

December 2016
DLCD Year-End Agency Report for the EJTF:

How does your agency make efforts to address environmental justice issues?

DLCD and the Statewide Planning Program have implemented environmental justice measures since the inception of the program in the early 1970s.

Specific implementation takes place in the form of:

1. The Statewide Planning Goals
2. Citizen involvement programs and policies, and
3. State Agency Coordination programs

The foundation of the program rests on 19 Statewide Planning Goals. Goal 1 is Citizen Involvement. In short, Goal 1 requires local governments:

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

Further, the local citizen involvement program must incorporate the following components:

1. Citizen Involvement: To provide for widespread citizen involvement.
2. Communication: To assure effective two-way communication with citizens.
3. Citizen Influence: To provide the opportunity for citizens to be involved in all phases of the planning process.
4. Technical Information: To assure that technical information is available in an understandable form.
5. Feedback Mechanisms: To assure that citizens will receive a response from policy-makers.
6. Financial Support: To insure funding for the citizen involvement program.

The concepts of environmental justice are also incorporated in Goals 10 (Housing) and 12 (Transportation). Goal 10 says: "To provide for the housing needs of citizens of the state," and "...plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density." Please also see:

<http://www.oregon.gov/LCD/docs/goals/goal10.pdf>

Goal 12 begins by saying: "To provide and encourage a safe, convenient and economic transportation system." The goal considers "all modes of transportation," "the differences in social consequences that would result from utilizing differing combinations of transportation modes," "minimize adverse social, economic and environmental impacts and costs," and "meet the needs of the transportation disadvantaged by improving transportation services." Please also see:

<http://www.oregon.gov/LCD/docs/goals/goal12.pdf>

DLCD also addresses environmental justice through the Land Conservation and Development Commission's (LCDC) *Citizen Involvement Guidelines for Policy Development* (CIG), the Citizen Involvement Advisory Committee (CIAC), and the State Agency Coordination program (SAC).

1. The CIG requires DLCD work groups and LCDC advisory committees to have at least one "citizen" who is "charged with determining and representing the very broad interests of citizens in general rather than the interest of any particular person or group that may otherwise advocate for or against a policy proposal."
2. The CIAC, which meets four times a year, advises LCDC on issues pertaining to citizen involvement. CIAC has created public involvement guidelines for local governments and created a new ACE (Achievement in Citizen Engagement) award for local governments and others who do an outstanding job of engaging citizens in the public process of making land use decisions.
3. DLCD also works with other state agencies through State Agency Coordination (ORS 197.180). Each coordination program outlines the steps a state agency must take to comply with the Statewide Planning Goals and local comprehensive plans. Thus, state agencies are bound to Goal 1.

How has the agency worked to increase public participation of individuals and communities affected by agencies' decisions?

As yet, the agency has followed current practices outlined above more than we have looked to improve our efforts.

How have you worked to determine the effect of agency decisions on traditionally under-represented communities?

The Department of Land Conservation and Development (DLCD) makes decisions that may have impacts on environmental justice issues in specific locations in Oregon and statewide. When adopting rules, reviewing local land use decisions, and performing outreach and education, DLCD considers impacts, or potential impacts, as they relate to environmental justice. We work with stakeholder groups to understand various affected interest group positions and use a consensus based discussion and decision making process to create equitable outcomes in rulemaking.

How has the agency improved plans to further the progress of environmental justice in Oregon?

DLCD plans to note specific places in our upcoming Way and Means Presentation where environmental justice would apply to current budgetary allocations. We also have begun consulting the EPA EJ Tool in helping to understand outcomes that relate to specific planning proposals.

The agency is in the process of migrating the website to the new state platform and revising content for readability, accessibility, and relevance. The department hopes this will create more accessible, understandable, and timely information on program fundamentals, proposed changes, and issues that have potential impact for the environmental justice community.

Report on details of agency funding/budget commitments to EJ Task Force Liaison.

None.

Report on agency plan and timeline for implementing EJTF “EJ Packet for Agencies”. *If you have identified sticking points with adoption (and adaptation), raise those issues in advance of the next meeting to resolve them by the next meeting.*

None.

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Oregon

Kate Brown, Governor

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January 31, 2017

Ben Duncan, Chair
Environmental Justice Task Force
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Jason Miner, Natural Resources Policy Manager
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Dear Ben and Jason:

We appreciate the support of the Environmental Justice Task Force and the Governor's Natural Resource Policy Office in assisting the Department of Geology and Mineral Industries (DOGAMI) to better integrate the principles of environmental justice into our day-to-day decisions and activities for protection of the people and natural resources of Oregon.

DOGAMI is committed to addressing environmental justice challenges in concert with the Department's work to provide earth science information and regulation to make Oregon safe and prosperous. Unfortunately, in recent years DOGAMI's focus on environmental justice has suffered due to leadership changes and management challenges within the agency. I am pleased at this time to appoint Ben Mundie to serve as DOGAMI's Citizen Advocate for the Environmental Justice Task Force. Mr. Mundie has a demonstrated interest and passion for ensuring environmental justice receives the attention it deserves. Ben and I are committed to encouraging public participation; ensuring that the agency considers environmental justice issues; and informing DOGAMI of the effect of its decisions on communities traditionally underrepresented in public processes.

In fulfillment of our annual reporting responsibilities under ORS 182.550, DOGAMI respectfully submits the following Environmental Justice Task Force report for 2016.

Sincerely,

Brad J. Avy
Director

cc: Ben Mundie

2016 Environmental Justice Task Force Report

Department of Geology and Mineral Industries

ORS 182.550 requires natural resource agencies to submit an annual report to the Environmental Justice Task Force and to the Office of the Governor. The annual report documents the agency's efforts to:

- Address environmental justice issues
- Increase public participation of individuals and communities affected by the agency's decisions
- Determine the effects of the agency's decisions on traditionally underrepresented communities
- Improve plans to further the progress of environmental justice in Oregon

Leadership changes and management challenges at the Department of Geology and Mineral Industries (DOGAMI) have affected the Department's consistent submission of an annual report. The following is a summary of DOGAMI activities over the past several years. Starting in 2017, reports will be provided annually.

Addressing Environmental Justice Issues

The Geological Survey and Services (GS&S) Program develops information to help Oregon communities manage natural resources and prepare for natural hazards. The primary environmental and social justice issues for this program include ensuring Department generated information is available for all communities affected by hazards, and reaches all people.

The Mineral Land Reclamation and Regulation (MLRR) Program regulates mining; oil and gas; and geothermal development statewide. The primary environmental and social justice issues for this program includes ensuring protection of the environment and cultural and historic resources during permitting and operation of mineral development activities, and during reclamation and restoration of disturbed lands.

Within both programs the Department works closely with federal, other state, and local partners to identify key stakeholder groups for engagement in specific permits and projects. The communities and stakeholders potentially affected by GS&S activities are those located in geographic areas affected by natural resource management issues including water resources and ecosystem health, and affected by natural hazards. The communities and stakeholders potentially affected by MLRR projects include the nine federally recognized Tribes of Oregon; historic and cultural resource stakeholders; and those communities and people adjacent to mineral development sites. Though impacts to the surrounding community and people are a factor in the Department's regulatory responsibilities, local land use departments have siting authority and primary responsibility for mitigating local social impacts.

Increasing Public Participation of Individuals and Communities Affected by Agency Decisions

Working closely with local communities, the Department seeks to identify engagement needs during specific projects and permitting activities. Methods have included:

- Attending and participating in public meetings and hearings
- Meeting with specific stakeholder groups
- Increasing outreach of hazard information through presentations, tabling at community events, email blasts, social media, and media interviews
- Developing informational materials to have a broader reach by creating materials in multiple languages and multiple formats for print and electronic distribution.

As part of the MLRR program permitting process, the Department engages Tribes, the local land use department, the State Historic Preservation Office, and other state and federal natural resource agencies for review and comment on proposed mineral development projects. The Department circulates all mineral development permit applications to these stakeholders, and addresses concerns through conditions of the operating permit.

