

House Energy and Environment Committee Informational Hearing on DEQ's Water Quality Permitting Program April 21, 2021

The Municipal Perspective

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About ACWA...



- Private Non-Profit since 1987
- Our Members:
 - Approximately 120 public wastewater and stormwater management agencies
 - Associate members (consultants)
- Our mission:
 - Protect & enhance Oregon's water quality
- Our focus:
 - Work collaboratively to ensure standards & regulations are implementable, timely, affordable, and achieve intended environmental outcomes

Municipal Roles & Responsibilities for Protecting Water Quality:

We protect public health, safety and the environment; protecting Oregon's water quality is a partnership between State and local government.

- **We are on-the-ground stewards of water quality and watershed protection: operations, community programs & partnerships, and regulations**
- **We are community resources: funding, technical expertise, public education and outreach**
- **We implement Federal and State WQ programs throughout our communities**

Municipal Wastewater and Stormwater Agencies are Major Stakeholders in DEQ's Water Quality Permitting Program

- **We Operate under NPDES and WPCF permits which must be implementable and affordable**
- **We participate in DEQ development of Total Maximum Daily Loads, Water Quality Standards, and feasible permit compliance pathways**
- **We fund 60% of DEQ WQ Permitting Program costs through permit fees**
- **Permitting and new permit requirements place significant cost burdens on Oregonians, and we seek to hold DEQ accountable for their work**

Municipal Perspectives on DEQ's Water Quality Permitting Program

- **DEQ's WQ Programs have been underfunded by the State for decades, leading to:**
 - Declining staff in TMDLs, WQ Standards & Permitting
 - Inadequate permitting strategies/tools to address emerging WQ challenges
 - Backlog of expired, administratively extended permits
 - Significant fee increases without results
 - Litigation
 - Impacts on utility operations, community development, and the environment

DEQ WQ Programs -- Getting Back on Track...

- 2015 Budget Note, fee increases & MWH Assessment
- Performance Improvement Program
- Increased funding and staff (2019-21 Budget)
 - 5-year Permit Issuance Plan
 - Balanced staffing increases & coordination
 - Significant progress, but there's more to do
- COVID-19 economic impacts have slowed progress
- Permit issuance metrics and process are drivers-negative impacts of this need to be addressed
- Continued collaboration is needed to optimize costs, benefits and environmental/social impacts

In Order to Address the Permit Backlog DEQ Should be Supported on its Current Path Without Distraction

- **DEQ should stay the course, but continue to improve through listening, adaptive management, and staff training**
- **Increased State investment & expectations for performance, work quality, transparency, and accountability to stakeholders are needed**
- **Requirements for DEQ to further accelerate permit issuance, or to provide other services with limited staff, would be counterproductive**