

A Community Benefits Process

There are many activities and steps to bringing benefits to your community. In this section, we share what we have been doing in Beaver County to start a community benefits conversation, along with resources and ideas of how you can adapt the Beaver County process to fit your community’s needs. We know that there are so many other organizations, groups, and coalitions doing incredible community benefits work in similar and different ways. Our hope is that this can help you and your coalition can learn from our successes and challenges, adapt our processes to fit your community, and the resources, tools, and templates to move benefits forward in your community.

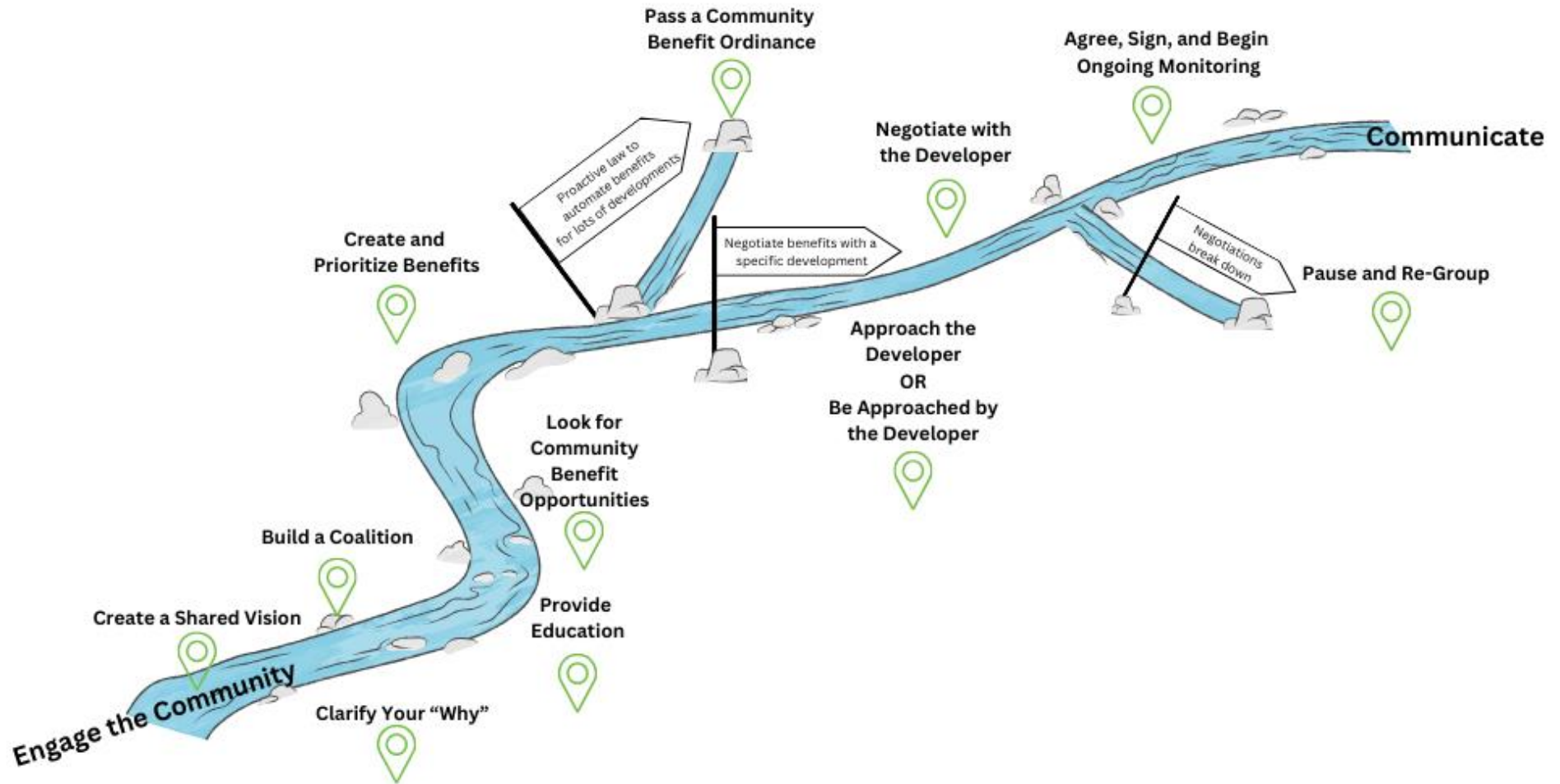
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OUR COMMUNITY BENEFITS PROCESS

We imagine the community benefits process to be a path next to a winding river. As you are hiking this path, there may be times that you turn back around to repeat a step. Maybe there are times that you stop for a long time on that step. There may be trail splits that you ignore or decide to take. Or maybe you join the path later the trail because you've already completed the first section of the trail. Importantly — community engagement and communication are the flow of the river. These two steps are required throughout the full process to ensure that coalitions are strong, everyone knows what is going on and feels like they have a voice in the process, and there is less room for misunderstanding. All of these “hikes” are good, and all can help lead to a healthy and happy community.

Here is the path that we are walking along in Beaver County:



BUILD STRONG RELATIONSHIPS

In a community benefits context, community engagement means activities that build relationships and bring members of the community — particularly those most impacted by specific decisions — into the decision-making process.



Why is This Important?

Often, decisions about development do not include community, but are often made behind a wall, and community only knows about these developments after all decisions have been made or after they are already experiencing specific impacts. Community engagement is the foundation — the flow of the river — by which all other community benefit activities need to happen. The benefits of strong engagement in this process are:

- Strong and trusting relationships that can weather a complicated negotiation process in the future.
- Understanding of community context, culture, strengths, and needs that are critical to incorporate into community benefits.
- Opportunities for honesty and transparency throughout the process.
- An audience to give and receive input and feedback and participate in benefits creations and negotiations.
- Relationships and participation from individuals across a range of diverse sectors, identities, experiences, and areas of expertise that can contribute to the steps needed to move benefits forward.

Community engagement is an ongoing process that requires two-way communication, honesty, transparency, and evidence that community needs and ideas are integrated into the process and decisions. An engagement process that only informs or consults the broader community can lead to placation and tokenization. This requires leaders to move into the higher levels of the “Spectrum of Community Engagement to Ownership”¹ to involve, collaborate, and defer to communities. This, in turn, can lead to weak benefits that don’t meet community’s needs, a fractured community coalition, or, ultimately, benefits or negotiations collapsing.



How We Are Doing This in Beaver County:

Our organizations have been building relationships and engaging individuals in conversations about the future of their communities for many years. These have included:

- Civic engagement workshops and events.
- Community education events about environmental justice and community topics.
- Attendance and tabling at community events, fairs, and activities.
- 1:1 meetings over coffee and lunch.
- Supporting, showing up for, and helping to organize other organization’s activities and events.
- Writing op-eds.
- Hosting film screenings and events.

The previous work that we’ve done helped to create a list of people that we have strong, trusting relationships with; an understanding of the vision, context, and challenges within Beaver County; and connection points with the broader community.



How You Can Do This In Your Community:

- Create time and outcomes while writing funding applications to build relationships.
- Create relationship-building goals in job descriptions and annual performance reviews.

¹ Gonzalez, R. “From Community Engagement to Ownership: Tools for the Field with Case Studies of Four Municipal Community-Driven Environmental & Racial Equity Committees. Facilitating Power, Movement Strategy Center, NACRP, and USDN.

https://www.usdn.org/uploads/cms/documents/community_engagement_to_ownership_-_tools_and_case_studies_final.pdf

- Use [Authentic Relationship Building + Engaging Your Community Worksheet](#) to proactively plan how to build authentic relationships with new and existing partners.
- Get additional ideas from the resources in the [RESOURCE LIBRARY](#).

CREATE A SHARED VISION

Visioning happens when your community spends time thinking about what they want for their community, including their hopes, dreams, fears, concerns, and solutions. Visioning is an ongoing process that can be added to as more people participate in the process.



Why Is This Important?

A shared vision can lead to specific goals negotiated in community benefits, and can also spark ideas, drive change, keep ideas moving forward, and can be a place to re-group when conflict or barriers come up.



How We Are Doing This in Beaver County:

We knew there were a lot of visioning processes and plans that had been completed throughout the county over the past five years. First, we collected all existing visioning documents and read them. This included: municipal and county comprehensive plans; reports and strategic plans from nonprofits, economic, community development organizations; and ideas from parks and recreation departments.

