
Date: Jan. 11, 2022

To: Environmental Quality Commission

From: Richard Whitman, Director

Subject: Item F: 2022 Legislative Session updates (Informational)
Feb. 3-4, 2022, EQC meeting

Purpose of item DEQ will present updates on the February 2022 Legislative Session.

2022 Legislative Session Since Oregon voters adopted annual sessions in 2010, the Legislature convenes for a maximum of 160 days in odd numbered years and 35 days in even numbered years. The Legislature also meets periodically during the interim for legislative days.

The next annual session will convene on Feb. 1, 2022. DEQ is supporting Governor Brown's environmental justice legislation (described separately in the Director's Report), and intends to request additional resources to support the following areas:

- Lab Equipment: DEQ's ability to continue providing environmental monitoring and testing in a reliable, timely, and cost-effective manner is dependent upon aging laboratory equipment, facility certification requirements and analytical instrumentation for which replacement costs are not accounted for in the DEQ budget. Many critical instruments are at or beyond their recommended replacement age and some are no longer feasible to repair should they become inoperable.
- Lab Manager: Over the three budget cycles, the Legislature has added new staff to our lab (air quality toxics, monitoring positions for harmful algal blooms, air quality monitoring and meteorology for wildfire response, and analytical staff for the water quality TMDL program, among other positions). While these positions have added important new analytical capacity to the lab, the additions have led to a 16:1 ratio of staff to managers, which is not sustainable as a practical matter. To rectify this imbalance, the agency also is requesting funding for a new lab manager.
- Support for Environmental Justice. The Biden Administration is bringing an "all of government" focus to environmental justice, with

EPA providing both additional resources and expected to issue new and more detailed expectations for state implementation of federal environmental laws in terms of engagement with communities and avoidance of disparate impacts. State agencies receiving federal funding from EPA have an obligation to ensure the “fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies.” DEQ is requesting resources to meet its federal obligations and advance environmental justice capacity. These resources are required regardless of legislative action on the Governor's environmental justice legislation.

**EQC
involvement**

DEQ welcomes feedback and input from the commissioners on the agency's budget and legislative requests. DEQ will provide updates on legislative and budget matters at each commission meeting, or as otherwise requested.