

**Annual Report to the Governor’s Environmental Justice Task Force  
Oregon State Agencies  
2009**

**Table of Contents**

State Agencies Identified in Senate Bill 420

Department of Agriculture.....	2
Department of Environmental Quality.....	3
Department of Fish and Wildlife.....	9
Department of Forestry.....	10
Department of Geology and Mineral Industries.....	11
Department of Health Services.....	14
Department of Land Conservation and Development.....	29
Department of State Lands.....	32
Department of Transportation.....	33
Title VI Program Guidance for ODOT.....	39
Office of State Fire Marshal.....	58
Water Resources Department.....	59

Additional Participating Agencies

Department of Energy.....	63
Occupational Safety and Health Division.....	64

## **Department of Agriculture (ODA)**

ODA has grown in its perspective of how environmental justice intersects with Department of Agriculture programs in 2009. The primary intersection with environmental justice issues concerned field burning (smoke impacts) and farmworker pesticide exposure potential.

The issue of farmworker pesticide exposure was raised in both the 1994 and 1998 reports and recommendations by past state environmental justice task force efforts. ODA continues to work with Oregon OSHA and the Oregon State University Extension Service (OSU) to provide education and training on the use of pesticides and alternatives, such as integrated pest management and non-chemical pest control methods.

ODA has identified rural communities and non-English speaking customers as having the most potential to be disproportionately impacted by its programs and regulatory decisions. ODA provides outreach and education through a variety of media to the general public, as well as to individuals subject to pesticide laws and regulation. Through the pesticide management program, ODA and other agencies work with local citizen groups such as watershed councils, soil and water conservation districts and community organizations to reach local communities to address issues related to pesticide use, worker protection, and water quality.

ODA recognizes that its programs and regulatory scheme impact a diverse population, and it supports outreach efforts targeting non-English speaking workers. ODA has been successful in reducing improper pesticide disposal, education and licensing targeting the diversity of pesticide applicators and ensuring worker safety by working with other agencies to translate educational materials into Spanish, Russian and Southeast Asian languages, among others. ODA has designated its Program Manager of the Pesticides Division as its Citizen Advocate. The EJTF is assisting the agency to better identifying rural sub-populations impacted by its programs and improve environmental justice awareness in the implementation of its programs.

# **Department of Environmental Quality (DEQ)**

## **Annual Report to the Environmental Justice Task Force and Governor**

### **Oregon Department of Environmental Quality**

**January 2010**

The Oregon Department of Environmental Quality (DEQ) is committed to the principles of environmental justice and ensuring that the agency's actions address the interests of Oregon communities, including minority, low-income and other traditionally underrepresented communities, as much as state and federal laws allow. DEQ greatly appreciates the leadership and partnership of the Environmental Justice Task Force on these important issues, and we look forward to continuing to work with the Task Force in 2010 to improve the state's ability to ensure environmental justice.

Senate Bill 420 (Oregon Revised Statutes 182.535-182.550), which took effect in January 2008, created new requirements for DEQ and other state agencies as noted below.

182.545 Duties of natural resource agencies. In order to provide greater public participation and to ensure that all persons affected by decisions of the natural resource agencies have a voice in those decisions, each natural resource agency shall:

- (1) In making a determination whether and how to act, consider the effects of the action on environmental justice issues.
- (2) 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.
- (3) Engage in public outreach activities in the communities that will be affected by decisions of the agency.
- (4) Create a citizen advocate position that is responsible for:
  - (a) Encouraging public participation;
  - (b) Ensuring that the agency considers environmental justice issues; and
  - (c) Informing the agency of the effect of its decisions on communities traditionally underrepresented in public processes.

182.550 Reports by natural resource agencies. All directors of natural resource agencies, and other agency directors as the Governor may designate, shall report annually to the Environmental Justice Task Force and to the Governor on the results of the agencies' efforts to:

- (1) Address environmental justice issues;
- (2) Increase public participation of individuals and communities affected by agencies' decisions;
- (3) Determine the effect of the agencies' decisions on traditionally underrepresented communities; and
- (4) Improve plans to further the progress of environmental justice in Oregon.

This report provides information on DEQ's actions in 2009 in support of these requirements. For more information, please contact Mikell O'Mealy, who serves as DEQ's Citizen Advocate and is coordinating DEQ's environmental justice activities. Mikell can be reached at 503-229-6590 or [omealy.mikell@deq.state.or.us](mailto:omealy.mikell@deq.state.or.us).

While important initial steps have been taken, DEQ believes that much more is needed to strengthen the agency's ability to identify and address environmental justice issues in Oregon, working in partnership with communities, other government entities, the Environmental Justice Task Force and various stakeholders in the coming years.

As required by ORS 182.550, below is a summary of DEQ efforts to

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

*Note: due to the related nature of these points, there is some repetition in the responses below.*

### **Addressing environmental justice issues**

Over the past year, DEQ has taken important initial steps to establish a framework for identifying and addressing environmental justice (EJ) issues in Oregon. A brief summary follows.

- March 2009: DEQ Director Dick Pedersen and Union President Dick DeZeeuw sent an email to all DEQ employees to launch new internal and [external EJ web pages](#) and invite feedback and suggestions related to EJ using an on-line employee survey (see Attachments A, B and C). The internal web site (accessible to DEQ employees) includes a new electronic reporting form that employees can use to report their work related to EJ issues and community concerns. DEQ expects the reporting form to be more widely used as additional EJ training is provided to employees in 2010.
- April 2009: DEQ worked with OPAL (Organizing People, Activating Leaders), the Oregon Public Health Division and the National Policy Consensus Center to apply for a \$160,000, three-year cooperative agreement with the federal Environmental Protection Agency (EPA) to address EJ and sustainability issues in East Portland. Unfortunately, the proposal was not funded. EJ Task Force member Jon Ostar was a valuable partner in this project.
- April 2009: DEQ's Citizen Advocate joined local community leaders in Oregon, Washington, Idaho and Alaska in a three-day workshop entitled, "Using environmental laws and alternative dispute resolution to address environmental justice," presented by the Environmental Law Institute and EPA. Tools and guidance from the workshop have helped inform DEQ's EJ planning and activities.
- June 2009: DEQ worked with OPAL, the Oregon Public Health Division and Portland State

University to launch a statewide mapping project of EJ communities in Oregon and how they may be exposed to disproportionate impacts from environmental pollution. The maps will include the location of EJ communities and sensitive facilities (schools, day care facilities, hospitals, elder care facilities), information on cumulative environmental and health impacts, and community education and English proficiency levels. The project produced demonstration maps and sought feedback from the EJ Task Force in September and October 2009 (see Attachment D), and requested and received \$15,000 from EPA to continue map development and conduct initial community involvement activities. EJ Task Force member Jon Ostar is a leading partner in this project.

- July 2009: DEQ worked with the EJ Task Force Interagency Work Group, the Oregon Department of Administrative Services and other Task Force members to develop new language on EJ and cultural competency in position descriptions and performance management materials for DEQ managers. DEQ anticipates adding the new language to all manager position descriptions and performance management materials in late-2010 in the context of other changes being considered for the templates. EJ Task Force member Khalid Wahab, chair of the Interagency Work Group, has provided valuable assistance and perspective in this project.
- July 2009: DEQ provided a five-hour EJ training to all DEQ managers statewide (see Attachment E for the agenda) that included guest speakers, remarks from DEQ Director Dick Pedersen, and multiple small and large group discussions. The training produced many ideas for how DEQ can help identify and address EJ issues in Oregon and recommendations for EJ training for all DEQ employees. EJ Task Force member Robin Collin delivered inspirational remarks as a guest speaker during the training.
- August 2009: DEQ responded to concerns raised by the EJ Task Force related to statutory field burning restrictions in the Willamette Valley and impacts statewide. DEQ Air Quality Division Administrator Andy Ginsburg provided an update on field burning issues to the EJ Task Force during their January 2010 meeting. EJ Task Force member Jack Johnson is providing valuable leadership and perspective on this issue and Task Force Chair Will Collin and member Robin Collin are serving on DEQ's rulemaking advisory committee for new statutory field burning restrictions.
- December 2009: DEQ's Citizen Advocate provided two three-hour pilot EJ trainings for DEQ employees in Bend and Pendleton (see Attachment F for the agenda), and is currently developing the training on-line to be available to all DEQ employees in spring 2010.

In addition, DEQ employees are working statewide on a wide range of issues to protect and improve Oregon's environment and the health of Oregon communities, including minority, low-income and other traditionally underrepresented communities. A few examples follow.

- DEQ is working in with the Confederated Tribes of the Umatilla Indian Reservation, other tribal nations, EPA and others to strengthen protections for people who eat above average amounts of fish from Oregon waters for cultural or subsistence purposes. DEQ anticipates proposing revised rules to increase the "[fish consumption rate](#)" in state water quality standards in late 2010.

- DEQ is working with local communities to improve air quality by [reducing diesel emissions](#), providing protection to those most at risk from air pollution. Reducing particulates from diesel decreases asthma incidence and lowers risk for lung cancer and cardiovascular disease. In 2009, DEQ coordinated and secured financing to retrofit exhaust controls on hundreds of school buses with direct benefits for the health of children. Other DEQ projects focus on assisting private and public partners with information, encouragement and financial assistance to burn less fuel and cleaner fuel to protect communities near transportation corridors. DEQ consulted on or participated in more than 15 grant proposals for federal funding, helping to secure funds to clean up municipal vehicles and local refuse haulers.
- DEQ is developing a statewide [Toxics Reduction Strategy](#) to reduce toxic pollution to Oregon's air, water and land, which may have a disproportionate effect on the most vulnerable communities. In November 2009, DEQ hosted a workshop to openly explore and document opportunities for toxics reduction. Over 150 people participated, including community groups, public health and environmental advocacy organizations, manufacturing and natural resource industries, municipalities and special districts, tribal governments and many state and federal agencies.
- DEQ is working to [clean up contaminated lands](#) around the state that pose risks to people's health, many of which exist in low-income and minority communities.
- DEQ organized a collaborative partnership to improve the environmental health of [nail salon workers and customers](#), many of whom are Vietnamese and African American, through education and outreach.

### **Increasing participation of individuals and communities affected by the agency's decisions**

DEQ has taken a number of steps in the past year to increase participation of individuals and communities affected by the agency decisions.

- DEQ's new [external EJ web page](#) invites community members to contact DEQ's Citizen Advocate to share information about how DEQ's actions and decisions affect Oregon communities and to raise questions or concerns related to EJ issues. DEQ's Citizen Advocate receives and responds to questions, concerns and information from community members on an ongoing basis and assists the agency in exploring options to address EJ issues.
- DEQ's internal EJ web page (see Attachment C) provides guidance to agency employees on how to identify and reach communities that maybe affected by the agency's decisions, with a focus on at-risk, low-income, minority communities.
- DEQ provided EJ training to agency managers in July 2009 that focused in part on strategies for increasing the participation of individuals and communities affected by agency decisions. DEQ plans to provide on-line EJ training for DEQ staff statewide in 2010 that will also include community involvement as a focus.
- DEQ continues to build [stronger relationships with tribal nations](#) on a government-to-government basis to consult on how potential agency actions may affect tribal interests and to explore opportunities for greater state-tribal partnership. More information about DEQ's

work with tribal nations is available in [DEQ's 2009 Annual Government-to-Government Report on Tribal Relations](#).

- DEQ is committed to including Oregonians in all aspects of the agency's decision making, including advisory committees and workgroups that frequently assist in developing state environmental rules. These groups provide vital information and expertise to help DEQ make good decisions and are important links to communities and individuals that may be affected by the agency's actions. DEQ's web page provides a list of current [advisory committees and workgroups](#) and includes opportunities for citizens to apply to volunteer as a committee member.
- [Current DEQ policies](#) require holding public meetings at times and in locations that are convenient for potentially affected community members to attend and this is DEQ's practice for all public information meetings and hearings statewide. For decisions related to environmental permitting, DEQ policies require greater levels of public involvement for more significant permits and DEQ often consults with local leaders in selecting meeting locations familiar to local residents, such as schools and community centers.
- The statewide EJ mapping project that DEQ initiated in 2009 will provide valuable information on how communities and individuals may be affected by the agency's decisions and cumulative environmental impacts. DEQ looks forward to using this information to help prioritize outreach to affected communities and to explore options for providing greater assistance to help community members participate more in DEQ decision-making.

### **Determining the effect of the agency's decisions on traditionally underrepresented communities**

DEQ managers and staff work on a case-by-case basis and with the assistance of DEQ's Citizen Advocate when needed to determine the effect of the agency's decisions on traditionally underrepresented communities. Actions taken in the past year have provided additional tools and guidance for doing this.

- DEQ's internal EJ web page (see Attachment C) provides guidance to agency employees on how to identify and reach communities that maybe affected by the agency's decisions, understand community interests, and facilitate greater involvement in DEQ decision-making.
- DEQ provided EJ training to agency mangers in July 2009 that focused in part on determining the effect of the agency's decisions on traditionally underrepresented communities. DEQ plans to provide on-line EJ training for DEQ staff statewide in 2010 that will also include this as a focus.
- DEQ continues to build [stronger relationships with tribal nations](#) on a government-to-government basis to consult on environmental issues and determine the potential effect of agency decisions on tribal communities. More information about DEQ's work with tribal nations is available in [DEQ's 2009 Annual Government-to-Government Report on Tribal Relations](#).
- The statewide EJ mapping project that DEQ initiated in 2009 is expected to provide initial information on some of the effects of the agency's decisions on traditionally

underrepresented communities. This information will be available for use along with current information that DEQ receives from community members to help raise awareness about potential EJ issues.

### **Improving plans to further the progress of environmental justice in Oregon**

In 2010, DEQ will continue efforts to further the progress of EJ in Oregon. This will include:

- developing on-line EJ training for all DEQ employees,
- developing the statewide EJ mapping project,
- incorporating EJ and cultural competency expectations in DEQ manager position descriptions and performance management materials,
- reaching out to communities that may be affected by agency decisions,
- diversifying DEQ's advisory committees and workgroups, and
- evaluating the effect of agency decisions on traditionally underrepresented communities.

Again, while important initial steps have been taken, DEQ believes that much more is needed to strengthen the agency's ability to identify and address environmental justice issues in Oregon. DEQ looks forward to continuing to work with the EJ Task Force, community members, other government agencies and stakeholders in this effort over the coming years.

## **Department of Fish and Wildlife (ODFW)**

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 chair the Natural Resources Cluster.

The Commission adopts Oregon Administrative Rules (OARs) for fish and wildlife management. The Commission meets 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. 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 public rule making processes is public outreach. Agency staff conduct extensive outreach activities in communities across the state as rules and policies are formulated. For example, prior to setting annual big game regulations, Department 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.

The Commission and ODFW continue to rely on a lengthy list of citizen based 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.

During 2010, to increase awareness of Environmental Justice issues, members of our management team will be attending an Environment Justice training workshop sponsored by the U.S. Fish and Wildlife Service, Region 1, Division of Diversity and Civil Rights, in collaboration with the U.S. Environmental Protection Agency. The full day training will likely occur during March in our Salem Headquarters building. We will be extending an invitation to other state natural resource agencies to attend.

## Department of Forestry (ODF)

January 22, 2010

Governor Theodore R. Kulongoski  
160 State Capitol  
900 Court Street NE  
Salem, OR 97301

Environmental Justice Task Force  
c / o Governor's Natural Resources Office  
900 Court Street NE  
Salem, OR 97301

Dear Governor Kulongoski and Task Force members:

I'm pleased to present this overview of 2009 activities and issues related to environmental justice, in accordance with ORS 182.550.