Next, we identified themes from these plans that showed up across multiple plans:

Beaver County Visioning Plan Themes	
Environment	<ul style="list-style-type: none"> ● Clean air & water ● Abundant natural resources ● Trees, green spaces, parks (especially in low-income communities with low tree coverage) ● River access ● Stormwater management
Belonging, Cohesion, and Trust	<ul style="list-style-type: none"> ● Broad-based coalitions working together ● Feeling of togetherness ● Art and creative endeavors ● Being able to collaborate regionally to go after new funding
Work and Wealth	<ul style="list-style-type: none"> ● Thriving main streets ● Using unused land ● Brownfield redevelopment ● Recreational tourism ● Jobs (especially for those with criminal backgrounds) ● Eco Developments
Civic Muscle	<ul style="list-style-type: none"> ● Communities having a meaningful say in decisions
Opportunities for Youth	<ul style="list-style-type: none"> ● Vocational programs ● Healthy careers ● A community that attracts families
Food Access	<ul style="list-style-type: none"> ● Access to healthy food & grocery stores ● Community agriculture and gardens
Transportation	<ul style="list-style-type: none"> ● Smarter truck traffic

	<ul style="list-style-type: none"> ● Biking, hiking & walking rails
Housing and Buildings	<ul style="list-style-type: none"> ● Enough affordable housing for anyone who needs it ● Weatherization and renewable energy

We also paid attention to who wasn't represented in these plans and asked ourselves "Who are the groups, communities, or individuals who did not participate in this process?" We know that no process can be perfect but often leave out marginalized groups, including low-income communities, communities of color, those with disabilities, LGBTQIA+ residents, and immigrants and refugees.

To make sure all community members have the chance to build a shared vision, we continue to facilitate visioning during community events and workshops. The themes that we heard during our facilitated visioning work aligned with what came out of the visioning plan themes and we added them to the shared vision. These have included: safe spaces; opportunities for kids and young adults; green spaces and parks with playgrounds; nature and trees; healthy air; healthy soil; connection, community, networks, shared knowledge, togetherness; safer railroads and trains; healthy jobs (especially for those with criminal backgrounds); less truck traffic; and less waste and littering.

Reviewing past visioning processes and plans gave our group a quick start. We continue to add and prioritize to the vision as we do more visioning in the community.



How You Can Do This In Your Community:

- Research past visioning processes.* Look at comprehensive plans by municipalities or county bodies, and nonprofit, local agency, and neighborhood groups strategic plans or listening sessions. Some of these may be public (such as the comprehensive plans), and some may require relationships for the organization to share. Once you have a variety of plans, review each and note any vision and goals that appear in those and track them on a separate document. Take note how that vision or goal comes up across each of these. The more that vision or goal appears, the more likely it is to be a theme that is important across the full community.
- Identify who was and was not part of those visioning processes.* Build relationships with groups and communities who have been excluded from previous visioning activities, and intentionally facilitate visioning events in partnership to ensure the shared vision speaks for everyone in your community.
- Use the Agendas for [Visioning Outreach](#) and [Visioning Workshop](#) to facilitate visioning activities.* There are lots of ways that you could build a shared vision. This can either be built from previous visions or could start from scratch. We have found that it's best to plan and facilitate many visioning activities, as it would be impossible to hear from everyone in your community during one event. We recommend making these fun events that build community! You could incorporate the arts (through things like vision boards or a film screening), music (through events like a music festival), and always food and drink!
- Get additional ideas from the resources in the [RESOURCE LIBRARY](#).

CLARIFY YOUR 'WHY'

This step helps to identify why this work is important to you personally, your group's mission and values, and your community's well being.



Why Is This Important? This step helps to make any implicit values explicit. It also helps to clarify what you are asking your partners and community to participate in.



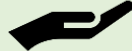


How We Are Doing This in Beaver County:

We spent time at the beginning thinking about why we cared, what we saw as the problem, and how community benefits could be part of a solution.

Why we care:	We believe that all Beaver County residents should have a voice and say in the types of economic development happening in their community.
What is the problem:	For too long, residents have been left out of economic development conversations. This has led to decisions that were made that created environmental justice communities. In Beaver County, that means that communities of color and low-income communities are more likely to have worse health and economic outcomes.
What is a solution:	Being ready to work together toward community benefits can help us be ready for the types of economic development that we want, and have the structures, trust, and collaboration in place to advocate and negotiate community benefits around future development to make sure that decisions aren't made without Beaver County residents being part of those decisions.

Over time, we continue to adapt and edit this based on what we hear from the community, how others define their "why," and how the context is shifting and changing in the community. Here are the feelings, questions, and next steps that individuals in Beaver County shared at the end of each education event that helped us continue shifting our coalition's story and messaging:

Partner Reflections to Community Benefits		
Heart: What Are You Feeling?	Head: What Are You Thinking/Asking?	Hand: What Next Steps Do You Want to See?
		
<ul style="list-style-type: none"> • A little skeptical regarding our agency. • Excited — ready to go. • Curious. • Hopeful. • Good effort — anything that grounds efforts is valued. 	<ul style="list-style-type: none"> • Is there precedent for a countywide CBA? • Do most communities have CBAs? • How is the power of the CBA guaranteed? • What ensures the voices of the CBA in negotiating with corporations? • Can we come together and agree to something — lay our pride aside? • How do CBAs work? • Why would developers agree to this? Are they forced to? • What is the mechanism for engagement? 	<ul style="list-style-type: none"> • Level the playing field — open this up to those unseen or missed. • Clear info video about this process. • Invite more people, stakeholders, potentials, investors to attend.

<ul style="list-style-type: none"> ● A little fearful of getting people to participate. ● Inspired to move ahead ● County needs unity! ● Overwhelmed. ● Pacing will lead to resilience. ● Intrigued but uncertain. ● More encouraged about what is possible for Beaver Falls/Beaver County, especially understanding tangible next steps. ● Feeling hopeful but don't know where to start. ● This level of organizing is necessary. ● Do people care enough about this? 	<ul style="list-style-type: none"> ● How can we uplift the voices of people of color and build trust in their communities to ensure their voices for their vision of their community? ● What's it for me to participate? (Not being selfish, just a realistic "return on time investment" views.) ● How can we strategically bring more voices to the table? ● How can I best communicate the benefits of a strong coalition with stakeholders equitably? ● How do we form a strong coalition? ● How do we get those who need to be at the table to participate without excluding anyone? ● How can my experience best be used? ● How does the city's comp plan fit in? ● What's the best approach/starting point for my town? ● How can I help create community space to share ideas? ● How to mobilize a diverse community that is already overly busy, overwhelmed, and tired? 	<ul style="list-style-type: none"> ● Learning more about details, successful CBAs, etc. <ul style="list-style-type: none"> ● Try to get organizational funding or subgrants. ● Engage with local developers. ● A coalition group, ongoing regulatory. ● Practical next steps. ● Continued community engagement and information. ● Keeping in touch with community voices. ● Use community plans as vehicle to organizing. ● Organize youth and youth adults. ● Trust. ● Technical planning support
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How You Can Do This In Your Community:

- Complete "[Sharing My Story](#)" to help you and your team clarify your individual and group's interest in community benefits.
- Incorporate Beaver County feelings, messages, and wanted next steps (above) to help shape your message.

BUILD A COALITION

A community coalition is a group of organizations representing the community that come together for a common goal. For example, a coalition could include nonprofits, faith-based groups, neighborhood associations, school districts, local businesses, and community development corporations.



Why Is This Important? Strong community benefits require a diverse coalition that can represent the needs and voices of the community. Members can represent the needs of the community because they are trusted and have an ongoing presence. Lastly, a diverse group can bring unique expertise to identify and implement creative solutions that are often part of community benefits.



How We Are Doing This In Beaver County:

We believe that authentic relationships is the foundation to all community change. Therefore for us, our coalition-building work began with many years of building authentic relationships while working and living in Beaver County. Here's the process we used:

- Once we were ready to begin engaging partners around community benefits, we started an excel file and had the following categories listed at the top: name, organization, email, 7 Vital Conditions sector, notes.
- We then went through all of the partnerships, relationships, and leaders we knew who were doing community-driven work and matched many of the characteristics listed above, and wrote them on the excel sheet.
- Once we had everybody listed, we looked back at the sectors to make sure we had multiple representatives from each sector. There were a few sectors that we only had one organization listed, so we intentionally reached out and met with some additional organizations who represented those sectors to try and engage them into community benefits work.
- Next, we reached out! We mostly did this through email, as well as some in-person, direct phone calls or meetings. In the email, we included our "why," and invited everyone to join us to learn more about how we can bring community benefits to the county.

