

HB 4077: Summary of amendments

Of the introduced bill:

Page 1, line 28, insert (or in appropriate definitions location):

- (1) **“Community-supported natural resources collaborative” means a group that works with a natural resources agency as defined in ORS 182.535 in a collaborative manner on natural resources issues affecting a community and that:**
- (a) **promotes public participation in natural resources decisions;**
  - (b) **provides an open forum that allows for public deliberation of natural resources decisions affecting the community;**
  - (c) **can demonstrate diverse representation and balance between interests including, but not limited to, environmental organizations, industry organizations, and community members;**
  - (d) **has members who are individuals or organizations directly affected by the natural resources decisions discussed;**
  - (e) **has a governance agreement that guides its operations; and**
  - (f) **works in cooperation with local and tribal governments.**

Page 2, line 6, insert: (A) Climate change, **climate resilience**, and climate justice;

Page 2 line 12, insert: (F) Community organizing; (G) **Civil rights and disability rights**; (H) Environmental health; (I) **Energy**; (J) **Agricultural operations and food systems**; (K) **Water planning and management**; or (L) **Forest management**.

Page 2, line 22, define: youth representative (**someone who is 16-24 years old, serves for a two year term, may be reappointed**)

Page 3, line 23, insert: (c) Of these thirteen members, at least three must represent each of the following communities and may be nominated by a community-supported natural resources collaborative: (A) **Remote communities**; (B) Rural communities; (C ) Coastal communities.

Page 3, line 23 (after the above): (2) The [*task force*] **council** shall submit an annual report to the Governor **and the legislature** setting forth its view of the progress of natural resource agencies toward achieving the goals established pursuant to ORS 182.524 and identifying any other environmental issues that the [*task force*] **council** determines need attention.

Page 8, line 15, insert: cultural resources or foods, ocean acidification, **sea-level rise**, and increases in infectious disease.

Page 8, line 24, insert: (3) Environmental justice community” includes communities of color, communities experiencing lower incomes, communities experiencing health inequities, tribal communities, rural communities coastal communities, **remote communities**, communities with limited infrastructure and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health hazards, including seniors, youth, and persons with disabilities.

Page 8, line 33, delete: “Highly impacted community” definition (lines 33-35 as well as the definition on Page 9, line 40) and all references to “highly impacted communities.”

Page 9, line 7, delete: “Overburdened community” definition (lines 7-11 as well as the definition on Page 10, line 14) and all references to “overburdened communities.”

Page 9, line 12, insert: (10) **“Remote communities” means a community with low population density and high geographic remoteness.**

Page 9, line 22, insert: cultural resources or foods, ocean acidification, **sea-level rise**, and increases in infectious disease.

Page 9, line 23, insert: “Environmental justice community” includes communities of color, communities experiencing lower incomes, communities experiencing health inequities, tribal communities, rural communities, **remote communities**, coastal

communities, communities with limited infrastructure and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health hazards, including seniors, youth and persons with disabilities.

Page 10, line 19, delete lines 19-45, insert: (1) **The Environmental Justice Council, DAS-GEO, the Institute of Natural Resources, and other natural resource agencies with staff support from the Department of Environmental Quality and the Oregon Health Authority**, shall develop the environmental justice mapping tool, under section 12 of this 2022 Act no later than September 15, 2025. **Department of Environmental Quality will provide staff support to the Environmental Justice Council.**

**Add (2) The Environmental Justice Council shall develop a community engagement process to receive input from communities across the state and consult with the natural resources agencies.**

**(2) When developing the environmental justice mapping tool, the Environmental Justice Council shall conduct a community engagement process that will hold at least six meetings in different regions of the state including at least one meeting in a remote community, to:**

- (a) Present a work plan and proposals; and**
- (b) Receive input and feedback from communities throughout the state about:**
  - (i) The environmental, health, socio-economic, and other factors that should be considered;**
  - (ii) How the mapping tool should be used to help distribute resources to communities that have experienced underinvestment;**
  - (iii) How socio-economic benefits and burdens could be mapped and considered in addition to environmental, health, and other data;**
  - (iv) Any other uses for the mapping tool that can provide community benefits and diminish community burdens; and**
  - (v) Any geospatial layers to further define environmental justice communities based on prevalence of specific factors; and**
  - (vi) Community-generated data that may be included in the map.**

**(3) The Environmental Justice Council will report on the progress with the mapping tool and the community input received to the Governor by September 15, 2023.**

**(4) The mapping tool must:**

- (a) Be developed through an inclusive community process, and:**
  - (i) Be based on factors that are derived from direct input through the community process;**
  - (ii) Be sufficiently detailed to allow the assessment of environmental justice benefits and burdens;**
  - (iii) Include geospatial data layers that may be used to help better understand the nature of environmental justice communities; and**
  - (iv) Help make the data more accessible to the public.**
- (b) Include data from state natural resource agencies or be compatible with other mapping tools developed by other state agencies;**

**(5) DAS GEO shall recommend data quality standards and methodology by which the map must be developed and maintained, in consultation with applicable natural resource agencies and the Environmental Justice Council.**

**(6) The Environmental Justice Council shall enter into an agreement with the institute that provides that the institute will maintain the mapping toll and make the mapping tool publicly available in electronic form through the Oregon Explorer**

**(7) The Environmental Justice Council shall review the environmental justice mapping tool at least once every four years using the inclusive public process described in subsection (2) of this section and update the mapping tool as necessary.**

Page 11, line 14, include: **(e) Guidelines for identifying environmental justice communities and any further definition needed that reflects the community input received, as identified under section 12 of this Act.** (f) Guidelines for evaluating the socio-economic benefits and burdens to environmental justice communities.

Page 11, line 18, include: (a) Recommendations for approaches to integrate an analysis of the distribution of environmental burdens **and benefits** across population groups into evaluations performed under state environmental laws.

Page 11, line 30, include: Natural resource agencies [*shall*] **may** consider the results of the environmental justice mapping tool developed under section 12 of this 2022 Act when developing administrative rules or agency policies or programs **as outlined in subsection (2) of this section**. Natural resource agencies shall consider the recommendations in the report required by section 13 of this 2022 Act when utilizing the environmental justice mapping tool.

Page 11 line 35, edit: **(2) A natural resource agency may use the environmental mapping tool to:**

- (a) Identify environmental justice communities, [*highly impacted communities and overburdened communities*] affected by agency programs;**

Page 11, line 45, edit: **(d) Prioritize agency funding to help address identified impacts on environmental justice communities, [*highly impacted communities or overburdened communities*].**

Page 12, line 2, insert: **(3) The environmental justice mapping tool may inform agency policies and programs as they relate to community engagement and outreach, investments and funding, and impacts to environmental justice communities, and to be a resource to communities.**

**(4) Nothing in this bill shall be construed to affect, limit or alter existing authority of any state agency to act within the authority granted to the agency in other statutes. The mapping tool is informational only and is not to be used in decision making on agency actions on individual permits or applications unless required elsewhere by federal or state law.**

Page 12, line 28, edit: **(5) Utilize the environmental justice mapping tool developed under section 12 of this 2022 Act. [*to inform the development of administrative rules or agency policies or programs, in conjunction with the meaningful involvement of environmental justice communities.*]**

Delete all references to “highly impacted communities” and “overburdened communities”.  
Operative and effective dates are aligned to be 91 days sine die.