

## **10 BEST PRACTICES in Community Engagement around Water Projects**

[House Bill 3293 \(2021\)](#) requires the named agencies as providers of water project support to develop and adopt into rule best practices for community engagement with disproportionately impacted communities. HB3293 does not direct providers of water project support to require local organizations and governments to develop community engagement plans for every supported water project. However, HB3293 does allow providers of water project support to provide additional water project support to local organizations and governments that facilitate the development and implementation of community engagement plans. The Water Resources Department (OWRD) was directed to lead HB3293 implementation to ensure that the coordination among providers of water project support occurs at least once every five years.

**HB3293 mandates that Providers of Water Project Support:** *(Text paraphrased from legislation)*

**“MAY”:**

- Make water project support (including funding) available to develop and implement community engagement plans related to a water project.
- Condition support for community engagement planning on the local organization or local government identifying disproportionately impacted communities and local demographics through the use of established systems.

**“SHALL”:**

- Require that community engagement plans supported by the provider utilize goals and approaches for increased participation of disproportionately impacted communities.
- Require that community engagement plans supported by the provider utilize best practices recognized by the provider.
- In coordination with the other providers adopt rules recognizing best practices for ***use by the provider, local organizations, and local governments*** to ensure that community engagement planning activities are carried out in the manner described in this section" of HB3293.
- Periodically coordinate with each other to ensure that best practices recognized by the providers are updated as necessary and are administered and used by the providers in a consistent manner. The coordination process shall occur at least once every five years.

Through the collaborative development of Best Practices in Community Engagement, the named agencies in HB3293 (ORS 541.551) aim to promote meaningful inclusion of disproportionately impacted communities in decisions related to the identification, planning, and implementation of water projects. Water projects in Oregon are diverse, including watershed enhancement, water resource conservation and development, and water supply and wastewater treatment initiatives, among many others.

The following represents an initial list of programs from which agencies may provide support to for water project community engagement plans that align with the best practices. It is important to note that this list is not exhaustive and will undergo continuous development and refinement over time.

#### **OREGON WATER RESOURCES DEPARTMENT (OWRD)**

OWRD has identified two programs, Feasibility Study Grants and Water Project Grants and Loans, within which they intend to apply the best practices for community engagement around water. OWRD plans to initiate a rulemaking process to recognize best practices for community engagement around water projects in Fall of 2024.

- **Feasibility Study Grant** funds studies to evaluate the feasibility of developing water conservation, reuse, and storage projects. This competitive funding opportunity helps individuals and communities investigate whether a project is worth pursuing. Studies to investigate the feasibility of water conservation, reuse, or storage projects. Development and implementation of community engagement plans are eligible tasks/costs and must follow best practices. <https://www.oregon.gov/owrd/programs/FundingOpportunities/FeasibilityStudyGrants/Pages/default.aspx>
- **Water Project Grants and Loans** provides grants for water projects to evaluate, plan, and develop instream and out-of-stream water projects that have economic, environmental, and social/cultural benefits. Projects must provide benefits in each of these three categories to be eligible for funding. Projects/actions around conservation, reuse, above-ground storage, below-ground storage, streamflow protection or restoration, water distribution, conveyance or delivery systems, and other water resource development projects. Development and implementation of community engagement plans are eligible tasks/costs and must follow best practices. <https://www.oregon.gov/owrd/programs/FundingOpportunities/WaterProjectGrantAndLoans/Pages/default.aspx>

#### **DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

DEQ has identified the Clean Water State Revolving Fund as an opportunity to apply the best practices for community engagement around water projects. DEQ is evaluating whether additional water support programs (e.g. grants) would be suitable for use of the best practices. DEQ plans to initiate a rulemaking process to recognize best practices for community engagement around water projects in 2025.