As our coalition continues to meet, we plan to:

- Continue trust-building and representation identification activities.
- Create group agreements, including how to navigate conflict.
- Identify individual and organizational strengths, expertise, and constraints.
- Create clear goals, roles, and responsibilities.
- Provide education on pertinent topics, for example: tax incentives; economic development processes; specific community needs such as environmental, workforce, or housing; and proposed developments and potential impacts.
- Create a decision-making process and structure.
- Discuss and create a timeline for ongoing communication back to the community, and a system to gather and integrate community feedback into our processes.



How You Can Do This In Your Community:

Complete needed Relationship Building activities to have trusting and authentic relationships with a diverse range of partners. If your community is in a more urgent situation, spending 1:1 time with potential coalition members up front can help build that trust more quickly than large group meetings.

Identify potential coalition members using recommended characteristics of strong and equitable membership, along with the 7 Vital Conditions for a Healthy Community.

Representative Coalition Checklist

7 Vital Conditions ²	Examples of Representative Group or Organization	Characteristics of Representative Partners ³
Thriving Natural World	<ul style="list-style-type: none"> ● Environmental justice organization ● Waterkeepers group ● Tree or community garden leaders ● Citizen Science groups, including air and water monitoring programs 	<ul style="list-style-type: none"> ● Belong to communities that have a history of environmental injustice and/or most impacted neighborhoods (as identified currently as an EJ community per federal screening map). ● Bring a connection to, relationship with, and advocacy for specific communities, particularly communities that are environmental justice communities and/or most impacted neighborhoods. ● Have a professional background, community leadership, or other relevant experience in mostly impacted neighborhoods, environmental justice issues and/or public health. ● Know how to impact institutional change in the areas of environmental justice and/or public health. ● Bring intersectional experience across multiple dimensions of diversity, including racial, socioeconomic, gender, disability, and intergenerational diversity.
Basic Needs for Health + Safety	<ul style="list-style-type: none"> ● Community health centers ● Emergency responders ● Public health departments ● Mental health providers ● Addiction and recovery support ● Domestic violence shelters ● Farmers or agricultural business 	
Humane Housing	<ul style="list-style-type: none"> ● Affordable housing agency ● Local affordable housing developer ● Neighborhood alliances 	
Meaningful Work + Wealth	<ul style="list-style-type: none"> ● Labor groups and Unions ● Local small businesses ● Workforce development ● Community development corporation ● Basic needs social service organization 	
Lifelong Learning	<ul style="list-style-type: none"> ● Youth development organization ● School boards or school superintendent ● Library ● Community college or local university ● Head Start programs ● Museum 	
Reliable Transportation	<ul style="list-style-type: none"> ● Biking or hiking grassroots groups or clubs ● Public transit entity ● Local business specializing in transportation 	
Belonging and Civic Muscle	<ul style="list-style-type: none"> ● Racial justice organization ● Civic engagement group ● Faith institutions ● Community centers ● Senior centers ● Art organizations or centers ● Community foundation 	

- Use the [Coalition Contact List](#) to help start building your coalition contact list.
- Create a coalition meeting structure that includes the following:

² Community Commons. “7 Vital Conditions for Health and Wellbeing.” <https://www.communitycommons.org/collections/Seven-Vital-Conditions-for-Health-and-Well-Being>.

³ Adapted from the Larimer County, CO. Boards and Commissions: Equity, Diversity, and Inclusion Advisory Board. <https://www.larimer.gov/boards#/board/equity-diversity-and-inclusion-advisory-board/>.

- Build trust: Schedule time for organic relationship building, and plan getting-to-know-you and trust-building activities during each meeting.
 - Be intentional about who you are representing: Start each meeting with the question or activity: “Who are you here representing?” This is important to help coalition members center their community, as well as for the broader coalition to understand where the values and ideas from that group are coming from.
 - Draft clear roles and responsibilities: Spend time asking everyone what their personal and organizational strengths and expertise include. Create clear sub-groups, roles, and responsibilities based on those strengths and expertise. This helps both build trust, increases transparency through clear processes, and is mindful of a partner's capacity and time.
 - Co-create group agreements: Agreements are important to run meaningful meetings and can help manage future conflict.
 - Create a clear process for decision-making: Decide how the coalition will vote on important topics (for example, majority or 2/3 vote), and the ideal way for conflict and disagreement should be handled.
 - Plan for ongoing communication: To have two-way communication back with the broader community, as well as how community input will be integrated back into the coalition.
- Get additional ideas from the resources in the [RESOURCE LIBRARY](#).

PROVIDE EDUCATION

Education increases knowledge, skill, and capacity to engage and negotiate community benefits is critical, as community benefits is a new idea for many people.



Why Is This Important? Community benefits is a new idea for many, therefore providing many opportunities for partners to grow their understanding and comfort with these ideas is critical. Education is not a one-and-done event, but requires ongoing touchpoints with community, which include a range of activities, events, and methods. This ensures that you will reach residents “where they are at” and over multiple times which allows you to build off previous conversations.



How We Are Doing This in Beaver County:

We want to reach two groups of people: residents and coalition partners. To do this, we had two different education strategies:

- 1:1 Meetings: We meet with local municipal officials to provide education about community benefits and invite them to be part of the coalition process.
- Outreach: We facilitate tables at various community events with the goals of continuing to build the community’s vision, and providing education about community benefits.
- Coalition Workshops: We facilitate meetings and workshops to build partners’ knowledge, capacity, and the coalition’s skills around community benefits. We know that the people who formed the coalition are busy and already have too many meetings and responsibilities on their calendars. At the same time, we also feel that bringing people together is important to continue building relationships and trust. Taking all of this into consideration, we decided to host Happy Hours and Coffee Chats. Happy Hours took place between 4-6pm and had snacks like cheese, crackers, fruits and veggies, some sweets, and alcoholic and non-alcoholic drinks. Coffee chats were scheduled between 9-10:30am and had donuts and coffee. During both events, we purposefully scheduled about 30 minutes of unstructured time at the beginning for relationship building and connection before we brought the group together and facilitated the Community Benefits 101 discussion. These were fun events and helped us to both connect new individuals together and provide some foundational education about community benefits.

One thing to highlight was the ongoing communication — we knew that transparency was important! We sent email follow-ups after educational events to our full list of potential partners — at the time this felt like overkill or we were concerned that we kept emailing some people who we never heard back from, but ultimately we had partners say “thank you” for the ongoing updates.

Education Activity	Purpose of Education Activity	# of Attendees
Community Benefits 101 Happy Hour + Coffee Chats	<ul style="list-style-type: none"> • Build relationships and trust amongst community partners. • Increase knowledge of community benefits. 	18
“Field Trip” to the Hill District Community Development Corporation , Pittsburgh, PA	<ul style="list-style-type: none"> • Build relationships and trust amongst community partners. • Learn from process, successes, and challenges of an organization who has negotiated and adapted a Community Benefit Agreement. 	8

Coffee Chat Community Benefits 101	<ul style="list-style-type: none"> • Build relationships and trust amongst community partners. • Increase knowledge of community benefits. 	11
Retreat	<ul style="list-style-type: none"> • Build relationships and trust amongst community partners. • Create and prioritize benefits and protections into a benefits menu. • Discuss next steps the coalition wants to take. 	30
Community Benefit Ordinance Focus Group	<ul style="list-style-type: none"> • Brainstorm what an ordinance requiring a community benefit process would look like in small or rural municipalities. 	6
Happy Hour Community Benefits 101	<ul style="list-style-type: none"> • Build relationships and trust amongst community partners. • Increase knowledge of community benefits. 	22
Outreach + Engagement	<ul style="list-style-type: none"> • Increase knowledge of community benefits. • Gather community feedback and insights. 	



How You Can Do This In Your Community

- Plan and facilitate educational opportunities* so you can connect with as many community members.
 - Use the [Community Benefits One-Pager](#) for an overview of community benefits with community or to invite partners to educational workshops.
 - Use the [Community Benefits Card Game](#) to continue visioning and facilitating benefits education. This quick game is a fun way to engage community in conversations during tabling and outreach events. This could include community days, back-to-school nights, health fairs, or setting up a table outside of a busy coffee shop. In other communities, we’ve also hosted community music festivals or art displays.
 - Use the [Happy Hour/Coffee Chat Community Benefits 101 Agenda](#) and [PowerPoint](#) to facilitate an interactive educational workshop. This agenda provides an outline for an interactive educational workshop that provides baseline knowledge to help your community understand community benefits.
 - Use the [Community Benefit Ordinance Agenda](#) and [PowerPoint](#) to facilitate an interactive educational workshop on community benefit ordinances. This agenda provides an outline and materials for an in-person or virtual discussion with community members and leaders to understand community benefit ordinances by looking at examples from other cities, and brainstorming what a local ordinance could look like.
- Get additional ideas from the resources in the [RESOURCE LIBRARY](#).

