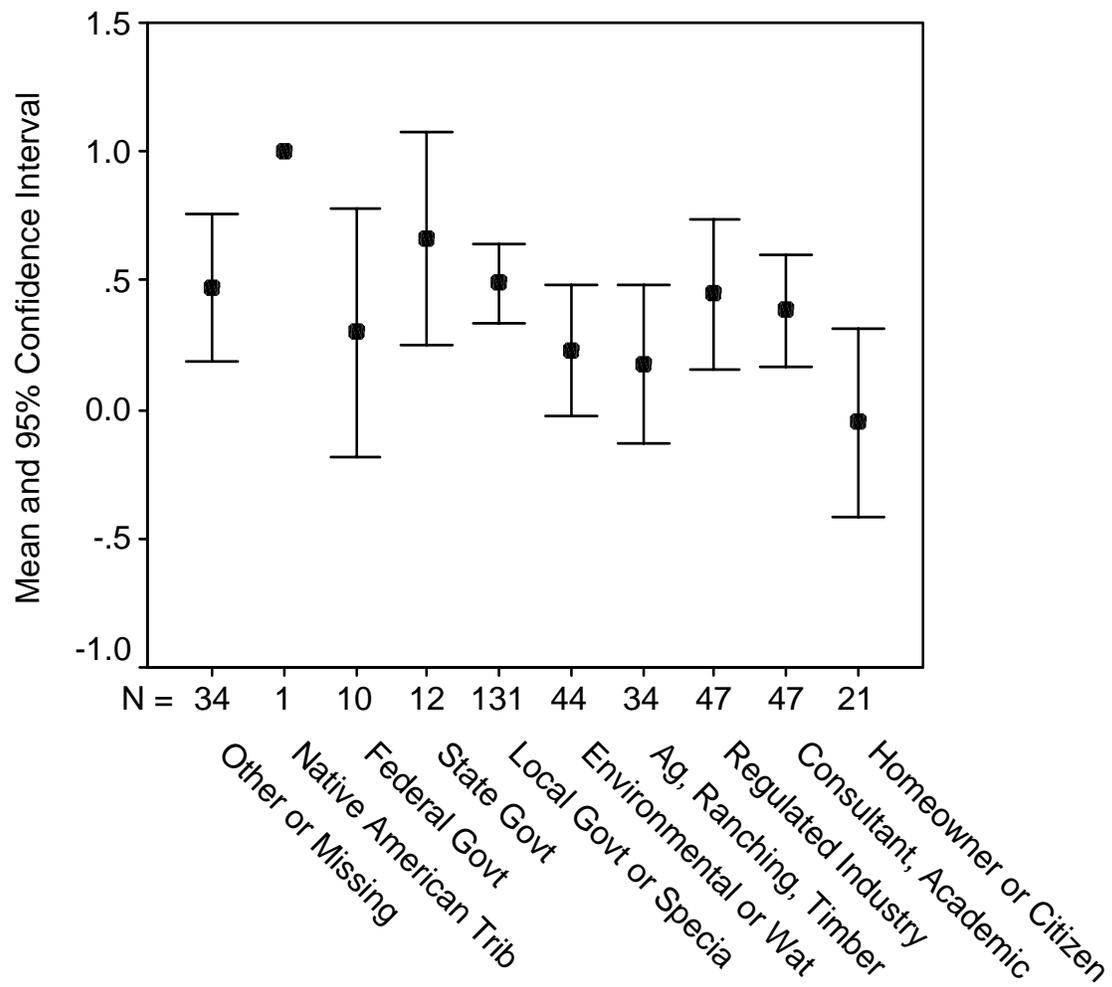
5f. The Water Board members and staff are receptive to learning about my concerns and needs.

- Agree (recoded as +1)
- Neutral / No Opinion (recoded as 0)
- Disagree (recoded as -1)



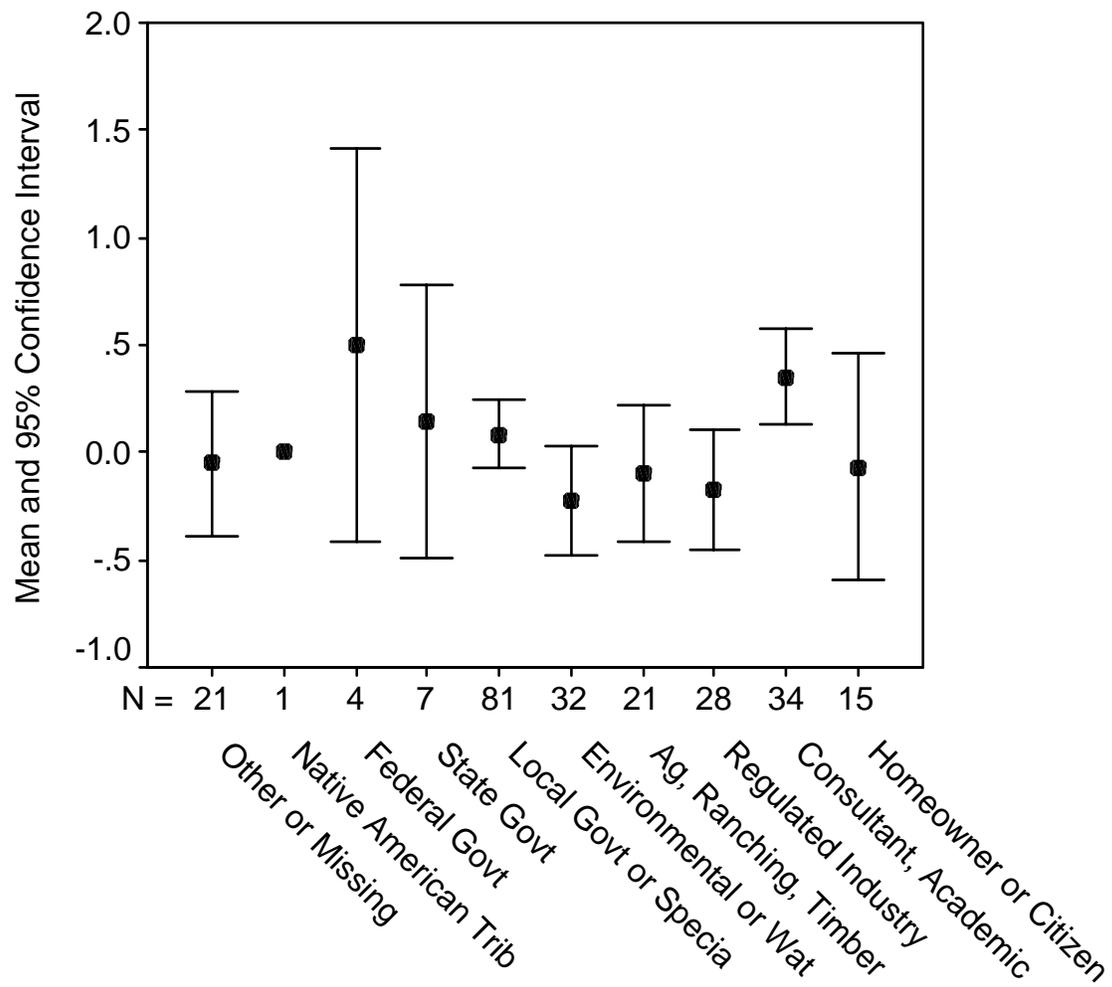
5g. I am able to have meaningful involvement on the issues / decisions that are important to me.

