

Chapter 690: Water Resources Department

Division 601: Best Practices in Community Engagement for Water Projects

Purpose

690-601-0001

- (1) OAR 690-601-0001 to OAR 690-601-0006 establishes rules to support meaningful involvement of disproportionately impacted communities in the development, implementation, or development and implementation of community engagement plans for water projects supported by authorized Oregon Water Resources Department grants and loans.

Statutory/Other Authority: ORS 536.027, ORS 541.551

Statutes/Other Implemented: ORS 541.551

Definitions

690-601-0002

For the purposes of Oregon Administrative Rules Chapter 690, Division 601:

- (1) “Disproportionately Impacted Communities” means:
 - A. Rural communities;
 - B. Communities of color;
 - C. Tribal communities;
 - D. Coastal communities;
 - E. Areas with above-average concentrations of:
 - a. historically disadvantaged households,
 - b. residents with low levels of educational attainment,
 - c. high unemployment,
 - d. high linguistic isolation,
 - e. low levels of homeownership or high rent burden,
 - f. sensitive populations;
 - F. Other communities that face barriers to meaningful involvement in public processes.
- (2) “Meaningful Involvement” means that members of disproportionately impacted communities have appropriate opportunities to participate in water projects that will affect their environment or health and the outcomes of a water project.
- (3) “Community Engagement Plan Grantee” means individuals or entities that receive funding for a Community Engagement Plan for water projects that are supported by grants or loans pursuant to OAR 690-600 or OAR 690-093.
- (4) “Community Engagement Plan Applicant” means eligible individuals or entities that apply to receive grants or loans from OAR 690-600 or OAR 690-093 for a water project Community Engagement Plan.
- (5) "Department" means the Oregon Water Resources Department.

(6) “Community Engagement Plan” has the meaning given to the term in ORS 541.551.

(7) “Water Project” has the meaning given to the term in ORS 541.551.

(8) “Best Practices” has the meaning given to the term in ORS 541.551.

Statutory/Other Authority: ORS 536.027, ORS 541.551

Statutes/Other Implemented: ORS 541.551

Funding

690-601-0003

(1) The Department may provide funding for community engagement plan development, implementation, or both to increase participation by representatives of disproportionately impacted communities in water projects supported by grants or loans through OAR 690-600 or OAR 690-093.

A. For the purposes of grants and loans pursuant to OAR 690-093, Water Supply Development Account, a community engagement plan for a water project may be funded if the plan is used to inform the development and implementation of a water resource projects funded by the account.

B. For the purposes of OAR 690-600, Water Conservation, Reuse, and Storage Grant Program, a community engagement plan for a water project may be funded if the plan is used to inform project planning studies funded by the program that are performed to evaluate the feasibility of developing a water conservation, reuse, or storage project.

(2) Community engagement grantees shall follow all laws and guidelines for water projects that are supported by grants or loans issued pursuant to OAR 690-600 or OAR 690-093.

(3) Community engagement grantees shall follow all applicable state and federal funding and procurement laws and guidelines for ineligible and eligible costs and activities.

A. Ineligible costs and activities are not reimbursable, these include but are not limited to, spending funds on the acts of lobbying and fundraising.

B. Eligible costs and activities that may be reimbursable, if conditions of the granting agreements are met, include but are not limited to, facilitation of meetings, meeting materials, meeting venues, and compensation of disproportionately impacted communities for meaningful involvement in community engagement opportunities.