LOOK FOR COMMUNITY BENEFIT OPPORTUNITIES

One of the keys to negotiating community benefits is to learn about projects as early as possible.



Why is This Important? Finding out about a potential development early can help to:

- Find more leverage opportunities.
- Build trust and work closely as a coalition.
- Help provide development solutions before final decisions are made.



How We Are Doing This in Beaver County:

We are learning a lot from word of mouth and stories in local newspapers and TV stations. In Beaver County, we know that many developments will also be using state or federal funding programs, so we are also subscribing to multiple federal agency news releases (including [Pennsylvania Office of Community and Economic Development](#), the [Pennsylvania Department of Environmental Protection](#), and the federal [Department of Energy](#), for example) to learn what companies are receiving that funding.

Through these sources, we have found out about some potential developments trying to come into the county. We are filing Right to Know Requests to the state Office of Community and Economic Development and the state Department of Environmental Protections to try and understand where the development is in their permitting process, and to gather more information about what they are proposing to do.

We have tried to meet with local officials to learn more, unfortunately we have not been able to schedule those meetings. Moving forward, we hope to try and schedule general relationship-building meetings first, before trying to talk about specific development projects.

Lastly, we are documenting the information that we find so that we can bring it back to the coalition and discuss, as a group, what we are interested in pursuing more.



How You Can Do This In Your Community:

<input type="checkbox"/> Learn about potential new projects.	<p>Learn about projects through:</p> <ul style="list-style-type: none"> ● Stories in a local newspaper or TV station. ● Word of mouth. ● Hearing directly from community leaders. ● Subscribing to state or federal agencies to learn what projects they are funding. ● Review municipal agendas. ● Public notices — generally found in the legal section of the largest newspaper of general circulation in the county or city. <ul style="list-style-type: none"> ○ <i>Resource!</i> Look at pages 27-30 of Public Participation, Public Power: A Community Guide to Local Land Use Decision-Making in Pennsylvania by PennFuture for more information and tips on finding out about local decisions.
<input type="checkbox"/> Find out more information once you hear about a	<p>Find out more information with simple internet searches on:</p> <ul style="list-style-type: none"> ● General internet search platforms. ● Company website. ● Company profiles via paid services. <p>File Right to Know Requests: The public has the right to access, read, and review all government records, with a few exceptions. This includes documents, papers, letters,</p>

<p>potential development.</p>	<p>maps, books, tapes, photos, sound recordings, emails, and other information stored by a local, county, state, or federal agency. Right to Know Requests allow you to see those communications to understand what is being discussed, what is being planned, and who is involved.</p> <ul style="list-style-type: none"> ● Plan to file on a recurring basis — for example, monthly or quarterly. This can help you find the most recent information. ● Places that you may find out information include: <ul style="list-style-type: none"> ○ State Department of Environmental Protection ○ State Economic Development Agency ○ State Department of Public Health ○ County Commissioners ○ Local City Council ○ Local Economic Development Agency ○ Zoning Hearing Board ● Right to Know Tips: <ul style="list-style-type: none"> ○ Make specific asks with specific timeframes. ○ Avoid broadness or fishing for information — this just delays the process. ○ Do not use the Right To Know to ask general questions. ○ Make sure to add the full company name (ex: Company, LLC or Company Inc.) or department name. ○ Make sure to include email if you want all communications (some administrators don't think that email is included in communications so will only send back letters.) ○ Every state agency has a public records process — though each agency has a different process. See https://www.fairshake-els.org/community-resources-river-lever-resources-tools for more information on state-specific Right to Know processes and examples. ○ Example language to include: "I am requesting all communications, including applications, reports, emails, or other submissions, between [Company Name] and [the Dept, etc.] regarding [Address of Company], since May 16, 2023." <p>Ask a Local Official: Schedule a meeting with a local city councilperson or your local or state economic development office to try and get more details and your questions answered.</p>
<p style="text-align: center;">□ Get Your Questions Answered</p>	<p>Create a Question Bank with all your community's questions.</p> <p>Below is a start with questions that other communities have asked about development projects. The questions below come from questions asked by Beaver County residents about facilities. These questions may not apply to your situation, but can give your community a good start:</p> <ul style="list-style-type: none"> ● Development Operations: <ul style="list-style-type: none"> ○ What will this development be creating or producing? ○ What materials do they need to produce their products? Where are they getting their feedstock and how will it arrive at the facility? ○ What will go somewhere else and how will it get there? ● Environment + Health Impacts: <ul style="list-style-type: none"> ○ What are the expected emissions? ○ What will the increased traffic look like? How many trucks are coming and going and on what route?

- Will they be taking water from the river that could impact how people use the waterways close-by?
- How much noise can be expected?
- How does it plan to source its energy? How much of an energy burden will it put on the system?
- What will go into the river?
- What does the waste stream look like?
- How will this development impact Environmental Justice issues the town is already experiencing?
(<https://screeningtool.geoplatform.gov/en/#12.16/40.63107/-80.25332>)
- Worker Impacts:
 - What are hours of operation? 24/7; 1, 2 shifts?
 - How will this facility prioritize local workers? What other working protections are they offering?
 - What worker benefits are being offered?
- Process Questions:
 - What permits have they applied for? What permits do they anticipate needing to apply for?
 - How will this development benefit the town’s residents?
 - Does the community have zoning regulations that could be implicated?
 - Is the site a brownfield or had similar industrial activity in the past?
 - How will the community be part of the decision-making process of this facility?
 - How will the answers to all of these questions be memorialized in written documentation?

Use the research and questions you’ve answered below to start a chart of potential future impacts:

How will this development impact each Vital Condition ?	Positive Impacts	Negative Impacts	Other + Notes
Thriving Natural World Clean air, clean water, and healthy land and soil.			
Basic Needs for Health + Safety Freedom from trauma, violence, and addiction, public health care, and access to healthy food.			
Humane Housing Safe, affordable housing, safe neighborhoods, and a robust community.			
Meaningful Work + Wealth			

□
Document Potential Impacts

	<p>Meaningful local work, good paying jobs, and financial security.</p>			
	<p>Lifelong Learning Cradle to career learning opportunities, career training, and higher education.</p>			
	<p>Reliable Transportation Safe walking and biking, access to public transit, and opportunities for renewable transportation.</p>			
	<p>Belonging and Civic Muscle Social support, community engagement, and a healthy community.</p>			
<p><input type="checkbox"/> Look for Leverage</p>	<p>Identify what type of leverage may be present for this development:</p> <p><input type="checkbox"/> Community Support:</p> <ul style="list-style-type: none"> ● Can the coalition support the development IF certain conditions are met? OR ● Does the coalition want to advocate for benefits to mitigate harm? <p><input type="checkbox"/> Municipal Support: Does the municipality need to approve the development through public subsidies, sale of public property, zoning changes, other public managed investments, and/or approval of the proposed project?</p> <p><input type="checkbox"/> Threat of Protest and/or Legal Action: Could there be a threat of protest and/or legal action over potential permits or current violations.</p> <p><input type="checkbox"/> Requirements by Law or Funding: Is the developer required to complete an agreement by municipal ordinance or funding opportunity?</p> <p><input type="checkbox"/> Geographic Uniqueness: Does the developer need to be in <u>your</u> community because they need a particular geographic or infrastructure?</p> <p><input type="checkbox"/> Developer Needs Buy-In: Does the developer need community buy-in or good public relations to proceed, potentially because of bad publicity in the past or a change in ownership?</p>			
	<p>What leverage conditions are present that could influence future negotiations?</p> <p><input type="checkbox"/> Coalition Size:</p> <ul style="list-style-type: none"> ● Is your coalition large enough to pressure the municipality? ● Is it large enough that commenting and writing on permit applications or other protest activities against the company could be meaningful? ● Is it large enough to engage a diverse and representative group of partners? <p><input type="checkbox"/> Coalition's Past Successes:</p> <ul style="list-style-type: none"> ● Does your coalition have relationships with local decision-makers? 			

