



March 30, 2023

Dear Co-chairs Dembrow and Pham and members of the Joint Natural Resources Subcommittee,

I am Eric Feeley, President of AFSCME Local 3336 - we are the Union which represents classified employees at the Department of Environmental Quality. I am here today to speak in support of HB 5018 as well as in support of the policy option packages and bills presented to you by department leaders over the last several days.

I want to emphasize that our Union supports the Title V funding package and the companion HB 3229. Staff have expressed frustration at the current vacancy rate in the Title V program along with the ongoing recruitment and retention challenges associated with a program that lacks funding certainty. In addition, it is clear that a reduced Title V program won't serve Oregon communities or permitted sources well.

On behalf of the members of our Union, I also urge you to improve the DEQ budget in the following ways:

- 1) Continue the wildfire and smoke response work that was started in the last biennium under SB 762 by including package 113 as part of this budget. Doing this will support communities by maintaining and expanding monitoring capacity during wildfire and smoke events so that they have the best information to make important local decisions. And it will support smoke response planning work that DEQ has been doing across the state in order to reduce the impacts of smoke from more frequent fires. Without the funds described in this package there are not enough resources to support this work. And with the national ambient air quality standard for particulate matter very likely to be reduced by the EPA in the near future, this planning effort is important to make sure that our state remains in attainment or avoids any future risk of non-attainment designation. I want to emphasize that the planning positions that are proposed to be cut are the only source of state funds for local community response planning for the impacts of smoke from wildfires.
- 2) Support the implementation of \$13.6 million dollars in medium- and heavy-duty zero emission fueling infrastructure grants by making the limited duration position responsible for program implementation a permanent position as described in package 112. Taking this action will ensure program success and means that we won't lose the capacity for future work in this important transition.

- 3) Under package 114 restore an environmental engineer position in the GHG reduction program to continue to maintain a high level of expertise on the technical side of Climate Protection work.
- 4) Fund the 1.0 FTE position that improves TMDL implementation efforts related to non-point source pollution that the subcommittee identified as important to continue to address across the state as described in package 124. A federal funding shortfall is not a good reason to decrease the attention that we pay to these non-point source issues.
- 5) Permanently fund 2 Water Quality positions related to data management, IT support and permitting administrative support (both under package 121). And fund a third water quality position related to permitting and compliance assurance for large on-site septic systems (under package 123).
- 6) Restore three permanently filled positions that were erroneously left out of the GRB. The decision to exclude those positions from the GRB was made with an outdated vacancy list that failed to account for the fact that DEQ subsequently hired people into those previously permanent, but vacant, positions. We don't think the Governor intended to cut positions that were actually filled. With an ongoing recruitment and retention crisis, cutting these newly filled positions in Tanks, IT and Laboratory technical services would be going in the wrong direction. Here are some details on those positions:
  - a) Permanently fund one Underground Storage Tanks position (package 135) related to data, community outreach and mapping, and restore the permanently-filled UST Duty Officer position that was mistakenly left out of the GRB. This cut in particular will hobble our UST inspection program just when we are facing the challenge of aging tanks infrastructure that directly threatens our rural communities.
  - b) Restore the permanently-filled IT position that was mistakenly left out of the GRB. DEQ's IT department cheerfully supports a huge range of hardware and software systems that are critical to our programs, and cutting this position will stretch a small team even thinner.
  - c) Restore the permanently-filled Laboratory IT position that was mistakenly left out of the GRB. The job of keeping a variety of database systems with widely ranging vintages maintained is not easy. Without on-site IT experts to carry out this work and to support the laboratory staff who use these different systems there are longer delays and more downtime which can lead to longer turnaround times for environmental sample results.

Finally, I want to share the challenge that our Agency faces at the current moment. We are entering our fourth month of payroll chaos with the dismal new Workday system, dealing with recent revelations of compromised ethics regarding a former Agency director and struggling to

recruit, retain and be welcoming to a more diverse generation of staff. Through it all, DEQers remain highly committed to their work and to the mission and vision of the Agency. Lenor Fisher and Lance Hochmuch were two examples of this dedication whom we lost to sudden illnesses during the last year. Lance brought two decades of quiet skill to the air monitoring group, helping develop those low cost SensOR air monitors that you heard about earlier this week which are now deployed across the state. Lenor was an admired Accountant in our business office whose generosity, intelligence and dry wit couldn't help but win you over. DEQ's budget is ultimately centered around both the communities that we serve along with the many dedicated people just like Lance and Lenor that are making DEQ work each day. Our Union encourages you to support that work by providing the funding needed to meet the challenges ahead and to meet the goals that you have helped set.

Respectfully submitted,

Eric Feeley  
President

AFSCME Local 3336 - Represented Employees of the Oregon DEQ