



# Notes: Oregon Environmental Quality Commission

**DEQ**

**441<sup>st</sup> Regular Meeting, Jan. 15, 2026**

**Thursday, Jan. 15, 2026**

## **Welcome and Meeting Open**

At 10:05 a.m., Chair Matt Donegan opened the meeting and reviewed the day's agenda.

Attendees: Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Silvia Tanner and Commissioner Mark Webb. Also present were DEQ Director Leah Feldon and Department of Justice Counsel Gary Vrooman.

The meeting was held via Zoom and in person at the DEQ Portland headquarters (700 NE Multnomah Street, Portland, Oregon 97232) in the 3<sup>rd</sup> floor conference room.

## **Item A: Draft Meeting Minutes (Action)**

Commissioners reviewed and acted on the proposed draft minutes from the December 2025 regular meeting.

**Action:** Approve minutes as presented for the December 2025 regular meeting.

**Move:** Commissioner Karen Moynahan

**Second:** Commissioner Mark Webb

The commission approved the motion unanimously. Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Silvia Tanner and Commissioner Mark Webb in favor.

## **Item B: Executive Order 25-29 and Clean Fuels Program Rulemaking (Informational)**

**Presenters:** Colin McConnaha, Bill Peters

DEQ provided an update on the Clean Fuels Program, including context for how it fits within Oregon's broader suite of clean energy strategies. Staff provided an overview of DEQ's plans for responding to the Governor's directive, Executive Order 25-29, which directs state agencies to accelerate emission reductions, expand the program, and streamline clean energy permitting. In its 10 years, the Clean Fuels Program has displaced over one billion gallons of fossil fuels.

The presentation included information on the program's performance, market dynamics, and recent trends, including credit price fluctuations, policy impacts, and the growing importance of electricity and electric vehicles. Challenges noted included limitations on ethanol blending, technical issues with renewable diesel in cold climates, and the need to monitor market impacts and fuel diversity closely. Discussions highlighted the economic, health, and environmental

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justice benefits of the program, while also addressing uncertainties in long-term price forecasting and the influence of regional developments.

The informational item concluded with a review of future program assessments, inflation adjustments, and references to additional resources. Commissioners asked clarifying questions throughout DEQ's presentation.

## **Item C: Water Quality Fees 2026 (Informational)**

**Presenters:** Mike Kucinski, Rebecca Bodnar

DEQ presented proposed updates to water quality program fees to address rising costs and maintain essential services. The proposed changes would include a standard 3% annual increase and additional recalibration increases authorized by the legislature to ensure program stability. Expanded legislative authority now allows fee adjustments in more programs, some of which had not seen increases in over a decade, resulting in significant funding gaps.

Programs affected include NPDES, WPCF, UIC, 401 Dredge and Fill, Onsite Wastewater, and Wastewater Operator Certification. DEQ also proposes a separate 4% technology fee to support the DEQ online system. DEQ provided public notice and addressed comments.

The presentation was informational; fee approval will be sought in March 2026. Commissioners asked clarifying questions.

## **Working Lunch and Executive Session**

At approximately 12 p.m., the commission recessed for lunch and executive session. Chair Matt Donegan reconvened the meeting at approximately 1:15 p.m.

## **Item D: Public Forum**

The commission provided an opportunity for public comment in person or via Zoom on any environmental and public health issues relevant to DEQ and EQC. One person appeared in person. People were asked to limit comments to two minutes or less. The commission could not accept comments on the proposed Water Quality Fees 2026 rulemaking.

<b>Name (Z = Zoom)</b>	<b>Affiliation (if stated)</b>	<b>Topic</b>
1. Dale Feik	Washington County Citizen Action Network	Environmental health issues
2. Brett Morgan (Z)	Climate Solutions	Oregon Clean Fuels Program
3. Janice Thompson (Z)		Oregon Clean Fuels Program
4. Jamie Johnson (Z)	Green Energy Institute – Lewis and Clark Law School	Oregon Clean Fuels Program
5. Mackenzie Springer	Neighbors for Clean Air	Oregon Clean Fuels

(Z)	Program
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Chair Matt Donegan closed the public forum at approximately 1:30 p.m.

## **Item E: Rulemaking Plan Review (Informational)**

**Presenter: Matt Davis**

DEQ briefed the commission on the rulemaking process, the 2026 annual rulemaking plan, and the commission's authority to delegate final approval of rulemaking actions to DEQ's Director. The presentation covered the statutory framework for rulemaking, reasons for initiating rulemaking, and the steps DEQ takes to prepare draft rules for public comment and commission consideration. DEQ staff summarized the current rulemaking plan, outlined anticipated projects for 2026, and explained the benefits and protocols of delegating final approval to the Director for certain rulemakings, thereby streamlining procedural decisions.