	<ul style="list-style-type: none">● Does anyone in your coalition have previous experience or success advocating for or against development decisions in the past, or with community benefits more specifically?□ Size of Development:<ul style="list-style-type: none">● Will the development have a potential for high future earnings?● Will the development have significant impacts on the environment, public health, and community?● Does the development require multiple permits and approvals?
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□ Get additional ideas from the resources in the [RESOURCE LIBRARY](#).

CREATE AND PRIORITIZE BENEFITS

Once you have your vision and you have the beginnings of a coalition, the next step is to begin the coalition’s focus on benefits and protections and prioritize those ideas.



Why Is This Important? Strong benefits must be concrete, actionable, and driven by community ideas. It’s critical to spend time to identify what benefits can help meet the community’s vision, prioritize those benefit ideas in terms of need and importance, and find language that can capture them in concrete and measurable terms. Even if your coalition isn’t ready for negotiations yet, it is still helpful to begin these conversations proactively and think through how these could play out later down the line.



How We Are Doing This In Beaver County:

We brought the coalition partners together for a full-day retreat. The retreat’s primary goals were to create a “menu” of community benefits that work toward a shared vision and identify concrete next steps to making sure community benefits come to our community. We secured space at a meeting room in a cabin at a state park and had lots of food and beverages during the day. We invited everyone on our contact list and everyone who had been to a previous educational event.

Education Activity	Purpose of Education Activity	# of Attendees
Retreat	<ul style="list-style-type: none"> • Build relationships and trust amongst community partners. • Create and prioritize benefits and protections into a benefits menu. • Discuss next steps the coalition wants to take. 	30

During the retreat, we facilitated activities that focused on relationship building, identifying who each person was there “representing,” re-grounding the community’s vision, learning about S.M.A.R.T.I.E.S., creating and prioritizing benefits, and brainstorming next steps.

One of the biggest challenges that we faced was the various levels of knowledge in the room. Some people had attended previous educational events and others came in with no knowledge of community benefits, and we didn’t want to spend precious in-person time going over the same information in the retreat as we did in the Community Benefit 101 session. To mitigate this challenge, we asked those who have been at previous events to share the knowledge and information they had with the larger group. We also had printed handouts of the Community Benefit 101 slides for people to look at if they wanted to refer to those during the retreat.

Overall, the retreat was extremely successful. There was fantastic conversation, good relationship building, and both of our goals were met: the coalition created a menu of benefits, and there were some concrete next steps that everyone identified.



How You Can Do This In Your Community:

- Use the [Community Benefit Retreat Agenda](#) to help plan and facilitate a retreat or series of workshops to draft and prioritize benefits and next steps in your community. After the retreat, document the drafted and prioritized benefits and protections, and communicate them back to the broader community. If you are working proactively or have time to get feedback on your benefits with the broader community, we recommend doing some ongoing outreach to make sure the prioritization makes sense with resident’s

needs and perceptions. This communication and outreach can happen through surveys on social media or email, or voting exercises during tabling opportunities.

- Use [the Community Benefits Menu](#) to see concrete examples of benefits that have been included or recommended in other community benefits work. These are broken out to align with the 7 Vital Conditions and common community goals. The menu can provide a starting point for your coalition to see the breadth of benefits and protections that can be included in benefits and start to select those that may be most important to your community.
- Use the [Community Benefits Cards](#). These cards can be used during outreach, education, and the retreat, and provide an interactive and tangible way to prioritize benefits. Each card is an example taken from the Community Benefits Menu.
- Use the [S.M.A.R.T.I.E.S. worksheet](#) to help your group draft concrete, tangible, and measurable benefits.
- Make sure your group is strategic with the structure by which community is “at-the-table.” The structure for inclusive decision-making before, during, and after negotiations is critical to ensuring communities have a meaningful voice and input into the process. Think about the following questions:
 - Inclusive Decision-Making: What is the structure that your coalition should be taking during negotiations? Specifically, who is part of negotiating benefits, what is their decision-making process, and how will they be transparent back with the broader community?
 - Transparency: How will you have ongoing, open, and two-way conversations with the coalition and broader community during negotiations?
 - Concreteness: How will your benefits be concrete, measurable, and actionable?
 - Conflict Management: How does your coalition want to manage conflict when it arises? How does the coalition want to manage conflict with the developer and/or municipality in the future?
 - Enforcement and Accountability: What should happen if one party isn’t following through on their promises and agreements?
 - Supports: What technical or tangible support does your coalition need as it moves into negotiations?
- Double-check that your prioritized benefits:
 - Align with the community vision.
 - Meet the [S.M.A.R.T.I.E.S. checklist](#).
 - Are big, bold, and creative!
- Get additional ideas from the resources in the [RESOURCE LIBRARY](#).

TAKE A BREATH and CELEBRATE YOUR PROGRESS!

You have done a lot of hard work to get your community ready for community benefits. One of our initial goals in Beaver County was to foster “readiness” and “moral authority” so that companies could not come in and dictate the terms of their operations. This is where we are in Beaver County — we’ve engaged and educated many partners who are ready to move forward with community benefits. At this point we have:

- Built meaningful, authentic, and reciprocal relationships.
- Created and clarified a community vision.
- Clarified our why.
- Brought together a diverse coalition of partners who were interested in benefits.
- Provided education to increase knowledge about community benefits, as well as a community benefit ordinance template that we can support interested municipalities to pass in the future.
- Looked for community benefit opportunities.
- Created and prioritized benefits to create a “menu” that can be used in the future.

This next section is what we anticipate working on. The steps and recommendations below from our collective years advocating, moving community coalitions forward in their goals, and negotiating community benefit agreements in other towns and cities. We know these next phases are the newest and most difficult in many situations, and we look forward to updating these next sections based on our experiences and learnings.

PASS A COMMUNITY BENEFITS ORDINANCE

A community benefits ordinance is one path a community can choose to walk along the community benefits river. A community benefits ordinance is a local law passed by the municipality which requires a Community Benefit Agreement or community benefits process for developments that meet certain criteria. These laws can look really different depending on the needs, capacity, strengths, and culture of each community that they are passed in. Although each Community Benefit Ordinance is unique, all answer the following questions:

- When is it triggered?
- What benefits or protections should be included?
- How and when should the community be engaged?
- Who has accountability, oversight, and enforcement power?
- What are the concrete metrics of success?



Why Is This Important?

Community benefit ordinances are one of the most proactive ways to bring benefits in. This standardizes community benefits across the board and creates a norm that “this is how we do business in this community.”

- For municipalities: They bring certainty to economic development because the governing body knows the process, benefits, and protections, and have an open-door to talk with developers (even if they aren’t required to give local approval).
- For developers: They bring certainty and decrease surprises to their project because they know the exact process expected of them going into a new development.
- For communities: They bring transparency and an automatic seat at the table.



How We Plan to Do This In Beaver County

During the retreat, multiple coalition members expressed interest in working on a community benefit ordinance. As a next step, we facilitated a virtual focus group with those interested. During the focus group, we shared basic information about these laws, provided examples from three different ordinances, and had a discussion about what these could look like in Beaver County. This discussion went into the creation of the [Community Benefit Ordinance Template](#) found in this playbook. We plan to share these back with the community and gather feedback. With the coalition, we will then approach a local municipality to do some education with their leaders and advocate for them to adopt the [Community Benefit Ordinance Template](#).



How You Can Do This In Your Community:

☐ *Use Your Previous Benefits Work.* While advocating and creating the ordinance that works well, we recommend using all the work done up until this point:

- Building strong relationships: will help you create strong and working relationships with local leaders and municipal decision-makers, in addition to residents and partners.
- Community vision: should be the foundation of what the ordinance goals lead to.
- Coalitions: can help advocate to local municipalities.
- Education: will help your community see the range of things that can be part of an ordinance.
- Looking for Opportunities: will provide some context into the types of development coming into your community. (For example, knowing your community gets a lot of very large industrial

facilities versus small solar farms; or if large housing development or smaller strip-malls are more common will help you create the appropriate triggers to your ordinance.)

- Prioritizing Benefits: will help your decision-makers ensure that the ordinance leads to those benefits that are more important to your community.
- Use the [Community Benefit Ordinance Agenda](#) and [PowerPoint](#) to facilitate an interactive educational workshop on community benefit ordinances. This agenda provides an outline and materials for an in-person or virtual discussion with community members and leaders to understand community benefit ordinances by looking at examples from other cities, and brainstorming what a local ordinance could look like.
- Understand laws related to advocacy and lobbying for nonprofits. 501(c)(3) organizations are allowed to advocate, and can lobby local officials to pass policies if they complete specific processes. Learn more by reading [A Town's River Access Ordinance: Navigating Advocacy and Lobbying for 501c3s](#). Reach out to an attorney or visit [Alliance for Justice](#) for resources and a helpline.
- Use the [Community Benefit Ordinance Template](#) as a starting point. Local decision-makers can use this as a starting point to draft an ordinance that works best for your community.
- Get additional ideas from the resources in the [RESOURCE LIBRARY](#).

