



The League of Women Voters of Oregon is a 101-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

April 12, 2021

To: [Joint Committee on Ways and Means Subcommittee on Natural Resources](#)
Sen. Kathleen Taylor and Rep. Jeff Reardon, Co-Chairs
Members of the Subcommittee

Re: **SB 5516 and SB 5517** – Dept. of Environmental Quality Budget and Fees - **Support**

The League of Women Voters has strong positions on both water quality and quantity, as well as air quality, solid waste and hazardous waste. **We also believe it is past time to address the existential threats of our time: our changing climate and injustice around disadvantaged communities.**

LWVUS was active in encouraging passage of the Clean Air and Clean Water Acts and continues to advocate to protect that foundational work. We also advocate for federal funding to implement that legislation, an issue of grave concern today. In Oregon, members have studied these issues, recognizing the value of having clean air, clean water and land for public health for today and generations to come. With that background, we provide testimony today on DEQ’s proposed budget.

We support the General Fund, Lottery Fund and fees for the base budget/activities of the department. The General Funds in this budget, as well as permit fees, protect Oregonians’ health and support our economy. Increased investment is necessary to reflect the responsibilities of the agency. And cuts to staff made in the Special Session rebalance have not been hired so again we are behind in the work needed in this agency.

Air Quality

POP 110—also in SB 5517: The **Vehicle Inspection Program** (VIP) program is cost effective, flexible, and has been proven to do its job of reducing pollution from motor vehicles with combustion engines. Even including the proposed fee increase, the Vehicle Inspection Program is the most cost-effective program consistent with Clean Air Act requirements. The Environmental Quality Commission (EQC) approved the fee ratification last fall. Now it is time to make those fee increases, the first in 20 years, permanent. In 2020 we provided [testimony](#) in support of SB 5702. Our testimony provides statistics and notes that this fee has not been increased since 1997.

POP 111: As mentioned above, **reducing greenhouse gas emissions** is a primary focus of LWVOR. Members are following the current rulemaking, providing comments and conferring with others. We are 12% above the 1990 levels and not 10% below. which was our target. The \$2 million GF (for compliance instrument software and 2 positions) will continue to move us forward.

POP 112: The **Lane Regional Air Protection Agency** needs restoration of funding cuts from a number of years ago. They are working to address the air attainment issues in the Oakridge area with innovative public engagements around wood stove burning. \$275,000 GF seems like a fair investment for this important agency.

POP 113: The League has been following the work **to implement HB 2007 (2019) “Clean Diesel”**. The package will allow DEQ to fully implement the requirements of the bill in order to accelerate the cleanup of older diesel trucks in the Portland metro area. DEQ received partial funding to implement this bill in 2019. To complete the work, DEQ will need staff and IT upgrades to certify compliance with approved retrofits. The agency expects two major waves of work as truck phase out deadlines are reached in 2023

and 2025. \$365,236 General Fund, 1 position. It is a small price to pay, relative to the staggering costs of dirty diesel to both climate and health. **It is time to fund the positions and IT technology needed to complete this important work.**

POP 114: Asbestos Fee Increase. It is important that we maintain our asbestos health protection program. This program protects construction workers and the public from the harmful effects of asbestos exposure. **Program fees have not been adjusted for over ten years.** The fee increase is proposed to maintain current program service levels and ensure timely processing of asbestos abatement project notifications and continue credential training for providers. We expect that these staff have been engaged in the land cleanup from the Labor Day fires.

Cleaner Air Oregon: We continue to support the Cleaner Air Oregon program and hope that, as the effects of Covid on the economy subside, permit processing will move forward. The legislature has approved access to funding for which the League is appreciative.

Water Quality

POP 120: The legislature made great investments in 2019 that went unfilled as Covid overcame us and revenues dropped. While we respect that the agency has left approved positions vacant and was able to keep within resources without laying off staff, vacancies are harmful to fulfilling the agency's mission. **It's time to be sure the agency can begin hiring as soon as this budget is approved. POP 120 builds on that 2019 investment to right-size the water quality permitting program, requiring both GF and Other Funds (40/60) and 6 positions.**

POP 121—in full: We support and are actively engaged in the water quality programs of this agency. The agency originally requested 4 positions to work on Total Maximum Daily Load work in order to meet court-mandated deadlines around temperature in our streams. As we continue to warm, we must get a handle on how to address these temperature rises, not only for our aquatic creatures but for us humans! **We support approval for over \$1 million GF and all 4 positions.**

POP 122: We need to ensure that **large onsite septic systems** are functioning properly and that water pollution and public health risks are prevented. With the recent wildfires, we may see the need for more of these large systems so we request that you allocate \$205,825 GF and \$175,117 Other Funds (40/60) and 2 positions to be sure the public's health is protected.

POP 123: The League has been appreciative of the good work the agency has done on **401 water certification processing**. Besides processing these permits, it is important that the agency has site inspectors to protect public health. \$207,000 GF and 1 position.

POP 124: The **Clean Water State Revolving Fund** will be even more important as we address the infrastructure needs around Oregon. Having commercial off-the-shelf software to manage this Fund is prudent, especially as we ask for expanding the fund. \$1.6 million Other Funds.

