



6899 NE Columbia Blvd, Suite A, Portland, OR 97218

4/8/2019

**To:** Chair Dembrow, Vice-Chair Bentz, Senator Prozanski, Senator Olsen, and Senator Roblan

**Re:** SB 928

Chair Dembrow, Vice-Chair Bentz, and Members of the Committee:

Verde is community-based organization in Portland that serves communities by building environmental wealth through social enterprise, outreach, and advocacy. We also advocate for community-controlled, community-benefiting energy and for policies and processes that forward principles of environmental justice more broadly. Two of the principles of environmental justice are: balancing benefits and burdens and creating processes that are meaningfully inclusive and allow self-determination for people who are most impacted by the policies and issues at hand. Verde is weighing in on SB 928 because we have concerns about both the process through which the new Oregon Climate Authority has been developed, and how it may affect the distribution of benefits and burdens for natural resources management and regulation in the state. Given the speed at which this bill has come together and the lack of a public process in developing the concept, Verde cannot support SB 928 at this time, but is optimistic about a better concept in a future session.

We have several concerns, starting with the process through which the new Authority was developed. It seems to have been quick and lacking in transparency, two red flags from an environmental justice process perspective. Second, it piecemeal transfers responsibilities and jurisdiction of the Environmental Quality Commission, the Department of Environmental Quality, and the Energy Facilities Siting Council, in addition to full subsumption of the Department of Energy, in such a way that we fear regulation and oversight may fall through the cracks while existing challenges in those agencies are not addressed. We support tabling this bill for a future session and pulling together a well-designed table that brings together the concerns of regulated entities, communities, labor -- including affected State workers -- advocates, and other

affected parties to determine existing agency challenges that could be corrected through this process, and necessary safeguards to ensure that any transfer of duties is done thoughtfully and with the full support of impacted employees.

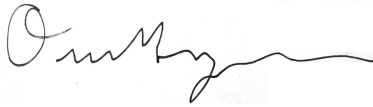
Verde understands that there are redundancies and inefficiencies in our current system of natural resources administration, but does not feel that the case has been sufficiently made for why a new, consolidated agency is necessary in this way, at this time. We recognize that the potential for a new climate program may not sufficiently fit into existing authorities or may create additional redundancies, but feel that the program should be first put up within current structures and the new agency developed to meet developing lacks and crafted thoughtfully and slowly, rather than coming together in a short turn-around without a strong case for the needs that it fills or the inefficiencies that it mitigates. Climate is not one-size-fits-all and attention to nuances will benefit a stronger agency, one that must be able to withstand critique and attempts to weaken it.

Most importantly, we feel that more time at the drawing table could yield a fruitful discussion about how to utilize the Oregon Climate Authority as an opportunity to deepen Oregon's commitment to environmental justice. ORS 182.545 outlines the duties of natural resources agencies through this lens, but this law is not executed to the full extent it could be. Verde cannot support SB 928 or any future bills unless they include an Office of Environmental and Climate Justice, which would resource the Environmental Justice Taskforce and ensure that natural resources agencies are well-supported through staff and other needs to comply with and exceed the direction of ORS 182.545. This would include extensive, and resourced community involvement, as well as research, data collection, and environmental justice mapping for the state.

The goals of SB 928 are noble. Oregon is addressing new problems with regard to climate that may need new structures at the state level. But Verde feels that a new agency is premature at this time and may result in unintended consequences that undermine the goals outlined in this bill. Moreover, the risks of poor and hasty execution are high for rural communities and environmental justice communities: communities of color, communities with lower incomes, tribes, seniors, youth, people with disabilities, and other communities underrepresented in public process. These are the people who are mostly likely to be hurt by gaps in regulation, poor administrative structures, or avenues for regulation We encourage the State and the Legislature

to convene a table after this session completes and begin a longer process to determine what is necessary, what challenges must be overcome, how best to overcome them within current agencies, and then what new authority is needed. Most importantly, community must be at this table, along with other affected parties to ensure that this work is not done in a vacuum.

Respectfully,

A handwritten signature in black ink, appearing to read 'Oriana Magnera', with a long horizontal flourish extending to the right.

Oriana Magnera

Climate and Energy Policy Coordinator, Verde