APPROACH THE DEVELOPER or BEING APPROACHED BY THE DEVELOPER

This next step is when your coalition goes to the developer and asks to negotiate community benefits OR is approached by a developer asking you to be part of their community benefits plan.



Why Is This Important? [Action Tank](#) has great guidance on strategies to approach the developer: “After a community benefits coalition is established and it has garnered sufficient community support, the coalition can bring its

concern about the development to the developer. For this to be effective, it is critical for the coalition to have notable backing by the residents, neighborhood, and other stakeholders. In the absence of sufficient community pressure, CBA negotiations will not be effective. Often, particularly if a coalition is new, support from key elected officials will help bring developers to the table. It may be necessary to take legal action against objectionable aspects of the development to inspire a willingness to negotiate. Unless

developers face significant public pressure and/or legal leverage that jeopardizes public approval, developers are unlikely to compromise. When CBA negotiations become commonplace in a city...” or are required by funding requirements, “developers are more likely to negotiate at the outset of a project.”⁴

Approaching the Developer in Follansbee, West Virginia

Ohio Valley Environmental Advocates (OVEA) is a nonprofit partner in a small town in West Virginia. In 2022, they heard that a new industrial facility was being proposed for their town. OVEA helped to rally the community together to try and ask questions to understand the process and potential impacts it would have. The community felt frustrated by the lack of transparency and honesty in the answers they were receiving and advocated against the development. The Company eventually withdrew permit proposals.

Fast forward two years, and the same Company received federal funding to develop a separate industrial facility. By this point, OVEA had been building relationships and facilitating visioning and education with residents, partners, and municipal leaders. They had also joined the local Chamber of Commerce.

During one Chamber of Commerce meeting, OVEA was introduced to a staff member at the Company who is overseeing the implementation of the Company’s Community Benefits Plan as required by federal funding. OVEA used that introduction to try and begin a relationship with this staff member with the goals of:

- Understanding what and how the Company was planning to facilitate community benefits;
- Being a bridge between the Company and community to make sure community concerns, interests, and needs were integrated into community benefits planning;
- Ensuring that OVEA and its partners were at the table during community benefits conversations.

In this case, the Chamber of Commerce and OVEA’s previous relationship-building work allowed OVEA to get a ‘foot in the door’ and be seen as a bridge to community benefits in their town.



How We Plan to Do This In Beaver County and How You Can Do This In Your Community:

- Collect the pertinent information that can help.* Use the work done during the phase “**LOOK FOR COMMUNITY BENEFIT OPPORTUNITIES**” to understand the development, identify impacts, get your questions answered, and find leverage.

⁴ Action Tank, Wave Pool, Visionaries + Voices, and Policy Link. *Community Benefits Agreement Toolkit for Neighborhoods*, page 10. <https://static1.squarespace.com/static/5633fced4b0b0c3596ed436/t/5f7b0b1024f75f5a9dcf3a5f/1601899300941/CBA%2BToolkit%2Bfor%2BWebsite.pdf>.

- Have your potential “menu” of benefits ready.* Without a list of what your community wants, it is easier for companies to dictate the terms and benefits that they are most interested in pursuing. Providing this proactively can make sure the community is an active driver in the negotiations process.
- Add to your “contact list,”* including:
 - Developer and/or company directors of public relations, community engagement, project managers, or staff who had a role in writing a company’s Community Benefits Plan.
 - Local or state officials who may have interacted with the developer.
 - Media contacts, including local newspapers, TV stations, or radio contacts.
- Be ready with a tiered strategy to approach developers:*
 - **Direct Company Outreach:** We first plan to reach out over email or phone call to employees of the developer and/or company who have roles in public relations, community engagement, a Community Benefits Plan (if applicable), or potentially project managers. However, we know that this is difficult, so we are also ready to ask local or state leaders to help make an introduction to the appropriate individual at the company. Example language: *“We are a coalition of [insert number] of nonprofits, local leaders, grassroots groups, and local businesses who believe [vision]. We know that you share some of the same vision through [insert public relations, articles, or company mission statements that align with community vision.]. For these reasons, we are eager to meet and discuss how we can work together to achieve these goals. We believe that a negotiated Community Benefits Agreement can support our community while helping you to secure project approvals.”*
 - **Decision-Maker Outreach:** If we do not hear back, or get a negative response, from the developer or company contacts in a timely manner, we will reach out to local or state officials who have interacted with the development. This could include the mayor; city manager; city council; local zoning official; local, county, or state economic development office; or state environmental agency. Example language: *“We are a coalition of [insert number] of nonprofits, local leaders, grassroots groups, and local businesses who believe [vision]. We know that you share some of the same vision through [insert mission statements that align with community vision.] We have been trying to get in touch with [company] to talk about how we can work together to achieve these goals as they begin their [type of work] in our community. Unfortunately, we have reached out [detail outreach attempts] and have not heard back. For these reasons, we are hoping that you can help set up an initial meeting so that our coalition can collaborate directly with [company name] to discuss how we can partner together for our community’s health and happiness.”*
 - **Media Outreach:** If we still do not hear back, or get a negative response from the company and decision-makers, we plan to go use the media strategically. Example language: *“We are a coalition of [insert number] of nonprofits, local leaders, grassroots groups, and local businesses who believe [vision]. We are concerned about [company]’s proposed development because [name potential impacts.] Those could [name how impacts would make the vision harder to achieve.]. We have been trying to get in touch with [company] and [decision-makers] to talk about how we can work together to achieve these goals as they begin their [type of work] in our community. Unfortunately, we have reached out [detail outreach attempts] and have not heard back. Without this open conversation and transparency into the community, we are concerned that the development will cause harm. We hope that you are interested in hearing more about this story, and the work we are doing to try and partner with [company] and [decision-Makers] to work toward a win-win that helps everyone here be happy and healthy.”*
- Get additional ideas from the resources in the RESOURCE LIBRARY.

Being Approached by the Developer

This section is for community coalitions that have companies reach out to them to engage in a community benefits process. Companies are now being required to submit a Community Benefits Plan as a condition of some federal funding. This is great news because it creates an opportunity for communities to get their foot in the door. We know many great companies and initiatives that want to meaningfully engage the community and collaborate to develop meaningful benefits and protections. Unfortunately, we know other companies want to continue “business as usual” and retain decision-making power without meaningfully involving the community. We expect that developers may ask the following of community members as required in their Community Benefit Plans:

- To attend community meetings or forums to listen.
- To join public meetings with the goal of soliciting community feedback.
- To meet to discuss community benefits.
- To serve on a Community Advisory Committee or Board.
- To negotiate Community Benefit Agreements.



How We Plan to Do This In Beaver County and How You Can Do This In Your Community:

- Collect the pertinent information that can help.* Use the work done during the phase “**LOOK FOR COMMUNITY BENEFIT OPPORTUNITIES**” to understand the development, identify impacts, get your questions answered, and find leverage.
- Have your potential “menu” of benefits ready.* Without a list of what your community wants, it is easier for companies to dictate the terms and benefits that they are most interested in pursuing. Providing this proactively can make sure the community is an active driver in the negotiations process.
- Use [Questions to Ask Before Joining a Board or Committee](#).* Learn more about what the company is asking for. If we are approached to join a Community Advisory Committee or Board, or to negotiate a Community Benefits Agreement, we plan to use the Questions to Ask Before Joining a Board or Committee (below) to ensure the opportunity is structured in a way that provides meaningful decision-making power, and is not a way for the company to use our names as a stamp of approval without the ability to influence our concerns.
 - If these questions are answered to our satisfaction, that will give us more optimism that this can be a positive collaborative opportunity. At that point, we will jump back to our prioritized benefits and negotiate with the developer.
 - If these questions are not answered to our satisfaction, we will negotiate with the developer to put the conditions in place that allow these questions to be answered more strongly. We may need to jump back to Look for Community Benefit Opportunities to understand more about the company and identify leverage to ensure that our participation in the Community Benefits Plan leads to meaningful and concrete benefits.

NEGOTIATE COMMUNITY BENEFITS WITH THE DEVELOPER

Once the developer agrees to partner together on community benefits, it's time to negotiate.