POP 125: With cuts again, this time related to loss of Lottery Revenue, **we need to restore the 5 FTE lost due to that revenue shortfall.** We must get back to water quality monitoring and non-point source pollution. High quality water is critical to our agricultural economy as well as those of us who expect clean water for drinking and the creatures who also count on clean water.

POP 181: Adds \$30 million to the Clean Water State Revolving Fund. This money may also help provide matching funds for federal funding opportunities. Again, our small communities hurt by recent wildfires may need to access this fund.

WRD POP 105 (HB 2143): As we shared with you in our Water Resources (WRD) Budget letter, this bill updates and simplifies the annual fees paid by hydroelectric projects and provides shared revenue for WRD, the Oregon Dept. of Fish and Wildlife and this agency. We need the electric power, clean water

and safe passage for fish and these fees address all three issues. **For DEQ, this is 2 positions. At DEQ this program is already struggling from reduced resources.**

The League appreciates that this committee has inquired about the loss of **federal** funds due to the state not addressing water quality on the Oregon coast. **It is clear that the Environmental Quality Commission needs to more aggressively use its responsibility to protect those streams and require the Board of Forestry to increase streamside buffers, address old logging roads/sediment and turbidity and work with the Dept. of Agriculture and Forestry on pesticide use. The League had been hopeful that HB 2495 would move this session to address protection of drinking water sources near forestlands but at least an interim discussion will take place.**

We were pleased that the legislature provided some staffing and equipment to address harmful algal blooms in **HB 5042**, but more is needed as we see warming waters, reduced flows due to drought conditions, and now the ash from the wildfires—fires that occurred near important sources of drinking water. **HB 3093 has been forwarded to you to expand on this work and provide coordination among agencies. Approx. \$500,000 GF and 2 positions.**

LAND QUALITY

POP 130 (HB 3269 that the League [supports](#)) this session will at least direct a study and funding strategies to support the agency's emergency response program. The agency has 10.5 positions to respond to over 1,500 spill incidents per year! We can assume that some of these staff have also been engaged in the wildfire response effort when not being called from one end of the state to the other. Multiple spill incidents are normal. This is another public health issue. At the present time, the bill only requires 0.25 FTE and \$62, 246 Other Funds.

POP 131 addresses updating our recycling system, now being considered under **SB 581 and 582**. Although we have been disappointed that amendments are being considered that weaken the program that a steering committee proposed to modernize the system, even small steps move us forward and we [support](#) the Other Funds and positions that will finally be determined when the bills are passed.

POP 132 requests \$10 million in bonds to replenish the Industrial Orphan Bonds program. The agency anticipates this new funding will help address 20 new sites—sites that can be used for development when cleaned.

POP 133 (SB 57) updates the hazardous waste fees to provide sufficient monies to maintain the service levels in this program.

POP 134 converts 2 limited duration positions to permanent in order to **support the Solid Waste Orphan Site Cleanup program**—again for addressing public health issues. An old landfill site in the Nehalem area is only one example of the sites Oregonians expect to be made safe.

AGENCY MANAGEMENT

POP 90 (SB 286 which the League [supports](#)) establishes an **Office of Environmental Justice with 3 positions and funding for data analysis to address Environmental Justice**. The Environmental Justice Task Force has been housed in the Governor's Office since 2007. The volunteers have really been the staff as they met with a variety of natural resource agencies to raise issues of concern to our more vulnerable Oregonians—many of whom have suffered the effects of pollution. **We note that \$3 million GF is requested, but also funding for 1 FTE each for the Dept. of Land Conservation and Development, Dept. of Agriculture and Parks and Recreation.** Although housed in DEQ, the Council expects to continue work with all natural resource agencies.

POP 141 (SB 58—authorizes a surcharge for those who choose to pay by credit card) continues **implementation of the Environmental Data Management System**. The League has supported this effort from the beginning that will provide data access to multiple agencies as well as the general public.

It also provides electronic permit filings and invoicing. **Any time we can support cross agency sharing, we are happy to see agency silos reduced.**

POP 143 requests **6 positions--administrative support staff**—to assure the increase in staffing is supported by Human Resources, IT and Payroll adequate to meet demand. Agencies are only successful if their staff is well cared for. \$1.6 GF

HB 3090, a bill that will again **fund the successful onsite septic loan program** with a \$2 million request is very important as wildfire victims who are rebuilding may need assistance in repairing or replacing their systems. Many systems were located near rivers and new technologies might be required. **The League suggests that you consider a \$4-5 million allocation.** We are uncertain if there will be enough septic system contractors to handle much more for 2021-23. We hope you can get more information before making a final allocation.

There may be other bills related to the mission of DEQ about which we may well provide comments. After all, **DEQ is at the core of Oregon's public health and environmental protection.** It has a broad mission that, if fulfilled, affects every Oregonian. Investing in its many responsibilities is money well spent.

Thank you for the opportunity to discuss this legislation. **We encourage your support for the many missions of this important agency.**



Rebecca Gladstone
LWVOR President



Peggy Lynch
LWVOR Natural Resources Coordinator

Cc: Richard Whitman, Dept. of Environmental Quality Director (Richard.Whitman@state.or.us)
Jason Miner, Governor's Natural Resources Policy Director (Jason.Miner@oregon.gov)