

Metropolitan Wastewater MANAGEMENT COMMISSION



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February 14, 2019

Co-Chairs Taylor, Reardon and Members of the Committee
Joint Subcommittee on Natural Resources
900 Court St NE
Salem, OR 97301

Dear Co-Chairs Taylor, Reardon and Members of the Committee,

The Metropolitan Wastewater Management Commission (MWMC) is a partnership between the Cities of Eugene, Springfield and Lane County that provides wastewater treatment on a regional basis to a service area of over 250,000 residents in the southern Willamette Valley. The MWMC shares the Oregon Department of Environmental Quality's (DEQ) objectives to protect Oregon's rivers and streams, public health and water quality through sound public policy and the timely issuance of scientifically based water quality permits.

To accomplish the above objectives, DEQ requires resources for all aspects of its water quality related programs, including the Total Maximum Daily Load (TMDL), Water Quality Standards (WQS) and Permitting programs. These programs work together to allow DEQ to develop effective comprehensive policies and issue permits that provide meaningful improvements to Oregon's water quality and environment.

House Bills 5017 and 5018 before the Natural Resources Subcommittee of the Ways and Means Committee include DEQ's budget package which would add significant additional resources to DEQ's Permitting program. Increasing resources to write permits without allocating resources in the other programs to perform the work necessary to arrive at scientifically based, legally defensible standards and limits will result in implementation challenges for permittees, and result in a higher litigation risk and associated costs to both DEQ and permittees.

The MWMC supports an approach that balances resources across the TMDL, WQS and Permitting programs. We acknowledge and appreciate the strides made by new leadership at DEQ, but more must be done to improve DEQ's permitting process, work quality, and accountability. The number of permits issued is not the only measure of success; feasibility, implementation and delay due to unnecessary litigation are also important.

The impacts of DEQ's Permitting program on local governments also warrants consideration and improvement. Permits need to be science based and sensible for the permittees, facilities and watersheds to which they apply. The MWMC's support for the Permitting program enhancements is contingent upon improved performance, accountability and reporting that includes an annual evaluation. The evaluation should identify issues raised during the permit writing process and how they were resolved, as well as how permits with insufficient compliance options were addressed. This evaluation should have stakeholder input and be provided to the legislature for review.

Lastly, fee impacts of the budget package must be considered. The proposed budget package would result in permit fee increases greater than 40% over the biennium, which is a substantial cost to our rate payers.

The MWMC supports a more balanced approach that adheres to the longstanding 60% fees/40% general fund split and helps to ensure that all Oregonians are investing in water quality. Furthermore, stormwater fees should not increase under the Permitting program; recent increases in 2018 were as high as 1000% and were not balanced with any general fund support.

Thank you for your thoughtful consideration of these issues in this matter. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matt Stouder". The signature is fluid and cursive, with the first name "Matt" and last name "Stouder" clearly distinguishable.

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c: Peter Ruffier, MWMC President