Why Is This Important? Community benefits are often a legal contract that is agreed to between two sides. This means that both sides need to come together and negotiate to, ideally, end up in a situation that everyone feels OK with.



How We Plan to Do This In Beaver County and You Can Do It in Your Community:

- Work with an attorney.* We plan on working with an attorney who can help put our benefits into legal language, and can help guide the coalition during negotiations. It's critical to have an attorney if the opposing side has an attorney, and that all direct communications to the opposing side go through the attorneys. This can help clarify the process and ensure there are no miscommunications.
- Create, negotiate, and agree to the Cooperation Guidelines.* We have seen that many negotiations fall off the track by a negotiation process that leaves people out, is not transparent, cuts coalitions out of decision-making roles, or is not driven by the community. For this reason, before jumping into negotiations of a full agreement, we recommend coalitions and companies create a Cooperation Guidelines agreement. This could include Section 2 of the [Community Benefits Agreement Template](#).
- Understand what generally happens during negotiations.* Review What Can We Expect During Negotiations to get as much understanding of what this process typically includes and looks like. This is new for many nonprofit partners and coalitions, so increasing this knowledge can help increase transparency.
- Use the [Community Benefits Agreement Template](#) as a starting point to develop a Community Benefits Agreement.*
- Continue using communication channels.* Make sure that the negotiating team is being transparent and communicating what happens during negotiations back to the broader community and coalition. This ensures that all partners are on the same page, and the negotiating team can bring any feedback or concerns back into negotiations.
- Make sure all Essential Elements of a Community Benefits or Good Neighbor Agreement are in place.*

Essential Elements of a Community Benefits Agreement or Good Neighbor Agreement	Details
<input type="checkbox"/> Benefits and Protections are created and driven by community vision, ideas, needs, and solutions.	<ul style="list-style-type: none"> ● A diverse and trusted coalition that represents the needs of the community — in particular those most impacted by the project — has fully participated in the process to create, define and negotiate the benefits listed in the agreement. ● See BUILD STRONG RELATIONSHIPS and BUILD A COALITION for more details.
<input type="checkbox"/> Benefits and protections are written in S.M.A.R.T.I.E.S language to be concrete.	<ul style="list-style-type: none"> ● Specific: States what should happen in clear words. ● Measurable: Includes standards by which reasonable people can agree on whether the goal has been met (by numbers or defined qualities). ● Actionable: Not so challenging as to indicate lack of thought about resources, capacity, or execution; setting the bar high, but knowing what you can negotiate around.

	<ul style="list-style-type: none"> ● Relevant: Reflects an important aspect of the community’s goals and vision. ● Timebound: Includes a clear deadline. ● Intentionally Targeted Impact: Is thoughtful in how the development will impact the community and who will be most impacted by the development and creates the benefit to address those impacts. ● Equitable: Seeks to address systemic injustice, inequity, or oppression. ● Supported: By a diverse coalition.
<p><input type="checkbox"/></p> <p>Clear structure for ongoing communication and decision-making between the coalition and developer, often in the form of an advisory or Enforcement Board or Committee.</p>	<ul style="list-style-type: none"> ● Clear overall goals of the Board or Committee. ● Clear roles and responsibilities. ● An equitable distribution of coalition members, developers, and supporters. ● No opportunities for a select number of members to meet independently to make decisions. ● Clarity about who is invited to join, and the characteristics, experience, or skills that members must demonstrate. ● Clarity about the voting process, or how the Board or Committee will resolve conflict and differences in opinion. ● Clarity about how the Board or Committee will communicate, be transparent, and integrate feedback from the broader community.
<p><input type="checkbox"/></p> <p>Explicit process for dispute resolution or what happens if one party is not fulfilling the agreement as intended.</p>	<ul style="list-style-type: none"> ● See the Community Benefit Menu for examples.
<p><input type="checkbox"/></p> <p>Roles and responsibilities for ongoing monitoring and enforcement.</p>	<ul style="list-style-type: none"> ● See the Community Benefit Menu for examples.
<p><input type="checkbox"/></p> <p>Conditions are present to ensure legal enforcement - Consideration⁵</p>	<ul style="list-style-type: none"> ● Consideration is a key piece of valid contract formation. Consideration means that both parties agree to exchanging promises that hold similar value. For CBAs, previous rulings suggest that the value of the agreements that a community makes in the CBA hold equal weight to the promises the developer makes about employment, environmental provisions, and the like. Recommendation for communities to have strong enforcement ground if needed: A community coalition can express: <ul style="list-style-type: none"> ● Promises of public support. ● Promises to serve on implementation committees, and/or ● Agreements not to sue.

⁵ Weimer, D. (2023). *Legal Enforcement of CBAs – Research & Recommendations for Community Coalitions*. Fair Shake Environmental Legal Services.
<https://static1.squarespace.com/static/52d06637e4b03daab13b67f6/t/6581f6a9e3abb22e92590dbb/1703016105612/Legal+Enforcement+of+Community+Benefit+Agreements.pdf>.

<p style="text-align: center;">□</p> <p style="text-align: center;">Conditions are present to ensure legal enforcement - Successors⁶</p>	<ul style="list-style-type: none"> ● Oftentimes in developments, the owner or manager of the project will award sub-contract with other entities to perform specific tasks, such as excavation, building, opening stores, etc. It is important to include specific language about the duties and obligations of everyone “down the chain of contracts” from the developer, to contractors and subcontractors, to assignees and future entities to whom the developer might sell land. Recommendation for communities to have strong enforcement ground if needed: <ul style="list-style-type: none"> ● Add specific language about the duties and obligations of everyone “down the chain of contracts” from the developer, to contractors, subcontractors, to assignees, and future entities to whom the developer may sell land.
<p style="text-align: center;">□</p> <p style="text-align: center;">Conditions are present to ensure legal enforcement - Third-party enforcement⁷</p>	<ul style="list-style-type: none"> ● Generally, signatories are contracting parties that have a right to enforce a contract, so community groups or members who sign into the CBA would possess enforcement rights. But, sometimes, a community group or member that is not signed into the CBA (a third-party) may want or need to enforce the CBA. However, if the CBA doesn’t explicitly write out the rights of third parties to enforce a CBA, it may be tricky for that third-party. Recommendation for communities to have strong enforcement ground if needed: <ul style="list-style-type: none"> ● Create well-defined terms for those who the benefits are intended for. For example, define: “community” or “communities,” with explicit language that specifies beneficiaries as “residents” of distinct geographic areas (e.g., neighborhoods). Likewise, language promising employment, job training, and affordable housing are pretty clearly aimed at individuals within a community and thus residents of a community defined in a CBA would likely be able to enforce a CBA as an intended beneficiary. ● Consider whether the outcome and/or negotiation could be helped by adding language that explicitly allows third-party rights, or explicitly does not allow third parties to enforce the CBAs.

□ Get additional ideas from the resources in the [RESOURCE LIBRARY](#).

⁶ Weimer, D. (2023). *Legal Enforcement of CBAs – Research & Recommendations for Community Coalitions*. Fair Shake Environmental Legal Services.
<https://static1.squarespace.com/static/52d06637e4b03daab13b67f6/t/6581f6a9e3abb22e92590dbb/1703016105612/Legal+Enforcement+of+Community+Benefit+Agreements.pdf>.

⁷ Weimer, D. (2023). *Legal Enforcement of CBAs – Research & Recommendations for Community Coalitions*. Fair Shake Environmental Legal Services.
<https://static1.squarespace.com/static/52d06637e4b03daab13b67f6/t/6581f6a9e3abb22e92590dbb/1703016105612/Legal+Enforcement+of+Community+Benefit+Agreements.pdf>.

AGREE, SIGN, AND BEGIN ONGOING MONITORING AND ENFORCEMENT

Signing an agreement is a great accomplishment... and now the real work starts of implementing, monitoring, and, if needed, ongoing accountability to abiding by the agreement.



Why Is This Important?

Ongoing monitoring and enforcement can take a lot of time, capacity, and resources. It's critical that parties plan and negotiate the activities for the ongoing monitoring and enforcement processes and structure.

Without this, one party could be in a tough spot without any accountability tools if they feel like the agreement isn't being upheld as intended.



