



AGENDA ITEM 3
MARCH 31-APRIL 1, 2022-LCDC MEETING
ATTACHMENT B

Rulemaking Advisory Committee for Climate-Friendly and Equitable Communities Rulemaking Equitable Outcomes Statement Crosswalk



Summary

Early in the rulemaking process, staff engaged the rulemaking advisory committee (RAC) to develop and refine an Equitable Outcomes Statement. That instrument was used as a guide by staff in the development of the draft rules. At the last meeting of the RAC, staff prepared this Equitable Outcomes Statement Crosswalk to reflect back to the committee how the desired outcomes were incorporated into the draft rules. This attachment updates the original crosswalk with rules that have been updated since RAC 11.

Success reaching the overall outcomes on equity and climate will depend significantly on how the rules are implemented, but the tables below indicate some of the provisions developed to most directly reach those outcomes.

Equity-Driven Processes

The draft rules attempt to bring forward much of the equity-driven process work in the Equitable Outcomes Statement through the draft provisions in OAR 660-012-0115 through 0130.

Equitable Outcomes Statement	Rulemaking and Implementation
Prioritize community-led engagement and decision-making, with specific attention to communities most impacted by climate pollution	See OAR 660-012-0120
Center the voices of people and organizations representing underserved populations	660-012-0120(2) and (3) 660-044-0100 (community engagement plan as first step towards scenario planning)
Recognize where and how intersectional discrimination compounds disadvantages	Part of the equity analysis under 660-012-0135(2)(d)
Value lived experience and qualitative data, not just quantitative data	Part of the equity analysis under 660-012-0135(2)(e) 660-044-0110(11) (Report on community-based conversations)

Equitable Outcomes Statement	Rulemaking and Implementation
Assess, document, acknowledge and address where past policies and effects of climate change have harmed and are likely to perpetuate harm to underserved populations	Part of the equity analysis required under 660-012-0135(2)(b)
Are in languages and formats that can be used by everyone	660-012-0130(1)(c)
Are accessible to people with disabilities	660-012-0130(1)(c)
Are accessible to people without computer/internet access, with limited transportation and child care options, and with schedule constraints around employment or other critical responsibilities	660-012-0130(1)(c)
Build the ability of people and governments to work together and access opportunities regionally	Scenario planning rule requirements in OAR Chapter 660, Division 044
Monitor and evaluate the effects and actions of local and regional policies and decisions, ensuring transportation and other community development and public investments move communities towards the future vision above	660-012-0130(1)(d) 660-012-0315(4)(f) (Analysis of fair and equitable housing outcomes) 660-008-0050(4)(a) (Location of housing) 660-012-0012(3)(e) 660-044-0110(9)(c) (Equity performance measure)

Underserved Populations

The Equitable Outcomes Statement:

“Climate pollution reduction efforts will prioritize actions that result in more just and equitable outcomes for all Oregonians, with a focus on historically and currently marginalized communities, using an intersectional approach that leads with race. ... [list of populations]

“These underserved populations should not just be considered in isolation, but with consideration of intersecting or compounding harms and disadvantages.”

Draft rules:

Staff brought the list of underserved populations into the rule in OAR 660-012-0125 (2) and 660-044-0005. Intersectionality is part of the equity analysis communities are required to do under 660-012-0135(2)(d).

Outcomes

The Equitable Outcomes Statement:

“The core of this work aims to both reduce climate pollution and increase equity by reducing driving, improving transportation choices, and creating communities where daily needs can be met by walking, biking, remote access, or taking transit.”

Draft rules aim to address this holistically.

Climate Outcomes

Equitable Outcomes Statement	Rulemaking and Implementation
Achieving Oregon’s transportation-related greenhouse gas pollution reduction targets	OAR Chapter 660, Division 44 660-012-0160 660-012-0170 660-012-0180 660-012-0910
Increased resilience to the effects of climate disruption	660-012-0130 660-012-0135 660-012-0310 660-012-0405 660-012-0510.
Healthy air quality and increased carbon sequestration, particularly through tree canopy and parks in urban areas	Tree canopy provisions near parking are in OAR 660-012-0405; trees and parks are referenced in climate friendly areas OAR 660-012-0320(3), and parks are identified as a key destination in 660-012-0360(f).