- Agree (recoded as +1)
- Neutral / No Opinion (recoded as 0)
- Disagree (recoded as -1)



5h. Water Board staff make adequate efforts and accommodations to ensure that all audiences have equal access to the educational and decision-making process (e.g. disadvantaged communities, ethnic communities, the disability community, opposing interests).

- Agree (recoded as +1)
- Neutral / No Opinion (recoded as 0)
- Disagree (recoded as -1)



10. Environmental Justice is defined as "the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies." Please rate the State and Regional Water Board's performance in involving all interested parties, including ethnic and low-income communities, in its work.

- Excellent, no improvement needed (recoded as +1)
- Satisfactory, but could use some improvement (recoded as 0))
- Poor, needs major improvement (recoded as -1)

Correlation Matrix

	SKILL5A	TECH5B	TIME5C	CLEAR5D	GUIDE5E	LEARN5F	ABLE5G	EQUAL5H	EJ10
Correlation SKILL5A	1.000	.621	.493	.527	.516	.429	.494	.443	.266
TECH5B	.621	1.000	.506	.573	.575	.588	.577	.463	.318
TIME5C	.493	.506	1.000	.556	.571	.582	.515	.464	.188
CLEAR5D	.527	.573	.556	1.000	.672	.607	.578	.575	.305
GUIDE5E	.516	.575	.571	.672	1.000	.635	.614	.535	.226
LEARN5F	.429	.588	.582	.607	.635	1.000	.702	.508	.318
ABLE5G	.494	.577	.515	.578	.614	.702	1.000	.600	.328
EQUAL5H	.443	.463	.464	.575	.535	.508	.600	1.000	.374
EJ10	.266	.318	.188	.305	.226	.318	.328	.374	1.000

R E L I A B I L I T Y A N A L Y S I S - S C A L E (A L P H A)

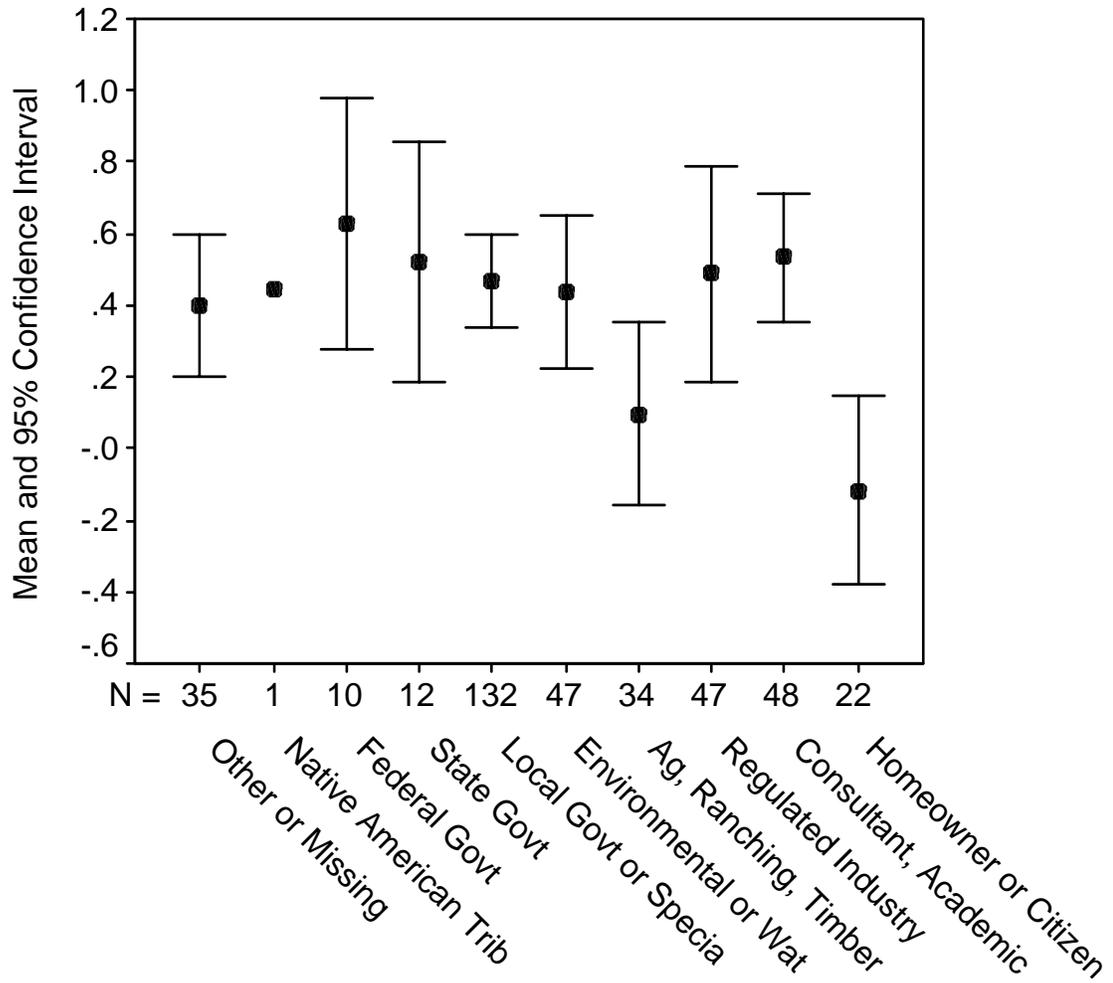
N of Cases = 254.0

Item-total Statistics

	Scale Mean if Item Deleted	Scale Variance if Item Deleted	Corrected Item- Total Correlation	Squared Multiple Correlation	Alpha if Item Deleted
SKILL5A	4.8307	30.2281	.6320	.4696	.8927
TECH5B	4.9370	28.7628	.7102	.5476	.8867
TIME5C	4.9528	28.6776	.6521	.4624	.8915
CLEAR5D	4.8780	28.5503	.7476	.5791	.8840
GUIDE5E	5.0276	27.3945	.7406	.5888	.8843
LEARN5F	4.8780	28.1155	.7458	.6190	.8838
ABLE5G	4.8937	28.0242	.7489	.6074	.8835
EQUAL5H	4.9409	29.5578	.6610	.4751	.8905
EJ10	3.2756	32.8724	.3683	.1923	.9086

Reliability Coefficients 9 items

Alpha = .9009 Standardized item alpha = .8984



9-item evaluation scale (calculated as the mean of 9 questions: 5a-h, 10)

Stakeholder survey: summary of written comments

Prepared by Bill Leach, January 15, 2004.

