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Co-Chair Senator Taylor
Co-Chair Representative Reardon
Members of the Ways and Means Natural Resources Subcommittee

TESTIMONY REGARDING DEQ'S PROPOSED BUDGET AND STORMWATER PROGRAM CONCERNS

The City of Corvallis shares the Oregon Department of Environmental Quality's (DEQ) objectives to protect Oregon's rivers and streams, public health and water quality through sound public policy and the timely issuance of scientifically based water quality permits that provide meaningful improvements to Oregon's water quality and environment.

House Bills 5017 and 5018 before the Natural Resources Subcommittee include DEQ's budget package which would add significant additional resources to DEQ's Permitting program. Increasing resources to write permits without allocating resources in other programs to perform the work necessary to arrive at scientifically based, legally defensible standards and limits will result in implementation challenges for permittees, and result in a higher litigation risk and associated costs to both DEQ and permittees. DEQ issued a new stormwater discharge permit (Phase II MS4) in November 2018 that has terms and conditions that will subject communities to legal challenges, create excessive administrative burdens, increase development costs and hamper the ability to facilitate affordable housing projects in Corvallis. Six affected communities have filed lawsuits against DEQ seeking changes to the permit.

Corvallis acknowledges and appreciates the strides made by new leadership at DEQ, but more must be done to improve DEQ's permitting process, work quality, and accountability. Support for the development of water quality standards is needed to write effective discharge permits to achieve real environmental benefits. The number of permits issued is not the only measure of success; feasibility, implementation and delay due to unnecessary litigation are also important.

Lastly, fee impacts of the budget package must be considered. In 2017, the Legislature approved two new stormwater permit writer positions that are 100% fee funded, resulting in fee increases as high as 1000% for municipal permittees. The proposed budget package would result in permit fee increases greater than 40% over the biennium, which is a substantial cost to our rate payers. Corvallis supports a more balanced approach that adheres to the longstanding 60% fees/40% general fund split and that helps to ensure that all Oregonians are investing in water quality.

Corvallis is committed to protecting public health and we support improving water quality through sound public policy and timely issuance of scientifically based permits. We are asking for your support in our endeavor to get the DEQ stormwater program on track to maximize the public and environmental benefits associated with investments made for regulatory compliance.

Thank you for your thoughtful consideration of these issues in this matter.

Sincerely,

Biff Traber
Mayor