

February 8, 2023

Representative Pam Marsh, Chair
House Committee on Climate, Energy, and Environment
Oregon State Capitol
Salem, OR 97301

Re: HB 3022 - OPPOSE

Chair Marsh, Vice-Chairs Levy and Levy, and Members of the Committee,

The 31 undersigned organizations submit this testimony in opposition to HB 3022.

If passed, HB 3022 will prohibit the Environmental Quality Commission (EQC) and Department of Environmental Quality (DEQ) from doing their jobs.

By prohibiting the adoption and enforcement of rules or standards related to motor vehicle fuels or emissions unless authorized by the legislature, we risk delaying or halting much needed progress on air and climate pollution improvements that our state desperately needs as well as undermining the agency rulemaking processes from agency staff trained in their field of work. This bill would also set a very dangerous precedent in undermining other state agency rulemaking processes by removing the ability of experts in their field to do their job and improve our State, whether the focus is on the environment, energy, labor, education and beyond.

HB 3022 Will Keep Oregon from Reaching Its Climate Targets

Already, Oregon is behind on its climate goals and air quality standards. Many state agencies including DEQ are working around the clock to go through the intensive rulemaking process to adopt rules that improve the lives of current and future generations of Oregonians. DEQ works on a handful of rules that would help Oregon meet its climate targets as well as reduce air pollution in the state. The Oregon Global Warming Commission specified that the Advanced Clean Cars II rule and the Clean Fuels Program Expansion, two rules that were passed through an extensive rulemaking process in 2022, were necessary in order to meet our 2050 State climate targets. Air pollution is also a serious issue that requires urgent attention as diesel pollution continues to be responsible for an estimated [176 premature deaths, 25,910 lost work days and annual costs from exposure of \\$3.5 billion](#). In the [American Lung Association's State of the Air Report Card](#), our state received a failing grade for particle pollution in nearly all counties where data was collected.

Rules that have been passed by the Environmental Quality Commission have undergone extensive rulemaking processes and created numerous benefits for Oregonians. Since its adoption in 2016, the Clean Fuels Program has cut nearly 6 million tons of greenhouse gas pollution and replaced 1 billion gallons of gasoline with cleaner fuels, making it one of Oregon's most successful policies for reducing climate pollution. Oregon's Advanced Clean Cars II rule is a necessary rule that will allow for Oregon to come close toward Oregon's goal of reducing greenhouse gas emissions by at least 75 percent below 1990 levels by 2050. While emissions

from all other sectors are declining, emissions from motor vehicles are climbing and is an important reason why we should not restrict agencies such as DEQ and the EQC from taking steps to address the climate crisis.

HB3022 Will Undermine Agency Expertise, Rulemaking Processes, and Create Extra Burden for Legislators

DEQ's mission is to restore, maintain, and enhance the quality of Oregon's air, land, and water all throughout the state, working with local communities, residents and stakeholders to address environmental issues. DEQ is filled with staff who have both academic and professional experience working to protect and enhance the quality of our environment for current and future generations. The EQC is a governor-appointed body, also with academic and professional experience in environmental protection and enhancement, that helps DEQ make decisions to protect Oregonians and our environment. We cannot understate the value of having experts do their job to continue to protect our state's environment.

In order to adopt a rule through an agency's rulemaking process, there are months, if not, years of research, analysis, and stakeholder engagement that must be conducted to fully understand a rule, and its implications. If HB 3022 is passed, we are undermining the extensive time and processes each rule and regulation needs in order to be fully understood and implemented. We would also be creating an extra burden on legislators who must become environmental science experts overnight to consider the adoption of environmental regulations they may not have a background on.

We urge you to oppose HB 3022.

Sincerely,