Forests cover about half of Oregon's land area, and are an integral part of the state's identity and legacy. They make significant contributions to the quality of life of all Oregonians, including populations that are often under-served or under-represented in public policy forums.

### **Background**

The Board and Department of Forestry pursue policies that maintain healthy, diverse forests that provide a range of social, economic and environmental benefits. These benefits include clean water (most Oregonians drink water that flows from forestlands); forest-related economic activity; revenue to support local government services; wildlife habitat; and outdoor recreation and educational opportunities. The Department's work also has an important public safety component. For instance, an increasing proportion of the 15.8 million acres on which the Department provides wildfire protection are near or interspersed with developed areas.

Other activities to protect and enhance forests include administering environmental laws, engaging as possible in efforts to shape the future management of federal forestlands, managing state-owned forests for a wide range of benefits, and providing public participation and information opportunities.

Simply keeping "forests as forests" has become a priority, as forest landowners, including family forest landowners, face increased pressures to sell working forests for development or other uses. These pressures include rising real estate values, increases in fire protection and other forest management expenses, restricted timber markets, and extremely limited mechanisms for deriving income from their forests' environmental values, such as wildlife habitat, clean water and storage of greenhouse gases.

The Board and Department recognize that these and other forest activities, issues and policies can exert major influence on under-served and under-represented populations. These populations include natural resource-dependent rural communities, which often experience disproportionately high poverty and unemployment rates, and which face major difficulties funding local government services.

### **2009 activities**

Given the connection between forest management and the wellbeing of all segments of Oregon's population, the Board and Department continue to seek broad public participation and to consider the community and social effects of forest management policies. Some examples:

- The Board of Forestry continues its practice of conducting meetings throughout Oregon. Meeting locations in 2009 included Grants Pass, Sutherlin, Silverton and Tillamook. These meetings typically include field tours and contacts with community representatives.
- To further explore the link between natural resource management and social values and community stability, the Board convened an expert panel in April in Grants Pass that included the Josephine County Sheriff, a Jackson County Commissioner, and Southern Oregon University professors of sociology and education.
- Panelists described problems such as increased poverty, drug and alcohol abuse, and strain on social and law enforcement services in communities experiencing high dependence on tenuous federal timber payments, and / or economic difficulties related to fluctuations in the timber industry.
- In its ongoing work to improve management plans for state-owned forests, principally the Tillamook and Clatsop state forests, the Board seeks to balance habitat and other conservation values with the need to make economic contributions and generate revenue to help sustain public services in counties that receive state forest timber revenue.
- The Board and Department continue to use public involvement processes that facilitate broad-based contributions. The state forest management plan efforts, for instance, have included evening hearings and use of a broad-based public advisory committee.

### **Plans and challenges**

Like other state agencies, the Department of Forestry has experienced major reductions in most of its operations, including those involved with supporting the Board in creating and carrying out the policies described here.

Through its planning process, the Board has selected a priority set of issues for work during the coming two years. This includes a variety of activities intended to maintain or improve management of forests on all ownerships, a benefit to under-served populations and to all Oregonians. Among them:

- Promotion of biomass use to improve forest health, help address renewable energy needs, and provide economic activity in resource-dependent communities.
- Promotion of market systems that would allow forestland owners to derive economic returns from greenhouse gas storage and other "ecosystem services" that forestlands provide, helping to make forestland ownership economically viable, and reducing the risk of fragmentation or conversion of forestland, with the accompanying loss of societal benefits.

- Continued participation in efforts to restore and sustainably manage federally owned forests.

In the current budget climate, the Department will be challenged to maintain or enhance outreach to under-served and under-represented communities. However, some productive actions can be undertaken with little expense and with existing or reduced staffing levels. In the area of outreach to environmental justice communities, these include exploring targeted use of social media, and reaching out to news media outlets that specifically serve under-represented populations.

This work is consistent with a broader need to connect Oregonians, most of whom live in urban areas, with the many benefits of forests. We welcome the guidance of the Environmental Justice Task Force as we seek to reach out to populations that often don't have a voice in public policy discussions.

Sincerely yours,

Marvin D. Brown  
State Forester

Cc: ODF Executive Team  
Jessica Keys, Governor's Natural Resources Office

## **Department of Geology and Mineral Industries (DOGAMI)**

The Oregon Department of Geology is the lead state agency for earth science, natural hazards affecting Oregon, associated education and outreach, regulation of geologic resources including aggregate, industrial minerals, precious and base metals, oil, gas and geothermal resources. The agency continues to identify opportunities to increase public participation of individuals and communities affected by agency decisions.

The department has made the assumption that it can best implement the goals and purposes of environmental justice by insuring the agency leadership, that is the Governing Board, director and assistant directors fully understand the principles of environmental justice. To that end, members of the Environmental Justice Task Force discussed the goals and purposes with the above mentioned agency leadership on January 15, 2010. The Board then directed Gary Lynch to work with all agency personnel to develop an environmental justice program. Ultimately, the goal is to educate staff on the subject so that they can best relate their specific work and how it can support environmental justice.

The agency has made environmental justice a standing agenda item. The agency is currently identifying effective ways for agency decisions to properly consider underrepresented communities.

## Department of Health Services (DHS)

July 2, 2010

From: Melvin A. Kohn, Public Health Director, Oregon Public Health Division, Department of Human Services

On behalf of the Divisions and Offices within the Department of Human Services/Oregon Health Authority, I am please to report on efforts to address Environmental Justice in the State of Oregon.

The Department of Human Services/Oregon Health Authority is made up of 5 divisions, with the addition of Multicultural Health located the Director's office, that provide services to the citizens of Oregon:

- Public Health Division (PHD)
- Addictions and Mental Health Division (AMH)
- Division of Medical Assistance Programs (DMAP)
- Children, Adults and Families Division (CAF)
- Seniors and People with Disabilities Division (SPD)

There are many offices and programs in Department, both in the Director's office and various divisions, working with local partners to address health disparities.

### **Director's Office**

#### **Office of Multicultural Health**

The Oregon Office of Multicultural Health (OMH) has participated, facilitated collaborated with various public health offices and community-based organizations on training and conferences, community and media events, and data collection and analysis.

OMH financially supported Josiah Hill III Clinic in 2007 and 2008. The clinic's mission is to protect children from environmental hazards and promote community action for healthy homes. Josiah Hill III Clinic work is targeted towards underserved communities in order to remove barriers to care and reduce health disparities. OMH was a sponsor for their first and second annual events. Our support directly impacts their organization as they work with community leaders to identify and reduce environmental hazards (such as lead, mold, and household chemicals) to create healthier environments for our children.

OMH continually seeks underrepresented groups such as rural Pacific Islander communities, urban refugee populations, and senior citizens of color to learn about their health concerns and devise innovative strategies to address ethnic-specific health disparities. In June 2008, OMH staff participated in a videoconference with the states of Hawaii and Arkansas to discuss health and social service access concerns of the Marshallese, and other Micronesians in each of the three states. This conversation led state policy makers to assess eligibility status of Micronesians in Oregon. It also led to further outreach to Micronesian communities living in eastern Oregon, Marion County and other parts of the state.

OMH continues to focus on the six health disparity areas prioritized by the Governor's Task Force on Racial and Ethnic Health. The final report (1999) listed the following priorities: access to health and mental health care, HIV/AIDS, substance abuse, diabetes, asthma and lead poisoning. As mentioned in the "Trainings" and "Outreach" sections above, OMH has collaborated with public health offices and community-based organizations to bring evidence-based approaches to the efforts to address these issues. OMH has made significant progress in the implementation of its Health Care Interpreter (HCI) Certification program. During the reporting period, OMH has accomplished the following:

1. Created a HCI registry with a state-certified licensing software;
2. Awarded a vendor to develop exams in Vietnamese and Russian to test oral proficiency;
3. Researched the business and legal case for the need of qualified and certified medical interpreters;
4. Updated the Health Care Interpreter Council membership; and
5. Developed HCI registry application form, informational pamphlet, posters and other materials.

OMH provided mini-grants to non-traditional community-based organizations in the Portland-metropolitan area that serve racial and ethnic communities. The original intent was to focus on statewide outreach; however, due to limited staff resources, strategies shifted to support urban-area organizations. All mini-grant awardees were required to submit a final report of their project, sample materials produced with grant monies, and demographic sheet summary of event participants. A summary of each organization activities are as follows:

- 1.) Oregon Somali Family Education Center: Provided coordination of Somali community members residing in Washington county, Oregon to participate in a health needs assessment focus group. Ten men and ten women participants provided information as well as demographic information about their health concerns, barriers to health access, insurance status, employment, and other information.
- 2.) White Rose Education Fund – White Rose Education Fund – Presented their 2008 National Black HIV/AIDS Awareness Art Contest to which there were over 300 participants. This event increased the participant's awareness of the impact of HIV/AIDS in the African American/Black community; Understanding of how they can reduce their risk of contracting and/or spreading HIV/AIDS. It also increases their access to HIV/AIDS prevention, education, and testing and care services in Portland's tri-county area. Many people spoke of how surprised they were of the impact of HIV/AIDS in their neighborhood.
- 3.) Korean American Senior Citizens Society of Oregon – Convened an annual community event that included health and wellness activities. Roughly 100 Korean senior citizens attended this event on July 19, 2008 at a local community park to socialize, engage in an organized walk, and learn about healthy activities for seniors. This event addressed isolation, cultural and language barriers and transportation issues that often affect immigrant, limited-English proficient individuals. KASCOS also translated OMH's demographic survey into Korean as a resource to be used by others.

### **Public Health Division (PHD)**

Office of Environmental Public Health

*Research & Education Services Section (R&E)*

Research & Education Services is the State's primary point of scientific and technical expertise on diverse health concerns in the built and natural environments. The toxicologists, epidemiologists, program coordinators, research analysts, environmental health specialists, health educators and support staff in R&E conduct environmental and occupational public health studies and surveillance to identify and prevent occupational and environmental illnesses and injuries to Oregonians. All Oregonians benefit from the scientific knowledge, skill and expertise of R&E staff. From visitors to Oregon's lakes and beaches to large and small communities affected by hazardous waste sites, our staff are working to help Oregonians understand the risks they may encounter from environmental hazards and the steps they can take to reduce or eliminate those risks. Environmental justice is a cornerstone of the work performed in R&E. We recognize the ways in which members of under-represented communities are both disproportionately burdened by exposures to environmental hazards and have limited political influence of influence to mitigate such threats.

Our scientists and professional staff work at all levels of the community including:

- Concerned Citizens
- Environmental and Community Advocacy Groups
- Local, State and Federal Elected Officials
- Academic Scientists and programs
- Private Industry
- Medical Providers
- Local Health Departments
- Environmental Regulatory Agencies
- Other State Agencies (e.g. OR-OSHA, Ag, ODF&W, Forestry, DCBS)

Several of R&E's programs emphasize the importance of community education and outreach. The Environmental Health Assessment Program (EHAP), Occupational Public Health Program (OPHP), Pesticide Exposure Safety and Tracking (PEST), Lead Poisoning Prevention (LPP) program, Clandestine Drug Lab (CDL) program, Harmful Algae Bloom Surveillance (HABS) program, and Oregon Beach Monitoring Program (OBMP) have specific initiatives to work directly with individuals, groups and communities affected by environmental issues. The Toxicology Consulting Services team routinely responds to more than 200 calls each month on dozens of topics. In addition to providing individual services to Oregon residents, these programs as well as the Environmental Public Health Tracking (EPHT) program, Hazardous Substance Incident Surveillance (HSIS) program, and Health Impact Assessment (HIA) program provide technical assistance and expertise, impacting statewide environmental policy. The Lead Programs team provides surveillance, case management and technical assistance for adult and childhood blood lead levels through the Adult Blood Lead Epidemiology and Surveillance (ABLES) and the Childhood Lead Poisoning and Prevention (CLPP) programs. This team also administers and enforces EPA rules through the Lead-Based Paint (LBP) program.

**OBMP** protects the health of Oregon's beach water users. Exposure to recreational marine waters contaminated with bacteria, viruses or other disease-causing organisms can result in a variety of illnesses (e.g., gastrointestinal problems) in people using these waters. Similarly, **HABS** tracks and notifies the public of potentially hazardous conditions that occur when algae blooms form which could release damaging and potentially deadly toxins. The **CDL** program

helps Oregonians keep themselves and their families safe by working to ensure that they aren't exposed to homes and vehicles contaminated due to the manufacturing of illegal drugs (primarily methamphetamine). **PEST** tracks acute pesticide-related illnesses in order to improve the scientific and clinical understanding of how people are exposed, health effects experienced by people exposed, and ways to prevent pesticide exposures from occurring.

The services provided by **EHAP** help citizens make informed decisions about reducing or preventing exposures to environmental contaminants. For example, EHAP has worked at sites where there was exposure, or suspected exposure, to such carcinogens as asbestos, arsenic, mercury and/or chlorinated solvents. At each site where EHAP works, a needs assessment is conducted. This assessment helps us to better understand the community that is potentially exposed and how to most effectively communicate (i.e. in what languages) important health information to everyone in the community. The Health Impact Assessment (**HIA**) program is expanding statewide capacity to gather and interpret local data used to predict and mitigate community health effects brought on by projects, plans and policies which typically encumber socially disadvantaged groups in ways that are ill-considered or neglected. HIA program staff has technical backgrounds in public health education, group mediation, risk assessment, and evaluation. This staff has facilitated training sessions in HIA practice methodologies to 12 counties, and awarded three counties with mini-grants to conduct evaluative reviews of pending issues in their communities for which health-based recommendations will be developed.

The **EPHT** network will help strengthen Oregon's ability to track and prevent health problems linked to the environment. More specifically, communities may learn about health and the environment in their area, scientists may get information to help their research, and officials may get information to set policy and promote activities to protect and improve health in communities. The goal of the **HSIS** system is to prevent morbidity and mortality among the citizens of Oregon associated with acute releases of hazardous substances. Increasing awareness of the dangers of lead exposure provided by education and outreach activities of the **CLPP** program has led to a decline in the percentage of Oregon children with elevated blood lead levels. The implementation and enforcement of new EPA rules by the **LBP** program should lead to greater awareness of lead hazards and further declines in the number of lead poisoning cases.

**OPHP** strives to ensure that workers in Oregon have healthy and safe workplaces. Specifically, the program identifies the occupations, industries, special populations that have the highest risk of injury, illness, or death in order to develop targeted intervention strategies. Schools, day care centers, businesses, tribes, local governments, natural resource organizations, state agencies, the medical community and the general public are served by **TOCS**. Services include consultation, risk assessment and expert advice from the TOCS team regarding the potential health effects of exposure to environmental toxins or contamination.

To highlight some of the intersections between environmental health, chronic diseases triggered by lifestyle issues and life-long stress, and social justice, an R&E staff member has organized viewing and discussion sessions around a DVD focused on health disparities, the Unnatural Causes series created by the California Newsreel. Although these discussions have been held thus far within the Oregon Public Health division, a viewing and panel discussion has been planned in collaboration Multnomah County's Health Equity Initiative staff at the Monday, April

5<sup>th</sup> opening day of Public Health Week, hosted at Portland State University. A goal of this event will be to establish regularly scheduled community engagement forums with Multnomah County officials.