How We Plan to Do This In Beaver County and You Can Do It in Your Community:

- Include implementation, monitoring, and enforcement funding and activities in the final agreement.* We plan to negotiate with the company to obtain funding for the appropriate coalition members for staff time for ongoing implementation and monitoring activities.
- Create ongoing transparency and collaborative decision-making tables in the final agreement.* We plan on negotiating strong monitoring processes to ensure ongoing transparency and ongoing collaborative decision-making.
- Reach out to your attorney if the agreement isn't being followed as intended.* Lastly, we hope that we can work out future disagreements through open communication but are also prepared to bring the attorney back into the process if we are seeing too many issues and the agreement is not being followed as intended.
- Advocate to the Funding Agency if a Community Benefit Plan is not being implemented with strong and diverse community engagement, representation, and input.* If we are involved in a Community Benefit Plan, and do not believe that the plan is being implemented as intended or that the community is being left out of the decision-making processes, we will advocate to the company's funding agency that required the Community Benefit Plan.

OR...

PAUSE AND RE-GROUP

There may be times when negotiations break down, the coalition splinters, or your group decides not to move forward with community benefits. In this case, you can re-ground yourselves in the community vision and decide what best next steps you can take. This could mean:

- Decide not to move forward with community benefits.* Although hard in the moment after a lot of hard work, there is most likely a very good reason why the coalition chose not to continue in negotiations. Oftentimes, this is because the agreement does NOT represent the needs of the community. Although challenging, in these situations it can be helpful to remember that it does not make sense to support something that you do not believe in, and that does not match your community's goals and vision coming into negotiations.
- Pause and come back to the negotiation table in the future.* Sometimes, it's helpful for both sides to take some time to re-group and work through internal challenges. In these situations, we recommend creating a solid date to come back to the negotiation table, and then working through the internal challenge. Without a solid date to come back to the negotiation table, we have seen negotiations disappear. Having a firm date can help keep momentum moving forward.
- Advocate against and/or pursue legal action against the development.* Lastly, there may be a situation in which the coalition realizes that the benefits and protections will not work and there are too many concerns that the community has that are not being heard by the company. In this case, the coalition



can decide that it is time to advocate in other ways to protest the development moving forward. See Fair Shake’s Environmental Legal Services’ [Community Democracy River](#) for more information on other levers to move the community’s needs forward.

COMMUNICATE, COMMUNICATE, COMMUNICATE!

Regardless of how your process ends, communication back with the broader community is paramount.



Why Is This Important?

Communication helps the community understand what happened, what lessons were learned, and what to expect next. Communication should be:

- Ongoing
- Honest
- Transparent
- Accessible
- Understandable



How We Plan to Do This In Beaver County and You Can Do It in Your Community:

- Use a wide range of communication channels to share back with the broader community.* We plan to work with our partners to:
 - Host in-person gatherings and/or celebrations.
 - Post infographics explaining the process and outcomes on social media sites.
 - Write and submit press releases to local media outlets.
 - Table and facilitate some outreach at upcoming community events.
- Use visuals as much as possible in all communications.*
- Make sure that written communications do not exceed a sixth grade reading level.*
- Create a calendar to ensure ongoing and timely communications.*
- Share what is working, and what isn't working, and lessons learned throughout the way.* This honesty can feel vulnerable but is key to maintaining trust and authenticity.

RESOURCE LIBRARY

Community Engagement Resources:

- [Community Engagement Brief: Ensuring Environmental Justice Communities Participate in Decision-Making on the Justice40 Initiative and Beyond](#) by We Act for Environmental Justice
- [The Principles for Equitable and Inclusive Civic Engagement: A Guide to Transformative Change](#) by Kip Holley at the Kirwin Institute and The Ohio State University
- [From Community Engagement to Ownership: Tools for the Field with Case Studies of Four Municipal Community-Driven Environmental & Racial Equity Committees](#) by Facilitating Power, Movement Strategy Center, National Association of Climate Resilience Planners, and the Urban Sustainability Directors Network
- [Process Guide for City-Community Collaboration](#) by GEM Greenlink Equity Map
- [What Do People Need to Feel Heard](#) by the National Civic League
- [Outreach and Engagement Community Toolkit](#) by New Sun Rising

Clarify Your Why Resources:

- [Sharing Your Story](#) by Fair Shake Environmental Legal Services

Coalition Building Resources:

- [Community Benefits Coalition Contact list](#) by Fair Shake Environmental Legal Services
- [Coalition Building: Starting a Coalition](#) by the Community Toolbox through the University of Kansas
- [Building Trust Within your Coalition](#) by the Prevention Coalition Toolkit
- [Resource Page](#), including tools on developing core values; equity and inclusion; developing roles and goals; and using fair processes for making decisions from The Management Center
- [5 Dysfunctions of a Team](#) by Patrick Lencioni (although this was created for business teams, there are some great lessons that nonprofits and coalitions can learn to build up successful community benefit teams.)
- [Community Strengths Quiz modified from Clifton Strengths Finder](#) by Fair Shake Environmental Legal Services

Look for Community Benefit Opportunities Resources:

- [Environmental Justice Tools User Guide](#) by Fair Shake Environmental Legal Services
- [Right to Know Tips and Resources](#) by Fair Shake Environmental Legal Services
- [Public Participation, Public Power: A Community Guide to Local Land Use Decision-Making in Pennsylvania](#) by PennFuture

Provide Education Resources:

- [Community Benefits One-Pager](#) by Fair Shake Environmental Legal Services
- [Community Benefits Card Game](#) by Fair Shake Environmental Legal Services
- [Happy Hour/Coffee Chat Community Benefits 101 Agenda](#) and [Powerpoint](#) by Fair Shake Environmental Legal Services
- [Community Benefit Ordinance Agenda](#) and [PowerPoint](#) by Fair Shake Environmental Legal Services
- [Community Benefits Resource Bank](#) by ReImagine Appalachia

Prioritize Community Benefits

- [Community Benefit Retreat Agenda](#) by Fair Shake Environmental Legal Services
- [Community Benefits Menu](#) by Fair Shake Environmental Legal Services
- [S.M.A.R.T.I.E.S. worksheet](#) to help your group by Fair Shake Environmental Legal Services

Approaching the Developer Resources:

- [Community Benefits Agreement Toolkit for Neighborhoods](#), page 10, by Action Link

Negotiation Resources:

- [CBA Template](#)— a model Community Benefit Template created by Beaver County Coalition that Coalitions can edit and adapt to form the foundation of their legal Community Benefit Agreement.
- [Community Benefits Menu](#) — this menu provides concrete examples of benefits that have been included or recommended in other community benefits work that align with the 7 Vital Conditions and common community goals. This menu can provide a starting point for your coalition to see the breadth of benefits and protections that can be included in benefits, and start to select those that may be most important to your community.
- [Community Benefits Cards](#) — these cards provide an interactive and tangible way to prioritize benefits. Each card is an example taken off of the Community Benefits Menu.
- [SMARTIES worksheet](#) — provides additional information and a template to help your coalition create strong and concrete benefits.
- [Legal Enforcement of CBAs – Research & Recommendations for Community Coalitions](#) by Fair Shake Environmental Legal Services (Weimer, D.)
- [Community Benefits Agreements: Making Development Projects Accountable](#) by Julian Gross
- [Community Benefits Agreements Database](#) by Columbia Law School Columbia Climate School Sabin Center for Climate Change Law
- [Common Challenges in Negotiating Community Benefits Agreements and How To Avoid Them](#) by the Partnership for Working Families and the Community Benefits Law Center
- [Evaluating the Use of Good Neighbor Agreements for Environmental and Community Protections: Final Report](#) by University of Colorado Law School (Kenney, D.S., Stohs, M., Chavez, J., Fitzgerald, A., and Erickson, T.)
- [Expert Insights on Best Practices for Community Benefits Agreements](#) by Columbia Law School Sabin Center for Climate Change Law (Eisensohn, M., and Webb, Romany)
- [Community Benefits Agreements Database](#) by Columbia Law School Sabin Center for Climate Change Law

Agree, Sign, and Begin Ongoing Monitoring and Enforcement Resources:

- [Legal Enforcement of CBAs - Research and Recommendations for Community Coalitions](#) by Fair Shake Environmental Legal Services

Communicate, Communicate, Communicate Resources:

- [Houston CBA: The Goals](#) from the Houston Coalition for Equitable Development without Displacement created an easy-to-understand resource to share their community benefit goals with the community.
- [Good Neighbor Agreement by the Northern Plains Resource Council](#) provides an easy-to-understand website and visuals explaining their coalition’s advocacy work and outcomes.
- [Tax Incentives Hurt Majority Black Detroit](#) by the Detroit People’s Platform is a great zine explaining tax incentives and how they impact economic development and community benefits.