Common Themes Throughout the Written Comments

Many respondents took the time to complain or complement staff on “customer service” types of issues such as timeliness of returned phone calls and emails, accessibility, friendliness, having a can-do attitude, taking a cooperative rather than “us-versus-them” approach, having an open mind, being willing to listen.

Many respondents took the time to complain or complement staff on “procedural justice” or “due-process” issues such as providing adequate notice of meetings and decisions, not making up their minds before receiving public input, inclusiveness (i.e. welcoming input from all sides), avoiding cooptation by ag/industry or environmentalists.

4.b. Is this communication effective? If not, how could it be improved?

Listserves received high praise, where available. Multiple respondents were happy to learn about the listserve(s) through the survey.

Multiple respondents requested a monthly newsletter.

Websites received mixed reviews for ease of use and content.

Multiple respondents suggested greater use of popular media/advertising to educate general public about Regional Boards and water quality issues, targeting especially regulated parties who are unaware of the laws and the boards.

Multiple respondents complained about inadequate notice periods; information is provided too late.

5a. Water Board staff are adequately skilled at public speaking and giving public presentations. 5b. Water Board staff present technical information in a manner that is easily understood by a lay audience.

Overarching theme is that skill varies widely, often with level of seniority.

Many respondents criticized an apparent lack of technical competence.

Several respondents objected to staff’s emphasis on regulation/permitting or arrogance in tone, preferring educational presentations offered with an open mind.

Several respondents reported difficulty understanding non-native English speakers.

Several respondents complained about receiving contradictory information from individual staff or from different staff.

Several respondents requested less use of Jargon And Acronyms (JAAC)

c. I am able to obtain needed information and assistance from staff in a timely fashion.

Very mixed bag of praise and consternation. Many respondents attribute shortcomings to budget cuts and understaffing.

d. Written materials provided by staff are clear, up to date, and meet my needs.

Mix of praise and dissatisfaction. Many respondents complained about materials being inaccurate or out-of-date.

e. Water Board staff provide helpful guidance to regulated groups, grantees, and / or the general public on how to achieve water quality objectives.

A preponderance of the written comments for this question are complaints.

Lots of complaints about staff not being sufficiently knowledgeable about particular industries to be able to offer sound advice. Worse, some staff are seen as bluffing their way through, giving misguided advice on topics they have little knowledge of, and being defensive when challenged. Many complaints about staff being inflexible or insensitive to cost. Many complaints about inconsistency, changing rules, “making it up as they go.”

Several complaints about staff being unavailable to attend meetings where their input was important and solicited.

Many respondents noted a reluctance of staff to offer advice. Instead, staff often assert that their job is to tell regulated parties what standards they need to reach, not how they can or should achieve them.

Several citizens or environmentalists complained that staff seemed uninterested in pursuing tips or reports of unlawful discharges.

Many respondents acknowledged that staff have many competing claims on their time.

f. The Water Board members and staff are receptive to learning about my concerns and needs.

Not a lot of insights here. Most respondents simply expressed satisfaction or dissatisfaction. A frequent sentiment was that, “They may appear receptive to learning,

but often they already have their minds made up and therefore are truly not receptive to data and facts.”

g. I am able to have meaningful involvement on the issues / decisions that are important to me.

Comments mirror those of prior question.

“Staff is very approachable and willing to discuss issues.”

“Like talking to a brick wall.”

“Like beating a dead horse.”

“Rated as ‘F’”

h. Water Board staff make adequate efforts and accommodations to ensure that all audiences have equal access to the educational and decision-making process (e.g. disadvantaged communities, ethnic communities, the disability community, opposing interests).

Mix of compliments and criticisms, and an even mix of accusations of co-optation by regulated parties and co-optation by environmentalists.

Request for more outreach to rural communities, EJ communities, non-English speakers, and working people who can’t attend daytime meetings.

6. In your experience, what has the Water Board or its staff done especially well in terms of working with the public and the regulated community?

Multiple respondents praised the assistance they received in preparing grant applications.

7. What could the Water Board or its staff do differently to improve their work with the public and the regulated community?

Many respondents request more local meetings outside Sacramento; greater presence of staff in local communities and more non-confrontational interaction between staff and regulated community.

Institute mechanisms for rewarding “gem” employees and transferring or weeding out problematic staff. One respondents suggested creating a “central place to call” to report good or bad staffers.

8. Do you feel that the public has been able to have appropriate input into and impact upon Water Board actions? Why or why not?

Most common complaints: decisions are predetermined; concern about “professional inputers” displacing participation by ordinary citizens; difficulty attending Board

meetings because of the time of day or because the agenda is too long and unfocused, requiring one to attend the entire day even if most of the topics are not of interest.

Suggestion: reorganize and focus meetings so that the all the topics on a given day target the interests of specific stakeholder groups (e.g. municipalities).

9. Please give an example of a case where you felt that the public's input to the Water Board or staff made a difference. What happened?

Very few respondents provided enough detail in their responses to generate lessons learned regarding why a particular effort was successful. One notable exception: A Regional Board that allowed busy, remote farmers to testify via pre-recorded messages.

However, this section contains many testimonial comments to the effect of “Yes, you can make a difference!” Many are quotable, and could be included in the manual.

10. Environmental Justice is defined as "the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies." Please rate the State and Regional Water Board's performance in involving all interested parties, including ethnic and low-income communities, in its work.

Many respondents had no opinion, and several respondents dismissed the premise of the question: “I’m all for this, but not at the expense of sound science or common sense.” “This question has no bearing on water quality.” “An inordinate amount of energy is expended with very little benefit. Science is not used effectively, emotion is.”

Several respondents noted the need for attention to culturally tailored outreach. “My community is mostly ethnic and has a very difficult time conceiving that auto detailing is illegal.” “Some cultural neighborhoods are not reached and are still dumping trash in creeks.”

Several respondents viewed the costs of environmental compliance as an EJ issue, disproportionately burdening poor communities, rural communities, and ethnic communities (e.g. farm workers). Some saw environmental compliance as a luxury competing with more pressing needs. “These communities are struggling to provide basic services.”

Some respondents acknowledged that the work of the Regional Boards had helped correct environmental problems in EJ communities.

11. How can the Water Board best improve educational and involvement opportunities for the general public (e.g. more management measures workshops, more school visits, better presentations, better use of the media, better outreach to affected neighborhoods, more attention to environmental justice issues, etc.)?

All of the examples listed within the question were generally supported. Many respondents encouraged more use of popular media, but other's felt that the Boards' limited resources should be directed elsewhere.

Several respondents urged more outreach and sensitivity to agriculture and industry.

12. Please provide any additional comments you believe would be helpful.

No consistent themes emerge from this very diverse set of comments, many quite novel.