#### Radiation Protection Services (RPS)

**RPS** uses a source based licensing system for radioactive materials licensing. This uniquely recognizes small business concern about unfair licensing fees in comparison to large companies. As an example, a small portable gauge licensee with one gauge pays only for one source while a large multi-state corporation with 20+ gauges now has to pay for each gauge licensed with our office. In the past both companies paid the same fee for a license type (Portable gauges) with no limit on sources. Changing to this system in 1993, Oregon is at the forefront nationally of both inventory control of radioactive sources and fairness in administering licensing fees. This also encourages all licensees to properly dispose of unwanted sources.

**RPS** has provided limited amounts of Radon test kits to community organizations to encourage testing of low income housing and senior housing for many years. Although this is not requested each year, we try to work with these organizations to test and mitigate for elevated Radon levels noted during testing. Our current link with the Lung Association of Oregon to provide low cost test kits to all Oregonians also honors Environmental Justice.

Through a small contract with METRO, **RPS** also receives and properly disposes of unwanted radioactive materials from households, schools and other non licensees when they discover these sources during environmental cleanups, estate cleanups and METRO waste sites. A small fee is sometimes charged by METRO for some of these hazardous materials. This program saves homeowners and schools thousands of dollars in disposal costs.

**RPS** is also in the process of identifying unwanted radioactive materials currently held by licensees throughout Oregon and working to come up with the least costly alternative for disposal of these sources through a program sponsored by the Conference of Radiation Control Program Directors, Inc. (CRCPD) in conjunction with a U.S. Department of Energy grant they receive. This program called SCATR will help to dispose of certain sources considered to be a threat to national security as well as identify low cost disposal options for all unwanted radioactive sources in Oregon. The program will benefit hospitals, universities, research and development licensees, industrial plants and small businesses in Oregon.

#### Drinking Water Program (DWP)

##### Oregon State Safe Drinking Water Revolving Loan Fund

The Oregon State Safe Drinking Water Revolving Loan Fund, implemented in 1997, with Environmental Protection Agency annual grants, continues to provide low interest loans to Oregon communities in order to meet the safe drinking water standards of the Safe Drinking Water Act.

Consistent with the enabling legislation, Oregon has implemented a process by which small communities who are designated economically “disadvantaged” can receive an interest rate below the standard loan rate but no less than 1 percent of its safe drinking water loan; receive a

term of the loan as much as 30 years, and also receive principal forgiveness to the extent that the Disadvantaged Community criteria will continue to be met after taking into consideration any other subsidy or grant that the project will receive.

The determination that a water system is a Disadvantaged Community depends on an objective criteria which measures how affordable the future water rates are relative to the prevailing income of the residents, this is also known as the “ability to pay” test.

Private water systems that are not regulated under the jurisdiction of the Oregon Public Utility Commission are not eligible for designation as a Disadvantaged Community.

Since the beginning of the Safe Drinking Water State Revolving Loan Fund (1997), the fund has provided loans to approximately 144 communities with 82 communities classified as “economically disadvantaged” receiving over \$28 million dollars in principal forgiveness.

#### Office of Disease Prevention and Epidemiology

##### *Health Promotion Chronic Disease Prevention (HPCDP)*

HPCDP works with a variety of local partners throughout the state to promote changes in policy, systems and environments that foster health, make the healthy choice the easy choice and reduced health disparities. HPCDP programs include Arthritis, Asthma, Comprehensive Cancer, Diabetes, Heart Disease and Stroke Prevention, and Tobacco Prevention and Education.

Among our local partners, the Tobacco Prevention and Education Program funds five community-based organizations (CBOs) to provide technical support to counties as they seek to address disparities; to convene, staff and provide overall leadership for a community-based tobacco prevention network; and to select and implement a community-based project that uses policy, system and environmental change to reduce tobacco disparities among their target population. These Specific Population Network grantees represent the following populations experiencing disparities in tobacco use: African American; Latino; Lesbian, Gay, Bisexual, Transgender and Queer/Questioning; Asian Pacific Islander; and urban Native American.

These CBOs are in their fifth year of funding from the Tobacco program. Each has an established network that meets at least quarterly, and a committed membership engaged in tobacco prevention in the community and in the organizations that they represent. These networks are active in the community offering public support to businesses that reduce tobacco advertising or have established smoke-free working environments. Specific success stories include:

- Signing of a smoke-free church grounds proclamation by six faith-communities in the Metro area;
- The first ever statewide survey of tobacco use and cessation utilization among Asian Oregonians including an examination of how demographics, perceptions of harm, cultural factors and linguistic acculturation relate to tobacco use and cessation. This survey was administered by mail in six Asian languages;
- Implementation of a smoke-free housing policy at a housing complex largely occupied by Latino/a farm workers;
- Smoke-free Pride events in Oregon;

- Design of a Commercial Tobacco Free Powwow Toolkit to support tribes and community-based organization to implement tobacco-free policies at community events;

In addition to these success stories, each CBO is working with county health departments to support implementation of the Indoor Clean Air Act that went into effect on January 1, 2009. CBOs are engaging communities experiencing disparities in implementing the law and are supporting business owners from these populations with the information they need to successfully comply with the law.

### *Oregon Cancer Registry*

Cancer Registry staff has worked for the past 5 years with the Northwest Portland Area Indian Health Board and Northwest Tribes as part of the Northwest Tribal Cancer Coalition. The program's medical epidemiologist has been a member of the Data and Surveillance Work Group, helping to identify measures that can be used across the region to track use of evidence-based cancer control services, helping tribal members recognize modifiable environmental risk factors for cancer, and working with several tribes so they can fit surveillance into their tribal cancer control plans.

### Office of Family Health

#### *Maternal and Child Health Section*

The Maternal and Child Health Section works across a spectrum of arenas including policy, program and support for pregnant women and children (0-9 years of age). Specifically, we partner around areas of health care coverage and access through our CHIPRA and Oregon MothersCare programs, nurse home visiting services for high risk pregnant women and children with our county health department partners, early hearing detection and intervention for all newborns with hospitals, audiologists and early intervention partners, child care health with the network of child care providers, participate in statewide nutrition and physical activity initiatives.

The Oral Health program partners directly with close to 140 elementary schools in communities with higher rates of health disparities, to provide dental sealants and fluoride supplements, focusing on children who are least likely to see a dentist.

This year the program is conducting a statewide MCH needs assessment to set priority areas of focus for the next five years of the state Title V block grant. This work is involving partners from across the state with specific emphasis on local partners, and engaging communities in the identification of areas of health disparities. Tribal partners have access to State Title V funds, and currently three tribes have special projects focused on MCH needs in their communities.

Through a new grant "LAUNCH" the state is partnering with Deschutes County on developing a model for strengthening the local early childhood systems that promote wellness across all the domains of physical, social, emotional and behavioral health. All this work integrates a wide range of community partners that provide direct services, input, planning, advisory and other supportive functions. The following represents the scope of partnerships program staff are currently engaged with; The following represents the scope of partnerships program staff are currently engaged with;

- Oregon Center for Children and Youth with Special Health Needs

- Local County Health Departments
- Oregon Tribal Partners
- Local Environmental Health Specialists
- Hospitals and Health Care Systems
- Medicaid Managed Care Systems
- Audiologists
- Early Intervention
- Child Care Division
- Child Care Resource and Referral Network
- Federally Qualified Health Centers
- Community and Migrant Health Centers
- DHS partners (DMAP, PHD, AMH, CAF)
- Pediatric, Family Practice, OBGYN and Midwifery Partners
- Early Childhood Council

*Adolescent Health and Genetics Section*

The Adolescent Health Section works across broad areas of health care policy, health care access, mental health services, sexual health services, nutrition programs, and physical activity programs that impact school-aged youth, adolescents (10-24 years of age). That work integrates a wide range of community partners that provide input, planning, advisory and other supportive functions. 54 Certified School-Based Health Centers in the state work to reduce disparities in health care access. Other recent examples of work that has targeted underserved groups include creating a focus on such within the new Youth Sexual Health Plan and specifically addressing the needs of LGBTQ youth and targeting young adults 19-24 with disabilities and pre-conception health in collaboration with Women's and Reproductive Health Section. The following represents the scope of partnerships program staff are currently engaged with;

- Oregon School-Based Health Center Network
- Oregon Primary Care Association
- Healthy Kids Learn Better Coalition
- Multnomah Teen Pregnancy Task Force
- Planned Parent Affiliates
- Children First for Oregon
- Mid-Valley Behavioral Health Care Network
- Local Public Health Departments
- Community Health Centers
- Federally Qualified Health Centers
- Dairy Council of Oregon
- Nutrition Council of Oregon
- Oregon Diabetes Coalition

Genetics – The Genetics Program is working in two major areas. One is a three year project related to building surveillance capacity and determining knowledge and use of evidence-based cancer genetic testing and family history in medical settings. A component of the work will identify disparities or gaps in access to genetic services. The program is also examining the issue of genetic counselor licensing. Genetics is also responsible for the state Advisory Committee on Genetic Privacy and Research (ACGPR) which monitors genetic law and policy at both the state

and national levels and is in the process of building a strategic framework for genetics and public health. Their work engages a variety of partners that include;

- Kaiser Center for Health Research
- Oregon Health Sciences University
- Oregon Partnership for Cancer Control
- Western States Genetic Services Collaborative
- Advisory Committee on Genetic Privacy & Research

*Women's and Reproductive Health Section (WRH)*

Partners we collaborate with to provide services to diverse and underserved populations:

- County Health Departments
- Rural and Community Health Centers
- Migrant Health Centers
- Oregon Primary Care Association
- Planned Parenthood Affiliates
- Oregon Department of Corrections
- Oregon College and University health centers

Partners we collaborate with to improve the quality and relevance of WRH services for diverse populations:

- IRCO (Immigrant and Refugee Community Organization) – translation reviews and field testing of client education materials
- Portland Community College's Healthcare Interpreting Training Program
- Attorney General's Sexual Assault Task Force
- Family Planning Statewide Information and Education Advisory Committee – includes representatives from Bradley-Angle House, the Asian Family Center, The Human Development Corporation, Outside In, Washington County Department of Health and Human Services, Volunteers of America, Oregon, Inc., Oregon State Correctional Institution Connections Program, and Oregon SafeNet

Partners we collaborate with to raise awareness of WRH services, topics, and resources among diverse populations:

- Women's Health Network – community-based lecture series on women's health topics including health disparities
- African American Health Coalition (particularly their annual Wellness Village)
- American Heart Association
- Asian Health and Service Center
- Hacienda Community Development Corporation
- OHSU Center for Women's Health
- Oregon Public Health Association
- Project Access NOW
- 1-800-SafeNet
- Susan G. Komen For The Cure - Oregon & SW Washington Affiliate – reduce barriers to breast cancer screening services for women of color and who live in rural areas
- Women with Disabilities Health Equity Coalition

- March of Dimes
- Health Care Coalition of Southern Oregon
- Oregon Child Development Coalition
- Virginia Garcia Memorial Health Center and other migrant health centers – increase breast and cervical cancer screening rates among migrant and indigent Latinos
- Northwest Portland Area Indian Health Board (NPAIHB) and Native American Rehabilitation Association (NARA) – address disparities in morbidity and mortality in cancers among American Indians
- Russian Oregon Social Services (ROSS) – conduct outreach to and increase cancer screening rates among Russian immigrants in the Portland area

*Nutrition and Health Screening (WIC) Section*

- In collaboration with the State Immunization Program, WIC works to help increase the up-to-date rates of WIC participants to fight against childhood preventable diseases.
- Local WIC programs routinely make referrals to state SNAP (formerly known as Food Stamps) and OHP programs. Additional referrals are made to Head Start, Extensions services, local community action organizations, regional food banks and pantries as appropriate.
- WIC helps to inform participants of tax refund information (specifically EIC earned income tax) through CASH Oregon and of energy assistance programs through Oregon Housing and Community Services (OHCS).
- WIC agencies statewide work with community partners to collaborate on providing succinct health messages that are both scientifically and culturally sound.
- Additionally, WIC works with communities and local health departments to support the training and education of lactation and breastfeeding consultants.

*Immunization Section*

The Oregon Immunization Program’s (OIP) continues to:

- Measure immunization outcomes in Oregon across racial/ethnic populations, as well as some targeted worked on reducing disparities and improving cultural competency with the Oregon Partnership to Immunize Children.
- Examine birth counts by race and ethnicity on a county level, to identify possible population counts that would allow for specific rate calculations for race and ethnicity in Oregon.
- Partner with the Department of Medical Assistance Programs to improve and understand rates and provision of services to children enrolled in OHP.
- Build relationships with the Northwest Portland Area Indian Health Board (NPAIHB) and tribal clinics to determine how to more effectively provide immunization registry (ALERT) and Vaccines for Children (VFC) Program services to them.

The Oregon Partnership to Immunize Children (OPIC) continues to:

- Use a highly structured and inclusive collaborative leadership model to achieve communication, networking and public policy goals through the implementation of activities (including those to address health disparities) according to annual work

- plans. OPIC's mission is to facilitate the collaboration of public and private partners to protect children in Oregon against vaccine preventable diseases.
- An Executive Committee (15 public and private organizations) provides leadership and develops immunization education strategies and provides oversight to 3 standing committees which work locally, regionally and statewide.
  - Since 2001, the Health Disparities and Education Committee's charge has been to work with partners in diverse racial and ethnic communities to achieve the long-term goal of closing immunization disparities that impact racial and ethnic. The Committee meets monthly and is presently working on pertussis (whooping cough) prevention, reviewing data, adapting immunization messages to diverse communities and exchanging information. In 2006, the Committee published *the OPIC Resource Guide: An Educational Tool for Systematically Addressing Health Disparities and Increasing Childhood Immunization Rates*.
  - Key collaborative leadership partners are OIP, county health departments, DMAP, ALERT, Vaccines for Children Program, Oregon Office of Multicultural Health, health systems and hospitals, health professional/leadership organizations, Oregon Dept. of Education, Asian Health and Service Center, NPAIHB, minority health coalitions, OHSU, Oregon SafeNet, Kaiser, Virginia Garcia Clinics, Northwest Health Foundation, Rotary, Kiwanis and more.

### **Addictions and Mental Health Division**

AMH oversees state, county and local public delivery of addictions prevention and treatment, gambling prevention and treatment, and child and adult mental health treatment, for approximately 150,000 Oregonians annually.

The Addictions and Mental Health Division (AMH) continuously strives to include consumers of services and their families in the decisions made by AMH. There are several advisory committees that are well represented by consumers and are required by Oregon Revised Statute (ORS) or Public Law (PL); they include the Consumer/Survivor Advisory Council, Mental Health Planning and Management Advisory Council, Oregon State Hospital Advisory Board, and Alcohol and Drug Policy Commission. In addition to these statutorily mandated advisory groups, there is at least 20 percent consumer representation on as many as 10 other advisory groups/advisory committees that provide input and policy direction for AMH.

As the work for AMH is conducted through various units, AMH determines the effect of its decisions on the consumers served through satisfaction surveys and both formal and informal meetings with focused and content-specific discussion. AMH assures service provision for Oregon Health Plan covered individuals through contracts with Mental Health Organizations. For indigent consumers not covered by Medicaid, services are provided through contracts with local mental health authorities to provide the necessary addictions and mental health services within each county. These relationships provide AMH with the effects of decisions from a county or regional perspective. The Oregon State Hospital works closely over its three campuses to involve consumers in all aspects of hospital governance.

