VOTE NO ON HB 2250A

Oregon is a leader in environmental protection and has always had the power to enact legislation it deems necessary to protect the environment. HB 2250A would require Oregon's natural resources agencies to compare any changes to federal regulations under the Clean Water Act, Clean Air Act or Safe Drinking Water Act to "baseline" standards, which are defined as standards in place on the last day of the Obama Administration. If the natural resource agencies find the changed regulations are less protective of public health than the prior regulations, the agencies are directed to effectively find a path to keep implementing the prior regulations. Presumably, this is to avoid environmental regulatory "roll-backs" anticipated under the Trump administration. While this may make for good political theater, it makes for bad policy.

- The proposed analysis would consume vast agency resources and would be inordinately time consuming for Oregon agencies that are already behind in their core functions. For example, Oregon's Department of Environmental Quality is already significant behind in issuing permits, developing total maximum daily loads, and is already mired in litigation over almost any action it takes. To have its staff take time away from these core functions to assess every change to federal regulations would set the agency even further behind in meeting its core functions. The resources required to complete an analysis of this magnitude would be better spent on the ground improving Oregon's environment.

- Many federal programs address issues that are handled in different ways under state law and contain different jurisdictional triggers. For example, the jurisdictional reach, language and approach of the state and federal programs water quality programs are very different. Reconciling these programs whenever a federal regulation changes to make the state regulatory regimes similar to 2017 regulations would be difficult given that this will not always be an "apples to apples" analysis.

- This bill is likely to prompt significant litigation. If the state's rational for a change in approach under state law or failure to adopt a new federal standard is that HB 2250A mandates such a result, that decision is going to be vulnerable to legal challenge. Groups that disagree with the state's assessment are likely to sue, and if the state's actions are based their assessment of relative "protectiveness" of state vs. federal law instead of best available science around a particular pollutant, the state's actions are much less likely to hold up under scrutiny. In a state with ever declining investment in

our natural resources agencies, it is not good policy to open our agencies up to new litigation threats.

- Oregon's laws should be driven by science, not politics. To the degree that any state program does not sufficiently protect the environment, then Oregon lawmakers should enact affirmative law requiring additional protection. Indeed, this is how Oregon has already operated, with our programs already going well above what's required by federal law. Federal regulations, under fundamentally different statutory regimes, do not make a good proxy for environmental protection when Oregon has always charted its own course.

The undersigned urge you to **vote no on HB 2250A** because it is an unwise, expensive, and altogether unnecessary policy for Oregon.

Oregon Farm Bureau
Oregon Metals Industry Council
Oregon Homebuilders Association
Oregon State Chambers of Commerce
Oregon Forest & Industries Council
Oregon Concrete & Aggregate Producers Association
Oregonians for Food & Shelter
Oregon Cattlemen's Association
Oregon Seed Council
Oregon Women for Agriculture
Oregon Dairy Farmers Association
Oregon Association of Nurseries
Food Northwest
Oregon Small Woodlands Association
Associated Oregon Loggers, Inc.
Oregon Wheatgrowers League
Oregon Water Resources Congress
Oregon Trucking Association
Western Wood Preservers Institute
Oregon NFIB

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