

### **Committee Structure Proposal: Rulemaking & Oversight**

#### 1. Intro.

Committee Structure subgroup members met on October 30<sup>th</sup> to review/revise the latest committee structure content<sup>1</sup>. Our intent was to balance transparency, inclusivity and accountability goals with a need to simplify the committee structure presented in the bill.

#### 2. Goals.

Committee members expressed a clear consensus that environmental justice and impacted communities should have a strong role in the implementation of the Clean Energy Jobs program, including rulemaking and oversight processes. Further, they recognized that impacted communities will require disproportionate representation on Clean Energy Jobs committees because these communities -- unlike industry, large nonprofit organizations, and utilities -- have little capacity to engage agency staff and decision-makers on a routine basis.

#### 3. Proposal.

The State of Oregon has an Environmental Justice Task Force (EJ Task Force)<sup>2</sup>. The EJ Task Force should play a significant role in the implementation of the Clean Energy Jobs program, including rulemaking and oversight processes. By utilizing and strengthening this existing, state-level environmental justice infrastructure, the program can support transparent, inclusive and accountable decision-making. Further, EJ Task Force's heightened involvement offers an opportunity to simplify the committee structure. If EJ Task Force members have a meaningful role in nominating individuals to serve on Climate Investments Grant Program's grant committee (Section 16), it can lessen the need for the bill to specifically identify this grant committee's membership.

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<sup>1</sup> Participants included Rep. Diego Hernandez, Rep. Pam Marsh, Jack Dempsy (Renew Oregon), Jana Gastellum (Oregon Environmental Council), Brendan Haggerty (Multnomah County), Alan Hipólito (Verde), Shilpa Joshi (Renew Oregon), Keith Keuny (CAPO), Dylan Kruse (Sustainable Northwest), Oriana Magnera (NW Energy Coalition), Raul Preciado Mendez (Latino Network), Nolan Pleše (Office of Rep. Pam Marsh), Akash Singh (Neighbors for Clean Air).

<sup>2</sup> Per Senate Bill 420, Section 3, the Environmental Justice Task Force shall: Advise the Governor on environmental justice issues; Advise natural resource agencies on environmental justice issues, including community concerns and public participation processes; Identify, in cooperation with natural resource agencies, minority and low-income communities that may be affected by environmental decisions made by the agencies; Meet with environmental justice communities and make recommendations to the Governor regarding concerns raised by these communities; and, Define environmental justice issues in the state.

## V\_OUTREACH-ADVOCACY: ACTIVITIES

### Operative – Clean Energy Jobs/Committee Structure

#### 4. Bill Edits.

Subgroup members propose combining Section 7 with Section 8 to establish a single Greenhouse Gas Cap and Investment Program Oversight Committee. Seven of the Program Oversight Committee's sixteen members are from the EJ Task Force. DEQ will consult with the Program Oversight Committee in rulemaking and in project implementation, including nominating individuals to serve on the Climate Investments Grant Program's grant committee. The revised Section 7 begins:

(1) In adopting rules as required by sections 10, 11, 12 and 16 of this 2017 Act, the Environmental Quality Commission shall consult with the Greenhouse Gas Cap and Investment Program Oversight Committee, the Environmental Justice Task Force, Indian tribes, the Public Utility Commission, the State Department of Energy, the Department of Transportation and other interested state and federal agencies.

(2) The Greenhouse Gas Cap and Investment Program Oversight Committee is created. The committee consists of sixteen members as follows:

(a) The President of the Senate shall appoint one member from among the members of the Senate.

(b) The Speaker of the House of Representatives shall appoint one member from among the members of the House of Representatives.

(c) The Governor shall appoint:

(A) Seven members of the EJTF; and

(B) One member who represents the office of the Governor;

(C) One member who represents impacted communities;

(D) One member who represents the interests of labor organizations;

(E) One member who represents environmental organizations;

(F) One member who represents covered entities;

(G) One member with expertise in climate science; and

(H) One member who represents the interests of business sectors impacted by climate change.

Members of the Committee appointed by the Governor shall reflect the geographic and demographic diversity of this state, and who have the qualifications deemed necessary by the Governor to advise the Environmental Quality Commission on the diversity of interests relating to efforts by the state to limit greenhouse gas emissions consistent with section 4 of this 2017 Act, with a preference in making appointments given to individuals who can represent the interests of multiple constituencies.

#### 5. Next Steps/To be Determined.

- Additional capacities needed for Program Oversight Committee (e.g., natural resource intensive communities)?
- Program Oversight Committee role for other/all funds disbursed through the program?
  - Utility/PUC grant program?
  - Transportation/ODOT grant program?
- *Program Oversight Committee vis-à-vis the Climate Investments in Impacted Communities Advisory Committee (Section 17)*
  - Does the Oversight Committee nominate the Impacted Communities Advisory Committee?
  - Is the Impacted Communities Advisory Committee still needed/what is its role?
- Fee authority to help resource the EJ Task Force so it is able to play a stronger role in rulemaking and implementation?