Evaluation of Staff Surveys

Question 1

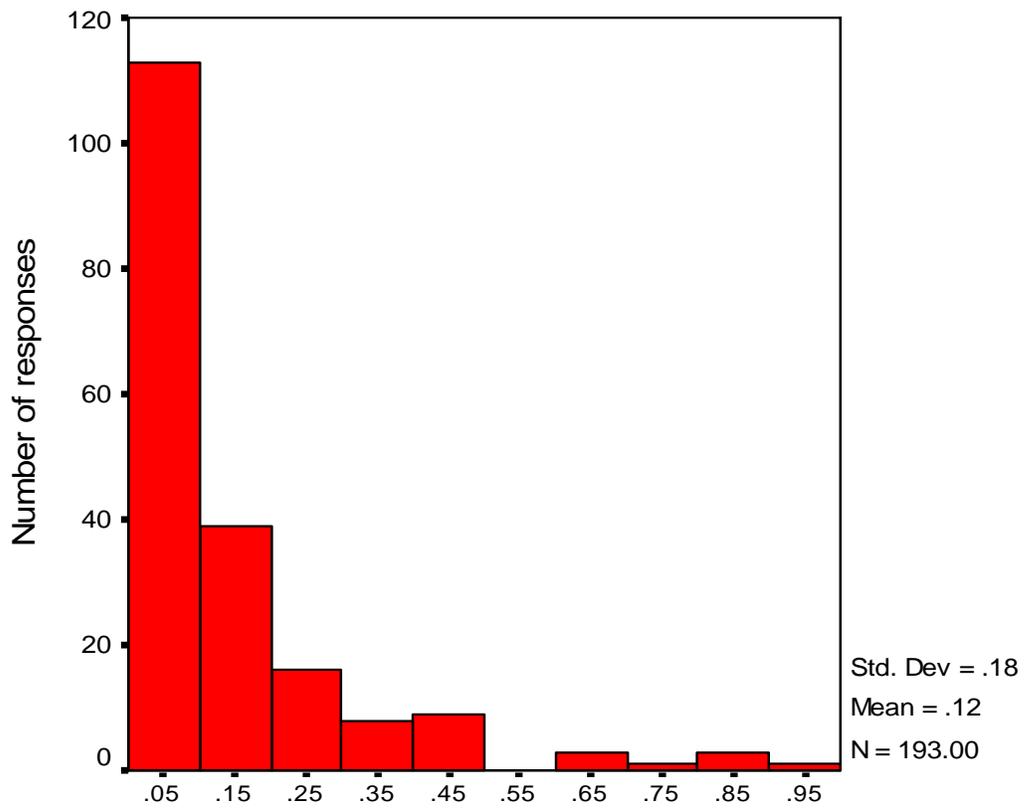
JOBCLASS		
	Frequency	Percent
Valid	3	1.5
Administrative	13	6.4
Analyst	19	9.3
Engineer	66	32.4
Manager	13	6.4
Other	39	19.1
Scientist	51	25.0
Total	204	100.0

Question 2

Categories of staff interaction with members of the public:

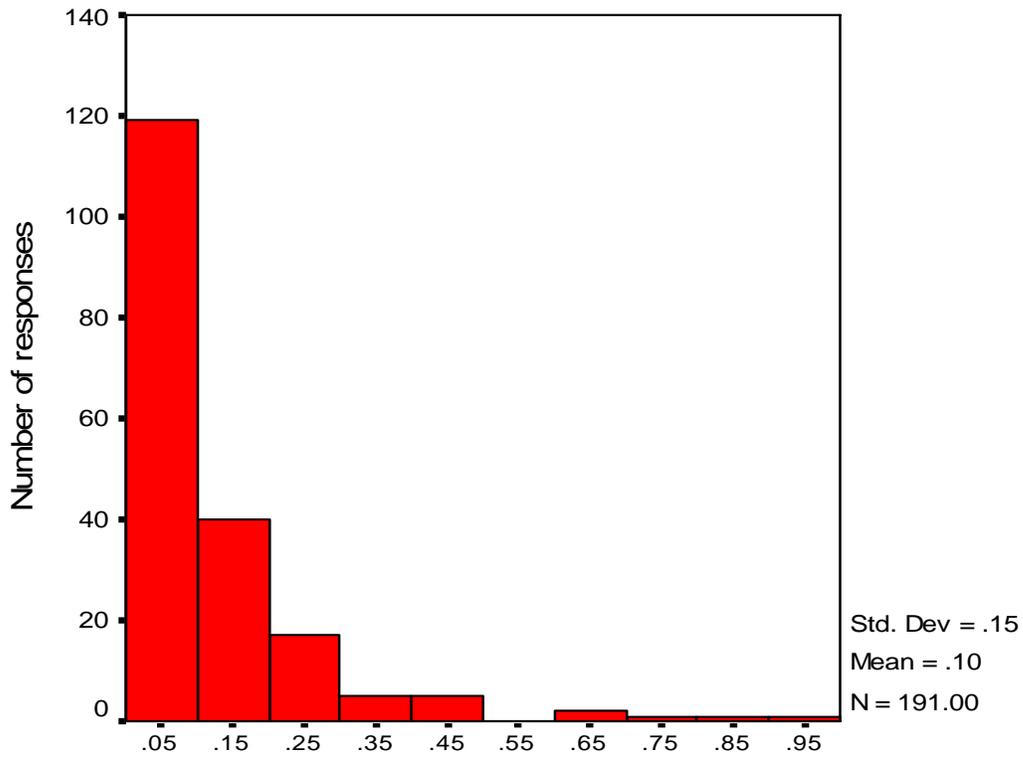
<u>Category</u>	<u>No.</u>	<u>%</u>
Answering public questions / concerns / complaints	39	25%
Inspections/ investigations / enforcement / cleanups	29	18%
Stakeholder meetings / organization interface	29	18%
Permitting in established regulated communities	26	16%
Educating the public	21	13%
Board Meetings	5	3%
File Review	5	3%
Developing new regs	2	1%
Water rights proceedings	2	1%
Court Cases	1	½%
Dealing with the media	1	½%

