

Oregon Environmental Justice Task Force

Meeting Minutes

Willamette University Civil Justice Law Center

9:30a.m.-3:30p.m., April 24, 2009

ATTENDING

Task Force Members: Robin Collin, Will Collin, Jack Johnson, Ray Caballero, Leroy Jackson, Jr., Ben Duncan, Sybil Ackerman, Khalid Wahab, Jonathan Ostar, Terry Witt, Julie Samples (via phone). **Absent:** Everette Rice.

State Agencies: Dept. of Environmental Quality, Dept. of Human Services, Dept. of Agriculture, Oregon Dept. of Transportation, Dept. of Fish and Wildlife, Oregon Housing and Community Services Dept., Fire Marshall's Office, Dept. of Land Conservation and Development, Oregon Occupational Safety and Health Division, Dept. of State Lands, Water Resource Dept., Oregon State Marine Board.

Staff: Jessica Hamilton, Governor's Natural Resources Office; Jonathan Strauhal, Willamette Law student volunteer; Larry Knudsen (Oregon Department of Justice) briefly via phone.

Public: Dana Kaye, American Lung Association; Elaine Somers and Monica Kirk (US EPA); Peter Strauhal, Architect, Deffenbaugh & Assoc.; Jeff Bissonnette, Citizen Utility Board; Tom Kerns, Environment and Human Rights Advisory.

A quorum of the Environmental Justice Task Force (EJTF) members being in attendance, the meeting was called to order at 9:35 a.m.

RESOLUTIONS

- 1) It was resolved that the EJTF will a) investigate why there was a breakdown in relationships with environmental justice advocates during the Columbia River Crossing project in Portland, and b) whether the EJTF can take action to resolve these problems.
- 2) It was resolved that the EJTF will inform the Governor and state agencies of its position that field burning is an environmental justice issues and that all areas of Oregon should be treated the same in regard to the management of field burning.
- 3) It was resolved that the EJTF supports the state and local recommendations on pages 2 through 5 in the document "Stimulating Environmental Justice: How the States Can Use Federal Recovery Funds to Build a Just and Sustainable Economy" (March 16, 2009).
- 4) It was resolved that the EJTF will use the document "Your Voice for Environmental Justice in Oregon" for its initial outreach to the public.
- 5) It was resolved that the Interagency Work Group will draft language incorporating environmental justice into agency core competency documents and present this at the next meeting.

6) It was resolved that trainings should be organized for agency staff regarding environmental justice.

7) It was resolved that a new work group be formed to develop “customized agency plans” (Note: this is essentially the membership of the Annual Report Work Group, which completed its earlier task).

ADDITIONAL MEETING HIGHLIGHTS

1) The EJTF requested a response from Governor Kulongoski following his review of the annual report. Specific questions: a) how can the task force implement its public participation goals, particularly with lack of funds to do so, b) how does he see the task force’s input fitting into the larger environmental and social goals of the State, and c) expectations/guidance for the next annual report.

2) Issues brought to the Task Force’s attention during the interim and discussed today:

a) Columbia River Crossing (CRC) – Discussion of Jeri Williams’ request for EJTF involvement in CRC. Elaine Somers (EPA) explained that while environmental justice issues were raised during CRC discussions, the Environmental Impact Statement for the project does not document the environmental justice issues raised and did not respond to environmental justice concerns. Staff from the Oregon Department of Transportation will take these concerns to the CRC. The EJTF believes its role can be to help repair damaged relationships and facilitate dialogue on environmental justice topics with agencies. See also #1 in “Resolutions.”

b) Field Burning – Jack Johnson presented a perspective shared by public member Jim Raphael that decreases in the management practice of field burning should not be limited to the Willamette Valley, but should include other parts of the state such as eastern Oregon. Agencies gave an update on efforts in the legislature to eliminate field burning in the Willamette Valley. The Oregon Seed Council submitted a letter expressing the perspectives of the grass seed industry. See also #2 in “Resolutions.”

3) Public Comment

a) Peter Strauhal discussed affordable housing as it relates to land use and urban growth boundaries.

b) Dana Kaye, American Lung Association, explained that field burning is a statewide public health issue with disproportionate effects on at risk individuals. She encouraged EJTF become engaged in this issue.

c) Thomas Kerns, Environment and Human Rights Advisory, explained that environment and human rights are universal and there is a moral minimum below which governments should not go. He offered his services to EJTF on these topics.

d) Jeff Bissonnette, Citizen Utility Board, provided an update on how legislation dealing with climate change had been evolving during the legislative session.