- **Clean Water State Revolving Fund** (ORS 468.427; OAR 340-054-0005; OAR 340-054-0010). DEQ provides loans, including planning loans, to public agencies and other eligible borrowers for water infrastructure projects. Planning activities include monitoring, data collection, evaluation, analysis, security evaluations, report preparation, environmental review, public education, review process, and any other activity leading to a written plan for the project. Community engagement planning could in many cases be considered eligible as evaluation and public education activities. <https://www.oregon.gov/deq/wq/cwsrf/Pages/default.aspx>

#### **OREGON BUSINESS DEVELOPMENT DEPARTMENT (BUSINESS OREGON) & OREGON HEALTH AUTHORITY (OHA)**

Business Oregon and OHA co-administer the Sustainable Infrastructure Planning Projects (SIPP) program. The agencies have identified SIPP as the first program within which they intend to offer financial support for community engagement related to water projects. Business Oregon and OHA plan to initiate their respective rulemaking processes to recognize best practices for community engagement around water projects in 2025.

- **Sustainable Infrastructure Planning Projects (SIPP)** through the Safe Drinking Water Revolving Loan Fund Program (SDWRLF) (ORS 285A.213 and OAR Chapter 123 Division 49) provides financing for water system planning projects and related activities that promote sustainable water infrastructure. The SIPP program provides small, 100% forgivable loan awards for certain water system planning projects and related activities that promote sustainable water infrastructure. Currently, community engagement is an eligible activity as part of a funded infrastructure planning project. Development and/or implementation of a Community Engagement Plan for a drinking water project would be eligible as a standalone project under proposed program revisions. The SIPP program currently has two application deadlines per year, February 15 and August 15. The agencies are targeting the August 2025 deadline as the first cycle to incorporate this project type. In accordance with HB3293, utilization of the Best Practices will be required if financial support is provided through the SIPP program for the development and/or implementation of a Community Engagement Plan. No information is provided on the website regarding community engagement plans or best practices at this time. <https://www.oregon.gov/biz/programs/SDWRLF/Pages/default.aspx>

#### **OREGON DEPARTMENT OF FISH AND WILDLIFE (ODFW)**

ODFW has identified several programs but intends to begin applying the best practices for community engagement around water within the Oregon Conservation and Recreation Fund (OCRF). ODFW anticipates initiating a rulemaking process to recognize best practices for community engagement around water projects in 2025.

- **Oregon Conservation and Recreation Fund (OCRF)** provides grants for projects that carry out activities that serve to protect, maintain or enhance fish and wildlife resources in Oregon (ORS 496.252). Projects that implement (1) conservation programs and strategies identified in the Oregon Conservation Strategy; (2) Improve engagement of the public in hunting and fishing opportunities and other outdoor recreation opportunities; (3) Improve educational outreach and engagement of the public; and (4) Other conservation, management, research, habitat improvement, enforcement, outdoor recreation or education activities. Development and implementation of community engagement plans are eligible tasks/costs and must follow best practices. <https://www.dfw.state.or.us/conservationstrategy/OCRF/>

#### **OREGON WATERSHED ENHANCEMENT BOARD (OWEB)**

Many of the Best Practices are already built into OWEB statutes and rules and have been incorporated into the rules for the new Drinking Water Source Protection (DWSP) program. The Best Practices are currently incorporated into DWSP guidance for the application question, "please describe how engagement with local communities that are financially burdened and/or disproportionately impacted by climate change has informed or will inform identification of potential benefits."

- Drinking Water Source Protection program provides grants to public water suppliers that serve rural communities (defined as at or below 25,000 users) and/or lower-income populations to protect, restore, or enhance sources of drinking water through land acquisition and conservation. <https://www.oregon.gov/oweb/grants/Pages/DWSP.aspx>
- The grant program provides land acquisition grants through:
  - The acquisition of lands from willing sellers;
  - Entering into covenants, easements, or similar agreements with willing landowners; or
  - Repaying a loan used to finance a project as described (a) or (b) above.