The Department's last large-scale natural hazards outreach project was undertaken in 2013, and was intended to increase awareness of tsunami hazards on the Oregon coast. The focus was on reaching all residents of the tsunami inundation zone by:

- Conducting door-to-door outreach
- Developing strategies to specifically reach minority and low-income residents, elderly and youth populations, and those with physical disabilities. Methods included Spanish and American Sign Language interpreters at community meetings, presentations at assisted living facilities, and school outreach.

Determining the Effect of Agency Decisions on Traditionally Underrepresented Communities

The Department is actively working with the State Historic Preservation Office and the nine federally recognized Tribes of Oregon to identify potential cultural and/or historic sites in the earliest phases of the MLRR permit application process. When concerns are raised the operating permit may be conditioned to mitigate potential impacts. Other ways effects of decisions have been determined include:

- The Department has required mineral development applicants to contract with certified archaeology consultants to compile cultural resource surveys of proposed development boundaries to ensure resources are not disturbed that were unknown.
- An Environmental Justice Baseline Study was drafted for a proposed gold mine in Malheur County. The baseline study identified potentially affected communities and provides alternatives to address impacts.

Improving Plans to Further the Progress of Environmental Justice in Oregon

The Department's focus to date has been increasing understanding of the role DOGAMI can have, and the actions the Department might take, in furthering environmental justice. Though formal incorporation of environmental justice into Department plans is still ahead, DOGAMI is working to establish the foundation for future efforts. Activities have included:

- The Department actively participates in the Cultural Resource Cluster and the Natural Resource Cluster groups of the Legislative Council of Indian Services, the Environmental Justice Task Force, and the Intergovernmental Cultural Resource Council.
- MLRR program staff have attended the Oregon Parks and Recreation archaeology field training to better understand the laws that protect cultural and historic resources as well as a primary introduction to identifying potential significant sites.
- Department staff are encouraged to participate in online training programs offered by the Department of Administrative Services that focus on Tribal relations and environmental justice.
- Recognizing and considering environmental justice issues, as outlined below, in program and project planning, development, and implementation.

In order to provide greater public participation and to ensure that all persons affected by decisions by DOGAMI have a voice in those decisions, DOGAMI is committed to the direction provided by ORS 182.545:

- In making a determination whether and how to act, consider the effects of the action on environmental justice issues.
- Hold hearings at times and in locations that are convenient for people in the communities that will be affected by the decisions stemming from the hearings.
- Engage in public outreach activities in the communities that will be affected by decisions of the agency.

Oregon Department of Agriculture 2016 Environmental Justice Task Force Annual Report

Senate Bill 420 (2007) directed natural resource agencies to appoint a state agency staff person to serve as a citizen advocate for the purpose of encouraging public participation, ensuring the agency considers environmental justice issues, informing the agency of the effects of its decisions on traditionally underrepresented communities, and improving plans to further the progress of environmental justice in Oregon.

At the Oregon Department of Agriculture (ODA or Agency), all manager position descriptions identify cultural competency, diversity, and inclusion as position responsibility. These values are incorporated into all managers' performance evaluations. Additionally, ODA's Human Resources Manager serves as the Agency's Affirmative Action Representative to the Governor's Diversity & Inclusion/Affirmative Action office.

In February of 2016, ODA filled the Citizen Advocate and Liaison position, which also serves as the agency representative to the Environmental Justice Task Force. Additionally, this position serves as part of the Pesticide Analytical and Response Center (PARC), which assists individuals with pesticide-related concerns.

ODA has a designated Tribal Liaison. The role of this position is to inform and, when appropriate, consult with Oregon's nine-federally recognized tribes on ODA's activities. A report of ODA's government-to-government activities is prepared annually and can be found on the Legislative Commission on Indian Services website (<https://www.oregonlegislature.gov/cis/Pages/Gov-to-Gov-Annual-Reports.aspx>).

ODA directly supports and administers programs that benefit environmental justice (EJ) communities. Among these programs is the Farm to School Program, which leverages public and private resources to bring more locally grown and processed Oregon foods to school children. Improving access to locally produced foods is a proven pathway to improved school achievement and prosperity for communities. Additionally, ODA hosts FoodCorps, which is a national service program. There are ten (10) FoodCorps service members serving nine (9) communities in Oregon. Service members work in low income and under-resourced schools teaching kids where their food comes from, how to grow it, and how to make healthy choices every day through school garden, environmental and nutrition education.

The Farm Direct Nutrition Program (FDNP), jointly administered by OHA and ODA to provide eligible, low-income seniors and WIC (Women, Infants and Children Special Supplemental Nutrition Program) families with assistance to purchase fresh, locally grown fruits, vegetables and cut herbs from authorized farmers selling directly to consumers. This provides an additional source of nutritious food and education on selecting and preparing fresh produce to qualifying recipients while supporting local farm stands and farmers' markets.

ODA also has a number of regulatory and consumer protection-related programs that have a positive impact on EJ communities:

The Confined Animal Feeding Operation (CAFO) Program is operated in conjunction with the Oregon Department of Environmental Quality (DEQ) under a Memorandum of Understanding and overseen by EPA. The program issues permits to qualifying CAFOs and provides inspection oversight to protect Oregon's water quality by preventing animal wastes from entering surface and ground water. After an EJ-specific concern for a proposed new large CAFO in Morrow County was raised, ODA conducted additional outreach to EJ communities in that area to provide details about the permit process and encourage public participation. Outreach included presentations, bi-lingual flyers, news releases to local newspapers, and radio interviews. Additionally, the CAFO NPDES permit was translated into Spanish and made available online. The CAFO program has added additional EJ outreach activities to the CAFO Notice and Public Participation checklist for use in future noticing activities. The CAFO program also has native Spanish speaking staff to assist permittees and the public. The CAFO Program manager presented the EJ / CAFO Program interaction and outreach activity process at a 2016 National CAFO meeting.

The Insect Pest Prevention & Management Program (IPPM) works to protect Oregon's agriculture, horticulture, natural resources, and quality of life from invasive insect pests. In 2016, in conjunction with USDA and other federal and state agencies, IPPM conducted an eradication program to combat the invasive Asian Gypsy Moth (AGM) by aerial application of a biological control agent on approximately 7,000 acres in the Portland area. Outreach and education efforts were made to all who lived or worked in the treatment area including known houseless populations that would potentially be affected. Open houses and workshops providing information on the invasive pest and the eradication efforts were offered in several locations during evening hours and on weekends. Several varieties of media were also used including signs and electronic boards located in highly visible locations, mailings, and press releases in multiple languages. 211info was also utilized in an effort to provide

24-hour assistance to anyone seeking additional information or had a concern about the AGM eradication effort.

The Weights and Measures Program ensures that weighing and measuring devices used in commerce are accurate and correctly used. This service helps consumers receive an accurate amount of food, milk, gasoline or other products purchased. Although, it is important for all consumers to receive an accurate amount of goods, it is a particular hardship for low-income consumers to receive fewer goods than that believed to have been purchased. Therefore, this program particularly benefits Oregon's low-income community members.

Regulatory Lab Services provides laboratory analysis and technical support to ODA's regulatory enforcement programs in order to:

- Protect against food-borne illness and injury.
- Reduce exposures to toxics and potential impacts on human health and the environment.
- Improve water quality on agricultural lands, and
- Monitor waters for safe shellfish harvest.

The Food Safety Program ensures food is safe for consumption. Activities that particularly benefit EJ communities include the following:

- ODA Food Safety Inspectors check expiration dates on certain products, including baby formula, during inspections to ensure they are not beyond the expiration date. Low-income communities, out of economic necessity, tend to shop more often at discount food stores that may offer products for sale nearing the expiration date. While this is often more of a food quality than a food safety issue, it is a food safety issue with certain perishable products, such as baby formula.
- The Food Safety program tracks the number of businesses whose preferred language is other than English. There are approximately 80 businesses where the operator prefers Spanish, Chinese, Vietnamese, Thai, Burmese, Korean, or Russian. Many ODA food safety inspectors speak multiple languages, and inspectors provide educational assistance to all the firms they inspect to help them understand and meet food safety requirements.
- Some EJ communities purchase foods predominantly from small neighborhood convenience stores and markets that focus on certain ethnic or cultural groups. Some smaller establishments may need extra assistance in proper food handling and storage, including keeping foods out of the temperature danger zone, handling and preparing food safely, and purchasing food from approved (licensed) sources. ODA provides this extra assistance when needed.
- ODA commonly provides food recall information in several languages

and tries to provide the information in a way that reaches affected businesses and consumers.