Question 3a

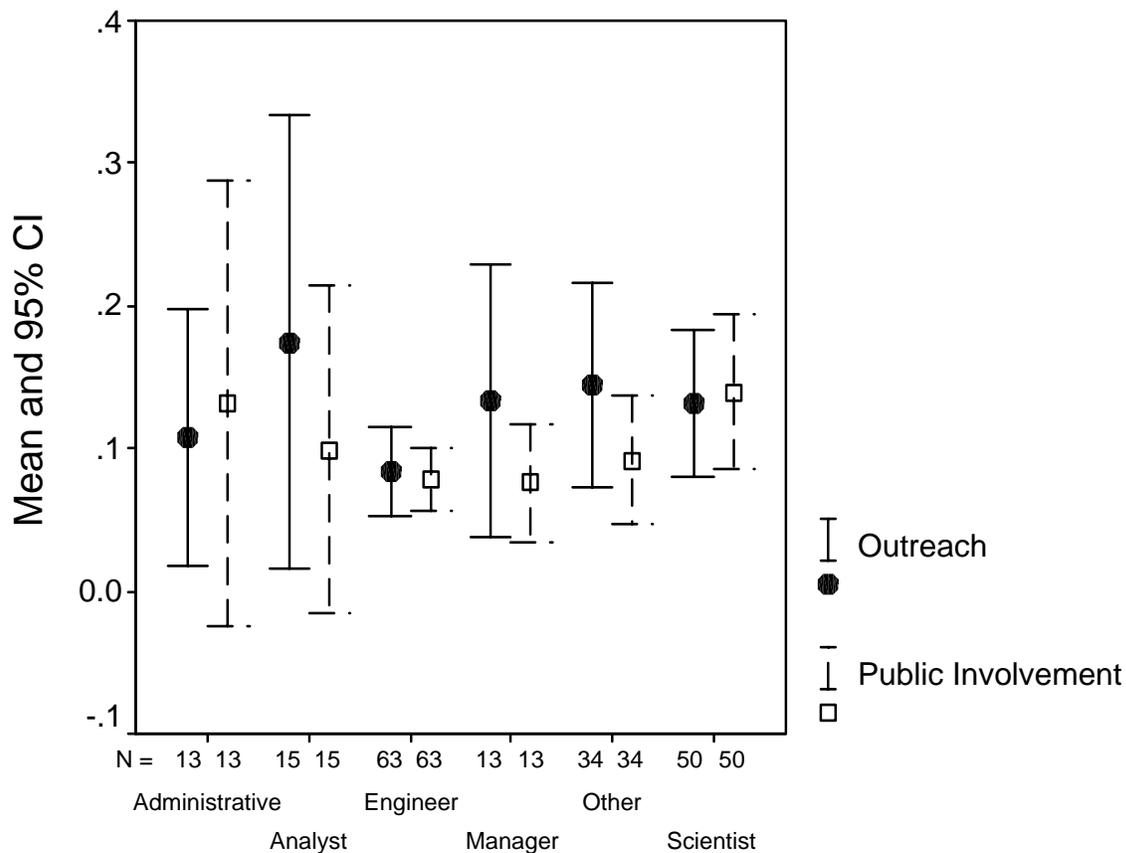


Percentage of time spent preparing for and conducting outreach activities:

Question 3b



Percentage of time spent preparing for and conducting public involvement activities:



Average amount of time (%) spent on outreach and public involvement by various job classifications

Question 3c

Foreseeable changes to time spent in public involvement activities?

Yes	37.6%
No	57.1%
No answer	5.4%

Summary of Comments:

Some staff expect an increase in time spent on outreach activities due to:

- More mandated programs with a public participation component
- More programs being introduced
- Their project is at the stage that requires expanded public outreach
- Expecting more permits and a higher turnover of permittees
- Change in job assignment

Some staff expect an decrease in time spent on outreach activities due to:

Budget constraints

Their project is at the stage that requires decreased public outreach

If the website is expanded to include more information available to the public, staff time will be reduced interfacing with the public

Change in job assignment

Question 4a

For the most part, staff reported successful experiences working with the public. Types of positive interactions included:

- I think we did a great job of working with the UST unit Supervisor on presenting our General Order on reuse/disposal of fuel-contaminated soils. The presentation was both informative and entertaining. We also did a great job of pulling together a conditional waiver for management and disposal of wildfire solid wastes in less than 30-days with the help of our SWRCB OCC counsel.
- A "small-time" property owner came to the office with his consultant to discuss his toxic-release site. I had never seen the property, and offered to visit within the week. My supervisor told me the owner had a look of amazement on his face that a "regulator" would be so accommodating.
- Success: several cases working with individuals helping them become aware of an apply to the Petroleum Underground Storage Tank Cleanup Fund, thus allowing them to move forward with assessment and cleanup. They previously had felt hopeless due to lack of funds for these activities.
- Storm water workshops are a success as determined by attendee surveys. Local agencies, permittees, and consultants are typically in attendance.
- There was a high degree of public participation in the Mono Lake Basin EIR process and the subsequent water right hearing that led to adoption of Water Right Decision 1631. Overall, the process provided the SWRCB with a great deal of helpful information and the public felt that their voices were heard.
- A TMDL where public involvement was unusually high, greatly influenced the direction of the TMDL in a positive manner.
- My work with the "Clean Water Team" citizen-monitoring program was memorable in that a large number of the public became positively involved in understanding and working with water quality in their watersheds.

- Resolving water quality issues in Los Osos has been a priority for 30 yrs but due to expense and considerable misinformation community objections have delayed the project. In an effort to inform the concerned public regional board staff developed and mailed a series of info flyers (FAQ) to all 5000-property owners within the community, then participated in a multi agency (US EPA, Reg. Board, Local CSD) public meeting to answer questions written on index cards. Although the public meeting was heated at times, I think it was a valuable way to help folks understand many aspects of a complex issue and to help resolve misinformation & fears.
- The NPS Interagency Coordinating Committee (IACC) has been successful in fostering interagency coordination in implementing solutions to the NPS (Nonpoint Source) problem
- The one that sticks in my memory is a woman in downtown Sacramento experiencing repeated sewer overflows on her condominium complex that no one was effectively addressing. The contact with me was by email and my email back explained that 1) the Regional Board had to prioritize because of budget cuts, and that 2) she actually needed to contact the county level jurisdiction for the problem she described. She responded back overjoyed that someone had responded to her and gave her some direction on how to address her issue.
- We worked with Dairymen to bring them into compliance. The project was very successful.
- Approval of Sunshine Canyon Landfill expansion: As a result of staff working closely with neighborhood organizations, community determined that its concerns were known, understood and considered by the Board. Subsequently there was greater acceptance of an unpopular decision.

Types of less than positive interactions included:

- My Board was one of the first to "buy into" the Watershed Management Initiative, and began with work plans for 5 priority watersheds. Most of the planned activities have not been implemented in most watersheds, and there are no plans to "rotate" to other watersheds as originally proposed. In some watersheds, where Regional Board staff are involved in watershed meetings, it is largely as observers in meetings organized by others. After several years as a nominal watershed coordinator with little or no funding to organize activities and no authority to commit to cooperation with other parties, I lost all of my original enthusiasm for the WMI. Fortunately or unfortunately, I was sidetracked to other assignments.
- Just recently, a proposed WDR for subsurface disposal was being contested by the residents of a trailer park. The project opponents rented a bus and filled it with park residents including elderly and women with babies to convince the Board not to adopt the WDRs. The Order was adopted by the Board on its technical merit, but it shows how the

opponents tried to persuade the Board using emotional factors. It is not certain if the action will be appealed to the State Board.

- I would say that the TMDL stakeholder/watershed group process is notable for its lack of success. These are probably the best ways to waste taxpayer dollars that the water boards have available.
- As a part of adopting a particular stormwater permit, we participated in a large outreach workshop (several hundred attendees) sponsored by the related stormwater program, and presented the expected changes to the permit. We subsequently provided early drafts of the permit to the program, and then also provided the permit for public comment to the program. At the Board hearing, the program manager spoke, denouncing Board staff, stating that his program had been kept out of the loop, and providing comments on a very outdated draft permit.
- During amendment of New & Redevelopment provision of the several Municipal Stormwater Permits, we experienced a great deal of resistance at the Board Meeting. The day was filled with high-ranking members of the affected counties coming before the board to speak against the amendment. In our debrief about the issue, we realized that our outreach prior to the meeting had not been communicated to the decision-makers. We had to go back and do additional rounds of workshops to make sure EVERYONE was informed.

