

EQUITY ADVISORY GROUP (EAG) MEETING #4

Subject: EAG Meeting #4 Summary

Date and Time: Monday, March 29, 2021, 5:30pm to 7:30pm PT

Location: Zoom Webinar and YouTube Livestream

WELCOME

Dr. Roberta Hunte, EAG Facilitator, welcomed members to the meeting, explained how to view closed captions, provided general webinar participation tips, and previewed the meeting agenda:

- Program Administrator remarks
- Update on other Interstate Bridge Replacement (IBR) program advisory group activities
- Equity definition status update
- Informing the Equity Critical Objective in the Vision & Values
- Building the Equity Framework
- Wrap Up

1. PROGRAM ADMINISTRATOR REMARKS

Greg Johnson, Program Administrator, shared an update concerning Purpose & Need. Based on conversations with the Federal Transit Administration and the Federal Highway Administration, the IBR program's proposed language changes to Purpose & Need concerning commitments to climate and equity would not be acceptable and would not pass legal sufficiency standards. As an alternative path forward, the program would instead seek to reflect commitments to climate and equity within the program's Critical Objectives. Greg reiterated that regardless of where commitments to climate and equity are reflected in the final document, the Program will be held accountable to those commitments. Greg shared his appreciation for the work of advisory groups to bring proposed language forward, and invited questions on the update.

- Lily Copenagle: What are the next steps for EAG, and what proposed language wasn't acceptable for Purpose & Need?
 - Greg J: We are shifting our focus towards Vision & Values and Critical Objectives, and will continue to ask this group to weigh in on equity and racial justice for the program. Starting with this meeting, we want to start thinking about what critical objectives are and where they fit into the program. As far as language, we have a Record of Decision (ROD) for this program, and changing Purpose & Need would unravel the ROD and cause the program to begin anew from square one. We are still looking for language reflecting climate and equity, but situating them in a different part of the environmental document. We have been told that we would be in legal jeopardy with the draft language changes in Purpose & Need.

- Matt Serres: When you talk about Critical Objectives and climate, are you referring to environmental impacts? When you talk about a federal ROD, is there a written opinion or decision that EAG could refer to avoid future missteps, or make us more likely to satisfy federal oversight?
 - Greg J: Climate refers to environmental impacts. We are in a unique position in that this program to replace a bridge across the Columbia has been studied before for 10 years, and had already received a federal ROD. As we move forward, we are looking for a ROD that reflects the changes we've brought forward, and to make sure that part of the documentation process is completed. If this were a brand-new project, there might be a different look at the potential to change language, although even that might not be acceptable. But with this being a project that already has a federal ROD, our ability change Purpose & Need is very narrow.
 - Matt S: To clarify, if we were to fiddle with the language that's already been baked into the ROD, we'd have to get a new ROD?
 - Greg J: Yes, that's correct. Do Angela Findley or Chris Regan have anything to add?
 - Angela Findley, Environmental Lead: What we're trying to explain is that the ROD is the end point of the National Environmental Policy Act (NEPA) process for the past planning work, where they developed Purpose & Need, evaluated a range of alternatives, and the ROD is the document that formalizes the selection of the preferred alternative. Moving forward, we have the opportunity to look at whether there are new solutions or design options that should be considered, and we can handle those as amendments to the ROD that is on the record. So there's an opportunity to still make changes, but we need to stick with the original Purpose & Need statement. In the question that Lily had asked, how do we avoid missteps, we are trying to focus other elements and documents of the program to clarify how we identify goals and objectives for bringing equity into the program, and how we ensure those goals are carried out. We can do that outside of Purpose & Need.
- Lily C: It sounds like a revised Purpose & Need statement was submitted, and there's been feedback that that revision was not acceptable. I thought we were still looking at the Purpose & Need statement, but it sounds like it's already been submitted, and the changes have been rejected, is that accurate?
 - Greg J: We have been having conversations with the advisory groups around language changes to Purpose & Need, and we've been taking that draft language to our federal partners for their reaction. Right now, they are letting us know that we would put ourselves in legal jeopardy by taking this language forward, and might have to step back to square one.
 - Lily C: What proposed language has been brought forward to the federal partners?
 - Jake Warr, Equity Lead: we had sent out the latest draft last week along w/ the slides.
 - Johnell Bell, Chief Equity Officer: The basis of the preliminary language that was shared with our federal partners resulted from conversations with EAG. In previous meetings, we've been weighing in on Purpose & Need and community Vision & Values, and the program has attempted to synthesize that language and integrate it into Purpose & Need. That's the document that Jake emailed to EAG. What we were planning for this meeting was to refine Purpose & Need, but given the guidance we've heard from our federal partners, that would not result in any positive outcome. Instead we'd like to focus on Critical Objectives, which are going to be important to guide the program towards the equity performance measures.