- The Food Safety program continues to translate materials into Spanish including the Brand Registration Application Form. ODA also collaborated with OSU Extension to translate and publish the new food safety licensing exemption for home bakers.

The Animal Health Program tracks livestock movement in and out of the state, establishes disease testing and vaccination requirements for interstate movement, conducts outreach and education about livestock disease prevention, and investigates reports of certain livestock diseases. Outreach and education including materials are available in multiple languages.

The Smoke Management Program administers the rules for field burning in the Willamette Valley in an interest of public health and welfare.

- Based upon the “Summary of the 2016 Field-Burning Season” document, there were a total of 21 days when burning was conducted; six of the 21 days resulted in impacts to municipalities, either light or moderate. For the second consecutive year, nephelometers were placed in Detroit and Mill City. This was done in response to concerns that residents in both cities had of being adversely impacted over other Oregon cities. Detroit was either lightly or moderately impacted on two of 21 days. Mill City was either lightly or moderately impacted on three of 21 days of burning.

The Pesticide Program continues to increase efforts to reach and serve Spanish-speaking pesticide applicators and workers.

- ODA partnered with KUNP Univision in Portland to provide two television Public Service Announcements (PSA) on pesticide safety outreach to Spanish speaking communities that work in landscape maintenance settings, and on agricultural establishments such as nurseries, greenhouses, forestry tract operations, and field crops. The PSAs will be 60 seconds each, and run 10 times a week for 6 months starting in January 2017. The agricultural establishment PSA will focus on Worker Protection Standards (WPS) that agricultural workers are entitled to (especially PPE, training, and anti-retaliation provisions), while the PSA directed toward landscape maintenance workers will emphasize reading the pesticide label (or finding someone who can read if for you), protecting your family from “take home” pesticide exposure, drift prevention, and prevention of pesticide contamination of water resources.
- ODA partnered with OSU Extension to provide WPS Train-the-Trainer trainings across the state for 3 months starting in December 2016. There will be a total of 8 trainings free of charge to individuals

involved in agriculture and pesticide safety education so that they may more effectively train workers and handlers. The goal is not only to help agricultural employers come into compliance with new regulations, but to also better protect workers and handlers from pesticide exposure.

- Continued discussions with the Department of Administrative Services regarding translation and procurement strategies.
- Continued assistance with Worker Protection Safety Hands-on-Handler trainings conducted in Spanish.
- Participated in a Washington State Department of Agriculture sponsored Train-the-Trainer course. The training was in Spanish.
- Assisted Oregon State University Extension with an online learning class designed to help Spanish speaking farmworkers prepare for pesticide exams.
- Worked with the United States Environmental Protection Agency, Oregon Occupational Safety and Health Division, and the forestry industry to produce an educational video for forestry workers. Workers who view and understand this video will be considered trained on the newly revised Worker Protection Standards. The video is also available in Spanish and features workers from diverse backgrounds.

The Pesticide Analytical and Response Center (PARC) is mandated to collect pesticide-related incident information and coordinate in making appropriate referrals to PARC member agencies. In 2016, PARC contracted with 211info to provide a 24-hour hotline to receive pesticide-related calls. The hotline provides assistance to customers with access to an interpreter service with more than 140 languages.

2016 ODE Report to Environmental Justice Task Force

The Oregon Department of Education (ODE) submits this 2016 report to the Environmental Justice Task Force in compliance with ORS 182.550. Specifically, this report details ODE's efforts to:

- Address environmental justice issues;
- Increase public participation of individuals and communities affected by the agency's decisions;
- Determine the effect of the agency's decisions on traditionally underrepresented communities; and
- Improve plans to further the progress of environmental justice in Oregon.

Much of the credit for ODE's progress can be attributed to the effort of the State Board of Education and the Office of Diversity and Inclusion created within the agency. These two organizations are working together to ensure that historically marginalized voices are being heard in support of both educational equity and environmental justice.

State Board of Education

The State Board of Education is charged with setting policy for all of Oregon's public elementary and secondary schools. It is comprised of seven members appointed by the Governor and they serve for a term of four years. Additionally, the State Treasurer and Secretary of State also serve in an *ex officio* capacity.

The current State Board of Education has made inclusion of historically underserved populations a cornerstone of its policy. For the 2016-17 school year, the State Board updated the requirements for rule adoption. Specifically, when a rule is proposed before the State Board for adoption, the explanation for the rule must contain analysis and discussion of how the rule affects historically underserved populations and promotes equity across the education system of Oregon. The board requires several areas of analysis to ensure that all voices are being heard in the rule making process.

The first area is for those proposing the rule for adoption to demonstrate how they have engaged stakeholders for input. This means that those proposing the rule for adoption must identify who was asked to be part of the stakeholder group and also identify potential voices that were missing. Given the Board's philosophy that "[a]n excellent, multicultural, nationally, internationally competitive, equitable education for every Oregonian is critical" they are less likely to adopt a rule that excluded voices from the stakeholder process.

Second, the State Board of Education requires a specific equity impact analysis for every proposed rule. This means that those proposing the rule for adoption must look closely at the rule and identify whether historically underserved populations will be impacted by the proposed regulation. If there is an impact, then

those proposing the rule must show how this impact actually helps those communities to close both the opportunity and achievement gaps. This process ensures the Board is well aware of how their decisions impact communities across the state.

In addition to requiring this close look at rules, the State Board works to ensure that all communities have an opportunity to participate in Board proceedings. The State Board holds meetings in different communities throughout the state, and when provided the opportunity, tours local education facilities to learn how local districts are serving all of their populations. This focused effort aligns with the vision of a multicultural education for all Oregonians. It also helps ensure that communities who may not be able to travel to the standard Board meeting site, are better able to participate in the Board's proceedings.

Office of Diversity and Inclusion

To ensure that the vision of educational equity is carried out in policies and decisions made by ODE and districts across the state, the ODE created the Office of Diversity and Inclusion within the Department. The, "educational equity lens", has been adopted by a number of education agencies in state. Core beliefs include:

- Every student has the ability to learn;
- Speaking a language other than English is an asset;
- Supporting great teachers is important;
- Resource allocation demonstrates priorities and values;
- Shared decision-making with communities improves outcomes, and
- Rich history and culture are assets to celebrate.

The overall purpose of the educational equity lens is to reduce both the achievement and opportunity gaps. By ensuring that historically underserved communities are included in decision-making and celebrated, the work to reduce those gaps can begin. This effort aligns well with the purpose of environmental justice: to ensure that those most impacted by decisions have meaningful opportunity to be heard.

The Office of Equity and Inclusion has three initiatives that it is pursuing to help close these gaps. The first is a statewide education plan to improve outcomes and academic success for African American students who are in the public education system, including early learning facilities and post-secondary education.

The second initiative is in response to HB 3499 with a focus on English Language Learners (ELL). This work includes creating a statewide strategic plan and ensuring that funding directed by the Legislature is used to support the ELL community and ensure they receive services to develop English language skills.

The third initiative focuses on Native American Education. This initiative recognizes that Native American students will benefit from additional resources to achieve equitable educational outcomes. These resources

Oregon Department of Education

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follow a recognition that additional cultural, historical, and physical activities help Native American students increase their educational outcomes in culturally competent and sensitive ways.

Conclusion

Through this multi-faceted approach ODE is ensuring that its vision for educational equity is aligned with environmental justice. ODE looks to continue its work advancing environmental justice as well as increasing educational adequacy. Closing the achievement and opportunities gaps ensures success for all communities.