Possible candidates for case study:

- We were very successful at working with the Ag community to identify ag dominated water bodies and set up a baseline monitoring program in the mid-90's. The effort was successful because we spent the first 3-months holding roughly 90-meetings with local growers and water districts to explain the project, get their input, and follow-up with them personally on what we'd done with the information provided. We specifically kept the meetings small and went to them (throughout the Central Valley) so they would feel comfortable providing honest comments and asking questions. Unfortunately, the effort fizzled when CA Superior Court rescinded the plan that the program was based on. Having the program suspended after all the local input and effort left a bad taste in the community.
- In the late 1990's we learned that most of down-town Avila Beach, San Luis Obispo County was underlain by a vast plume of petroleum caused by leaks in Unocal oil pipelines. The only practical way to clean it up was to either demolish or relocate the buildings over the plume. Also the town's major road and entire beach would have to be excavated. Board staff did not want to force this cleanup without community consensus. A multi-faceted community approach finally resulted in consensus and cleanup, which was completed in 18 months, one year ahead of schedule. We started with a committee of community business people but that did not work. We then used a combination of public workshops and individual meetings between Board staff and the public. The County Government assigned a staff member to work in the community while they

drafted an EIR for the cleanup. Even Unocal helped by setting up an office in the community. Finally there was a general consensus to do the cleanup. There were about 150 residents and businesses in the affected area. Unocal purchased most of the land and agreed to relocate buildings for people who asked for that option. They also had an insurance adjuster in town to respond immediately to insurance claims. County and Board staff worked one-on-one with community members. The Board of Supervisors member from that district organized a citizens committee to plan for the redevelopment of the excavated area. Unocal paid a multi-million dollar settlement to the City that helped fund redevelopment. In the end the public grieved for the old town, even though it was very run down, but liked the redeveloped beachfront.

- I recently wrote General WDRs for Wineries and held several workshops to educate the wine industry on the requirements. The workshops were a great opportunity for the wine industry folks to ask questions and voice any concerns. As a result of these workshops, it became well known throughout the local wine industry what was expected of them, and wineries that we didn't even talk to individually complied with the General WDRS.

Question 4b

Staff cited the following reasons for success:

- Comprehensive preparation and diligent work by staff
- Engaging the public upfront
- Willingness by staff to go the extra mile
- Responding to stakeholders in a timely manner with informative and accurate answers
- Flexibility on the part of staff
- Listening to stakeholders and respect for their perspective
- Board support
- Sharing information
- 2-way communication

Less than successful efforts were attributed to:

- Lack of planning
- Lack of preparation
- Lack of funding
- Lack of support
- Miscommunication
- Lack of understanding

Question 5

Staff reported many goals they try to achieve when dealing with the public. Most refer to a regard and concern for the public. A sample of comments include:

- Understanding of the relationship between Regional Board priorities and stakeholder need
- Keep them informed and ensure they understand whatever it is we are trying to accomplish; seek their input to help final product work better and they feel a part of the process. Everyone wants to be heard, even if their suggestions are not followed.
- Information exchange to clarify facts and basis for actions, decisions, positions etc.
- Establish a relationship
- I try to be clear, unbiased, and informative. I want the public to understand what we do and why we do it. I attempt to respond promptly and pleasantly to calls and e-mails from dischargers, consultants, and other members of the public. I do not want us to acquire DMV's customer service reputation.
- Either solve a problem or improve a process.
- Listen, be open-minded, be objective, don't come to conclusion too quickly, allow everyone to voice their opinion, there is no dumb question or opinion, listen some more....
- Mutual understanding and respect.
- Clearly communicate technical concepts at a level the public can understand; promote sense of public involvement ownership in regulatory issues; promote sense that regulatory agencies are listening to concerns; instill environmental awareness and enthusiasm for protecting environmental resources.
- Keep an open mind toward all points of view - be inclusive.
Clearly express complex concepts and issues in an understandable manner.
- Treat everyone with dignity, even when differences in perspective cause tension between government regulators and public.
- Clarity of message; consistency of presentation
- Productive communications. Assist the public/customers well and quickly as possible.
- Clearly understand their question or concern, and provide them the information or help they seek.
- Good communication. If we still disagree, at least we understand why.
- Sharing of information/knowledge, and developing understanding/education of the water quality implications of actions or inactions.
- Open, honest communication. Let them know we're there to help them.
- Fairness, honesty and professionalism in listening to a parties issue or trying to make the public feel that we are sincerely trying to assist them or provide them an answer even if it was not the answer they would have hoped for. Rather than just point out problems, look for solutions.
- Protection of California Waters and providing a service to the public either through education assistance or fair and consistent enforcement
- Honest, open and frank communication; accessibility; transparent decision making; expertise; respect; trust.

- Accurate, concise information that is easily comprehended.
- The Cardinal Rule in customer service, which we never discuss in our training to my unending dismay, is that you do not "jerk the public around." They want to hear a straight reason for a denial, based in regulation or other rulings. People are patient if they know you are working hard to get to the next step for them. They want to know why there is a delay and/or what will happen next. You need to show them you are in their corner, even if the final ruling will not go their way. There is essentially no difference between what we do and what I used to do working retail. They don't want poor logic or explanation or some scheduling conflict behind our people not going to the mat for them.

Question 6

Tips for colleagues mostly revolved around interpersonal and relationship-building skills rather than procedural or technical skills. Some common themes and trends among things to do were:

