



## **Testimony to the House Committee on Climate, Energy and Environment On HB 4102**

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Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We advance equitable, innovative and collaborative solutions to Oregon's environmental challenges for today and future generations.

### **Oregon Environmental Council opposes HB 4102.**

OEC acknowledges the challenge DEQ's permitting backlog creates. However, the answer to this challenge is not to outsource the responsibilities of the agency to the private sector.

One of the primary reasons work like water quality permitting is in the hands of the agency is that it is the responsibility of the agency to act to protect the public interest and ensure that public resources are managed protectively. Turning water quality permit writing over to the private sector is an unacceptable shirking of the agency's key duty.

As the state continues to underfund agencies and the permitting backlog grows, options like those presented in HB 4102 start to seem like logical next steps for addressing the backlog. They are not.

Allowing the permit applicant to select and pay the permit-writing contractor introduces a raft of conflict-of-interest concerns. In addition, HB 4102 does not provide specific language on how DEQ would select a third-party permit writer and screen them for conflicts of interest. Clear guidance on this would be essential if the state decides to move forward with the privatization of water quality permitting.

The real answer to this challenge is to provide sufficient funding to the agency to allow the hiring, training, and retention of competent, educated staff. Finding people with the necessary technical training and background, hiring them and training them in the complexities of water quality permit writing can take up to a year or more. Building and retaining trained staff is an investment in Oregon's future, and ensures that there are means for protecting the public interest in water management.

**OEC urges you to reject HB 4102.**