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Feb 16 , 2026

To: Senate Committee On Energy and Environment

RE: Opposing HB 4102 and Supporting -1 Amendments - DEQ Permit Processing and 3rd Party Contactors

Chair Sollman, Vice-chair Smith, and members of the committee,

Thank you for the opportunity to provide testimony today for House Bill 4102 on behalf of Verde. Verde is a community-based organization dedicated to building environmental wealth through organizing, advocacy, and social enterprise.

We understand the need to streamline DEQ's permitting process and eliminate the current backlog, however, legislative efficiency must not come at the expense of regulatory integrity. We oppose the bill as introduced but support the proposed -1 amendments. Adopting the proposed -1 amendments will add the necessary guardrails to ensure that expedited timelines do not undermine the public interest. We believe it is possible to achieve operational speed while maintaining DEQ's values and mission. Our recommendations below are designed to bridge this gap and ensure the bill serves both applicants and the public interest effectively.

Clearly articulate selection process for third-party contractors. The criteria for selecting and approving third-party contractors needs to be clearly articulated and include safeguards to prevent conflicts of interest between applicants seeking an expedited permit review process and the third-party entities that will be responsible for conducting the review.

After many conversations with legal experts, DEQ, and legislators, it is still unclear what the process for selecting third-parties is and how conflicts of interests (COI) will be screened. Current procurement ORS and OARs address COI between DEQ and third-party contractors, but do not address COI between the *applicant* seeking to expedite their permit application and the third-party contractor. These rules and statutes do not address the COI that the DEQ itself would take on (and have to navigate) by contracting with a third party on behalf of an applicant.

Furthermore, the existing legal and policy landscape for procurement, contracting, and COI is fragmented, drawing from various ORSs, OARs, and internal policy documents that are fundamentally incompatible with the nature of the activities that this bill seeks to regulate. This creates ambiguity and potential for inconsistent application. Our proposed amendments aim to streamline and centralize these critical considerations, providing clear and legally enforceable guidance for this specific process within HB 4102.



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Strengthen Public Interest Considerations The bill requires the DEQ to consider the "public interest" but provides very limited criteria. As it reads now, the criteria defining "public interests" only include looking at project readiness and DEQ's backlog, but do not include considerations about broader public interest factors such as public health or fair labor and wage standards. Strengthening the definition of public interest offers a significant opportunity to help protect the public and ensure all interests are considered in the permitting process. We support expanding the public interest review criteria to include the benefits and risks to the public and environment and consideration of applicant's past compliance history.

Verde supports improving the permitting process to reduce the DEQs backlogs provided that public interest and environment are meaningfully protected. Efforts to streamline the permitting process must embody the DEQs values of transparency, inclusion, justice, and accountability to fulfill their vision of "working respectfully and engaging intentionally with communities for a safe, healthy environment". Which is why we urge the committee to support the proposed -1 amendments to add clarity and consistency to the permitting process and to help ensure that HB 4102 benefits not just the applicant but also the public and environment while maintaining the DEQ's regulatory integrity, values, and vision.

Thank you.

Sincerely,

Roselyn Poton, Water Justice Coordinator
Verde