Oregon

Kate Brown., Governor

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March 3, 2017

Mr. Benjamin Duncan, Chair
Environmental Justice Task Force

Mr. Jason Miner, Natural Resources Policy Manager
Natural Resources Office
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Salem, OR 97301



Dear Mr. ^{Ben}Duncan and Mr. ^{Jason}Miner,

Thank you for the opportunity to work with the Oregon Environmental Justice Task Force. To comply with the reporting requirements of ORS 182.550 I have attached a short summary document. Also in meeting the requirements of ORS 182.545, I will continue to serve as our agency's citizen advocate.

If you have any questions or need additional information, please feel free to contact me at 503-947-6044.

Sincerely,

Curtis E. Melcher
Director

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Jason Minor, Natural Resources Policy Manager
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Oregon Department of Fish and Wildlife
February 3, 2017

The Oregon Fish and Wildlife Commission (Commission) and the Oregon Department of Fish and Wildlife (ODFW) strive to maintain an excellent working relationship with Oregon's federally recognized Indian Tribes. We meet regularly with tribal representatives as we develop policy and regulations that impact tribal members and tribal interests. We work closely with the Legislative Commission on Indian Services and are members of both the Natural Resources Cluster and the Cultural Resources Cluster.

The Commission adopts Oregon Administrative Rules (OARs) for fish and wildlife management. The Commission meets 10-12 times annually, at least once in each congressional district. Consistent with state and federal law, all meetings are open to the public with opportunity for verbal and written testimony. Additionally, the Commission regularly includes a public forum on their monthly agendas. This is a time for individuals to speak to the Commission about issues that are not on the agenda. The public process is further enhanced by way of regular receptions, field tours, and workshops that are open to the public. These venues provide additional opportunities for interaction with Commissioners in an informal setting.

A critical component of the formal rule making processes is public outreach. Agency staff conducts extensive outreach activities in communities across the state as rules and policies are formulated. For example, prior to setting annual big game regulations ODFW staff hold 25 meetings (one in each of the wildlife districts) to discuss species population status and develop harvest regulations. Fishing regulations are developed similarly with public meetings held around the state to gather local comments and perspectives prior to the formal Commission rulemaking. One of the largest barriers to participation in hunting and fishing activities is the complexity of regulations and licensing requirements. As a result, the Department has undertaken several initiatives to reduce regulation complexity and simplify licensing requirements. This effort is a work in progress and includes important balance between species conservation and hunting and fishing opportunity.

Despite our efforts to hold public meetings at convenient locations around the state, the Department recognizes the difficulty reaching some communities with traditional meetings. We have been experimenting with a web based approach to some public meetings and have been utilizing additional human dimensions surveys to help inform our decisions. We conducted extensive surveys on our license and fee structure, the Commission process for hiring a new director, and to understand hunter and public attitudes toward the use of lead (Pb) ammunition in hunting. We also recently completed a public opinion survey of Oregonians attitudes and valuation of fish and wildlife as well as their opinions about the Department. Survey results can be found at <http://www.dfw.state.or.us/agency/>
We develop our biennial agency budget proposal based on recommendations from a 50 member External Budget Advisory Committee (EBAC) and gather additional public input through a series

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of 8-10 town hall meetings held around the state. The EBAC and public process helps us prioritize agency programs and focus resources in areas of most interest to affected constituents. We proposed and EBAC supported our budget request for a transparency and citizen advocate staff position but unfortunately General Fund revenue was not available.

The Commission and ODFW continue to rely on a lengthy list of citizen based volunteer advisory boards, task forces, and committees to help develop policies, budget priorities, and regulations. Some are mandated in Oregon Revised Statute, some in OARs, and some are ad hoc.

Since 2012, we have partnered with the Legislative Commission on Indian Services to provide cultural resources training sessions to our field biologists at our annual meetings. This will help them identify, report, and protect important cultural resources that are encountered in their regular natural resource management duties. In 2015, we partnered with several other agencies in a shared service model to retain professional archaeological staff to conduct cultural resource surveys on Department owned lands. Based on response from field managers and need for additional surveys, in 2017 we will recruit and hire a full time cultural resources specialist to work on Department projects.

We continue to work on sustainability efforts related to the fish and wildlife resources we manage but also regarding the operation of Department facilities. For instance, we have reduced energy consumption at our facilities by 21.9% since 2009 and reduced our vehicle fleet and fuel consumption 9.8% and 10.0%, respectively. These actions have collateral benefits of reducing expenditures and focusing precious resources on our primary mission.

Oregon Department of Transportation
2016 Environmental Justice Task Force (EJTF) Report

Oregon Department of Transportation

The Oregon Department of Transportation (ODOT) is a recipient of Federal financial assistance. As a sub-recipient, the agency is required to comply with certain nondiscrimination laws and regulations. The primary federal nondiscrimination regulation governing the agency is Title VI of the Civil Rights Act of 1964 (Title VI). Title VI states:

“that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.”

Environmental Justice (EJ) directives also stem from Executive Order 12898, Department of Transportation (DOT) Environmental Justice Order 5610.2, and the EJ policy expressed in the Oregon Transportation Plan. Each of these guidelines task the state transportation agency with a responsibility to integrate environmental principles into planning and programming efforts and require that steps be taken to prevent disproportionately high and adverse effects on minority and low-income populations through Title VI and EJ analyses. This means that an agency obligation exists to ensure the negative effects of transportation projects do not disproportionately impact traditionally underrepresented populations.

The Oregon Department of Transportation’s (ODOT) Office of Civil Rights (OCR) Non-Discrimination Programs Manager represents ODOT at quarterly Environmental Justice Task Force (EJTF) meetings that are mandated by the Office of the Governor of Oregon. During the meeting staff representatives from Oregon’s environmental justice agencies give updates on policy changes, staffing updates, projects, goals and accomplishments that are linked to environmental justice. Each agency must submit an annual report to the Task Force and Governor’s office summarizing agency actions toward achieving EJ.

The Office of Civil Rights Response to Title VI and EJ:

Title VI matters raise EJ concerns. Therefore, Title VI and EJ principles should be considered jointly. ODOT’s Office of Civil Rights (OCR) is responsible for ensuring that the agency’s Title VI nondiscrimination and EJ policies are incorporated throughout each of the transportation project delivery phases. Furthermore, the Title VI Team manages the formal discrimination complaint process, reviews allegations, and conducts investigations pertaining to discrimination. To ensure that EJ is implemented throughout the agency the Non-Discrimination Program Manager is tasked with administering the Title VI and Limited English Proficiency (LEP) and additionally manages the Americans with Disabilities Act for the Office of Civil Rights within ODOT.

This Title VI/EJ/ADA Program Manager position has the responsibility for developing and coordinating civil rights policies, programs and procedures; coordinating implementation activities of branch, region and local government offices; responding to complaints and

concerns; reviewing sub-recipients for compliance; providing advice and direction to managers, employees and contractors; representing ODOT in the areas of Title VI, EJ and ADA to outside entities; acting as liaison between ODOT and sub-recipients; reporting to FHWA and providing training in program areas. This position participates in training to identify and address EJ issues in daily work and therefore identifies and addresses EJ issues within ODOT and that of its stakeholders. Whether it is reviewing documents, providing training and addressing ODOT staff or the community on the responsibilities of EJ for state and local agencies, ODOT OCR staff continues in their education and assistance role in order to ensure a clear understanding of the Civil Rights policies that guide us.

Implementation:

Recipients of federal funding are responsible for implementing EJ requirements. At a minimum, the agency should identify minority and low-income populations and have procedures in place for involving these populations in the transportation decision-making process. Consistent with this responsibility, ODOT gathers this information using Census data and maps EJ populations using GIS software. ODOT further captures EJ information in Part 3 of the NEPA documentation and in the Project Close-out form. Over the past two years ODOT has continued to partner with other agencies, work through the EJTF team and independently research ways to enhance the data collection process. The overall goal is to be able to look at the best data available, document it, and use it to ensure that Title VI and EJ communities are impacted to the least degree possible. The information gathered is essential to a good public participation model for ODOT and for staff who present highway and construction information to the public.