Ultimately what we've learned from federal partners is that there is no legal basis by which they could advance equity and climate in Purpose & Need without it potentially being litigated and thrown out in court. NEPA is very legally regulated, and near as we can tell nationally, equity and climate have not been successfully integrated into Purpose & Need. So it's been an iterative process.

- Lily C: So the version we have was not a draft, and was submitted for feedback to the federal partners, and we learned that that is not a something that can be modified. Is that accurate?
- Greg J: It was still a draft not final language, and we took that draft to our federal partners for their response.
- Roberta H: Would it be fair to say we have to revise and resubmit?
- Greg J: We will have to submit language that is acceptable for Purpose & Need, that is why we're now focusing on Critical Objectives as a way to get the language that will hold everyone accountable for the things deemed important by the advisory groups.

2. PROGRAM UPDATES

Johnell Bell, Chief Equity Officer, shared updates from most recent Executive Steering Group (ESG) and Community Advisory Group (CAG) meetings. Prior to receiving the latest guidance from federal partners, ESG members emphasized the importance of including equity and climate change in the draft language, are working together to highlight regional priorities and address constituent interests in the draft language, and voiced their appreciation for the input provided by EAG, CAG, and the community engagement activities.

CAG had conversations on Purpose & Need and community Vision & Values and were encouraged to see their input reflected in the latest draft. Members also spent time forming the CAG charter and discussed how they'd operate as a committee. CAG is looking forward to upcoming listening sessions, working groups, and adopting their charter.

3. EQUITY DEFINITION UPDATE

Jake Warr, Equity Lead, shared an update on the equity definition for the program and invited Lily to give a summary of the proposed changes from the equity definition subgroup. Lily shared that, while an updated definition is still being drafted to make it implementable and reflect the values and intent of EAG members, the definition would be guided by an acknowledgement that:

- Access alone is insufficient, and that equitable access should recognize existing barriers at each level of the project.
- Equity needs to be defined in a historical context and account for past harms, exclusions, and injuries. The definition should be targeted in its efforts and name specific goals and harms to be addressed.
- The definition should serve as a basis for future decision-making.
- Equity must go beyond just encouraging folks to be heard or be at the table, and instead be empowered to have an influence and power over decision-making.

4. PURPOSE & NEED, CRITICAL OBJECTIVES AND VISION & VALUES

Angela Findley, Environmental Lead, shared appreciation for the feedback received from the advisory groups, and reiterated the effort going forward to reflect commitments to equity and climate change in the Critical Objectives and community Vision & Values. Key priorities that EAG members shared included: avoiding future harm; being focused on future aspirations; paying attention to the needs of low-income community members; looking for opportunities to strengthen communities now and in the future; and improving public transportation options.

Angela discussed ways that equity would be applied in NEPA and highlighted: engagement in the planning process; identifying performance measures; contributing to the design elements; committing to processes and outcomes; and analyzing the benefits and impacts of the project on communities and the environment.

Based on discussions with the advisory groups, Angela shared some of the draft critical objectives for equity, which included:

- Committing to equity of both outcomes and processes.
- Ensuring historically marginalized communities have meaningful access to program activities, jobs, and benefits.
- Minimizing transportation costs.
- Ensuring access to program benefits while minimizing impacts to communities, including neighborhoods adjacent to the program area.
- Considering historical impacts to black, indigenous, and people of color (BIPOC), as well as other economically vulnerable populations when determining equitable outcomes.
- Engaging historically marginalized communities to ensure program design reflects cultural context and area history.
- Providing opportunities for women and minority owned firms in all procurement.
- Minimizing displacements within communities of concern through design.
- Enhancing transportation and public transit access to jobs, services, and housing relevant to historically marginalized communities.