DEQ also addressed recent and upcoming changes to the rulemaking process, including updates to align with the Governor's 2025 expectations for transparency and public engagement. Notable improvements include consolidating rule information on DEQ's website, publishing public comments and responses, and integrating with state rule databases. Additionally, DEQ highlighted the new legislative requirement under HB 3569 (2025) to include legislative sponsors on Rules Advisory Committees, effective January 2026, and described steps to ensure early legislator engagement.

Finally, DEQ reviewed relevant strategies from its 2025-2027 Strategic Plan, focusing on enhancing decision-support tools and increasing commission involvement in policy and rulemaking. DEQ will conduct listening sessions with commissioners to gather feedback on briefing materials and approaches for analyzing policy impacts. Supporting materials, including the DEQ Rulemaking Plan and Calendar, were provided for reference.

## **Item F: Director's Report (Informational)**

**Presenters: Leah Feldon and Leadership Team Members**

Director Feldon and members of the Leadership Team presented written and verbal updates on agency activities and other issues of interest to the commission.

The director reported on the recent leadership transition, with Assistant Director Brian Bowling departing after 19 years and Wade Sadler stepping in as Central Services Division Administrator and Interim Assistant Director.

A notable update was the launch of the Community Climate Investment entity Request for Applications. Open from Jan. 7 to March 20, the voluntary program allows facilities to purchase climate investments as part of compliance under the Climate Protection Program. Selection will involve a review committee with equity representation, and funds will be distributed to projects that benefit environmental justice communities and reduce greenhouse gas emissions. The

agency clarified how administrative overhead and entity selection would work, emphasizing the potential for multiple entities and diverse expertise.

DEQ also highlighted continued progress on the Climate Equity and Resilience Through Action initiative, with \$197 million in pollution-reduction grants distributed and approximately 10% already disbursed to various partners.

DEQ discussed the Governor's Oregon Prosperity Roadmap, an effort to enhance economic and business development across the state. The initiative includes new leadership roles, legislative action, and strategies to streamline permitting and support business growth. DEQ anticipates a key role in permitting improvements and related legislative proposals.

Looking ahead to the 2026 legislative short session, DEQ staff previewed a busy agenda. Numerous bills could impact DEQ, including those related to permitting, public access to rulemaking, recycling, fuel tank regulation, and a proposed battery responsibility program. The agency encouraged EQC members to reach out with questions due to the session's compressed timeline.

The agency reported progress in securing reimbursement for costs from a recent cyber attack, with notifications completed and cost recovery approved.

In air quality, DEQ noted strong uptake in vehicle emission rebates, especially for zero-emission garbage trucks, and flagged concerns about a proposed rollback of federal fuel efficiency standards, which may affect Oregon's emissions projections.

In water quality, DEQ submitted joint comments on a proposed federal rule narrowing the definition of "Waters of the United States," emphasizing its importance for Clean Water Act enforcement. The agency is also reviewing a related EPA rule on water quality certifications and noted the potential for increased state costs.

DEQ provided updates on the J.H. Baxter Superfund site in the agency's western region, including funding for remedial investigations and ongoing EPA actions, and reported that a planned Coffin Butte landfill expansion was halted by local land use decisions, with any future expansion requiring DEQ permit changes.

The meeting concluded with a note on a draft Prospective Purchaser Agreement for a Willamette site, now open for public comment, and the postponement of the scheduled contested case hearing. The chair thanked staff for their contributions before closing the session.

## **Adjourn Meeting**

Chair Matt Donegan adjourned the meeting at approximately 3:30 p.m.

## Friday, Jan. 16, 2026 – Canceled

9 a.m.

~~Welcome and Meeting Open~~

~~The commission will open the meeting and review the day's agenda.~~

9:05 a.m.

**Item G: Gaston Heights, LLC Hearing (Action) *ITEM POSTPONED***

~~The commission will hear oral argument from and have an opportunity to ask questions of both DEQ and Gaston Heights representatives regarding Gaston Heights' Petition for EQC Review of the Administrative Law Judge's June 2024 Proposed Order regarding alleged violations of Oregon water quality law at a construction site in Gaston, Oregon. The commission will then deliberate and determine by motion its decision on the final order in this matter.~~

10:35 a.m.

~~Adjourn Meeting~~

## Other Resources

- [Thursday, Jan. 15 Zoom recording](#) – passcode: x\*%8?#1u
- [January 2026 EQC web page](#)

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