There are program areas within ODOT that are considered “special program areas” by the Federal Highway Administration (FHWA) because day to day business in these programs intersects with Title VI and EJ. The programs are as follows; Planning, Environmental, Right-of-Way, Research, Design, Education and Training, Contracts, Construction and Maintenance. The Planning, Environmental and Right-of-Way program areas require a Public Participation policy for use in evaluating EJ issues in transportation projects. ODOT has developed guidance and policy documents, such as the Title VI Implementation Plan and maintains an agency-wide Public Participation policy for use in evaluating EJ issues in transportation projects. Moreover, OCR drafts a yearly Accomplishments Report that summarizes the implementation of the Title VI and EJ principles that occurred throughout the year. Subject Matter Experts (SME’s) have been identified in each of these programs to serve as liaisons between program staff and the OCR staff. The multitude of projects and meetings that take place on those projects within ODOT would be impossible for one staff member to attend. The SMEs help by attending meetings, sharing information with their peers and supervisors as well as bringing valuable information back to meetings between OCR staff regarding Title VI and EJ within highway and construction projects. The Title VI Annual Accomplishments Report that is due to FHWA on October 1st each year includes information that is gathered by the SMEs from their prospective program areas, which includes all 5 of ODOTs regions. The surveys draw out critical EJ and Title VI information on projects, public participation, training, guidance documents, implementation of Title VI and EJ in to the day to day processes of program operations, data collection and any upcoming changes to the program in the areas of consideration. The Planning Department has completed a resource website for use by ODOT staff, the public and subrecipients. The site

includes, Title VI, LEP and ADA examples, resources to “best practices”, mapping tools and other links to aid external partners and help to answer questions that they may have.

Highlights for 2015-2016 in ODOTs Non-Discrimination Programs:

The Non-Discrimination Program Manager in the OCR completed the following tasks:

- Collaborated with a technical team and the Civil Rights Coordinator to move the ADA Title II Transportation Plan forward. The plan is completed and is currently being reviewed by FHWA’s Calibration Team and waiting approval of the Oregon Transportation Commission expected to take place in the first quarter of 2017.
- Compiled and gained approval of the Title VI Implementation Plan for 2017. The new plan is posted to the OCR website.
- Compiled and gained approval of the Title VI Annual Goals and Accomplishments Report (AAR) for the period of Sept 1, 2015-October 31, 2016. The report will be posted to the website by February 1, 2017.
- Completed comprehensive Title VI compliance reviews of the Cities of Beaverton and Gresham, and the Counties of Linn and Clackamas.
- Reviewed the following Title VI Plans and/or ARR’s; The City of Gresham, Marion County Public Works, Central Lane MPO, Middle Rogue MPO, Rogue Valley MPO, Multnomah County, Salem-Keizer Area Transportation Survey and METRO.
- Completed the addition of resources such as “best practices” to the OCR Non-Discriminations Program website.
- The Non-Discrimination Program Manager Position Description has been updated to more accurately reflect job duties and EJ involvement for the position within OCR.
- Fielded Title VI and ADA complaints through all phases of the process including working with the complainant, DOJ, FHWA, NHTSA and ODOT Management.
- Reported to the EJTF board throughout 2016 quarterly meetings and submitted the required Year End Summary Report.
- Training within ODOT and to external partners was provided by the Civil Rights Coordinator, Field Coordinator’s, Intermodal Manager and the Non-Discriminations Program Manager.



Oregon

Kate Brown, Governor

Department of State Lands

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January 25, 2017

State Land Board

Jason Miner
Environmental Justice Task Force
Office of the Governor
900 Court Street NE
Salem OR 97301

Kate Brown
Governor

Dennis Richardson
Secretary of State

Re: DSL Annual Report – Calendar Year 2016

Tobias Read
State Treasurer

Dear Task Force Members:

In accordance with statutory annual reporting requirements, the Department of State Lands (DSL) respectfully submits this report to the Environmental Justice Task Force (EJTF).

DSL handles the day-to-day work of the State Land Board in managing the real property and other resources dedicated to the Common School Fund. The Director's Office oversees administrative responsibilities for the State Land Board and directs the operation of DSL, under the jurisdiction of the Land Board in accordance with its guidance. Administrative duties include making recommendations to the Land Board and Legislature, approving policies and procedures overseeing the agency strategic plan, budget preparation, federal grants and contracts. In addition, the Director chairs the South Slough National Estuarine Research Reserve Management Commission, a policy-making board for the South Slough National Estuary Research Reserve (South Slough). The Director's Office also includes the agency's legislative coordination and communications functions.

In addition to the Director's Office and the South Slough, DSL divides its operating responsibilities into three programs:

- Aquatic Resource Management Program - focusing on the agency's regulatory and proprietary waterway management, and aquatic resource planning and protection.
- Common School Fund Property Program - consisting of the Real Property, Estates and Unclaimed Property units.
- Business Operations and Support Services - including Fiscal Services, Human Resources, Information Systems, agency-wide rules coordination, and clerical support services.

The agency headquarters are in Salem. The agency's Real Property and Eastern Region Aquatic Resource Management operations are located in Bend. South Slough is located in Charleston on the southern coast.

DSL is committed to actively assist the EJTF in the performance of its duties. DSL assigned the EJTF citizen advocate duties to a senior policy and legislative analyst in the Director's Office. DSL allocated 5% of the position's time to this task. The citizen advocate is the primary contact for coordination with EJ concerns:

Christopher Castelli
Senior Policy and Legislative Analyst
Oregon Department of State Lands
Phone: 503-986-5280
Cell: 503-508-4312
Fax: 503-378-4844
chris.castelli@state.or.us

The citizen advocate continues to seek, support and create opportunities for further EJ training for all DSL employees. The citizen advocate participated in the quarterly EJTF meetings and provided summaries of agency related EJTF meeting topics to, or had discussions with, appropriate management and staff. DSL's citizen advocate also serves as the agency's tribal liaison and is a member of the Multicultural Awareness Committee.

DSL has established an [environmental justice webpage](#). Agency staff and the public can find links to valuable resources such as "Environmental Justice: Best Practices for Oregon's Natural Resource Agencies" handbook by the EJTF; and the Environmental Protection Agency's "EJSCREEN: Environmental Justice Screening and Mapping Tool Share." The webpage also provides links to agency reports and contact information.

2016 EJ Efforts at DSL

Working with Tribal governments:

DSL continues to coordinate with Oregon's 9 federally recognized tribal governments in accordance with DSL's government-to-government policy, which was originally established in August 1998, in response to the Governor's Executive Order No. EO 96-30 on state/tribal relations. This policy remains in effect and commits DSL to:

- Include affected tribal interests in the review/comment of agency actions likely to affect tribal members or resources of tribal interest.
- Carefully and thoughtfully consider tribal comments concerning pending decisions and actions.
- Provide materials to natural resource agencies within each tribal government that explain DSL's roles and responsibilities in natural resource management.

Staff participated in the Cultural Resources and Natural Resources Workgroup meetings throughout the year. In addition, executive staff attended the LCIS Spring Gathering on May 19, 2016; and the Annual State-Tribal Summit on December 7, 2016 in Lincoln City.

Staff members from different programs participated in multiple forms of communication and coordination with tribal representatives and workgroups including bilateral education and training. Increased efforts were made in outreach including requests for comment and participation with potentially affected tribes regarding removal-fill permit and land management

activities, decisions and potential regulatory process changes. DSL executive staff engaged in government to government consultation with tribes on a few high profile projects including the Elliott State Forest Ownership Transfer Opportunity and the Jordan Cove Liquefied Natural Gas permit applications. DSL's coordination with the tribes is detailed in the agency's 2016 Annual Government-to-Government Report and in DSL's State Agency Coordination Plan, which are available upon request.

DSL's Multicultural Awareness Committee provides information on National American Indian Heritage Month for all staff and posts the Governor's proclamation in November of each year.

Multicultural Awareness Committee (MAC):

The MAC fosters an inclusive environment within DSL, and includes the following areas of focus:

Awareness: The committee promotes everyday awareness of the diverse nature of the people and cultures that comprise DSL's staff and Oregon's population. The committee looks for opportunities to celebrate diversity in ways that ensure an open and inclusive workplace.

