Oregon
John A. Kitzhaber, MD, Governor

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Benjamin Duncan, Chair
Environmental Justice Task Force
Multnomah Co. Governmental Health
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Dear Brett and Ben,

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 to make environmental justice issues an integral part of the Department's activities in managing the state's water resources.

As you know, Ruben Ochoa, Water Policy Analyst in the Director's Office, is my designee as the Department's Citizen Advocate. He 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 2011.

Sincerely,

Phillip C. Ward
Director

ENVIRONMENTAL JUSTICE TASK FORCE REPORT
(Oregon Water Resources Department - 2011)

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 significant budget challenges faced by the Oregon Water Resources Department (Department) in 2010 continued through 2011 and again reduced our ability to fund the Citizen Advocate position fully 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 the continued commitment by the Task Force and the Governor's Office to:

- Work with the Department on an individual and collective basis to further development of a environmental justice work plan that fits the Department's mission and functions;
- Provide a forum at their regularly scheduled 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;
- Identify and develop resources to help improve our understanding of environmental justice issues and Department responsibilities; and
- Further efforts to develop an "environmental justice community mapping" system for Oregon. The Department views the mapping system 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, the Department has continued its relationship with Professor William Collin (Task Force member) 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 Water Resources Strategy. Professor Collin has provided valuable comment and advice to the Commission and Department. We look forward to continuing this relationship with Professor Collin and the Task Force.

With respect to 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 Oregon's federally recognized Indian tribes (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 2011:

Integrated Water Resources Strategy:

In 2009 the Department worked closely with the Legislative Commission on Indian Services, Oregon Department of Environmental Quality (DEQ), Oregon Department of Fish and Wildlife (ODFW) and members of the Natural Resources Work Group to develop and implement plans for a *Water Forum* to be held in Salem on November 19, 2009. One of the primary purposes of the *Water Forum* was to provide a venue for the Tribes to express their views regarding the state's development of a statewide and long-term Integrated Water Resources Strategy (Strategy).

By all accounts, the *Water Forum* was a success and provided a strong foundation for the Department to continue a dialogue with the Tribes through 2010 and in 2011. The Strategy Discussion Draft that was submitted to the public for comment in December 2011 contains an essay written by Eric Quaempts, Confederated Tribes of the Umatilla Indian Reservation (CTUIR), entitled, *The Umatilla River Vision*. In this essay, Eric describes a mission adopted by the CTUIR based on a First Food serving ritual and tribal creation belief that is meant to inform and guide their vision for desired ecological characteristics of the river's (Umatilla) water quality and water resource management which will facilitate the sustained production of First Foods.

Programmatic and Rulemaking Activities:

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 has historically held 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. To help address the budget challenges described earlier and reduce staff travel expenses, the Department decided to hold all Commission meetings in Salem during 2011.

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 took the initial step in 2010 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. In 2011, the Department's Citizen Advocate received a number of telephone calls and emails from Oregon citizens as a direct result of having reviewed the Environmental Justice information our website.

A PowerPoint presentation developed by Professor Collin (Task Force member) entitled, *Environmental Justice Law in Oregon*, was made available to the Department's managers. Managers reported finding the PowerPoint to be well organized and considered, interesting and informative, and containing information that they believed should be reviewed and discussed in greater detail. The Department is committed to the idea of further discussion at the management level to improve our plans to incorporate environmental justice issues into our decision-making processes.

In addition, the Department continues to review 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.