Dr. Hunte invited EAG members to offer proposed changes and additions to the draft Critical Objectives, and Greg clarified that these objectives would eventually be refined to be actionable and measurable objectives. Jake further clarified that EAG's discussion would tie into the development of the equity framework for the project.

- Sebrina Owens-Wilson: What do the Critical Objectives get used for and what will they inform?
 - Greg J: As we develop these umbrella Critical Objectives, we will eventually we will refine them into ground level outcomes like internships and DBE support. This is the first step towards the ground outcomes, that also be part of the environmental document, and may serve as the basis by which a contractor would be evaluated on.

- Angela F: As a Critical Objective, this is a requirement and a commitment that a solution would be required to achieve. We will establish performance measures to assess the success of achieving these objectives.
- Caitlin Reff: In light of the Purpose & Need update shared at the beginning of the meeting, will the program team be able to take these Critical Objectives into account as alternatives are developed? Or will they primarily be used for screening?
 - Greg J: These Critical Objectives, and the outcomes derived from them, will be a part of what goes forward in the document. These will be part of the commitment to move forward.
- Elona Wilson: Will we be able to add to these going forward, or are we looking to finalize these Critical Objectives?
 - Greg J: This will be a living document until we get the final document approved, but there will be additional opportunities during contracting to add objectives.
 - Angela F: We are trying to identify as much as we can at this point to use as early as possible, but will continue to add or adjust these objectives as needed.
- Lily C: These objectives appear very similar to the equity definition that some EAG members found lacking. I think we need to go beyond access in these objectives. If these are intended to be the framework for measuring outcomes, there needs to be some outcome-related Critical Objectives, not just process-related ones. What's the difference between these Critical Objectives and the equity definition?
 - Johnell B: In some ways, they may be similar in terms of wording. The definition attempts to develop a macro-level understanding of equity for the program, whereas the Critical Objectives are attempting to look at specific outcomes, like providing meaningful opportunities for women and minority owned firms. We should think of these as the themes that we want to make sure the program achieves.
- Matt S: The Critical Objectives could use more language specific to persons with disabilities. A lot of the objectives hinge on how you define historically marginalized communities, so that should be defined as well and should explicitly include persons with disabilities.
- Matt Hines: I would echo Matt S's feedback. I'd like to see disability highlighted as much as other marginalized communities. And we should emphasize more understanding of what accessibility means.
- Steve Nakana: We should have a typed definition of what groups are included when we say historically marginalized communities.
 - Johnell B: I wonder if our equity definition subgroup can work to define "historically marginalized". It would be worthwhile to tease that out in our definition.
- Sebrina O: I'm thinking about the intersection of equity and climate, and not seeing reference to environmental impact here. When we talk about economic opportunity, do we want to tease out jobs with more emphasis? Is there a more affirmative way to say minimize transportation costs and displacement? Also, engagement seems to be an intermediary step rather than a goal, and we should make a push to articulate meaningful influence on decision making.

- Caitlin R: Environmental justice may be missing from these Critical Objectives. Also, reference to minimization should be revised to more positively reflect what we want to see as outcomes and who we want to see them for.
- Lily C: I want to emphasize what Sebrina said and say that just bringing people to the table is not enough. Decision making power and influence needs to be encapsulated in these Critical Objectives.

5. DEVELOPING A FRAMEWORK FOR EQUITABLE OUTCOMES

Chris Lepe, Equity Consultant, lead a presentation on defining and developing an equity framework for the IBR program. An equity framework provides a roadmap for defining a project's goals, definitions, approaches, organizing principles, and actions for achieving equitable outcomes. Chris discussed some successful examples of frameworks implemented by Chicago Public Schools and King County Metro Mobility, and also shared highlights from other resources like the City of Portland Racial Equity Toolkit and TransForm's Pricing Roads, Advancing Equity Report & Toolkit. Indicators of equitable outcomes may be full participation, affordability, access to opportunity, and community health. Questions from these examples that could help guide the program towards more equitable outcomes include:

- Are all potentially impacted and vulnerable populations within the project study boundaries?
- Will changes resulting from the project reduce traffic and bring more community cohesion?
- What impacts will the project have on air quality, and where are these impacts likely to be felt?
- What strategies will most help commuters and non-commuters from vulnerable communities?
- How heavily will decision-makers weigh the adopted equity outcomes and indicators, relative to other priorities?

