

Testimony in Support of SJR 28, a Constitutional Amendment to Guarantee Oregonians the Right to a Healthy Environment

- Oregonians' lives and futures depend on a safe and healthy environment. This amendment puts this key value, that all Oregonians hold, into our State constitution. If passed by the voters, the State government will be required to do a better job to prevent environmental threats to the health and safety of Oregonians.
- This Senate Joint Resolution makes our state and local governments' responsibility to protect Oregonians from human-caused environmental harm EXPLICIT in our Constitution. Protecting our communities should be our government's highest priority. SJR 28 clears the way for our leaders to do what must be done to protect our lives and futures.
- Oregon's current system waits to address environmental threats until public pressure forces the Legislature to act. With huge threats looming, this is like driving at night without headlights. Preventing environmental disasters is much less costly than cleaning up after disasters.
- Passing this constitutional amendment will give agencies and their lawyers the power to proactively address threats to our health and safety. The current system limits them to waiting for a public outcry before addressing urgent environmental threats – a recipe for continuous disasters.
- In addition to the limited effectiveness of Oregon's current regulatory system, it also depends heavily on federal environmental laws including the Clean Air Act, the Clean Water Act, the National Environmental Policy Act (NEPA), and the Environmental Protection Agency's definitions of toxic levels to regulate our air, water, ecosystems, and climate systems. These bedrock environmental laws could be in severe jeopardy with the new administration's general approach against effective environmental protection.

Why is a Constitutional Amendment Needed to Ensure Future Generations of Oregonians Have a Safe Environment? **Air Quality:** Diesel Pollution

Oregon has a history of slow implementation of rules to limit emissions of very fine particles (PM 2.5) from diesel engines. These particles are known to cause health problems and deaths in Oregon. Passage of the Right to a Healthy Environment (SJR 28) by the voters would give the Department of Environmental Quality (DEQ) a better foundation to protect health from air pollution.

Oregon's health target for reducing diesel pollution is 1/30th as stringent as in Washington or California. And Oregon is not even close to meeting its goal. Diesel pollution contributes to what the U.S. Environmental Protection Agency estimates are as many as 460 premature deaths a year in Oregon.

(<https://projects.oregonlive.com/polluted-by-money/part-3> March 8, 2019)

Oregon Surface Water Impairment

Based upon observed levels of impairment, Oregon was identified in a report by the environmental integrity project as having the most miles (over 120,000 miles) of polluted or impaired waterways in the Nation. Also in Oregon, 95% of lakes have water too contaminated to be suitable for drinking water.

- <https://oregoncapitalchronicle.com/2022/03/23/oregon-high-among-states-with-most-polluted-waterways-according-to-new-analysis/>
- EPA 303D streams: listing by pollutant <https://www.oregon.gov/deq/wq/Pages/epaApprovedIR.aspx>

Oregon Groundwater Contamination:

A 1999 report by the U.S. Geological Survey (USGS) identifies Oregon as one of nine states having the highest concentrations of nitrates in shallow groundwater in the nation (Hoppe et al., 2011). The number of groundwater wells in Oregon is estimated to be 350,000 and 16% of the Oregon population uses groundwater wells for drinking water (Hoppe et al., 2011). Sources of groundwater pollution include, among others, fertilizer runoff, herbicides, pesticides, and fungicides from agricultural fields, treating farmland with manures from concentrated feedlots and dairies, and localized contamination from industrial sources.

The Port of Morrow in Morrow County as well as the lower Umatilla Basin have been experiencing nitrate contamination in well water for several decades (30 years or more), and there is growing concern over nitrates in Bend drinking water. High levels of nitrates are also found in the shallow aquifers of the Southern Willamette Valley.

Please give Oregon voters to chance to ensure Oregon lives up to its reputation as a green state! Please vote in favor of SJR 28. Thank you for your time and consideration.

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