Training: The committee provides agency-wide biennial training on multicultural awareness to:

1. Ensure that all employees possess social and cultural awareness that will allow them to effectively interact with a diverse community and workforce.
2. Increase employees' on-the-job effectiveness by fostering acceptance of cultural differences.

In 2016, the MAC provided DSL's biennial diversity training sessions. This year's trainings theme was "Work/Life Balance." The biennial diversity training sessions were held on September 20 and 21:

- Elder Care ("Caregiver Resources")
- Self Care ("Mindfulness-Based Stress Reduction" and "Compassion Fatigue")
- Financial Care ("Your Relationship with Money" and "The Basics of Estate Planning and Probate")
- Community Care ("The Relationship between Health and the Environment" and "Building Community through Cultural Heritage")

In addition to this biennial event, DSL's MAC distributes the Governor's monthly diversity proclamation to all staff with information and activities about the featured groups.

Outreach and Public Participation:

In 2016, DSL utilized the EJTF best practices handbook and EJSCREEN to draft internal policy related to agency rulemaking and making natural resource decisions. In March, a memo was completed that provided management with an introduction to the newly established Environmental Justice: Best Practices for Oregon's Natural Resource Agencies" and "EJSCREEN: Environmental Justice Screening and Mapping Tool Share." Staff discussed these new tools and looked for ways to incorporate them into the agency's work.

In response to this memo and subsequent discussions, DSL began running waterways management and removal/fill permit activities through EJSCREEN. Data on the Demographic

Index (The Demographic Index in EJSCREEN is a combination of percent low-income and percent minority, the two demographic factors that were explicitly named in Executive Order 12898 on Environmental Justice.), low income households, and linguistic isolation (Percent of households in which no one age 14 and over speaks English "very well") is collected for these activities. Any demographics over the 80th percentile are flagged for further evaluation. DSL is also flagging applications in census blocks where the percent of low income households is greater than 45% or the percentage of linguistically isolated homes is greater than 5%. DSL plans to collect this information monthly for one year (April 2016 to April 2017). DSL will then re-evaluate the data and use it to help drive improvements to our public review and comment processes.

DSL also developed a rulemaking outreach strategy in 2016. DSL engages in many rulemaking efforts annually, with various staff leading those efforts. The goal of the outreach strategy is to provide guidance and consistency on how to promote meaningful public participation in these rulemaking efforts through the appointment of rules advisory committees, public meetings and hearings in affected communities, and public comment.

Copies of the agency's rulemaking outreach strategy and EJ tools memo are available upon request.

2017 Goals

DSL intends to continue with our current working groups and practices while looking for ways to improve public participation in rulemaking efforts, permit review and other agency decisions that affect communities of color, low income communities, tribal nations and other communities traditionally underrepresented in public processes. DSL will continue to analyze permit data in 2017, and look for ways to improve outreach to affected communities.

DSL recently updated its Strategic Plan for the 2017-2021 period. DSL will look for opportunities to address and improve meaningful public participation in decisions that affect the environment with EJ communities through the agency's identified goals and subsequent objectives for the next five years.

DSL is committed to continuing to support the EJTF's efforts, to expand our understanding of EJ issues and to improve outreach with EJ communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Paul". The signature is fluid and cursive, with the first name "Jim" and last name "Paul" clearly distinguishable.

James T. Paul
Director

1) How has your agency made efforts to address environmental justice issues?

<p>Childhood Lead Poisoning and Prevention</p>	<ul style="list-style-type: none"> • The Childhood Lead Poisoning Prevention Program (CLPPP) met with OEI’s Regional Health Equity Coalition’s Program Coordinator to introduce the Lead Hazard Vulnerability map and discussed how the programs can collaborate to create a more robust awareness of lead poisoning prevention within Oregon’s most at-risk communities.
<p>Climate & Health</p>	<ul style="list-style-type: none"> • Worked in consultation with OHA’s Office of Equity and Inclusion (OEI) and the Southern Oregon Health Equity (SO Health-E) Youth Council to develop an animated explainer video that describes the connections between climate change and health equity • Attended Oregon Program Evaluators Network (OPEN) conference and trainings focused on best practices in culturally responsive evaluation. • Hosted speaker at EPH Section meeting on the subject of ‘Decolonizing Data’. • Engaged with a diversity of partners and included diverse perspectives in the program’s Resilience Plan publication. • The Resilience Plan included the following equity related strategies: <ol style="list-style-type: none"> (1) Standardize the use of an equity framework: (b) Adopt a comprehensive health equity conceptual framework. (c) Consult and collaborate with the Office of Equity and Inclusion (OEI) and regional health equity coalitions. (D) Partner with OEI to provide training for state and local partners on environmental justice. (2) Listen to new voices and empower new leaders: (a) Increase institutional resilience using OEI’s priority actions. These include best practices in hiring and retaining a diverse workforce and fostering authentic, community partnerships based on strengths. (b) Increase the flexibility of public health programming for more culturally responsive approaches, promising practices and community pilot projects. (c) Assist with the integration of climate and health information into academic curriculums and community educational forums to equip prospective public health workers and partners with the tools and knowledge they need to lead. (3) Ensure meaningful engagement in planning and action: (b) Provide community engagement dollars to support community participation in local climate and health planning and action. (5) Prioritize, track, analyze and share key climate and health indicators in Oregon: (c) Gather input from diverse stakeholders on what data products they find most useful. (6) Use mixed methods to assess resilience: (c) Engage diverse partners, including indigenous communities, in identifying and generating meaningful qualitative and quantitative data to inform local and culturally appropriate climate action. (11) Support emergency planners in involving diverse populations in culturally responsive ways: (a) Connect partners in emergency management with resources to maximize engagement of diverse populations. (b) Provide training

	<p>on trauma-informed approaches, including best practices in mental health preparedness</p> <p>(13) Use storytelling methods, such as case studies and story maps, to engage and learn from stakeholders: (C) Lead or support story projects that lift the voices of specific populations including climate refugees, tribal elders and migrant farmworkers.</p>
<p>Environmental Health Assessment Program and Brownfields</p>	<p>EHAP integrated environmental justice throughout the public health assessment process performed for contaminated sites:</p> <ul style="list-style-type: none"> • Identified several EJ measures to include when beginning work at a new site. These include: <ul style="list-style-type: none"> ○ Social vulnerability ○ Health outcomes ○ Environmental hazards • Conducted EJ Analyses on each site we work on, documenting this as an important aspect of decision making. These analyses integrated information from environmental justice screening tools such as the CLF Equity Atlas, EJ Screen and C-FERST in order to better identify potential EJ concerns at each site. • Developed community needs assessments on complex sites, where EJ considerations are identified. Community engagement plans include best practices for engaging with populations identified as vulnerable or traditionally underrepresented in decisions that pertain to the site. • Integrated EJ considerations into the background or community concerns sections of our documents. • Created performance measures that reflect environmental justice as a priority. At least 50% of EHAP’s health assessment documents are developed for environmental justice communities. • EHAP organized a ‘Soil SHOP’ event offering free testing for heavy metals in soil and lead in blood in a community impacted by heavy metal emissions in air. Materials in various languages and bilingual staff were available to assist Spanish-speaking participants. • The Brownfields initiative provided technical and strategic assistance to local jurisdictions seeking funds to remediate and redevelop contaminated sites. These sites are disproportionately located in low income communities and communities of color. Five of the jurisdictions we assisted were awarded EPA grants, bringing a total of \$4 million to Oregon to support brownfields redevelopment. • Brownfield coordinators with OHA, Business Oregon, and DEQ, and the economic development coordinator at DLCD have been working together to create the state's first inventory of former wood products manufacturing mill sites. The purpose of the inventory is to identify sites with potential for redevelopment - especially those where redevelopment could provide jobs, facilitate community revitalization, address environmental justice, improve public health, increase property values and encourage use of existing infrastructure.

