



February 18, 2026

Senator Sollman
Senator Brock Smith
Committee Members

SUBJECT: Testimony in Opposition of House Bill 4102 and Amendment -1– Modifies the authority of the Department of Environmental Quality to enter into agreements with regulated entities to expedite or enhance a regulatory process.

Chair Sollman, Vice Chair Brock Smith, and Committee Members:

The Oregon Association of Clean Water Agencies (ACWA) appreciates the opportunity to submit written testimony to House Bill 4102 and Amendment -1.

Our member agencies operate wastewater, stormwater, and other facilities and programs that require permits from DEQ that could be impacted by House Bill 4102 and Amendment -1. Like many other stakeholders, ACWA has been actively involved in DEQ's water quality programs for many decades. We understand the frustrations and impacts that can occur when DEQ does not make timely regulatory decisions. Further, we support operational, rule, and legislative changes that would provide fair, equitable, meaningful and lasting improvements to DEQ's permitting process. However, HB 4102 and Amendment -1, which amplifies the use of the DEQ receipts authority, has a potential to have the opposite effect on the DEQ permitting process. Adopting the modifications to ORS 468.073 could create a bottleneck in the regulatory decision-making process, exacerbate inequitable access to the services DEQ provides to the public, and potentially result in adverse water quality impacts.

This legislation could hinder DEQ's ability to implement federally mandated Clean Water Act requirements and violate the 2018 permitting backlog settlement between *DEQ and the Northwest Environmental Advocates and the Northwest Environmental Defense Center*. While the proposed modifications to ORS 468.073 would provide direct permitting resources to write a permit, it may not provide for additional subject matter experts (there are very few people that poses this level of knowledge specific to Oregon) that review and provide the technical details of a permit, and also for the extra time for management review. These cascading issues could combine with an already backlogged permitting program to exacerbate the processing and issuing of existing permits needing renewal.

Further, this legislation could create a scenario where applicants with greater economic resources and those not required to act within a public fiduciary construct can jump to the front of the permitting line. This can create an inequity for most of the public wastewater and stormwater service providers. Delaying the renewal of these wastewater and stormwater permits could cause further environmental degradation and adverse impacts to public health, not to mention economic harm to the wastewater and stormwater agencies.

The objection to HB 4102 and Amendment -1 should not be construed as an agreement for the general timeframes in which DEQ currently processes new permit applications, permit renewals, and reissuance of general permits, as we believe there is still room for substantial improvement. However, the proposed statutory language by itself will not close that gap and is likely to hinder the overall permitting process timeframes.



ACWA respectfully requests that a more comprehensive and inclusive approach be taken to address DEQ's permitting timeframes, one that goes beyond the proposed changes of HB 4102 and Amendment -1. Thank you for your consideration of our testimony.

Geoff Rabinowitz
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Oregon Association of Clean Water Agencies