Equity Outcomes

This work aims to further more inclusive communities, and these principal equity outcomes:

Equitable Outcomes Statement	Rulemaking and Implementation
Increased stability of underserved populations, lowering the likelihood of displacement due to gentrification from public and private investments	Local governments must identify policies to mitigate or avoid displacement in climate friendly areas under 660-012-0315(4) and 660-008-0050(4)(a).
More accessible, safe, affordable and equitable transportation choices with better connectivity to destinations people want to reach (e.g. education, jobs, services, shopping, places of worship, parks and open spaces, and community centers)	660-012-0500, 660-012-0600, and 660-012-0700 work to improve choices, intersecting with 660-012-0800 and various references to key destinations throughout the rules
Adequate housing with access to employment, education, and culturally appropriate food, goods, services, recreational and cultural opportunities, and social spaces	Housing provisions are addressed in 660-012-0315 and 0320, and in 660-008-0010 and -0050.

The effort also aims to further these equity outcomes:

Equitable Outcomes Statement	Rulemaking and Implementation
Increased safety for people put in vulnerable conditions in public spaces, transportation and community development	Co-benefit of better transportation infrastructure (biking, walking, transit)
Equitable access to welcoming parks, nature, open spaces and public spaces	Parks, public spaces, and open spaces are identified as a key destination in 660-012-0360(f); various provisions including 660-012-0170(4)(b) and 660-012-0320(3) call for prioritizing investments improving access to these destinations; transit, bike and pedestrian sections call out these key destinations
Better and more racially equitable health outcomes across the lifespan, particularly those connected to transportation choices, air pollution, and food	Co-benefit of better transportation infrastructure (biking, walking, transit)

Equitable Outcomes Statement	Rulemaking and Implementation
Recognizing and remedying impacts of past practices such as redlining, displacement, exclusionary zoning, and roadway and other public infrastructure locating that harmed underserved populations	Local governments are directed to develop decision-making factors recognizing past inequities in 660-012-0130(1)(e)
Fairly-distributed benefits to residents and local governments across cities and counties within metropolitan areas	Measures to promote affordable housing in climate friendly areas in OAR 660-008-0050(4)(a) and (f).

Action and Accountability

The staff and Commission will work towards these outcomes using administrative rules, agency guidance documents, and technical assistance. A few implementation guidelines follow:

Equitable Outcomes Statement	Rulemaking and Implementation
<p>Success requires resources. Achieving these more equitable process and outcomes will require allocation of significant resources at the state and local level.</p>	<p>DLCD continues to work with our state partners at ODOT, OHCS, DEQ and the state legislature to identify resources to assist in implementation.</p>
<p>Information must be improved. The State and its partners must work to improve quantitative and qualitative information so communities can prioritize investments to address inequitable outcomes.</p>	<p>DLCD is working with State of Oregon partners to lead on equity mapping.</p>
<p>Investment is critical. Budgets and spending are clear statements of priorities, and increased investment in communities of underserved populations is a required step to achieve the desired long-term outcomes.</p>	<p>DLCD is working with ODOT, OHCS, and DEQ to secure resources and focus them in climate friendly areas and areas with underserved populations. Also reflected in project prioritization requirements in 660-012-0520(3)(b), 660-012-0620(3)(b), and 660-012-0720(4)(b).</p>
<p>Outcomes must be measured, and the Commission and Department must develop a clear system for implementation and accountability. Staff will discuss performance measures, timelines, and responsible parties for these outcomes in rulemaking and associated guidance documents. Some elements of the listed outcomes are outside the scope of the rulemaking and LCDC/DLCD’s statutory authority, but are important to describe our desired future.</p>	<p>Ongoing reporting is required in OAR 660-012-0900. Reporting must include progress toward centering the voices of underserved populations. Reporting must also include performance against a range of performance measures, including those in OAR 660-012-0905.</p>