Statutory/Other Authority: ORS 536.027, ORS 541.551

Statutes/Other Implemented: ORS 541.551

**Best Practices of Water Projects for use in Community Engagement Plans
690-601-0004**

- (1) The Department recognizes ten best practices to support meaningful involvement of disproportionately impacted communities in water projects supported by grants or loans pursuant to OAR 690-600 or OAR 690-093. Department recognized best practices for use in the development implementation, or development and implementation of community engagement plans include:
 - A. Identifying disproportionately impacted communities interested in engaging in water project planning.
 - B. Defining the water project's purpose and goals, including what will be done to meaningfully involve disproportionately impacted communities.
 - C. Developing new, or assessing current, decision-making processes to identify opportunities to enhance access to the project decision-making process for disproportionately impacted communities.
 - D. Inviting tribal communities in Oregon to participate in the water project, acknowledging their preferences and capacity for collaboration, regardless of whether tribal members are represented in the community demographics.
 - E. Co-creating water project capacity opportunities that are inclusive, including to disproportionately impacted communities, with the community and across water project participants.
 - F. Building collaborative relationships with disproportionately impacted communities.
 - G. Coordinating with the community and across water project participants to leverage resources, staff, and data.
 - H. Ensuring water project communications and information are shared in a timely, transparent manner, and in languages, and formats commonly used or preferred by disproportionately impacted communities.
 - I. Evaluating the effectiveness of community engagement before, during, and after the water project, based on the purposes, goals, and capacities communities' and projects.
 - J. Striving to monitor and document the positive and negative impacts of the water project on disproportionately impacted communities and their environments.

- (2) Community engagement plans for water projects supported by grants or loans pursuant to OAR 690-600 or OAR 690-093 shall:
 - A. Be designed to promote meaningful involvement of disproportionately impacted communities.

- B. Be conducted using the Departments recognized best practices. Plans shall include, but are not limited to, the following components:
 - a. A framework for how the water project will engage with and provide meaningful involvement of disproportionately impacted communities.
 - b. Metrics to evaluate the community engagement plans for participation by disproportionately impacted communities.

Statutory/Other Authority: ORS 536.027, ORS 541.551

Statutes/Other Implemented: ORS 541.551

Application Requirements

690-601-0005

- (1) Community engagement plan applicants shall comply with all application requirements associated with OAR 690-600 or OAR 690-093.
- (2) Community engagement plan applicants may propose to not incorporate one or more of the Department recognized best practices in community engagement plans for a water project. If a community engagement plan applicant requests to the Department not to incorporate one or more Department recognized best practices, then:
 - A. The community engagement plan applicant shall provide evidence to the Department explaining why the recognized best practice does not meet the community engagement plans desired outcomes or advances disproportionately impacted community involvement.
 - B. The Department shall determine whether the recognized best practice should be used, waived, or replaced with an alternative best practice proposed by the community engagement plan applicant.
- (3) Community engagement plan applicants may propose alternative practices not recognized by the Department for use in community engagement plan. If an alternative practice is proposed to the Department, then:
 - A. The community engagement plan applicant shall provide evidence to the Department showing that the proposed alternative meets the community engagement plans desired outcomes or advances disproportionately impacted community involvement.
 - B. The Department shall determine whether these alternative practices can replace a Department recognized best practice in the community engagement plan. In assessing alternatives, the Department may consider, but is not limited to, size and scope of the water project and the identified needs of the disproportionately impacted community.

Statutory/Other Authority: ORS 536.027, ORS 541.551

Statutes/Other Implemented: ORS 541.551

**Grant Agreement and Reporting on Community Engagement Plans
690-601-0006**

- (1) Community engagement plan grantees shall comply with all grant agreement conditions and reporting requirements associated with OAR 690-600 or OAR 690-093.
- (2) Community engagement plan grantees shall submit progress and final reports to the Department on a form provided by the Department. The reporting frequency will be specified in the grant agreement and will align with the timing of other related funding program reporting requirements. Reports shall include but are not limited to the following:
 - A. Progress made toward the use of Department recognized best practices and approved alternative practices, and the success of these best practices in increasing meaningful involvement of disproportionately impacted communities in water projects.
 - B. A description of when and how disproportionately impacted communities were engaged and considered during the development, implementation, or development and implementation of the community engagement plans.
 - C. Any feedback received from disproportionately impacted communities through a community engagement plan, and how the feedback has been or will be incorporated into the water project.

Statutory/Other Authority: ORS 536.027, ORS 541.551

Statutes/Other Implemented: ORS 541.551