There is a focus on underserved populations who are at risk due to addictions and/or mental health disorders.

## **Division of Medical Assistance Programs (DMAP)**

### **Asthma**

Division of Medical Assistance Programs (DMAP) is working in collaboration with Multnomah County Public Health and DHS Public Health to build a Targeted Case Management program on Asthma Healthy Homes. This program will provide case management around controlling environmental triggers for asthma, modifying behavior, and managing medication. The program will help with home environmental issues that are likely to impact low-income and diverse populations disproportionately.

### **Lead**

DMAP collaborates with Public Health Division to identify Medicaid children who have been tested for lead for federal reporting and to determine home addresses.

DMAP partners with the Public Health Division to provide a home environment assessment for children with a confirmed blood lead level test of greater than or equal to 10 µg/dL. PHD has administered this program for several years with a grant through CDC; beginning Jan. 1, 2010, DMAP covers reimbursement for the home environment assessments & subsequent case management. PHD administers this program in conjunction with DMAP reimbursement and rule oversight.

### **Prenatal**

DMAP partners with Public Health Division to provide a home assessment on pregnant clients enrolled in Maternity Case Management (MCM). MCM also provides teaching on topics ranging from alcohol, tobacco, and other drug exposure, Maternal/Fetal HIV and Hepatitis B transmission to Intimate Partner Violence. PHD administers this program in conjunction with DMAP reimbursement and rule oversight.

### **Oral Health**

DMAP is participating on the "First Tooth Project Advisory Group" which is headed by DHS's Public Health Oral Health Program. The purpose of this project is to increase access to preventive oral health care for at-risk Oregon children age birth to 3 years, by increasing and enhancing workforce capacity.

The Medicaid contracted Dental Care Organizations are working with Head Start on their Oregon Dental Home Initiative. This is part of a national project to develop a network of dentists to link Head Start children with dental homes. It also provides parents, caregivers and Head Start staff the most current evidence-based information on how to prevent tooth decay and establish a foundation for a lifetime of oral health. DMAP is also working to develop an agreement that will help Head Start staff access eligibility and enrollment information to assist Head Start children coordinate with their dental care.

DMAP reimburses **medical providers** for the application of fluoride varnish for children less than 7 years of age. This allows for prevention of early dental caries in young children during their medical well-child checks. Young children are more likely to see a medical provider than a dental provider on a regular basis.

**Data**

DMAP continues to collect data and calculate quality and prevalence measures by race and ethnicity whenever possible.

**Language Interpretation**

OHP correspondence is interpreted in nine languages (Cambodian, Chinese, Korean, Laotian, Somalian, Spanish, Romanian, Russian, and Vietnamese) and the alternative formats of Braille, audiotape, computer disc, and oral presentation.

OHP clients may have an interpreter for their health care visits and for administrative hearings concerning their benefits.

Managed care plans publish their member handbooks and other correspondence in multiple languages. Managed care plans have multilingual customer service representatives.

**Special Population: Recently released for prison**

DMAP is working to expand the OHP Standard benefit population. This will allow people who have been released from prison to obtain needed medical care and medications that they would not otherwise have been able to obtain. (Many people released from prison do not qualify for OHP Plus benefit.)

**Reducing Health Disparities through Medicaid managed care plans**

Health care for Medicaid/CHIP clients is most often provided through managed care. DMAP continues to inform and promote with its contracted Medicaid managed care plans concepts of health disparity reduction. The current and past Multicultural Health directors have given presentations to Quality Improvement coordinators of the Medicaid managed care plans. Contract language in the managed care contracts is being strengthened to make it clear the obligation of the managed care plans to work toward reduction of racial and ethnic health care disparities.

**CareOregon – Medicaid Contracted Managed Care Organization**

DMAP's largest contracted physical health managed care organization, CareOregon, is involved with many projects to reduce health disparities.

CareOregon's ongoing commitment to reducing disparities in health outcomes and access to health care services is reflected in its Vision and Mission statements.

**CareOregon's Vision**

Healthy Oregonians regardless of their income or social circumstances.

**CareOregon's Mission**

Be a Community Benefit Organization to assure Oregon's vulnerable populations receive access to high-quality health care from a stable network by a well-managed, financially sound organization

Below is a list of several initiatives CareOregon has implemented to reduce health disparities in Oregon's increasingly diverse communities, including partnering with other local organizations to better meet the needs of our members.

1. Referral of children within Multnomah County who have asthma that appears to be poorly controlled to the Healthy Homes program, which provides an in home environmental assessment to decrease asthma triggers. See <http://www.co.multnomah.or.us/health/mchealthinspect/healthyhomes.shtml>
2. The TEXT 4 Baby Program is designed to address high infant mortality in the African American and Hispanic communities specifically. New Mothers and pregnant women are given the opportunity to participate in this program which provides text messages about having a healthy pregnancy and healthy baby. CareOregon has just recently entered into this agreement. It is sponsored by the national Healthy Mothers/Healthy Babies Coalition. Materials will be included in CareOregon's newly designed prenatal packet.
3. Working with Oregon Center for Applied Science to provide parents (primarily Hispanic fathers) an opportunity to become more aware of issues related to puberty and teen age pregnancy prevention. CareOregon provides information about voluntary participation in this program to new members.
4. CareOregon's member handbooks are translated into 15 different languages; CareOregon's quarterly member newsletter is translated into 4 most used languages.
5. Member education materials are translated and targeted at the top languages for specific health concerns (i.e., Well Child materials in English, Russian, Spanish, and Vietnamese; Diabetes materials in Spanish and Russian, etc.).
6. CareOregon conducts focus groups in different languages:
  - In 2008 – Spanish, English, Vietnamese and Russian;
  - In 2009 – Spanish, Russian, and English.
  - Communications changes are made based on focus group feedback and service concerns are shared with other departments for follow up. For example, members helped identify FAQs and a benefits brochure was created that addressed those issues in Spanish, Russian, Vietnamese, and English in 2007.
7. CareOregon sponsored Spanish radio spots that provide health tips to the community daily for 7 weeks in the fall and for 10 weeks this spring. This year's tips were built around New Year's resolutions and how to change behavior over time. The tips were also were interactive—with the DJs on four stations giving CareOregon health tips and then inviting the audience to talk about their ideas for increasing activity and improving nutrition.
8. CareOregon also conducts radio interviews in English and Spanish on health issues, such as nutrition, post-natal care, etc., on Oregon News Service.
9. CareOregon sponsored and participated in Smart Choices Healthy Lives – a three-year series of TV PSAs through KOBI that air throughout Southern Oregon on NBC, Fox and CNN and cable. The focus is fighting obesity by increasing activity and improving nutrition. CareOregon's own staff participated and partnered with providers in that area to provide health interview/PSAs.
10. Schools are visited with KOBI crew to teach an exercise workshop and sponsor a step-a-thon contest in which 5th and 6th grade classes compete against different schools. CareOregon provides pedometers, step diaries and instruction, and the winning school is highlighted on TV. Step diaries are in both English and Spanish.

11. CareOregon also participates actively in Healthy Kids Day – a community wide project that focused on providing a day of health/activity information to children that speak English or Spanish. Pedometers and step diaries are provided in English and Spanish.
12. CareOregon participates in Virginia Garcia’s mobile clinic days at migrant camps three times per year. OHP information and health education information is provided in Spanish.

## Department of Land Conservation and Development (DLCD)

### INTRODUCTION

The Department of Land Conservation and Development (DLCD) along with the Land Conservation and Development Commission (LCDC) oversee Oregon's Statewide Land Use Planning Program. The cornerstone of the program is the Statewide Planning Goals (Goals). The Goals establish a framework for state law and policy implemented by local governments through comprehensive plans for each jurisdiction. The program also applies to special districts and state agencies. Environmental justice issues are specifically addressed in Goal 1 – Citizen Participation, Goal 10 – Housing, Goal 11 – Public Facilities, and Goal 12 – Transportation.

In April 2009, Carmel Bender Charland, Compensation and Conservation Ombudsman, was assigned to serve as DLCD's citizen advocate for the Environmental Justice Task Force (EJTF). The ombudsman position was created by Measure 49 to be a resource for claimants in understanding the claim review process, and to facilitate resolution of disputes between claimants and DLCD.

DLCD makes the following report pursuant to ORS 182.550 on its efforts to implement environmental justice principles in carrying out its mission and duties:

### 1) ADDRESS ENVIRONMENTAL JUSTICE ISSUES

The following items on LCDC's policy agenda for the 2009-2011 biennium, potentially address environment justice issues:

- With the Oregon Department of Transportation, staff the Metropolitan Area Planning Organization (MPO) Greenhouse Gas Task Force to prepare legislative recommendations as required by House Bill 2186. (Task Force report due Jan 2010).
- Adopt state greenhouse gas reduction "goals" for purposes of the Portland Metro Area "scenario planning" land use patterns to meet the reduction goals, as required by House Bill 2001 (rules by June 2011; other work 2011-2014).
- Begin to assist communities in preparing for the effects of climate change, in coordination with state agencies and other stakeholders. This will include work on a statewide *adaptation* plan in coordination with state agencies and may include "pilot communities." Statewide climate change *mitigation* planning described above re HB 2001 and HB 2186.
- Conduct a public "policy forum" (or a series), including stakeholders and legislators, to consider the following topics and determine consensus and future direction:
  - Consider public facility finance and planning issues facing local governments, including those raised by the Big Look Task Force and local governments, and consider land use strategies and policy amendments to address these concerns.
  - Explore changes to streamline and update statewide policy regarding urban growth management, including the priority of lands statutes, urban reserve

requirements, population forecasting, Goals 9 and 10, governance and related topics (biennium).

- Continue consideration of potential policy actions suggested by LCDC's 2008 Affordable Housing Work Group, including possible rulemaking and/or legislation.
- Revise agency procedures, as necessary, to implement Environmental Justice requirements in 2007 Senate Bill 420.

## **2) INCREASE PUBLIC PARTICIPATION OF INDIVIDUALS AND COMMUNITIES AFFECTED BY AGENCY DECISIONS**

LCDC makes a practice of holding its regular meetings in a variety of locations around the state. This allows the public greater access to the commission generally, and when possible, the commission schedules the location based on issues of local concern that it will be addressing. In 2009, half of LCDC's ten public meetings were held in locations outside of Salem – Sisters, Madras, Brookings, Hillsboro, and Springfield.

The Citizen Involvement Advisory Committee (CIAC), established under ORS 197, advises LCDC and local governments on matters pertaining to citizen involvement. It has eight volunteer members, one from each of Oregon's five Congressional Districts and three chosen at-large. The CIAC meets bi-monthly, providing a forum that fosters citizen communication with the department and its public policy decision-making body. The CIAC is supported in this effort by the department's Communications Officer, Cliff Voliva.

In 2009, the CIAC initiated the STAR Award for Citizen Involvement - a program that recognizes communities, organizations or individuals that are meaningfully involving citizens in local land use decisions, and actively promoting and implementing the values of Oregon's Statewide Planning Goal 1: Citizen Involvement. The first STAR Award was given to the City of Newberg for engaging its community in *Newberg's Future*, a multi-pronged public outreach campaign designed to provide information and obtain feedback from citizens on how Newberg should plan for growth over the next 30 years.

DLCD has multiple publications available on its website to assist citizens in understanding the planning process and how to get involved. The website also provides information about how citizens of Oregon are actively involved in protecting the citizen involvement process, promoting and challenging the statewide land use program, finding new avenues of expression and involvement in critical land use planning issues, and expanding citizen involvement around the state.

## **3) DETERMINE THE EFFECT OF THE AGENCY'S DECISIONS ON TRADITIONALLY UNDERREPRESENTED COMMUNITIES**

Given the broad scope of the Statewide Land Use Planning Program, it is not immediately apparent when, where, and how underrepresented populations are impacted by DLCD actions. DLCD will be meeting with EJTF members in early 2010 to learn how to identify environmental justice communities impacted by DLCD decisions and practices.

## **4) IMPROVE PLANS TO FURTHER THE PROGRESS OF ENVIRONMENTAL JUSTICE IN OREGON**

DLCD will develop a work plan with its EJTF representatives that will provide actions DLCD may take to increase awareness of environmental justice issues that intersect with its state agency role, and improve the department's response to environmental justice communities.

## Department of State Lands (DSL)

January 29, 2010

Environmental Justice Task Force  
Jessica Keys  
Governor's Natural Resources Policy Advisor  
900 Court Street NE  
Salem, Or 97301

Re: DSL Annual Report – Calendar Year 2009

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.

As a designated Natural Resource Agency, DSL continues to actively assist the Task Force in the performance of its duties. DSL continues to support a citizen advocate position it created last year. Specifically, the DSL citizen advocate is working with Task Force members and DSL staff and management to identify and address environmental justice issues within the agency and identify ways to increase public participation of individuals and communities affected by the agency's decisions.

DSL recently participated in a discussion of the agency's Removal-fill and Land Management programs and possible environmental justice issues with Task Force members Will Collin and Jon Ostar. The discussion was intended to give the Task Force a better understanding of DSL's programs while also informing DSL staff and management of potential environmental justice issues the agency should be addressing. Among the areas discussed were possible outreach processes. One example was the possibility of modifying the agency's existing responsibility to send applications for regulatory or proprietary authorizations out for public review and comment prior to decision-making to increase accessibility within potentially identified environmental justice communities. DSL will continue to work on these and other process issues with its designated Task Force contacts.

Additionally, DSL is going to work over the next year on options for training of staff and management on environmental justice issues. DSL's diversity committee has already expressed an interest in having an environmental justice component included in the diversity workshops DSL holds every two years. DSL has contacted Will Collin and Mikell O'Mealy (DEQ) for contacts and guidance in the area of training. DSL will assess the costs of EJTF training for staff and management under the agency's budget.

Finally, if DSL had additional resources, it would prioritize outreach to traditionally underrepresented communities through presentations and education on agency programs as well as the provision of brochures and other materials in foreign languages with Spanish being the priority.

Very truly yours,

Louise Solliday  
Director

## Department of Transportation (ODOT)

Project Delivery, Public Involvement Resource Guide, January 2010:

[http://www.oregon.gov/ODOT/HWY/PDU/docs/word/PDG/PD\\_PIRG/PD\\_PIRG\\_2010.doc](http://www.oregon.gov/ODOT/HWY/PDU/docs/word/PDG/PD_PIRG/PD_PIRG_2010.doc)

### Summary

There are a number of laws and requirements with which the Oregon Department of Transportation must comply during the development and delivery of transportation projects, including Executive Order 12898, Title VI of the Civil Rights Act, and the National Environmental Policy Act (NEPA). ODOT has developed procedures and processes to ensure compliance with these regulations.

ODOT regularly includes a comprehensive public involvement process during the project development stage to identify and respond to potential environmental justice concerns, and documents those concerns for the public record. In the event of potential adverse effects to affected populations, ODOT carefully evaluates all reasonable avoidance, minimization, and mitigation options and strategies.

ODOT staff regularly participate in Title VI - Environmental Justice seminars and training provided by our Federal regulatory partner, FHWA, and last received this training in May 2009. ODOT also provides training on basic Title VI issues to new employees in coordination with the Office of Civil Rights.

ODOT is currently considering a variety of methods to improve record-keeping and accountability for environmental justice issues, concerns, and complaints.

Reporting on Environmental Justice issues for specific projects from each of the ODOT Region offices is presented at the end of this report.