4) Department of Land Conservation and Development and Land Use Goals

Will Collin and Robin Collin met with the Department of Land Conservation and Development to discuss ways the agency can incorporate environmental justice goals into land use planning.

The “fact finding” meeting was the first of several that members of the EJTF’s Interagency Work Group plan to have with agencies to learn more about their programs and how they currently address environmental justice issues.

5) Stimulus Funds

The EJTF reviewed and discussed the document “Stimulating Environmental Justice: How the States Can Use Federal Recovery Funds to Build a Just and Sustainable Economy” (March 2009), and focused on the section titled Recommendations for State and Local Stimulus Spending.

6) Outreach and Education Work Group

Sybil Ackerman presented the draft document, “Your Voice for Environmental Justice in Oregon,” which was favorably received. It was noted that the EJTF needs to be cautious about creating an expectation that each person in Oregon has legal rights to the environmental justice concepts listed (this is one reason why “your voice” was used as a term instead of “your right”). It was acknowledged that the document itself is the first step and that future outreach will need to involve face to face discussions in communities in order to build capacity within environmental justice communities, and that the document’s vision needs to be turned into concrete actions.

7) Interagency Work Group

The Interagency Work Group is striving to educate agency employees about EJ and to build internal capacity. Khalid Wahab provided an update on conversations with the Department of Administrative Services regarding including environmental justice in core competencies (ex: job descriptions and performance evaluations). It was noted that implementation guidance should accompany any mandate to agencies to involve environmental justice in performance assessments. Khalid also reviewed the internal and external web site texts prepared by the Department of Environmental Quality (DEQ). While the DEQ documents could possibly help other agencies, it was noted that not all agencies have the same level of involvement in EJ and not all have internal web sites, thus some customization will be needed.

8) As a result of the Interagency Work Group dialogue, the EJTF called for the formation of a new subcommittee that will work directly with agencies to improve their work on environmental justice issues. The subcommittee will first review the 2008 Agency Reports submitted and talk to the appropriate Citizen Representative about how a multi-year plan might look for his or her agency. This information would be brought back to the full group for discussion.

9) Larry Knudsen with the Department of Justice spoke to the EJTF via phone regarding the ability of the EJTF to a) support grants, b) testify in favor legislation, c) add non-EJTF people to subcommittees, and d) define issues (problems) and solutions.

SHORT TERM ASSIGNMENTS

- 1) Send extended notes from the January 16 discussion with Dept. of Justice (Jessica).
- 2) Send information about Attorney General Kroger’s public meetings and his environmental hotline (Will).
- 3) Request response from the Governor regarding EJTF’s annual report (Jessica).

- 4) Request that the Governor meet with the Task Force following the legislative session (Jessica and Will).
- 5) Task Force will send a letter to the Governor and state agencies explaining its position on statewide field burning. A draft letter will first be circulated to EJTF members and discussed on a conference call prior to approval (Jack and Will).
- 6) Draft a letter to the Governor a) noting the importance of considering environmental justice issues and communities when stimulus dollars are distributed across Oregon, and b) expressing the EJTF's interest in playing a role in ensuring these funds are distributed fairly. The letter will be circulated to EJTF members and discussed on a conference call prior to approval (Will).
- 7) Interagency Work Group will draft core competency documents for review at the next meeting (Khalid et al.).
- 8) Interagency Work Group will identify EJ training opportunities (ex: EPA, iLearn) (Khalid)
- 9) A new work group will discuss how to customize agency EJ plans and start meeting with Citizen Advocates (Jon, Will, Terry, Ray, Robin).
- 10) Meet with appropriate stakeholders involved in the Columbia River Crossing (Ben, Jon, Everette).
- 11) "Your Voice" document will be put on the EJTF web site (Jessica).
- 12) The Outreach and Education Work Group will work on a dissemination plan for "Your Voice" as well as list "simple steps" (an action plan) that can be done for each bullet in the document (Sybil et al.).
- 13) Check on the status of representation from the Commission on Black Affairs (Will).

RECOMMENDED FUTURE ACTIONS

- 1) The Outreach and Education Work Group intends to visit with EJ communities in the state.
- 2) EJTF members can request to present to the Governor's Natural Resources Cabinet (i.e., agency directors).
- 3) Consider incorporating non-EJTF members into work groups (this topic can be discussed by the Interagency Work Group).
- 4) Citizen Advocates should participate in future EJTF-called meetings with senior management.

NEXT MEETING

July 17, 2009.

Adjournment.

The meeting was adjourned at 3:30.