<p>Environmental Public Health Tracking</p>	<ul style="list-style-type: none"> • The Environmental Public Health Tracking Program (EPHT) publishes Environmental Justice indicators on the EPHT public data portal: epht.oregon.gov • These indicators cover the content areas of demographics and community design, which are available at small geographies down to census tract or block group level. • The demographic indicators include: age, sex, race & ethnicity, economic status, educational attainment, family composition, language and population. The community design indicators include: alcohol, food & tobacco availability, housing and transportation.
<p>Fish Advisories</p>	<p>Ensure that signs and other materials are available in languages other than English and that these materials are distributed in EJ communities throughout the state. Develop fish advisories that balance the benefits of eating fish with the deleterious effects of contaminants, especially for subsistence fishers who eat everything that is caught because buying fish at the grocery is too expensive.</p>
<p>Domestic Wells Safety Program</p>	<p>The Domestic Wells Safety Program (DWSP) is working to increase the awareness of domestic well users Statewide. The program has a particular interest in identifying vulnerable populations within rural Oregon and is working to understand some of the environmental disparities faced by rural Oregonians served by private wells. The program is committed to educating about the importance of well-testing and ways to improve water quality from wells, as well as how to prevent wells from becoming contaminated. The DWSP provides funding to local public health authorities (LPHA) to build local domestic well stewardship capacity through outreach and education to county residents. The DWSP has developed an assessment tool to better understand the knowledge, behavior and beliefs of well users that will be implemented in 2017. The DWSP consulted with OEI on the tool to gain knowledge about the best-practices and policies for including demographic questions in surveys.</p>

2) How has the agency worked to increase public participation of individuals and communities affected by agencies' decisions?

<p>Environmental Health Assessment Program and Brownfields</p>	<ul style="list-style-type: none"> • EHAP works with affected community members at all sites where we are engaged. We do this through listservs, public meetings, open houses, one-on-one coffees, collaborative processes, telephone calls and emails. We welcome community members as partners in our work and strive for transparency. We aim to remove barriers by considering how, where, and at what time we are holding meetings. • EHAP develops materials that are accessible, understandable, clear and written in culturally, linguistically and educationally appropriate ways.
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	<ul style="list-style-type: none"> • EHAP convened Community Advisory Committees for three sites that are the focus of Public Health Assessments. Advisory committees provided an opportunity for EHAP to educate participants about the public health assessment process, to receive input and feedback from the community and to ensure that community concerns are incorporated and addressed throughout the public health assessment process. In recruiting advisory committee members, EHAP used recruitment material and outreach efforts that prioritized recruitment of residents living in close proximity to the site (within 0.5 mile radius) and populations most sensitive and vulnerable to the effects of exposure to air emissions of metals. Advisory committee members at each site represented a diverse set of perspectives. To remove barriers for participation, EHAP held meetings outside of daytime work hours at a neighborhood location, served food for participants, and allowed children. • OHA serves on multiple brownfield program advisory committees at the local level (city/county/councils of government) to bring health data, cultivate health partnerships, and promote evidence based strategies to improve health and environmental equity. •
Environmental Public Health Tracking	<ul style="list-style-type: none"> • The Environmental Justice indicators are available on the public data portal so that individuals, local governments, non-profits, community organizations and policy makers are informed about their communities and use that data to influence policy or action. • EPHT also partners at the state and local level with data and technical support in their EJ efforts.
Fish Advisories and Harmful Algae Blooms (HABs)	<p>Process involves stakeholder engagement on many levels in developing advisories, educational materials and outreach efforts. Care is taken to ensure that underserved communities are included when determining information that is comprehensible, and effective ways of disseminating the information. These communities include affected tribal communities, subsistence fishers, individuals with raw water intakes on HAB affected waterbodies, and others who use waterbodies for recreation and other activities.</p>
Domestic Well Safety Program	<p>DWSP has partnered and sponsored outreach events with grantees to provide free water quality testing and educational materials to vulnerable populations. DWSP's current grantees, Marion County and North Central Public Health District, two geographies with known and suspected groundwater quality concerns are providing free water quality tests to residents who self-identify as vulnerable. Additionally, each grantee is promoting these free services in English and Spanish and creating partnerships with entities that serve vulnerable populations to further publicize these services. Additionally, DWSP is working with OSU to conduct well user focus groups in groundwater contaminant areas to better learn about the challenges and issues that face well users.</p>

3) How have you worked to determine the effect of agency decisions on traditionally under-represented communities?

Environmental Health Assessment Program	EHAP evaluated success of Community Advisory Committees convened for each site through participant surveys. Survey responses provide useful feedback on what worked well about the process and what didn't. This feedback will be used to improve future community engagement efforts to ensure that we create opportunities for meaningful involvement.
Domestic Well Safety Program	The DWSP staff has been purposeful in incorporating an equity lens within our program's evaluation framework including developing indicators and measures which will potentially result in more equitable outcomes for traditionally under-represented communities.

4) How has the agency improved plans to further the progress of environmental justice in Oregon?

	<p>EPH is collaborating with colleagues at other agencies to provide EJ metrics for prioritization of other activities (such as air monitoring locations).</p> <p>In 2016, EHAP worked on expanding agency relationships with community partners by contributing to planning for a Making A Visible Difference environmental justice workshop. The meeting (held in 2017) brought together federal, state and local agencies and community partners to start a dialogue on environmental justice.</p>
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Oregon

Kate Brown, Governor

Water Resources Department

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February 2, 2017

Ben Duncan, Chair
Environmental Justice Task Force
Multnomah County Office of Diversity and Equity
501 SE Hawthorne, Suite 600
Portland, OR 97214

Jason Miner
Natural Resources Policy Advisor
Governor's Office
255 Capitol St. NE, Suite 126
Salem, Oregon 97301

Dear Messrs. Duncan and Miner,

On behalf of the Oregon Water Resources Department (Department), I want to extend our gratitude to the Environmental Justice Task Force and the Governor's Natural Resources Office for helping to make environmental justice issues an integral part of the Department's activities in managing and protecting the state's water resources.

The Department would like to thank Will Collin for his participation in the state's 2016 Policy Advisory Group. This 18-member group of citizens provided input on the state's next Integrated Water Resources Strategy, due in late 2017. Will has been a tremendous resource over the years, taking the time to meet with staff and providing resources and guidance on numerous occasions.

In fulfillment of our annual reporting responsibilities under ORS 182.550, the Department respectfully submits our 2016 report. If you have any questions regarding this report, please contact Alyssa Mucken at 503-986-0911 or alyssa.m.mucken@oregon.gov.

Sincerely,

Thomas M. Byler
Director

Encl: 2016 EJ Report

c: Emily Coates, GNRO
Will Collin, EJTF





ENVIRONMENTAL JUSTICE TASK FORCE REPORT
Oregon Water Resources Department – 2016

I. BACKGROUND

Pursuant to ORS 182.535, the Oregon Water Resources Department (Department) must submit an annual report to the Environmental Task Force and the Governor’s Office, summarizing environmental justice efforts. Annual reporting helps monitor agency progress and provides learning opportunities to identify and refine best practices among state natural resources agencies.

As required by ORS 182.550, the report must document the results of the agency’s efforts to:

- Address environmental justice issues;
- Increase public participation of individuals and communities affected by the agency’s decisions;
- Determine the effect of the agency’s decisions on traditionally underrepresented communities; and
- Improve plans to further the progress of environmental justice in Oregon.

The following is a summary of efforts by the Department to consider and promote environmental justice during calendar year 2016. Past reports can be found on the Department’s website:

http://www.oregon.gov/owrd/pages/environmental_justice.aspx.

II. ADDRESSING ENVIRONMENTAL JUSTICE ISSUES

The Department’s activities surrounding environmental justice are largely geared toward helping the public understand the importance of water and its management and protection. As the agency responsible for administering Oregon water law and a complex system of water rights, we’re often faced with difficult water management decisions. A changing climate, increasing population, and a growing demand for water makes it imperative that actions are taken to ensure sustainable water supplies are available to meet current and future water needs. Engaging with communities through planning and project development has been a key focus area for the Department.

The state recently experienced a severe drought that lasted several years. The drought’s impact on Oregon’s economy and natural resources brought greater public attention to water and its importance to our state. It also spurred multiple conversations among decision-makers and stakeholders. This report includes a summary of several events and community discussions surrounding water, many of which occurred in rural eastern Oregon. The use of groundwater and its management, for example, has been a key topic of discussion for the Department.