### Background on Environmental Justice/Title VI Legislation

Environmental Justice addresses the effects of federal programs and activities on minority and low-income populations. In particular, Executive Order (EO) 12898 directs agencies to identify disproportionately high and adverse impacts to minority and low-income populations. The US Department of Transportation (DOT) has issued specific guidance to address the requirements of EO 12898. DOT policy, with respect to EJ, focuses on the following principles

- To avoid, minimize, and mitigate disproportionately high and adverse human health and environmental effects.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- EJ is also a component of Federal Highway Administration (FHWA) and Oregon Department of Transportation (ODOT) programs in order to meet the requirements of Title VI of the Civil Rights Act of 1964. Federal highway funds and federal agency involvement in ODOT projects require consideration of EJ issues. ODOT identifies

potential EJ populations and assesses project-related effects that may be disproportionately high and adverse with respect to those EJ populations.

Staff uses Census and other data, along with public input on specific projects, to assess the likelihood of the presence of low-income and minority populations within project areas. Additional analysis may be required should these populations be present and possibly affected by projects. Census blocks where the minority population is greater than the surrounding county and Census block groups where the low-income population is greater than the surrounding county are identified. ODOT also captures EJ information in the Part 3 of NEPA documentation and in the Project Close-out form.

### **Environmental Justice Compliance Process and Procedures**

ODOT has developed a number of specific guidance documents for use in evaluating Environmental Justice issues related to transportation projects.

A description of ODOT's Title VI and Environmental Justice program is available on ODOT's website at the following URL:

[http://www.oregon.gov/ODOT/CS/CIVILRIGHTS/titlevi/title\\_vi.shtml](http://www.oregon.gov/ODOT/CS/CIVILRIGHTS/titlevi/title_vi.shtml)

ODOT's most complete guidance on assessing Environmental Justice communities, potential adverse effects, and mitigation is found in the ODOT Environmental Procedures, Volume 2, also available on ODOT's website.

(<ftp://ftp.odot.state.or.us/techserv/Geo-Environmental/Environmental/Procedural%20Manuals/Nepa/VOL%202%20Draft%20CHAPTE%20RS/Socioecon%2020%20nov%2006.doc>)

Additionally, Oregon Bridge Delivery Partners (OBDP) has developed an Environmental Justice process for the OTIA Program, and specific guidance has been developed to assist the ODOT Region offices in complying with FHWA requirements on project reporting and documentation.

All ODOT projects are subject to environmental scoping through the Prospectus Part 3 process, which identifies potential critical environmental issues for a particular project.

ODOT staff uses US Census information for Environmental Justice scoping - <http://factfinder.census.gov/>. This assists staff in identifying potential Environmental Justice populations in a project area. Internal instruction for use of this web site is provided to ODOT Staff.

In October 2003, ODOT published a research paper entitled [GIS Mapping of Environmental Justice Census Characteristics](#). The objective of this research was to develop GIS software that could be used as a tool to identify potential Environmental Justice populations. Although this tool has been replaced by the U.S. Census' "fact finder" website identified above, it may still have some use in scoping projects.

All EJ issues are documented in the NEPA information that is submitted to FHWA. Categorical Exclusions (CE) normally do not have EJ issues; however, Environmental Assessments (EA) and Environmental Impact Statements (EIS) more frequently do. Due to de-centralization, each

Region archives EJ information in a way that is the most logical for their particular needs. NEPA documents provide descriptions of EJ alternatives considered and the Project Closeout form also provides EJ information. Electronic storage occurs when the EJ section of the Part 3 is entered into Project Delivery Work Planning (PDWP), although EJ information for some projects is not currently entered.

### **Public Involvement**

ODOT engages and involves the public in important transportation issues by providing early, open, continuous, and effective public participation in key planning and decision-making processes. The process of informing and educating the public as well as soliciting input, listening and responding to what citizens and customers have to say can be a complicated and challenging process. When done well, it can be a rewarding and meaningful experience that leads to better decisions and greater mutual trust.

At the request of FHWA, ODOT staff recently developed a comprehensive Public Involvement Plan (PIP) and process. The plan calls for the preparation of an individual assessment for each project to establish the appropriate level and sequence of public involvement activities. Compliance plans are prepared at the start of project development and are maintained through completion of construction. They evolve and are tailored to the appropriate level of effort needed, based on the context of the project. Documentation is compiled and maintained in the Project Manager file. It is not electronically stored.

Public involvement meetings may cause changes in perspectives and participants as new information and viewpoints become available. ODOT uses the information obtained during public involvement meetings to modify project process and design. The PIP is an evolving document and will change over time as additional issues are discovered and as new issues and concerns are raised.

If EJ complaints are received by the agency or sub-recipients (local governments, universities, or those engaged through Intergovernmental agreements), they are forwarded to either the Region Office or directly to Office of Civil Rights. If the complaint is forwarded to the Region Office, then the Region forwards it to OCR. Together, the Region and OCR will determine if it is a legitimate complaint, and if it is, OCR will conduct the investigation.

A copy of the complaint, together with a copy of the report of investigation, is forwarded to the appropriate federal agency (FHWA or FTA) within 60 days of the date the complaint was received. All records and investigative working files are maintained in a confidential area within the Office of Civil Rights. Records will be kept for three years internally then archived for a period of ten years. For public access, contact OCR. Public records requests are also routed through OCR.

### **Training**

FHWA provides Title VI training for ODOT, and this training was last offered for the agency in May 2009. General NEPA Training for Environmental Project Managers (EPM's), Regional Environmental Coordinators (REC's), Local Agency Liaisons, and Project Leaders, which includes a component of Title VI, can be found at:

<http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/training.shtml>.

*NEPA Report Preparation for New Employees* is provided individually by the supervisor and includes a Title VI component. Seasoned RECs and EPMs may also provide informal mentoring for newer staff. New employees can also find assistance regarding Title VI issues at the OCR website:

[http://intranet.odot.state.or.us/civilrights/title\\_vi/title\\_vi.html](http://intranet.odot.state.or.us/civilrights/title_vi/title_vi.html)

### **Opportunities for Improved Compliance and Documentation of Environmental Justice Issues**

ODOT is considering the development of a standard electronic format for EJ issues to ensure that Region and Local staff are documenting EJ compliance consistently and appropriately. The standardized electronic format for EJ information would be incorporated into the Project Delivery Work Planning (PDWP) database to provide for comprehensive record-keeping and data reporting needs.

Each ODOT Region currently has a unique process for engaging the public during the Public Involvement Process (PIP). ODOT is considering the development of a specific process and a reporting format so that each Region conducts PIP in a consistent manner, supplemented by preparation of a database that allows the project leader to enter data as the stages of the PIP are developed.

### **Annual Reporting on Environmental Justice**

For preparation of the Title VI annual report, Greg Azure, ODOT's Title VI/Environmental Justice Officer, currently polls each Region office and ODOT Local Government Representatives individually to determine what, if any, EJ actions have been taken over the past year. Region project leaders are polled to determine their activities throughout the year.

FHWA is currently planning a comprehensive audit of ODOT Environmental Justice processes, procedures, and protocols. The results of the audit will be included in a future EJ Task Force report, as well as the ODOT Annual Title VI report when they are made available.

### ODOT Region Office Environmental Justice Issues - 2009

**1. As a result of the choice of highway location, or the procedure used for arriving at the choice, were any complaints filed? If so, how many? Summarize each complaint and explain status with actions proposed and taken.**

Region 1: No complaints of a Civil Right's nature were received.

Region 2: No complaints of a Civil Right's nature were received.

Region 3: No complaints of a Civil Right's nature were received.

Region 4: No complaints of a Civil Right's nature were received.

Region 5: No complaints of an Environmental Justice or Civil Rights nature were received.

**2. During the reporting period, how many pre-draft Environmental Impact Statements (EIS) were reviewed. Summarize each complaint.**

Region 1: Region 1 reviewed one-pre-draft Final EIS (Sellwood Bridge), one pre-draft revised Environmental Assessment, and one draft CE Re-evaluation document (Oregon City Bridge). Generally no adverse impacts on minority or low income groups were noted for these projects. Two alternatives for the Sellwood Bridge noted potential temporary impacts on pedestrian and bicyclists using the bridge, which could include minority or low income populations.

Region 2: No pre-draft Environmental Impact Statements were reviewed.

Region 3: No pre-draft EIS documents were reviewed. No EIS documents were published during the reporting period.

Region 4: No pre-draft Environmental Impact Statements were reviewed.

Region 5: No pre-draft EIS's were reviewed during the reporting period.

**3. How many public hearings were held during the reporting period concerning location of a project? How the hearings were advertised, and were it adequate to provide notification to minorities and low income communities?**

Region 1: No public hearings were held for the preliminary Sellwood Bridge Final EIS. Public outreach events occurred for the Oregon City Bridge but did not pertain to the project's location. Region 1 is closely monitoring potential EJ issues related to the development of the Columbia River Crossing (CRC) project.

Region 2: No formal public hearings were held, only open houses.

Region 3: No public hearings were held during the reporting period.

Region 4: No public hearings were held during the reporting period.

Region 5: Approximately 12 public hearings were held during the reporting year. Meeting announcements were placed in the newspaper, on radio and through direct mailings. It was felt that this approach was adequate to provide notification to minorities and low income communities.

**4. How were minority and low income community representatives identified and encouraged to become involved in the location and environmental phase?**

Region 1: Environmental Justice groups were already identified for these projects prior to 2009. These groups were likely identified through census data, information from city and county staff, and/or field visits to the project area. A variety of media advertisements were used to notify the public including environmental justice groups, in the project areas.

Region 2: Newberg Bypass – Minority and low income community representatives were identified through city and county planning departments, CASA, schools, churches neighborhood associations, and community workshops.

Continued community information updates on the project were provided to city officials and local representatives. The project web site also provides information if specific translation assistance is needed. It is anticipated that the Tier 2 DEIS will be published in mid-2010 and appropriate notification of that document as well as information on how to obtain translation, if desired, will be sent to include both minority and low income groups.

US 101 @ OR 6 (Tillamook) - There is a relatively small minority population in the immediate project area, but potentially a larger low income population due to the current economic conditions. Attempts were made to identify both minority and low income contacts with the local community planners and other community contacts. No specific individuals were identified or volunteered. The city planner, as a member of the PMT, and several members of the Stakeholders Advisory Committee are currently representing those components of the community.

Although the formal EA will not be started until early 2010, as part of the scoping process, an open house was held in Feb 2009 and a manned display booth on the proposed project was held as part of a Tillamook Farmers Market in June. A summary of the February meeting was translated to Spanish and is available on the project web site. Notice of a translator being available if needed for meetings is standard for the project. To date none have been requested. Two specific individuals, both involved in local businesses in the area, one a primary Vietnamese speaker and one Mandarin, were contacted on a one on one basis to ensure understanding of the proposed project. Project fact sheets in Spanish are also being prepared for early 2010 distribution.

OR 99E @ Belle Passi Road - Two properties directly impacted by the project were identified as being minority, Hispanic. We used a translator service for project mailings, interpreters for in-person meetings and we are using interpreters for right-of-way negotiations. No one is being displaced. This is a Cat Ex project.

Region 3: Minority and low-income populations were identified using a combination of Census data, windshield surveys, and city and county planning departments. Members from low-income populations were invited to participate on citizen advisory groups. Project team representatives also conducted door to door outreach in low-income neighborhoods in inform households within the areas potentially affected by the project and explain how they could provide input into the NEPA process.

Region 4: All residents were target in areas where projects were proposed.

Region 5: All residents were target in areas where projects were proposed.

**5. During the reporting period, was there a need to utilize bilingual advertisements, announcements, etc.?**

Region 1: No bilingual documents were used on these projects.

Region 2: Refer to Question 4

Region 3: Not during the reporting period.

Region 4: Not during the reporting period.

Region 5: No need was found to utilize bilingual advertisements or announcements.

## **Title VI Program Guidance for ODOT Planning**

### **A. PURPOSE**

ODOT Planning Sections are responsible for many of the transportation plans, programs and policies that provide the basis for the project selection and development process. These include the Oregon Transportation Plan (OTP), the Oregon Highway Plan (OHP) and related modal/topic plans, transportation facility plans, corridor plans, and participation in local transportation system plans.

Federal regulations require that any agency receiving federal funding comply with Title VI requirements during transportation planning activities. Title VI requires that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Title VI bars intentional discrimination as well as disparate impact discrimination (e.g., a neutral policy or practice that has a disparate impact on protected groups).

The purpose of this guidance is to provide information and tools for the ODOT Planning staff to use when conducting Title VI activities for planning projects and to complete annual Title VI Accomplishment Reports.

### **B. BACKGROUND**

[Title VI of the Civil Rights Act of 1964](#) and subsequent federal nondiscrimination statutes all prohibit discrimination based on race, color, national origin, economic status, disability and sex (gender) in the provision of benefits and services in programs and activities receiving federal funds. Other federal statutes include the [Federal-Aid Highway Act](#), the [Rehabilitation Act of 1973](#), the [Age Discrimination Act of 1975](#), the [Civil Rights Restoration Act of 1987](#), the [Americans with Disabilities Act of 1990 \(ADA\)](#), [Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations](#), and [Executive Order 13166 – Limited English Proficiency](#).

Additionally, the National Environmental Policy Act ([NEPA](#)) passed in 1969. The act aimed to provide "all Americans safe, healthful, productive, and esthetically pleasing surroundings," and required the use of a "systematic, interdisciplinary approach" so environmental and community factors would be considered in decision-making processes.

In 1994, President Clinton signed the [Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations](#). A series of orders followed requiring the incorporation of Environmental Justice (EJ) principles into federal programs and policies. Environmental Justice focuses on enhanced public involvement and an analysis of the distribution of benefits and impacts during project planning and development. The Environmental Justice orders further amplify Title VI by providing that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and

adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." Environmental Justice is intended to ensure that the process of transportation planning is consistent with the provisions of [Title VI of the Civil Rights Act](#) that no person is denied benefits based on race, color, or national origin. Additional information is located at the Federal Highway Administration (FHWA) [Title VI](#) website.

These federal regulations also require ODOT to ensure that all local agencies and MPOs receiving USDOT funds administered by ODOT, are in compliance with these regulations, see [23 CFR 200.9\(b\)\(7\), 49 CFR 21.3 & 21.7](#) for reference. The [Civil Rights Restoration Act of 1987](#) broadened the scope of Title VI coverage by expanding the definition of the terms "programs and activities" to include all programs and activities of federal-aid recipients, sub-recipients, and contractors, whether or not such programs and activities are federally funded.

### **C. TITLE VI PROGRAM OVERVIEW**

To meet the requirements of the [Title VI of the Civil Rights Act of 1964](#), state and local agencies are required to develop one of the following items:

- Title VI Program Plan or
- Nondiscrimination Agreement

Title VI issues must be considered from the very start of program development through the entire project development process.

### **D. TITLE VI PROGRAM PLAN**

Each state has a Title VI Program Plan intended to prevent discrimination in the provision of programs and services for federally funded highway programs and activities. The Title VI Program Plan is a system of policies and procedures designed to monitor agency (and sub-recipient agency) compliance, address complaints, and eliminate discrimination when found to exist. A Title VI Program Plan is a legal document that imposes individual legal liabilities to the signatory agency. The plan includes information for each of the reporting programs. See [ODOT's Title VI Plan](#).