Breakout Groups

Small groups were asked to reflect on how the program will know it's done a good job, and what are some ways to measure success in terms of equitable outcomes and processes?

Report out

The small groups each reported out their reflections verbally and on the Google Jamboard:

- Asking if all communities that are affected by this bridge are better than before it was replaced.
- Analyzing the number of stakeholders represented and contracted in any oversight of the project, broken down by community.
- Thinking about workforce and business equity and the percent of jobs for each community of concern and the number of contracts for MWESB and disability owned businesses.
- Accounting for how many best practices regarding accessibility have been implemented.
- Studying environmental impacts with respect to geography.
- Hiring responsible contractors with good benefits, labor practices, and DEI policies.

- Providing anti-harassment training.
- Asking how many people who are disabled are able to be more mobile because of the bridge.
- Analyzing the number of vendors, suppliers, contractors, and subcontractors.
- Developing systems that audit and collect feedback and testimonials from groups.
- Including outcomes for communities of color in all metrics.
- Allocating funding for workforce development for communities of concern.
- Measuring levels of apprenticeship and journey level participation.
- Assessing how many people are able to get between Portland and Vancouver for work.
- Measuring ridership levels and average travel times.
- Monitoring employment levels in marginalized communities.
- Determining success of outcomes relative to performance measures.
- Ensuring communities of concern have greater access to quality transit.
- Accurately measuring what we were able to accomplish for targeted groups.
- Conducting iterative evaluation of project process.
- Working to align past harms with outcomes.
- Ensuring that people of all incomes and backgrounds can use the bridge and surrounding infrastructure effectively.

6. PUBLIC COMMENT

Johnell Bell provided instructions for providing comment and invited the public to offer comment.

- Todd: I haven't heard discussion of equity towards natural landscape. The bridge provides opportunity for the people to access the river, and the topography of the region. There's something really important about providing that access to the community. Equitable access isn't just about getting over the bridge, but experiencing our region and the nature that it provides.

7. WRAP UP

Dr. Roberta Hunte invited EAG members to share 3 takeaways from the meeting, and noted that the next meeting is scheduled for April 19th from 5:30pm to 7:30pm.

- Matt H: I think it's great that we've established that we want to see qualitative and quantitative data to inform our outcomes and process for each stakeholder and marginalized group that has experienced harm or lack of access in the past.
- Karyn Kameroff: When thinking about the question of how we'll know if we've done a good job, I think it's when we've stopped having the same discussions after multiple years.
- Meg J: I'm excited that we have the ability to have these conversations and make some change about how the bridge will be constructed and the benefits that people will see in the future. Having written language down expressing how we're going to see those benefits for people involved.
- Rebecca Kennedy: This project can do a lot, but it can only do so much. As we look to make the region more equitable, we really have to work together to stand up the other investments we need to make.

We can improve public transit, but will we inadvertently push out the folks we want to benefit from that improvement? What else do we need, not a part of this program’s equity work, to make sure this project is actually equitable.

ADJOURN

The meeting adjourned at 7:30pm.

ATTENDEES

Attendees	Organization
Greg Johnson	IBR Program Administrator
Johnell Bell	IBR Chief Equity Officer
Jake Warr	IBR Equity Lead
Dr. Roberta Hunte	IBR EAG Facilitator
Angela Findley	IBR Environmental Lead
Lily Copenagle	NAACP Portland
Johnathan Eder	Port of Vancouver
Mark Harrington	SW Washington Regional Transportation Council
Matthew Hines	Community Member
Megan Marie Johnson	Community Member
Karyn Kameroff	Community Member
Rebecca Kennedy (interim), Alicia Sojourner (incoming member)	City of Vancouver
Steve Nakana	Port of Portland
Sebrina Owens-Wilson	Metro

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Attendees	Organization
Nikotris Perkins	Oregon Department of Transportation
Caitlin Francis Reff	Portland Bureau of Transportation
Matt Serres	Disability Rights Oregon
Monica Tellez-Fowler	C-Tran
Elona Wilson	Coalition of Communities of Color

Meeting Recording and Materials

A recording of the meeting and meeting materials are available on the [program website](#).