III. INCREASING PUBLIC PARTICIPATION; EFFECT OF AGENCY'S DECISIONS

The following is a summary of the Department's 2016 efforts to improve public engagement, involvement, and access to water-related information:

- **Water Resources Commission Meetings –**
The Water Resources Commission typically meets on a quarterly basis in Salem and makes it a point to hold meetings in other areas of the state. In 2016, Commission meetings were held in Newport, Hermiston, and Medford. This provides Commission members and staff an opportunity to meet local residents, hear concerns, and learn about innovative water management approaches playing out in Oregon communities.
- **IWRS Policy Advisory Group –**
The Department convened an 18-member advisory group with citizens from across the state to provide feedback on the state's updated Integrated Water Resources Strategy. EJTF member Will Collin participated in this process, along with aquatic program staff from the Confederated Tribes of the Siletz Indians. To ensure members could attend, the Department provided reimbursement for travel-related expenses. Meetings were open to the public and included an opportunity for public comment.

- **Open Houses for Oregon's IWRS –**
The Department held seven open house events throughout the state in June to solicit public input on Oregon's updated IWRS. Events were held in Pendleton, Ontario, Salem, Newport, Medford, Bend and Beaverton. Meetings occurred during the evening and featured a family-friendly kid's activity table. For those unable to attend an event, the Department provided an online option to submit comments. The public input gathered through these venues is available online at the following website:



[http://www.oregon.gov/OWRD/pages/law/integrated_water_supply_strategy.aspx#2016 Open Houses](http://www.oregon.gov/OWRD/pages/law/integrated_water_supply_strategy.aspx#2016_Open_Houses)

- **Task Force on Drought Emergency Response –**
Appointed in 2016 and co-chaired by Senator Roblan and Representative Helm, a drought task force reviewed the state's existing emergency response tools and made recommendations to better prepare for drought, including new tools and resources for small communities or vulnerable sectors. A member of the Confederated Tribes of the Umatilla Indian Reservation participated on the Task Force. All meetings were open to the public and meeting materials were posted online. The final report, issued in November 2016 is available at the following website: http://www.oregon.gov/owrd/Pages/HB_4113.aspx

- **Alpine Community Groundwater Meeting –**
Department staff participated in a community meeting with rural well owners, providing information on groundwater and answering questions from residents. Groundwater staff from the Department are providing ongoing assistance with measurement and monitoring of wells in the area.
- **Harney Basin Groundwater Study –**
An advisory committee of landowners, citizens, business owners, and representatives from the Burns Paiute Tribe are providing feedback to support an ongoing groundwater study in Harney Basin. The Department and Harney County Court jointly appointed members to the committee in 2016 with the goal of fostering an open exchange of information and ideas, and creating a process where local knowledge and expertise is shared with the groundwater study team.
- **Turner-Cloverdale Community Meeting –**
At the request of a local resident, the Department participated in a community-led meeting, sharing available groundwater information with interested citizens from Turner-Cloverdale, a rural area in Marion County. Staff also discussed available resources for assistance.
- **Walla Walla Basin Rulemaking and Community Meetings –**

The Department held several community meetings in 2016 to inform the local community of concerns with groundwater level declines and discuss potential approaches for how to move forward. Department staff gave an overview presentation on the Columbia River Basalt geology and available groundwater data in the basin, current data gaps, and



Walla Walla Community Meeting in Milton Freewater, October 2016

consulted with local residents, the Confederated Tribes of the Umatilla Indian Reservation, and landowners to create strategies to collect data and fill those gaps.

- **Upper Deschutes River Community Conversation –**
In May 2016, the Department’s south central region manager participated on a panel of experts that discussed the current state of the upper Deschutes River. The event was free and open to the public. More than 400 people attended.
- **Use of EJ Resources –**
Staff are referencing and making use of the EJTF handbook and continue to explore EJ tools, assessments, and mapping resources offered by federal partners and other state agencies.

- **EJ Brown Bag Lunch Presentation –**
In August 2016, staff gave a presentation covering environmental justice and its application in Oregon as part of the agency’s brown bag lunch series program. Informational resources, such as the EJTF’s Best Practices Handbook, were shared with more than 30 attendees.
- **EJ Research of Other States –**
The Department hired a student intern last spring to explore the application of EJ in other states, summarizing various laws and state water programs that offer funding and other assistance programs.
- **Tribal Relations –**
The Department continued its ongoing participation in the natural resources and cultural cluster working groups, and currently chairs the Cultural Resources Cluster. In 2016, the Confederated Tribes of Warm Springs and Coquille Indian Tribe participated in two rulemaking activities conducted by the Department. Mr. Eric Quaempts, member of the CTUIR, is a newly appointed member of the Water Resources Commission. For more information on Department efforts and activities with Oregon’s nine federally recognized tribes, refer to the agency’s 2016 annual government-to-government report, available at: <https://www.oregonlegislature.gov/cis/Pages/Gov-to-Gov-Annual-Reports.aspx>
- **Online Payment Services –**
The Department has been working to improve customer service by allowing online credit card payments for several of its programs. This will make payment easier for customers and reduce the amount of bills going to collection.
- **Groundwater Use Notification Card to Landowners –**
When a new well is constructed for domestic or other exempt uses, the Department sends a notification card to the well owner to collect a fee. In 2016, staff created a Spanish version of this document.
- **Well Ownership Information –**
Staff mail a Water Well Owner’s Handbook to all new residential well owners in the state. The handbook provides suggestions on well construction and maintenance, shares information on requirements, as well as water quality information. Contact information for staff at the Oregon Health Authority and Water Resources Department is also included in this mailing.

IV. IMPROVING PLANS TO FURTHER ENVIRONMENTAL JUSTICE IN OREGON

The Department will continue to focus efforts on staff training and incorporating environmental justice considerations into our programs and planning-related activities, including the state’s updated Integrated Water Resources Strategy. The IWRS is a key strategic document for the state, and this updated version will help focus efforts on building resiliency to more frequent droughts, floods, and other events that impact the state’s most vulnerable populations. Other efforts or plans for 2017 include:

- **Archeological and Cultural Resources Training –**
 The Department’s technical and field staff have participated in a four-day training conference hosted annually by the Oregon Parks and Recreation Department. This conference focuses on providing a greater awareness of state and federal cultural resource regulations, including the protection of archeological sites. Fifteen staff have participated in this training and the Department has plans to send eight additional staff in 2017.
- **Continued Involvement with the Environmental Justice Task Force –**
 Since its inception, the Department has actively participated in meetings and discussions of the Environmental Justice Task Force. Department staff from the Director’s Office participated in all Task Force meetings held in 2016. Staff shared information with the EJTF on the status of ODFW’s water transfer and exchange applications for its Oxbow Springs fish hatchery in Cascade Locks. The Department will continue attending and participating in meetings in 2017.
- **Continued Commitment to Place-Based Planning Efforts –**
 The Department has been working to establish a community-based planning program for water since 2014. The Legislature providing funding in 2015 and the Department awarded grants to four Oregon communities in early 2016. The Department has two planning coordinators who are working with local water providers, conservation interests, farmers, tribes, and others to develop a long-term plan for meeting water needs in these four communities. The Department is committed to supporting these locally-led planning efforts, and will be providing guidance and technical assistance in the coming years.
- **Continued Commitment to Funding Water Resources Projects –**
 The Department has a grant and loan program in place that helps fund feasibility studies and the construction or implementation of water projects. Projects must provide a variety of economic, environmental, and cultural or social benefits. The Department recently revised the application and review process thanks to input from Tribes; the application now requires submission of a map, description of ground-disturbing activities, and other information identified by tribes as pertinent to their review of projects. The Department awarded several grants in 2016 and will continue to do so in 2017. The Department is seeking additional funds from the 2017 Legislature to continue these programs in the coming biennium.

V. CONTACT INFORMATION

For questions regarding this annual report, contact the Department’s Environmental Justice representative:

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