

# House Bill 3293

Sponsored by Representative REARDON

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes provider of water project support to make support available to local organizations and local governments for purpose of developing local community engagement plans for water projects. Allows provider to condition support for community engagement on local organization or local government use of provider-recognized best practices related to equitable and meaningful participation in water project planning and decision-making process.

Requires provider of water project support to periodically coordinate with other providers to update and ensure uniform application of best practices regarding community engagement planning.

## A BILL FOR AN ACT

1  
2 Relating to water project community engagement.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **“Community engagement plan” means a plan to meaningfully engage and provide**  
6 **suitable access to decision-making processes for disproportionately impacted communities,**  
7 **underrepresented communities, tribal communities and all persons regardless of race, color,**  
8 **national origin or income in planning for water projects using identified best practices.**

9 (b) **“Disproportionately impacted communities” includes:**

10 (A) **Rural communities;**

11 (B) **Coastal communities;**

12 (C) **Areas with above-average concentrations of historically disadvantaged households or**  
13 **residents with low levels of educational attainment, areas with high unemployment, high**  
14 **linguistic isolation, low levels of homeownership or high rent burden or sensitive populations;**  
15 **or**

16 (D) **Other communities that face barriers to meaningful participation in public processes.**

17 (c) **“Local government” has the meaning given that term in ORS 174.116.**

18 (d) **“Local organization” means an organization that:**

19 (A) **Is a special government body as defined in ORS 174.117, a federally recognized Indian**  
20 **tribe, a nonprofit organization or other organization identified by a provider of water project**  
21 **support by rule as eligible to receive water project support; and**

22 (B) **Operates in an area affected by a water project.**

23 (e) **“Water project” includes watershed enhancement, in-stream flow protection or en-**  
24 **hancement, water resource conservation or development, or water supply and wastewater**  
25 **treatment and disposal projects.**

26 (f) **“Water project support” means planning, technical assistance or financial support**  
27 **related to a water project that is provided to an eligible recipient by one of the following**  
28 **providers:**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (A) The Department of Environmental Quality;
- 2 (B) The Oregon Business Development Department;
- 3 (C) The State Department of Fish and Wildlife;
- 4 (D) The Oregon Health Authority;
- 5 (E) The Oregon Watershed Enhancement Board; or
- 6 (F) The Water Resources Department.

7 (2) A provider of water project support:

8 (a) May make water project support available for the purpose of enabling local organiza-  
9 tions and local governments to develop and implement community engagement plans related  
10 to a water project, including funding to increase participation by representatives of dispro-  
11 proportionately impacted communities in planning processes and water project decision-making.

12 (b) Shall require that community engagement plans supported by the provider utilize  
13 goals and approaches for increased participation of disproportionately impacted communities  
14 in decisions related to the identification, scoping, design and implementation of water  
15 projects.

16 (c) Shall require that community engagement plans supported by the provider utilize best  
17 practices recognized by the provider under subsection (4) of this section.

18 (3) A provider of water project support may condition support for community engage-  
19 ment planning on the local organization or local government:

20 (a) Identifying disproportionately impacted communities and local demographics through  
21 the use of established systems; and

22 (b) Using best practices recognized by the provider under subsection (4) of this section  
23 to develop a plan for water project decision-making that:

24 (A) Invites and supports broad community participation that includes disproportionately  
25 impacted communities;

26 (B) Invites and supports tribal participation in the areas of water projects or proposed  
27 water projects, regardless of whether tribal members are represented in the community de-  
28 mographics;

29 (C) Establishes specific goals for equitable participation and water project decision-  
30 making and identifies specific realistic and achievable approaches for use in meeting those  
31 goals; and

32 (D) Provides for periodic reporting on the attempted or successful achievement of best  
33 practices in the decision-making process.

34 (4) Each provider of water project support shall, in coordination with the other providers,  
35 adopt rules recognizing best practices for use by the provider, local organizations and local  
36 governments to ensure that community engagement planning activities are carried out in the  
37 manner described in this section. Providers of water project support shall periodically coord-  
38 inate with each other to ensure that best practices recognized by the providers are updated  
39 as necessary and are administered and used by the providers in a consistent manner. The  
40 Water Resources Department shall oversee the coordination process. The department shall  
41 ensure that the coordination process occurs at least once every five years.