All local governments and Metropolitan Planning Organizations (MPOs) that receive federal funds through ODOT are required to develop a Title VI Program Plan for their transportation projects. Please note that local agencies with populations under 200,000 may adopt ODOT's Title VI Plan or may use a Nondiscrimination Agreement (Title VI Assurances) which is an abbreviated Title VI Plan. Refer to the [FHWA Memorandum "Implementing Title VI Requirements in Metropolitan and Statewide Planning"](#) for additional information. USDOT's implementing regulations are contained in [49 CFR Part 21](#) and [23 CFR 200](#). These regulations require the following:

- Affirmative Action and
- Recipients execute Title VI Assurances as a condition of federal-aid

All ODOT consultant transportation planning project contracts must reference the Title VI requirements for contractors. Additionally, the following language contained in ODOT's Standard Provisions for Intergovernmental Agreements references civil rights laws, rules and regulations, including Title VI.

The Local Agency agrees to comply with all applicable civil rights laws, rules and regulations, including [Title V and Section 504 of the Rehabilitation Act of 1973](#), the [Americans with Disabilities Act of 1990 \(ADA\)](#), and [Title VI and Title VII of the Civil Rights Act of 1964](#).

## **E. REPORTING AND COMPLIANCE REVIEW**

ODOT submits an annual Title VI Accomplishment Report to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). Metropolitan Planning Organizations are to provide a local annual Title VI Accomplishment Report to ODOT for inclusion in the state report.

Planning is one of several ODOT programs that must submit an annual Title VI Accomplishment Report to the ODOT Title VI Program Manager. These programs include:

- Planning
- Project Development
  - Environmental
  - Design
  - Right of Way
- Research
- Construction

### **MPO Reporting for Planning:**

MPOs are required to prepare and maintain on file an annual Title VI Accomplishment Report. The report is to include implementation compliance activities that occurred during the State of Oregon's fiscal year that ends on June 30th. USDOT's implementing regulations are contained in [49 CFR Part 21](#) 9(b). MPOs are required to send their Title VI Accomplishment Report to the Region Planning Staff and the ODOT Title VI Program Manager. (A report template for MPOs is located in the appendices of this guidance document).

The ODOT planning staff reviews the planning information from Section 4 (Planning) of the MPO Title VI reports and summarizes the information to complete Section 3 of their Title VI Accomplishment Report for planning. The planning staff forwards their report to the TDD Planning Section staff that sends the rolled-up report for all state planning activities and subrecipient monitoring to the ODOT Title VI Program Manager. (Planning staff should email reports to the [ODOT Planning Title VI Reporting email box](#) at TDD, if you have any questions about report submission contact Debbie Benavidez with questions at 503-986-4220.)

### **Local government Reporting:**

Local governments with populations under 200,000 are required to prepare and maintain on file an annual Title VI Accomplishment Report. The report is to include implementation compliance activities that occurred during the State of Oregon's fiscal year that ends on June 30th. These agencies *do not* need to submit annual reports to the ODOT region planning staff unless they are subrecipients of ODOT. A subrecipient is an agency that receives federal pass through funds or funding programs such as the Transportation and Growth Management (TGM) program.

Subrecipient agencies need to provide their annual reports to the region planning staff in a basic summary format. Only local governments with population of over 200,000 are required to submit their annual reports to the ODOT Title VI Program Manager. (A report template for local governments is located in the appendices of this guidance document.)

The ODOT planning staff reviews planning information from Section 4 (Planning) of local government Title VI reports and summarizes the information to complete Section 3 (Subrecipient Monitoring) in the region Title VI Accomplishment Reports for planning. The region planning staff forwards their report to the TDD Planning Section staff that sends the rolled-up report for all state planning activities and subrecipient monitoring to the ODOT Title VI Program Manager. (Planning staff should email reports to email reports to the [ODOT Planning Title VI Reporting email box](#) at TDD, if you have any questions about report submission contact Debbie Benavidez with questions at 503-986-4220.)

In general, the annual ODOT Title VI Accomplishment Report summarizes the following information:

- Planning activities, planning projects and/or studies conducted that provided data relative to minority persons, neighborhoods, income levels, physical environment, and travel habits.
  - Types of public outreach efforts used during planning to enhance citizen participation, particularly minority populations, women, older adults, people with disabilities and people with low-income. (For example, public meetings and hearings, web sites, public announcements, press releases, etc.)
  - Any information collected on attendance by minority populations, women, older adults, people with disabilities and people with low-income, both individually and through their organizations represented in the citizen participation efforts.
  - Tools or methods used to identify what communities were represented at public meetings (such as project team, Citizen Advisory Committee member and stakeholder committee lists or attendance sign in sheets with organization affiliation).
  - Any effects that Title VI public involvement activities had on planning outcomes.
- Any significant problem areas and any actions taken to improve Title VI process integration, documentation, and reporting for planning.
- Title VI goals/actions planned for the upcoming year.
  - Type of region staff assistance to sub-recipients in planning activities, planning

projects, and studies, etc.

- Summary of Title VI sub-recipient monitoring conducted for planning (general overview and assessment of the MPOs Title VI efforts such as public meetings and Citizen Advisory Committee (CAC) processes).

The annual Title VI Accomplishment Report templates located in the appendices of these guidelines provide questions that are offered as an aid to reviewing and verifying compliance with Title VI requirements. There are templates for the ODOT planning staff, MPOs and local governments. [ODOT's Office of Civil Rights](#) website provides additional information and assistance regarding Title VI compliance for each program listed above. Also, see [ODOT's current annual Title VI report](#).

### **Compliance Review:**

The ODOT Title VI Program Manager and FHWA conduct Title VI periodic compliance reviews of all MPOs and of local governments with populations over 200,000. They review Title VI plans and reports to determine if agencies are in compliance with Title VI.

#### **1. Local governments and MPOs found in compliance**

If the ODOT Title VI Program Manager finds no deficiencies, he/she will tell the local government or MPO at the conclusion of the review and will follow up with written notification that they are in compliance.

#### **2. Local governments and MPOs found in non-compliance**

If the ODOT Title VI Program Manager finds deficiencies during the review period, he/she will notify the local government or MPO that the agency has 90 days to correct the problems. After the local agency corrects the deficiencies, the ODOT Title VI Program Manager sends written confirmation of compliance. If a local agency or MPO does not correct Title VI program deficiencies identified by ODOT or FHWA, it may be subject to sanctions including the suspension of FHWA funding.

## **F. OTHER NONDISCRIMINATION STATUTES RELATED TO TITLE VI**

### **1. Limited English Proficiency (LEP) (Executive Order 13166)**

As noted above, one of the categories covered under Title VI is national origin. One type of national origin discrimination is discrimination based on a person's inability to speak, read, write, or understand English. The federal government and those receiving federal financial assistance (recipients, sub-recipients, contractors) must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information those entities provide. This may require providing written and/or oral communications in a language other than English. More information regarding LEP responsibilities is located in the USDOT LEP Guidance document, and by contacting ODOT's Title VI Program Manager in the Office of Civil Rights.

### **2. Environmental Justice ([Executive Order 12898](#))**

Procedures for addressing environmental justice are contained in the FHWA document “An Overview of Transportation and Environmental Justice.” This document and additional Title VI information can also be found at the following websites:

- [FHWA Environmental Justice](#)
- [FHWA Office of Civil Rights.](#)

**G. STEPS TO COMPLETE THE TITLE VI ACCOMPLISHMENT REPORT**

Below is a table that provides the recommended steps and roles and responsibilities to complete the annual Title VI Accomplishment Report for planning. Each Planning Project Manager is responsible for reporting to their Planning Manager a summary of Title VI activities for all their planning projects, including information that they receive from subrecipients (MPOs and local governments). The Planning Managers are responsible for *summarizing* all the region Title VI activities and subrecipient monitoring for planning into a Title VI report and forwarding it to TDD staff to be included in the statewide planning report. TDD staff forwards the planning report to the ODOT Title VI Program Manager to be included in the ODOT Title VI Accomplishment Report for all the ODOT divisions.

<b>Responsible Staff</b>	<b>STEPS TO COMPLETE TITLE VI REPORTING FOR PLANNING</b>
<b>Planning Project Manager</b>	<p>Reviews the ODOT Title VI Plan for planning related information.</p> <p>Ensures that Title VI requirement language is included in the project request for proposals (RFPs) and work order contracts (WOCs) and Intergovernmental Agreements (IGAs). (example language at ODOT’s web site: <a href="http://intranet.odot.state.or.us/civilrights/title_vi/title_vi.html#Res">http://intranet.odot.state.or.us/civilrights/title_vi/title_vi.html#Res</a>)</p> <p>Includes language in the WOC or IGA that requires the contractor and subrecipients to follow an approved local Title VI plan or adopts ODOT Title VI Plan.</p> <p>Determines if existing analysis or studies have been conducted that provide information on minority persons, neighborhoods, income levels, physical environment and travel habits within the planning project area. Reviews this information to determine the impact of transportation planning projects.</p> <p>Collects and analyzes project data to determine impact by</p>

	<p>transportation planning activities, transportation planning projects and/or studies conducted on minority persons, neighborhoods, income levels, physical environment and travel habits.</p> <p><a href="http://intranet.odot.state.or.us/TP/docs/TitleVI/Tips.pdf">http://intranet.odot.state.or.us/TP/docs/TitleVI/Tips.pdf</a></p> <p>Determines and describes tools needed to identify and document community (minority populations, women, older adults, people with disabilities and people with low income) representation. Tools could include membership lists of project teams, Citizen Advisory Committees, or stakeholder committees or public attendance sign-in sheets that ask for organization affiliation.) Documents information that was gathered and summarize for annual reporting.</p> <p>Strategizes to engage the public and enhance public participation in public involvement activities, particularly minority populations, women, older adults, people with disabilities and people with low-income. Develops project strategies to engage and communicate with affected communities based upon the data compiled. Explains intended use of the information and activities needed to meet the Title VI requirements.</p> <p>Prepares a project public involvement plan and corresponding communication plan for stakeholder and citizen participation that includes Title VI goals, strategies and tools.</p> <p>Reviews Section 4 of the Title VI Accomplishment Reports from sub-recipients each July to complete Section 3 of the region Title VI report. Summarizes Title VI region accomplishments, assistance to subrecipients and sub-recipient activities and submits the report to the Region Planning Manager in July of each year.</p>
<b>Planning Manager</b>	<p>Informs planning staff of Title VI requirements.</p> <p>Completes a region or section Title VI Accomplishment Report for planning, summarizing information received from planning project managers.</p> <p>Forwards the report to the ODOT Transportation and Development (TDD) Planning Section staff in August of each year. Email reports to the ODOT Planning Title VI Reporting email box at TDD, if you have any questions about report submission contact Debbie Benavidez with questions at 503-986-4220.)</p>
<b>TDD Planning Staff</b>	<p>Rolls up all the region annual reports and planning section reports for each planning section each August.</p> <p>Forwards the combined planning report by the end of August to ODOT's Office of Civil Rights Title VI Program Manager for review and approval.</p>
<b>ODOT Title VI Program Manager</b>	<p>Reviews Title VI Program Plans and Title VI Accomplishment Reports from the ODOT programs, the MPOs, and for local governments with populations over 200,000.</p> <p>Evaluates and approves the Title VI implementation activities according to approved Title VI Program Plans.</p> <p>Combines all the Title VI Report information into the ODOT Title VI Accomplishment Report.</p> <p>Submits the ODOT Title VI Accomplishment Report to FHWA and FTA for review and approval in September each year.</p> <p>Conducts periodic compliance review meetings with MPOs and with local governments with populations over 200,000.</p>

## APPENDIX A

### Title VI Accomplishment Report Template

#### for ODOT Planning and Subrecipient Monitoring

**Purpose:** This template is for ODOT planning staff to use in summarizing the Title VI activities that occurred over the past year, including subrecipient monitoring of MPOs and local governments. Each August, ODOT Planning Managers send their completed Title VI reports to the Transportation Development Division (TDD) staff that compiles the information into one planning report for the ODOT Title VI Program Manager. The Title VI Program Manager adds the planning summary to the ODOT Title VI Accomplishment Report and forwards it to Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

*Planning sections report on Section 4 (Planning) of the Title VI Accomplishment Reports for MPOs and Local Governments and the ODOT Title VI Program Manager reports on the other sections). Email reports to the [ODOT Planning Title VI Reporting email box](#) at TDD, if you have any questions about report submission contact Debbie Benavidez with questions at 503-986-4220.)*

**The following questions are offered as an aid to reviewing and verifying compliance with Title VI requirements:**

#### 1. Planning

##### A. Monitoring and Review Process:

- *Describe the planning activities performed by the planning section.*
- *Describe the actions taken to promote Title VI compliance regarding planning activities, including monitoring and review processes, and their outcomes or status.*

##### B. Studies and Plans

- *Were any transportation studies conducted or transportation plans completed during the reporting period that provided data relative to minority persons, neighborhoods, income levels, physical environments, and/or travel habits?*
- *If so, what type of region staff assistance was provided to ensure that Title VI considerations were included in conducting the studies or completing the plans?*

##### C. Public Hearings

- *Provide a summary of Title VI self-monitoring activities that were used, including findings, recommendations, action items and status.*
- *Were any public hearings held during the reporting period? If so, how many?*
- *What efforts were used to enhance citizen participation in the hearings?*

- *Were minorities and women, both individually and through their organizations, represented in the citizen participation effort?*
- *What tools and methods were used to identify and document what communities (minorities, women, elderly, disabled and low-income) were represented on Citizen Advisory Committees (CACs), stakeholder groups, project teams ([See Title VI Data Collection Tips](#)).*
- *Were project public involvement plans developed, including communication plans for stakeholder and citizen participation?*
- *Was there any use of bilingual advertisements, notices, announcements, etc.? If so, describe.*

#### **D. Upcoming Year**

- *Describe plans for the upcoming year, including any significant problem areas to focus on and plans for approaching them.*

### **2. Environmental Activities (If applicable)**

#### **A. Monitoring and Review Process**

- *Describe the actions taken to promote Title VI compliance regarding environmental activities, including monitoring and review processes, and their outcomes or status.*

#### **B. Environmental Work Completed by ODOT Planning Staff**

- *Was any environmental work managed during the reporting period?*
- *Summarize any comments provided on an environmental document where minority communities were adversely impacted. Were any Title VI related complaints filed as a result of the work?*
- *Were any public hearings held related to environmental work conducted by ODOT planning staff? If so, how many?*
- *How were the hearings advertised? Were the advertisements adequate to provide notification to minorities?*
- *Provide a summary of any Title VI related concerns that were raised at the hearings. Describe actions taken by the Title VI Coordinator to address these concerns.*

#### **C. Upcoming Year**

- *Describe strategies for the upcoming year, including any significant problem areas.*

### **3. Sub-Recipient Monitoring**

- *Provide a summary of Title VI subrecipient monitoring conducted (general overview and assessment of MPOs' and local governments' Title VI efforts).*
- *Was a Draft Transportation Improvement Program (TIP) released for public comment during the reporting period?*
- *What efforts were made by the MPOs to notify the public of the draft TIP?*

- *How were public comments solicited (written comments, public hearings, etc.)?*
- *Were public hearings held? If so, how many? What efforts were used to broaden citizen participation in the hearings?*
- *Provide a summary of any Title VI related concerns raised at the hearings.*

#### **4. Consultant Contracts**

##### **Monitoring and Review Process**

- *Describe the actions taken to promote consultants' compliance with Title VI, including monitoring and review processes, and their outcomes or status (e.g. are Title VI requirements included in all contracts and consultant agreements; were contractors and consultants annually reviewed to ensure compliance; are Title VI issues explained to contractors and consultants?).*