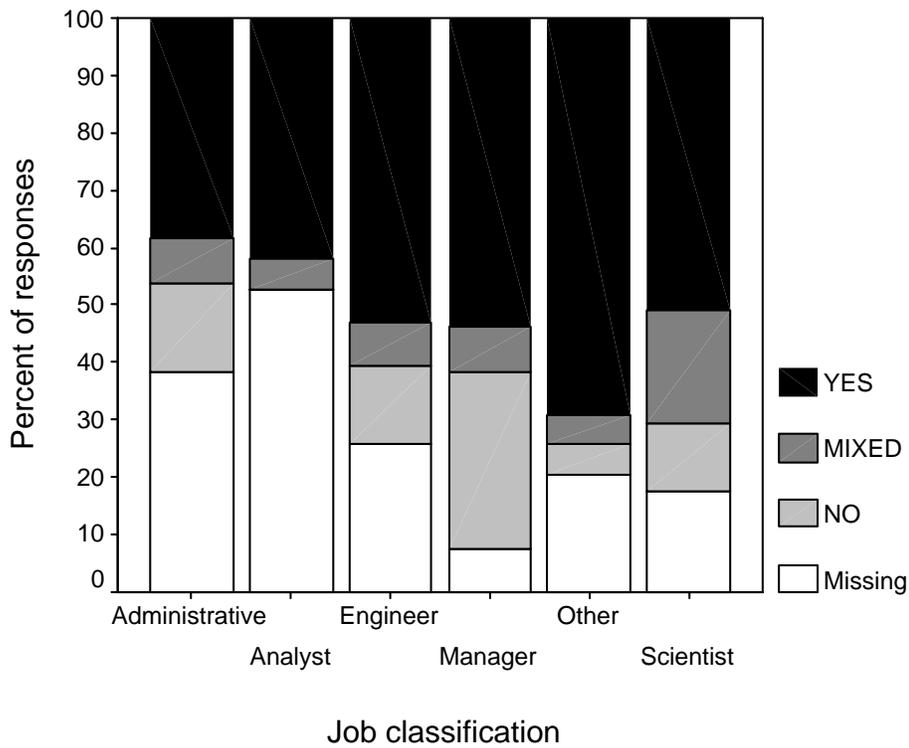
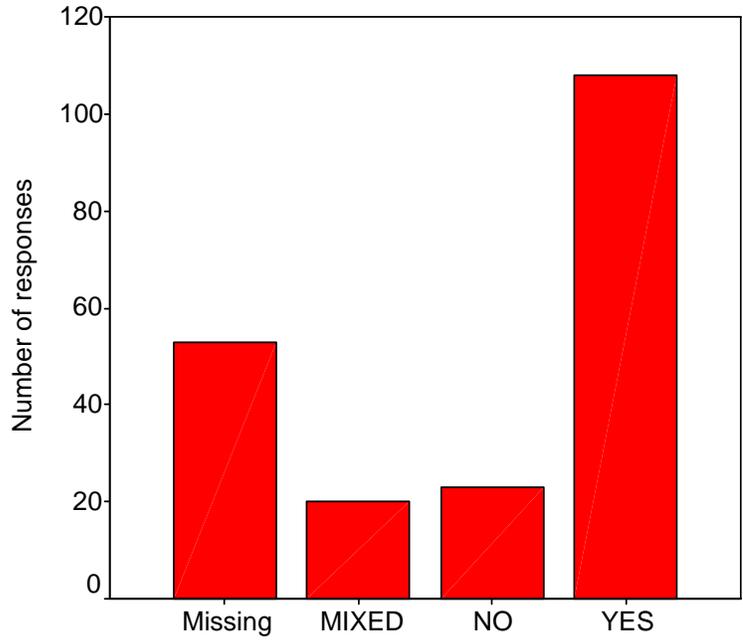
- Honest, straightforward communication is always respected, even if the audience won't like your message.
- Listen! Every opinion has some value
- Get the public involved early
- Respond promptly with informative and accurate information
- Make processes authentic or don't waste everyone's time
- Setting expectations for public input avoids misunderstandings. Don't mislead.
- Get and understand all the information before responding.
- Try to find a win-win solution to situations.
- Don't be afraid to try creative solutions.
- Be accessible
- Treat people with respect
- Allow adequate time for public input
- Incremental steps will get you there also
- Don't be afraid to say, "I don't know." BUT then follow that with a "I'll find out and get back to you."
- Talk to people in language they can understand.

Suggestions for things to NOT do included:

- Don't leave anyone out
- Don't talk down to your audience
- Don't waste people's time
- The public is never an annoyance

Question 7

Do you feel that the public has been able to have appropriate input into and impact upon the projects upon which you work? Why or why not?



Staff who felt that the public are able to have an appropriate impact attributed this to factors including:

- Good publicity or visibility of the issues;
- Staff efforts to outreach to affected groups and individuals;
- Good education of stakeholders on the issues;
- Existence of standard processes to get input, such as public comment requirements; and
- Availability of additional channels for input, such as email, website, and phone calls.

Staff who felt that the public are not able to have an appropriate impact attributed this to factors including:

- Lack of funding to do extensive outreach and education;
- Lack of public knowledge of the Board and complex regulatory issues;
- Lack of public interest in early involvement;
- General public has fewer resources and less expertise than financially interested parties;
- Inconvenient meeting times and locations;
- Public concerns can be overridden by political concerns; and
- Expert knowledge may be valued more highly than community knowledge.

Several staff members noted that staff's legal or technical concerns can override public's concerns or desires. Others noted that members of the public may be pursuing agendas that are not in line with the interests of the Water Board, and therefore these members of the public might not achieve the impact they are seeking. Both of these descriptions are in keeping with appropriate public involvement.

Question 8

Overall, staff reported that public input improved the process. Examples where public input made a difference include:

- On another WDR subsurface disposal case, the neighbors argued that the CEQA process was not conducted properly. While the Regional Board's Order would not change, the project was held up to require the proponent to redo CEQA. I think this was fair and provides all parties the proper input into the decision of land use for the project, which the Regional Board does not necessarily take into account on it's own accord.
- We pulled an item from our agenda after receiving numerous comments on technical/regulatory issues. At the time it seem annoying because of all the work done by staff to prepare the agenda item. But looking back, I feel it gave us a

chance to regroup and address many of the outstanding issues before bringing that item to our Board in its final form.

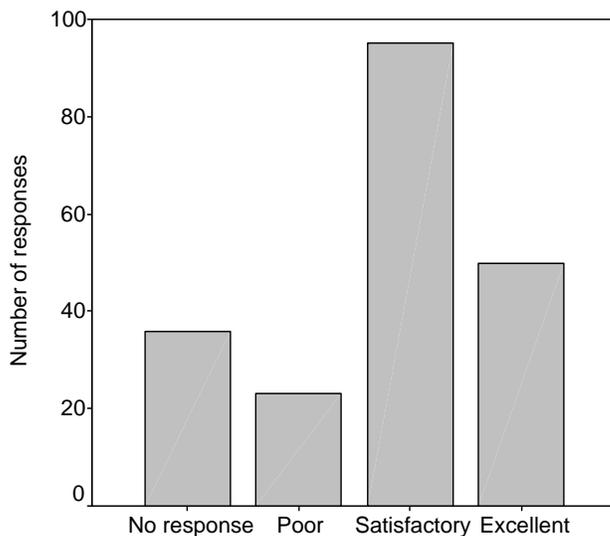
- In designing a monitoring program for a large watershed, we asked local watershed groups for their input on sampling locations and concerns. They helped us pick appropriate sites and identified areas that might provide skewed results because of their local knowledge of land use and practices in the area.
- There is an environmental group I've worked with that has been especially helpful in bringing relevant water quality issues to our attention for various projects. We have to divide our attention between too many projects to perform the same level of research.
- A 2,200-acre project in a water short basin proposed major habitat destruction to impound a significant amount of the basin water resources for personal recreation use. Public controversy about the potential for environmental impacts alerted the Division that the applicant disclosure was incomplete and that the least damaging alternatives had not been chosen. Thus forcing preparation of an environmental impact report.
- The Avila Beach case got rolling when a property owner came to a Board meeting with a jar of smelly soil he dug up in his back yard. The Board had to pay attention to that.
- Port of Oakland wanted to construct a 4,000-space parking lot without CEQA review. Our Order on the Port, with a combination of East Bay Regional Park District and Audubon Society involvement, led to appropriate resolution of water quality issues and other environmental impacts to the adjacent park, plus a \$100,000 contribution from the Port for specified Park District work. This collaborative effort allowed the Port to build its parking lot and impacts to be appropriately mitigated, where otherwise they would have been ignored by the Port.
- Public involvement in the Gualala River Watershed Assessment (N. Coast Watershed Assessment Program) resulted in more data, better displays of information in the final report, more in-depth analysis, and assistance in the data synthesis portion. The final report benefited significantly, especially in regard to the validity and practicality of our recommendations.
- Best Example was at Moffett Federal Airfield. The RAB was very educated, having former employees of neighboring Cities' landfills, and would not agree to the draft ROD with the presumptive remedy of Capping of an ill-defined landfill. Additional investigation and delineation of the landfill was conducted and found that the material was primarily building debris and only in a small area. The ROD was (painfully) rewritten twice, but ultimately it allow for the consolidation of the

