

Oregon House of Representatives  
Committee on Water

Testimony HB **3105, 3293, 3092, 2018.**

March 2, 2021

Robert Collin

Good morning Chair Helm, Vice Chair Owens, Vice Chair Reardon and  
Committee Members Breese-Iverson, Leif, Reynolds, Wilde, and Witt,

My name is Robert W Collin, I'm a retired professor, and an author. I am testifying  
in support of House Bills **3105, 3293, 3092, 2018.** I am testifying in my personal  
capacity, not as Vice Chair of the Oregon Environmental Justice Task Force.  
(EJTF) Because of the interlocking policies of the above four House Bills I am  
submitting my testimony about them together.

Why Placestudies?

Placestudies are an investment in Oregon's future quality of life, our public health,  
our environment and our community adaptability to climate change impacts.  
Communities suffering the impacts of climate changes first can be the most  
vulnerable. Placestudies present a viable way to preserve and protect these  
communities. Like most good investments, the returns are quicker and more  
sustainable when Place studies policies are implemented.

My Placestudy Background

I served the National Advisory Commission on EJ (NEJAC) to the US

EPA in 2004 and helped develop one of the first placestudy policy recommendations. Our Placestudy platform there was urban environmental impacts on vulnerable communities. The Placestudy platform here is Water.

#### EJTF background

I am a scholar in law, planning and community organization in this area for decades; and founding member and current vice chair of the (11 year old) EJTF. EJTF holds at least 4 meetings a year, and many of these have been in rural parts of Oregon. There I observed that small populations can be disproportionately impacted by state and federal natural resource decisions.

#### Oregon Water Resources Commission

I also served on the Oregon Integrated Water Resources Strategy in 2017 as an EJTF representative. The then record- breaking drought of 2015 had significant impact on communities and ecosystems and underscored the inevitability and unpredictability of change. I have closely followed their Placestudy program development since then.

2020 did the same to communities and came with wildfires. It was, and is, much worse by any measure. While we still do not know the precise timing and location of specific climatic changes we do know more now. We can foresee irreparable impacts on communities and ecosystems with hydrological indications being front and foremost.

The best “cushion” or protection against these types of changes are those that are tailored to the People in that Place. The traditional Case studies approach forms the basis of most state policies but is not flexible enough to base climate change policy.

## The Problem with Case study Methodologies and Climate Policy

Case studies are meant to generalize from one case to another, thereby saving the time and resources of selecting a different application of environmental policy in every instance. By these savings it seems like it would be the most “efficient” exercise of environmental regulatory power and resources. But if actual, on the ground results are the measure, these savings aren’t always worth it.

Is the loss of water in Harney county worth the inflexibility of current state and national environmental policies? In terms of bang for the buck these policies are usually better for most and can be considered “efficient”. They are designed to provide the greatest good for the greatest number. They leave people and places like Harney County, farmworkers in Southern Oregon, and African American communities in Portland behind.

A big reason for the inflexibility of environmental policy is the failure to engage the community and to accurately assess environmental conditions. Communities can make climate change and environmental policy better.

1. Communities can develop more accurate, real time, and long term natural resource observations.
2. Communities can up with innovative and creative solutions.
3. Communities can give a measure of public health impacts in the context of an ecological history.

Placestudies capture all these necessary components of climate change policy which is especially important in the case of water. Placestudies are more efficient if the measure of “efficiency” is the preservation and protection of people (now and in the future).

Another reason for the inflexibility of utilitarian (greatest good for greatest number) environmental policy is that the data does not need to be refined or complete, and therefore has a lower standard of accuracy and reliability. This fact is beginning to emerge as cumulative impacts (impacts over time) are becoming better known. Data processing, monitoring and information analysis are expensive, and when they can be reduced and streamlined they are. The data basis for environmental policy is improving rapidly but misses small populations, and their ecosystems. Standard data methods like the US Census have had undercounts of minority and rural populations since inception. A modern example applied to Harney county is EJscreen. EJscreen is a very valuable mapping tool for Environmental Justice, and for many communities generally. For the vast majority of Harney County, inclusive of Tribal Lands, there “is no data available”. An inflexible environmental approach based on data needs for the greatest number is not going to work in places where there is no data available, or where there are population undercounts. And especially in the context of climate impacts.

Placestudies will fill data gaps and provide more accurate and reliable information about the environment and public health. Because of the scale and unpredictability of climate impacts in Oregon we need this type of information for the adaptation of frontline communities to these impacts.

Case studies may have been good enough for environmental policy when the basis was the greatest good for the greatest number. (utilitarian). This approach misses the effect of all the least good environmental impacts (cancer, pollution) on the minority of people over time. For sustainability and Environmental Justice goals the accumulating negative impacts must be addressed. They never go away and always get bigger, spreading to have impacts that are unintended and unanticipated when based on a case study methodology for the people and the place. Climate changes highlight the weakness of the case study policy approach.

## Water

In the area of natural resource scarcity, water resources and their regulation and management face the unavoidable management option of coming together so that everyone might be able to share the water. We need to know all about Water in a specific place. And we need to know local uses of water, local seasonal impacts and changes, and local climate change impacts. We need to *engage* the community to accurately assess environmental conditions.

## Placestudy

The term “placestudy” is more personal than case study, and thereby more engaging. People remember places more than cases. Places are landmarks for important and unimportant life events. In places which have been shared by people for generations a culture of that place emerges. And whether that culture is past or present, it is still part of that place. The term focuses the discussion on a place- the people, and the ecology. The breadth and scope of a given Placestudy depends on the ecology of the place and the people there. The state has a very important role in facilitating and guiding Placestudies. The Oregon experience is that far too many communities wanted them then funding allowed.

The type of public engagement in Place studies exceeds the minimal public participation requirements of current environmental regulations. Current environmentally inclusionary approaches rely on a strong and organized community initiative, responsive and supportive state and local government, and a limited knowledge of the environment and public health. Current policies give notice, and generally provide the opportunity to comment. Few ever see the notice, and fewer comment.

Public engagement is what EJ advocates. It takes longer to engage an EJ community because of the lack of resources and capacity. In the past these communities have been ignored, but as climate change forces a more inclusive dialogue these communities are becoming more empowered, and more concerned about the air as in Portland, the toxicity of land in Southern Oregon, and Water in Harney County. The type of public engagement discussed in this bill would help to accurately measure Water, a benefit to all stakeholders. It will take longer because of the time necessary to know a Place. This is a reason House Bill **2018** is needed, as soon as possible. And we really need to know about the environment to protect, preserve, and manage it.

I personally and professionally believe that a Place study approach is inevitable, especially as climate adaptation and mitigation policies develop on the ground. Bringing the resources of the Oregon natural resource agencies to Place study approaches will round out the Oregon's Natural Resource agency portfolio for dealing with climate adaptation and mitigation in a way that is ultimately more "efficient" but will have substantial resource needs.

An environmental policy is more effective in meeting changing and unavoidable impacts if it engages the actual Place and the actual People. The site specific and regional information and trends are more accurate so state actions can be tailored to different needs in the many different Places and many different People of Oregon. I'm confident Place studies will be a sound investment for Oregon's future.

Respectfully Submitted,

Robert Collin