#### **5. Assessing Title VI Capability (TDD Planning Section)**

##### **1. Overall Strategies and Efforts:**

- *What strategies and efforts are included in the planning process for ensuring, demonstrating, and substantiating compliance with Title VI? What measures have been used to verify that the multi-modal system access and mobility performance improvements included in plans and the Statewide Transportation Improvement Program (STIP), and the underlying planning process, comply with Title VI?*
- *Do ODOT planning processes involve developing a demographic profile of the metropolitan planning area or State that includes identification of the locations of socio-economic groups, including low-income and minority populations as covered by the Executive Order on Environmental Justice and Title VI provisions?*
- *Does the planning process seek to identify the needs of low-income and minority populations? Does the planning process seek to utilize demographic information to examine the distributions across these groups of the benefits and burdens of the transportation investments included in plans and the STIP? What methods are used to identify imbalances?*

##### **2. Service Equity:**

- *Does the planning process have an analytical process in place for assessing the regional benefits and burdens of transportation system investments for different socio-economic groups? Does it have a data collection process to support the analysis effort? Does this analytical process seek to assess the benefit and impact distributions of the investments included in plans and the STIP?*
- *How does the planning process respond to the analyses produced when imbalances are identified?*

##### **3. Public Involvement:**

- *Does the public involvement process have an identified strategy for engaging minority and low-income populations in transportation decision making? What strategies were implemented to reduce participation barriers for such populations? Has the*

*planning public involvement process been routinely evaluated as required by regulation? Have consultations with organizations representing low-income and minority populations occurred as part of the evaluations?*

- *Have there been efforts to improve performance, especially with regard to low-income and minority populations? What tools and methods are in place to ensure that concerns raised by low-income and minority populations are appropriately considered during decision making processes? Is there evidence that these concerns have been addressed?*

**Resources:** [ODOT Title VI Program](#), [ODOT Title VI Plan](#), [OTC Public Involvement Policy](#), [LAG Manual](#), [http://www.fta.dot.gov/documents/TitleVICircular2007-04-04 \(FINAL\) \(3\).doc](http://www.fta.dot.gov/documents/TitleVICircular2007-04-04(FINAL)(3).doc)

## **APPENDIX B**

### **Title VI Accomplishment Report Template for Metropolitan Planning Organizations**

Purpose: This report template is for MPO planning managers to use for reporting on Title VI activities that occurred over the past year, including subrecipient monitoring of contractors and local governments. MPO planning managers send their completed report to the ODOT Title VI Program Manager and the region planning staff each July to be included in the ODOT region Title VI reports, and the subsequent state report for Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). *Planning sections report on Section 4 (Planning) of the Title VI Accomplishment Reports and the ODOT Title VI Program Manager reports on the other sections.*

**The following questions are offered as an aid to reviewing and verifying compliance with Title VI requirements:**

#### **I. Title VI Plan**

*State any changes to the approved Title VI Plan during the reporting period. Submit a copy of the MPO Title VI Plan with a new signature when applicable. Note any changes anticipated for the upcoming year.*

#### **2. Organization, Staffing, Structure**

*Describe the Title VI Program reporting structure including the Title VI Coordinator, Executive Director, and support staff. Provide the names, ethnicity, gender, title, and description of duties. Note any changes anticipated for the upcoming year.*

#### **3. Complaints**

List any Title VI complaints received during the reporting period. Include the basis for the complaint (ethnicity, gender, etc.) and summarize the outcome or resolution. If applicable, include a copy of the investigative report.

## **4. Planning**

### **A. Monitoring and Review Process:**

- Describe the planning activities that were performed by the MPO.
- Describe the actions taken to promote Title VI compliance regarding planning activities, including monitoring and review processes, and their outcomes or status.

### **B. Studies and Plans**

- Were any transportation studies conducted or transportation plans completed during the reporting period that provided data relative to minority persons, neighborhoods, income levels, physical environments, and/or travel habits?
- If so, what type of assistance was provided to ensure that Title VI considerations were included in the studies or plans?

### **C. Draft TIPs**

- Was a Draft Transportation Improvement Program (TIP) released for public comment during the reporting period?
- What efforts were made to notify the public of the draft TIP?
- How were public comments solicited (written comments, public hearings, etc.)?
- Were public hearings held? If so, how many? What efforts were used to enhance broad citizen participation in the public process?
- Provide a summary of any Title VI related concerns that were raised at the hearings. Describe actions taken by the Title VI Coordinator to address these concerns.

### **D. Other Public Hearings**

- Were any other public hearings held during the reporting period? If so, how many?
- What efforts were used to enhance citizen participation in the hearings?
- Were minorities and women, both individually and through their organizations, represented in the citizen participation effort? (CACs, Stakeholder committees, public meeting attendance)

### **E. Upcoming Year**

- Describe strategies for the upcoming year, including any significant problem areas.

## **5. Consultant Contracts (If applicable)**

### **A. Monitoring and Review Process**

- Briefly describe the process for issuing request for proposals (RFPs) and soliciting consultants.
- Describe the actions taken to promote consultants' compliance with Title VI, including monitoring and review processes, and their outcomes or status (e.g. are Title VI requirements included in all contracts and consultant agreements; were contractors and

*consultants annually reviewed to ensure compliance; are Title VI issues explained to contractors and consultants?).*

## **B. Consultant Contracts**

- *How many consultants have contracts with the MPO? Dollar value of each contract?*
- *How many of these consultants were Disadvantaged Business Enterprises (DBEs)?*
- *What efforts were made to utilize DBE consultants?*
- *See OMWESB [list of certified DBE firms](#) consultants based on the most current information from the [Oregon State Office of Minority and Women's Business Enterprises Web site](#)*
- *How is the list used to increase DBE participation in consultant contracts?*
- *What methods were used during the review period to ensure Title VI related contract agreements were adhered to?*

## **C. Upcoming Year**

- *Describe strategies for the upcoming year, including any significant problem areas.*

## **6. Education & Training**

### **A. Monitoring and Review Process**

- *Describe the actions taken to promote Title VI compliance regarding education and trainings, including monitoring and review processes, and their outcomes or status.*

### **B. Complaints**

- *Were there any civil rights complaints filed with the state concerning training and educational opportunities?*
- *If so, what corrective actions has the state taken? Provide a summary of concerns raised, complaints filed, status, etc.*

### **C. NHI Training**

- *List the National Highway Institute (NHI) sponsored programs attended by MPO staff. Provide a list of participants by job title.*

### **D. Title VI Training**

- *Was any Title VI training information provided by ODOT during the reporting period?*
- *If so, how did the MPO assist ODOT to distribute training program information?*
- *How many participants attended trainings, if applicable? What was the subject of the trainings? Provide the job titles and Title VI roles, if applicable, of attendees.*
- *Were any other civil rights training conducted? If so, what type of training (course content)? Provide a list of participants by job title and Title VI role, if applicable.*

### **E. Upcoming Year:**

- *Describe plans for the upcoming year, including any significant problem areas to focus*

on and plans for approaching them.

**Resources:** [ODOT Title VI Program, ODOT Title VI Plan, OTC Public Involvement Policy, LAG Manual, http://www.fta.dot.gov/documents/Title\\_VI\\_Circular\\_2007-04-04\\_\(FINAL\)\\_3\).doc](#)

## APPENDIX C

### Title VI Accomplish Report Template for Local Governments

**Purpose:** This report template is for local government to report on the Title VI activities that occurred over the past year, including sub-recipient monitoring of contractors and other local governments. Local government planning managers send their completed reports to the ODOT Title VI Program Manager if they have a population over 200,000. If they received federal funding from ODOT Planning, local governments need to send their Title VI report to the Region Planning staff each July for subrecipient monitoring. The planning information submitted to region planning staff will be summarized in the ODOT region Title VI report which will be add to the ODOT Title VI Accomplishment Report for Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). *Planning Sections report on Section 4 (Planning) of the Title VI Accomplishment Reports and the ODOT Title VI Program Manager reports on the other sections.*

**The following questions are offered as an aid to reviewing and verifying compliance with Title VI requirements:**

#### **I. Title VI Plan**

*State any changes to the approved Title VI Plan during the reporting period. Submit a copy of the Local Government Title VI Plan with a new signature if applicable. Note any changes anticipated for the upcoming year. (Local Governments with populations under 200,000 may choose to adopt the ODOT Title VI Plan if they do not have one.)*

#### **2. Organization, Staffing, Structure**

*Describe the Title VI Program reporting structure including the Title VI Coordinator, Executive Director, and support staff. Provide the names, ethnicity, gender, title, and description of duties. Note any changes anticipated for the upcoming year.*

#### **3. Complaints**

*List any Title VI complaints received during the reporting period. Include the basis for the complaint (ethnicity, gender, etc.) and summarize the outcome or resolution. If applicable, include a copy of the investigative report.*

#### **4. Planning**

#### **A. Monitoring and Review Process:**

*Describe the planning activities that were performed by the Local Government.*

*Describe the actions taken to promote Title VI compliance regarding planning activities, including monitoring and review processes, and their outcomes or status.*

## **B. Studies and Plans**

- *Were any studies completed that provided data relative to minority persons, neighborhoods, income levels, physical environments, and/or travel habits?*
- *If so, what type of assistance was provided to ensure that Title VI considerations were included in the studies?*

## **C. Draft CIPs**

- *Was a Draft Capital Improvement Program (CIP) released for public comment during the reporting period? What efforts were made to notify the public of the draft CIP?*
- *How was public comments solicited (written comments, public hearings, etc.)?*
- *Was a public hearing held? If so, how many? What efforts were used to broaden citizen participation in the hearings?*
- *Provide a summary of Title VI related concerns raised at the hearings, if any.*
- *Describe actions taken by the Title VI Coordinator to address these concerns.*

## **D. Other Public Hearings**

- *Were any other public hearings held during the reporting period? If so, how many?*
- *What efforts were used to enhance citizen participation in the hearings?*
- *Were minorities and women, both individually and through their organizations, represented in the citizen participation effort?*

## **E. Upcoming Year**

- *Describe strategies for the upcoming year, including any significant problem areas.*

## **5. Consultant Contracts (if applicable)**

### **A. Monitoring and Review Process**

- *Briefly describe the process for issuing request for proposals (RFPs) and soliciting consultants.*
- *Describe the actions taken to promote consultants' compliance with Title VI, including monitoring and review processes, and their outcomes or status (e.g. are Title VI requirements included in all contracts and consultant agreements; were contractors and consultants annually reviewed to ensure compliance; are Title VI issues explained to contractors and consultants?).*

### **B. Consultant Contracts**

- *How many consultants had contracts with the Local Government? Dollar value of each contract?*
- *How many of these consultants are Disadvantaged Business Enterprises (DBEs)?*
- *What efforts were made to utilize DBE consultants?*

- See OMWESB [list of certified DBE firms](#) consultants based on the most current information from the [Oregon State Office of Minority and Women's Business Enterprises Web site](#)
- How is the list used to increase DBE participation in consultant contracts?
- What methods were used during the review period to ensure Title VI related contract agreements were adhered to?

### **C. Upcoming Year**

- Describe plans for the upcoming year, including any significant problem areas to focus on and plans for approaching them.

## **6. Education & Training**

### **A. Monitoring and Review Process**

- Describe the actions taken to promote Title VI compliance regarding education and trainings, including monitoring and review processes, and their outcomes or status.

### **B. Complaints**

- Were there any civil rights complaints filed with the state concerning training and educational opportunities?
- If so, what corrective actions has the state taken? Provide a summary of concerns raised, complaints filed, status, etc.

### **C. NHI Training**

- List the National Highway Institute (NHI) sponsored programs attended by staff. Provide a list of participants by job title.

### **D. Title VI Training**

- Was any Title VI training information provided by ODOT during the reporting period?
- If so, how did the Local Government assist ODOT in the distribution of information on these training programs?
- How many participants attended trainings, if applicable? What was the subject of the trainings? Provide the job titles and Title VI roles, if applicable, of attendees.
- Were any other civil rights training conducted? If so, what type of training (course content)? Provide a list of participants by job title and Title VI role, if applicable.

### **E. Upcoming Year:**

- Describe strategies for the upcoming year, including any significant problem areas.

**Resources:** [ODOT Title VI Program](#), [ODOT Title VI Plan](#), [OTC Public Involvement Policy](#), [http://www.fta.dot.gov/documents/TitleVICircular2007-04-04\(FINAL\)\(3\).doc](http://www.fta.dot.gov/documents/TitleVICircular2007-04-04(FINAL)(3).doc)

## APPENDIX D

### Glossary

**Environmental Impact Statement (EIS):** A document written to inform the public that a proposed project will result in significant environmental impact(s). NEPA requires that if a project results in a significant impact, the proposing or lead agency is required to consider at least one other build alternative in an effort to reduce those impacts. 771.123 (c) calls for the evaluation of all reasonable alternatives to the action and discuss the reasons why other alternatives, which may have been considered, were eliminated from detailed study.

**Environmental Justice (EJ):** Requirement to ensure that public projects do not disproportionately impact low income or minority populations. Environmental Justice, as defined, pertains to National Environmental Policy Act (NEPA) projects (Environmental Assessments (EAs) and Environmental Impact Statements (EIS)).

**Federal Highway Administration (FHWA):** A division of the U.S. Department of Transportation that specializes in highway transportation. The Administration's major activities are grouped into two "programs": the Federal-aid Highway Program; and the Federal Lands Highway Program.

**Federal Transit Administration (FTA):** Formerly known as the Urban Mass Transportation Administration (UMTA); FTA is the agency of the U.S. Department of Transportation which administers the federal program of financial assistance to public transit.

**Metropolitan Planning Organization (MPO):** A planning body in an urbanized area of over 50,000 in population that has responsibility for developing transportation plans for that area. Designated in the 1991 ISTEA, MPOs existed in 1999 in the Eugene/Springfield, Medford, Portland, and Salem areas. Rainier is part of a fifth MPO, Longview-Kelso-Rainier, which is not considered to be an MPO for the purposes of this plan. Subsequent to the 2000 census, MPOs were formed in Corvallis and Bend.

**Metropolitan Transportation Improvement Program (MTIP):** An MPO's Transportation Improvement Program, which identifies project scopes, budgets and timing for delivery within the MPO.

**Minorities:** Racial/ethnic categories:

- Black, not of Hispanic origin - a person having origins in any of the black racial groups of Africa.
- White, not of Hispanic origin - a person having origins in any of the original people of Europe, North Africa or the Middle East.
- Hispanic - a person of Mexican, Puerto Rican, Cuban, Central American, South American or other Spanish culture or origin, regardless of race.

- Asian or Pacific Islander - a person having origins in any of the original peoples of the Far East: Southeast Asia, the Indian subcontinent, specific Islands (China, Japan, Korea, Philippine Islands, Samoa)
- American Indian or Alaskan Native - a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.
- Additional sub-categories based on national origin or primary language spoken may be used where appropriate, on either a national or regional basis.
- Racial-ethnic designations do not denote scientific definitions of anthropological origins. A program participant may be included in the group to which he/she appears to belong, identifies with, or is regarded in the community as belonging to. No person should be counted in more than one racial-ethnic category.