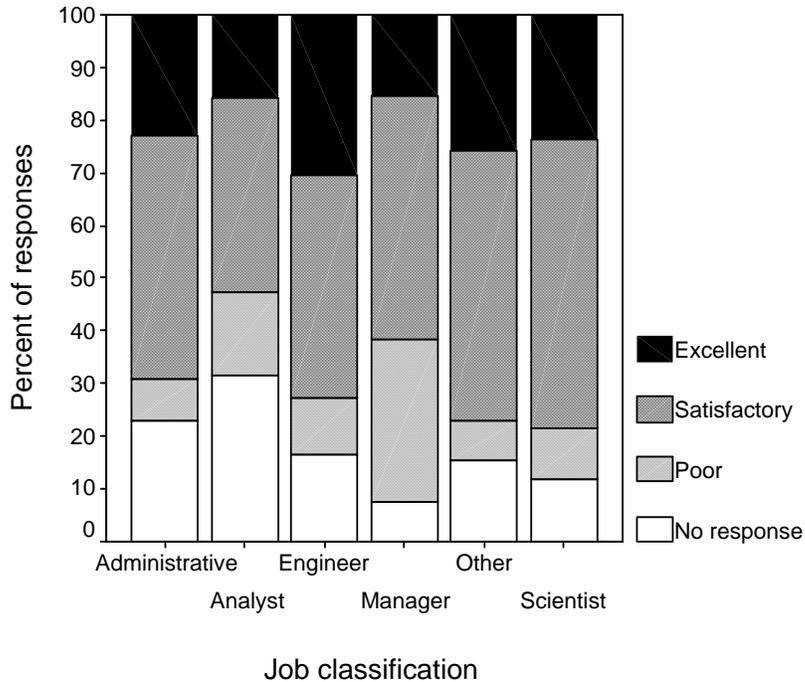
waste into a single landfill and saving about 12 acres of property from being inappropriately capped.

- Orange County Water Quality Management Plan; the Plan was significantly improved due to public participation.
- The Public Advisory Group (PAG) has had a significant impact on the State's TMDL development and implementation process. By frequent meetings and legislative lobbying the PAG has supported a stable program resource level. Although occasionally critical the PAG has kept the priority of the TMDL program high on the legislative agenda including support of peripheral programs such as environmental monitoring.

Question 9

Environmental Justice is defined as "the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies." Overall, staff felt that the Boards are doing a satisfactory or better job.





Many respondents noted that they needed more information about what Environmental Justice is or and what EJ policy, if any, the Water Board has.

Many staff noted that the Water Board treats all who participate in their proceedings fairly. However, many also noted that poor and minority communities are underrepresented in Board proceedings. In most cases, staff do not make special efforts to involve these groups above and beyond normal notification and public involvement procedures. Staff suggested that the under-representation of poor and minority communities may be due to lack of information and interest on the part of these communities, lack of resources to attend daytime meetings, or the fact that these groups are not organized to track water quality issues. Many staff also mentioned a need for bilingual communication.

Question 10

Opportunities to improve public involvement seem to focus on 3 areas:

- More outreach
- More age-relevant school programs
- More information dissemination

Representative comments include:

- We need a budget for outreach to ensure that is gets done on a consistent and continuing basis.

- State Board needs to have a better media/information system so the public understands, WHO we are, WHAT we do, and WHY - we are generally confused with Dept. of Water Resources. Handout materials describing the system are outdated and pretty much nonexistent - at conferences or hiring events we used to hand out everything we had.
- Have more presence and be more available to the public. Having Regional Board staff specifically trained and available full time for public relations and public education would be very helpful.
- More school visits to teach the young the importance keeping their water clean.
- I think the organization needs to formulate a policy statement regarding outreach and involvement that goes beyond the minimum legal requirements, and to then back it up with management support and funding. Most of our programs do not include funding to address this. I have personally devoted months and months of my own time over the past 15 years in public outreach and involvement that was directly tied to my job.

Question 11

The staff sees many benefits to enhanced public involvement, including greater public awareness, greater support for the agency, better agency decisions, and a positive impact on water quality. Many common sentiments were wrapped up in one comment:

The biggest drawback is the investment in time, staff resources, and some cash needed to do this well. The benefits are that people will feel like they are a part of the solution, and will commit to taking the (mostly) small actions needed to improve water quality. Then they will also tell their friends, kids, parents, etc.

Several staff expressed concern that increased public involvement would create delays and take resources away from pursuing the agency's regulatory programs. Another common concern involved wasting time on issues of concern to some members of the public, but of minor or no concern to the agency's mission.

Question 12

Suggested topics to be covered in the manual and course were numerous. The most frequently asked for topics were:

<u>Topic</u>	<u>Number of respondents</u>
Presentation skills	116
Conflict resolution / dealing with difficult situations	113
Determining what type of outreach / public participation is called for	104
Effective outreach material / campaigns	99
Planning a public involvement process	88

Media and interviewing skills	87
Community networking / mapping communities of interest	70
Fundamentals of environmental justice	67
Meeting and agenda design	66
Stand-up facilitation	60
Open meeting law compliance	56

Other topics requested include:

- Peer mentoring process
- Cultural awareness training
- Alternatives to traditional public meetings
- Customer service skills
- Skills on how to convey technical information to laypeople
- Interpersonal communication skills
- Presenting educational programs for kids

Appendix H: Criteria for Excellence in Public Participation

1. The public participation process seeks out and facilitates the involvement of those potentially affected.
2. The public is involved in designing how they will participate.
3. There are multiple methods for participation.
4. The venue(s) for public participation are accessible to the diverse public.
5. The public participation process provides participants with the information they need to participate in a meaningful way.
6. Methods for participation are user-friendly and perceived as fair, just, and respectful.
7. Public's role in decision-making is clear.
8. The public's contribution has the potential to meaningfully influence the decision or outcomes.
9. The public participation process communicates to participants how their input affected the decision or outcomes.
10. The public has the opportunity to be involved and / or monitor the implementation of the decision or outcomes.

International Association of Public Participation's Spectrum of Public Participation