**ODOT DBE Program Manager:** Manages the Disadvantaged Business Enterprise (DBE) Program which establishes criteria for certification that applies to DBE-eligible firms seeking contracts funded with federal transportation-related money. A DBE includes small businesses that are at least 51% owned by women, minorities: Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans and Subcontinent Asian Americans, or other individuals on a case-by-case basis.

**Office of Civil Rights (OCR):**

The Office of Civil Rights (OCR) manages the Department's commitment to the implementation of federal and state programs focused on creating equal opportunities for small businesses, and diversifying Oregon's workforce. OCR's business lines support the Department's mission through its programs that help minorities, women, people with low income, people who are disadvantaged, people with disabilities to acquire economic opportunities through jobs or contracts with the agency. Its programs provide equal access to services and opportunities.

**Public:** All members of the community as a whole, including individual stakeholders, travelers, property and business owners, local / state / federal governments, tribal nations, etc.

**Public Involvement:** The practice of interacting with anyone who may be interested in or affected by a project decision. Interaction could include any activity or process which strives to inform, educate, reach out to, gather input from, collaborate with, or engage individuals or organizations regarding project decisions.

**Recipient:** Any state, local agency or any public or private agency, institution, or organizations to whom Federal money or assistance is extended, either directly or through another recipient, for any program.

**Stakeholder:** Any individual or organization with direct interest, involvement or investment in ODOT project decision-making. An internal stakeholder is any ODOT employee. An external stakeholder is any individual or organization outside of ODOT.

**Statewide Transportation Improvement Program (STIP):** The four-year funding and scheduling document for major road, highway and transit projects in Oregon. The STIP contains

projects that are identified for funding and construction at the state level over a 4-year period and requires approved by the OTC. The STIP is compiled by ODOT and updated every 2 years. Projects must be listed in the STIP to be eligible for state and/or federal funding.

**Sub-recipient:** Any entity that receives FHWA or FTA financial assistance as a pass-through from another entity.

**Sub-recipient Reporting:** Sub-recipients shall submit compliance reports to the recipient (ODOT) consistent with reporting timelines established by the recipient. ODOT conducts sub-recipient monitoring and reports to FHWA and FTA.

**Title VI:** Title VI is a section of the Civil Rights Act of 1964 requiring 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 subjected to discrimination under any program or activity receiving federal financial assistance.” Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

**Title VI Complaints:** Complaints of discriminatory treatment related to race, color or national origin may be filed with the ODOT Title VI Program Manager. The complaint must be filed no later than 180 calendar days of the alleged discriminatory incident.

**Title VI Program:** The system of requirements developed to implement Title VI of the Civil Rights Act of 1964. Ensure involvement of low-income and minority groups in the decision-making process (public involvement):

- Safeguard low-income and minority groups against disproportionately high and adverse decisions
- Ensure low income and minority groups receive their fair share of benefits

**Title VI Program Manager:**

- Manages the Title VI program which requires that any program or activity receiving federal funding cannot be discriminate against people based on race, color, national origin, age, sex, religion, income status or against people with disabilities. Under Title VI, ODOT must ensure involvement of people with low income and minority groups in the decision making process (public involvement)
- Safeguards people with low income and minority groups against disproportionately high and adverse decisions
- Ensures people with low income and minority groups receive their fair share of benefits

## **Office of State Fire Marshal (OSFM)**

The Office of State Fire Marshal (OSFM) actively participated in the activities of the EJTF during 2009. OSFM staff has had initial meetings with EJTF membership to discuss the first steps in developing a customized agency work plan. OSFM continues work to identify program areas that may impact environmental justice communities to insure inclusion in the work plan.

## Water Resources Department (WRD)

January 29, 2010

William Collin, Chair,  
Environmental Justice Task Force  
Jessica Keys, Governor's Natural Resources Office  
255 Capitol Street NE, Suite 126  
Salem, OR 97301

Dear William and Jessica,

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

Last year, I appointed Ruben Ochoa, Water Policy Analyst in the Director's Office and my designee as the Department's representative to the Environmental Justice Task Force, to perform the duties of Citizen Advocate for environmental justice issues. Ruben has kept us informed of the efforts that the Environmental Justice Task Force and the Governor's Natural Resources Office have made over the past year to improve our understanding of environmental justice issues and how those issues relate to our mission and functions. The Department sincerely appreciates the efforts of the Environmental Justice Task Force and the Governor's Natural Resources Office in this regard.

In fulfillment of our annual reporting responsibilities under SB 420, the legislation that established the Environmental Justice Task Force, the Department respectfully submits the following Environmental Justice Task Force report for 2009.

Sincerely,

Phillip C. Ward  
Director

### Environmental Justice Task Force Report

Senate Bill 420 directs a number of Oregon's natural resource agencies to submit an annual report to the Environmental Justice Task Force (Task Force) and to the Office of the Governor that includes the results of the agency's efforts to:

1. Address environmental justice issues;
2. Increase public participation of individuals and communities affected by agencies' decisions;

3. Determine the effect of the agencies' decisions on traditionally underrepresented communities; and
4. Improve plans to further the progress of environmental justice in Oregon.

The Oregon Water Resources Department (Department) faced significant budget challenges in 2009. These challenges reduced our ability to fund the Citizen Advocate position to the extent envisioned by SB 420. We look forward to a point in time when a more favorable budget climate may allow us to do so. Notwithstanding these challenges, the Department was able to make some general progress in the four areas enumerated in SB 420. We owe this progress, in large part, to several actions taken by the Task Force in consultation with the Governor's Natural Resources Office. These actions include:

- Working with the Department on a one-on-one basis to begin development of a customized environmental justice work plan for the agency;
- Providing a forum at its regularly scheduled Task Force meetings to share information and resources with our sister natural resource agencies, learn about important environmental justice issues in Oregon, and interact with the Task Force members in a positive and cooperative manner;
- Development of definitions for and understanding of "environmental justice" and "environmental justice communities" that has enhanced the Department's cultural competency in the subject matter; and
- Efforts to develop an "environmental justice community mapping" system for Oregon that the Department views as having the potential, when completed, to significantly improve our ability to make consideration of environmental justice issues an integral part of the Department's activities.

#### *Addressing Environmental Justice Issues; Increasing Public Participation*

With respect to addressing environmental justice issues and increasing public participation of environmental justice communities affected by agency decisions, the Department's efforts are primarily evident vis-à-vis its intergovernmental relationship with the state's federally recognized Indian tribes. It is the Department's view that completion of the environmental justice community mapping project will enable us to be more inclusive and engage a wider range of environmental justice communities in the actions we consider to manage the state's water resources. The following actions provide specific examples of how the Department afforded tribal governments an opportunity to participate in important decision-making processes in 2009:

#### *Tribal/State Water Forum:*

The Department of Water Resources (Department), in coordination with the Oregon Department's of Environmental Quality and Fish and Wildlife, Governor's Natural Resources Office, and the Legislative Commission on Indian Services, organized and held a tribal/state water forum on November 19, 2009. The forum provided a venue for Oregon's tribal governments to present tribal perspective and interests in water, guidance for effective tribal consultation and preliminary comments on draft issue papers authored by members of the Oregon Water Resources Commission as part of their development of an integrated water resources strategy for the State of Oregon.

### Integrated Water Resources Strategy:

In partnership with the Governor's Natural Resources Office and the Oregon Departments of Agriculture, Fish and Wildlife, and Environmental Quality, and various stakeholders throughout Oregon, the Department has begun the development of an integrated water resources strategy for Oregon. As currently envisioned, the strategy will provide long-term policy, management, and water supply development guidance to help Oregon meet its future water demands, in terms of water quantity, water quality, and ecosystem needs. The Department is working with the Legislative Commission on Indian Services to establish a framework for continuing engagement with tribal governments as the integrated strategy is developed. The tribal and state water forum described earlier was an initial step in this regard. Also, and at the Department's request, William Collin, Task Force chair, has agreed to serve as an expert/resource on environmental justice issues for the Department and Oregon Water Resources Commission (Commission) as they move forward with development of the integrated strategy.

In its programmatic and rulemaking activities, the Department takes a number of steps to encourage potentially impacted stakeholders, small business owners, and members of the general public to participate in task forces, workshops and forums, rules advisory committees, and associated rulemaking processes. The Department holds Commission meetings at locations outside the Salem/Portland areas several times each year to provide an opportunity for members of the general public in these communities to witness Commission proceedings and discussions and to engage in a conversation with the Commission via public comment. The Commission agendas provide time during the formal meeting for members of the general public and local leaders to address the Commission.

### Determining the Effect of Agency Decisions; Improving Plans

With respect to determining the effect of the agencies' decisions on traditionally underrepresented communities and improving plans to further the progress of environmental justice, the Department has taken the initial step of developing a direct link on its website for viewers to access general information regarding environmental justice and to obtain contact information for the agency's Citizen Advocate. The Department intends to activate the website link for environmental justice in February 2010.

In addition, the Department is currently reviewing human resources materials under development by the Oregon Department of Environmental Quality (DEQ) that directly incorporate environmental justice considerations in job descriptions and performance reviews for management-level positions. The Department has an interest in and will continue to monitor further development of these materials. However, the Department strongly believes that appropriate and meaningful environmental justice training would need to be available at a reasonable cost before it could consider incorporating environmental justice items in job descriptions and/or performance reviews for management-level positions.

## **Department of Energy (ODOE)**

The work of the Oregon Department of Energy (ODOE) is often supportive of minority and low income communities, tribal communities, and other communities typically underrepresented in public processes. Through its low-interest energy loans, Business and Residential Energy Tax Credits and pass-through program, rental and home oil weatherization programs, incentives for energy efficiency, improvements to building codes, and work with rural communities to develop renewable energy resources, ODOE programs provide considerable assistance to Environmental Justice communities.

The energy loan program has financed a large number of multi-family weatherization and energy saving projects that support the development of affordable housing. The agency is currently working with the cities of Portland, Astoria, and Hood River and other statewide stakeholders to deliver energy efficiency improvements to a broader number of residents and small businesses. Energy improvements in homes and businesses often reduce the amount of moisture infiltration that can cause mold and other air quality problems.

In 2010, the department will establish rules for certifying contractors that provide energy efficient applications to residential and commercial buildings. These rules will qualify contractors to provide health and safety testing with the “whole-house” approach while upgrading a home’s efficiency. The health and safety of occupants is the leading priority in the approach of building energy performance. These tests will range from carbon monoxide testing to lead-based paint and mold issues. ODOE will also establish rules for providing energy performance standards and ratings for both residential and commercial units that will qualify a home’s energy and carbon emission impacts.

Beginning in 2010, ODOE is also partnering with Oregon Housing and Community Services low-income energy assistance and weatherization programs. ODOE was awarded an American Recovery and Reinvestment Act State Energy Efficiency Appliance Rebate Program. ODOE expects to use the \$3.6 million appliance rebate voucher program to replace 1,800 non-functioning and low-efficiency heating systems.

The appliance rebate voucher program began January 1, 2010 and ends when all appliance vouchers have been distributed and redeemed. Oregon homeowners can go to their local Community Action Program (CAP) agency to get qualified for income and homeownership for the Energy Star appliance rebate voucher program. Qualified low-income homeowners may be eligible for the rebate voucher (used for 70 percent of the cost of the equipment up to \$2,000) and installation costs. The remaining cost of the new heating equipment would be paid for by the CAP. There will be no out-of-pocket charges for the homeowner. CAPs will give priority service to qualifying homeowners with non-functioning heating equipment.

Agency programs support technical assistance and funding for energy efficiency improvements in public buildings, including schools. Actions include identifying and evaluating energy saving opportunities coupled with use of the Business Energy Tax Credit and Energy Loan programs to help implement the improvements. Government and business entities in economically depressed

or disadvantaged areas have used our programs, which result in improved facilities for business, community meeting space or education.

ODOE works quite closely with a number of Oregon's Native American Tribes. The agency has provided information, presentations, and technical assistance to numerous tribes on the development of renewable energy, such as wind, wave and geothermal; on proposed biomass facilities and forest biomass development; and on climate change and greenhouse gas emission issues. In addition, we work closely at a national level with the Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, the Yakama Indian Nation, and seven other tribes from around the nation on nuclear weapons cleanup. In 2009, ODOE staff was elected co-convenor (co-chair) of this national group made up of state and tribal representatives that addresses nuclear waste issues.

ODOE has worked to reduce carbon dioxide emissions along the Interstate-5 corridor, through the award of tax credits for programs that reduce truck idling (truck stop electrification), improve truck fuel efficiency (EPA retrofit kits) and help increase state agency use of biofuels. More than 1,300 trucks have been retrofitted to use new technology to reduce diesel engine emissions, which will especially benefit people living near truck stops.

ODOE provides staff support for the Oregon Energy Facility Siting Council (EFSC), a seven member citizen board that decides whether large energy facilities may be built in Oregon and regulates their construction, operation, and decommissioning. The siting of large energy facilities is based on objective and consistent state standards. All EFSC meetings are open to the public, and the meetings are moved throughout the state, often with meetings held near where a proposed action is occurring.

ODOE also relies on numerous citizen-based advisory boards, task forces, and committees to help develop policies, budget priorities, and regulations. Some are mandated by statute, some in rules, and others are less formal. Meetings involving these boards and committees are also open to the public and conducted throughout the state.

The groups include:

- Global Warming Commission
- Renewable Energy Working Group
- Solar Energy Working Group
- Small-Scale Hydroelectric Working Group
- Oregon Wind Working Group
- Oregon Geothermal Working Group
- Biomass Coordinating Group
- Oregon Hanford Cleanup Board
- Energy Loan Program Advisory Committee
- State Home Oil Weatherization Advisory Committee

## Occupational Safety and Health Division (OSHA)

February 11, 2010

**TO:** Will Collin, Chair, Environmental Justice Task Force  
Jessica Keys, Governor's Natural Resource Office

**FROM:** David Sparks  
Quality Assurance Manager

**SUBJECT:** Environmental Justice Task Force Report – 2009

I am the Environmental Justice Citizen Advocate for Oregon OSHA, Department of Consumer and Business Services (DCBS).

Although the DCBS is not a named agency in SB 420, Oregon OSHA was invited to participate in Environmental Justice Task Force (EJTF) deliberations, activities and outreach efforts.

As the Oregon OSHA representative I attended and participated in all EJTF meetings scheduled in 2009. Additionally, I attended two meetings of the Interagency Workgroup that was established to foster communications between the task force and state agencies, and between the agencies themselves. For 2010, I will continue to represent Oregon OSHA at task force meetings.

For 2009, Oregon OSHA participated in two teleconferences with the EJTF members assigned to discuss the development of a customized agency workplan. The task force members include Julie Samples, Ben Duncan and Marcela Mendoza.

The participants in the first teleconference included Julie Samples, Ben Duncan, Marcela Mendoza and David Sparks. The goal of this meeting was to provide the task force members with a detailed overview of Oregon OSHA programs, services and outreach activities. The information was intended to provide the task force members with a context for future discussions regarding possible nexus between the division's statutory responsibilities and environmental justice.

A second teleconference was held in November, 2009. In addition to those involved in the first teleconference, Michael Wood, the Oregon OSHA administrator, participated in the second teleconference. Topics discussed at this meeting included data collection, agricultural labor housing, the relationship between the Oregon Department of Agriculture and Oregon OSHA (relating primarily to pesticides), staff position descriptions and evaluation forms, and potential staff training needs. It was a good first discussion on more substantive issues.

The DCBS and Oregon OSHA look forward to continued dialogue regarding environmental justice and the role that the division can and should play in advancing the goals of the EJTF.