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Annual Report to the Environmental Justice Council

Oregon Department of Environmental Quality



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Forward from the Environmental Justice Working Group

The role of the Environmental Justice Working Group is to coordinate the development of DEQ's environmental justice framework that can support the equitable implementation of DEQ's mission of restoring, maintaining, and enhancing environmental quality by understanding and reducing disproportionate impacts from air, land and water pollution and related environmental and public health outcomes for people in Oregon. The EJWG convenes agency expertise to develop tools as well as guiding practices for DEQ at both a project and organizational level. The members of the EJWG coordinate these efforts with staff from across media and management to ensure alignment with the organizational mission and priorities. The EJWG consists of three sub-groups focusing on technical information, policy, and community engagement.



The Oregon specific Environmental Justice mapping tool will inform DEQ which communities are most impacted by environmental burdens. With this information, DEQ can aid in supporting disproportionately impacted communities for administering grants, prioritize cleanup and monitoring efforts and community engagement. DEQ can also provide this information and guidance to other agencies to inform other models and methodologies to understand the impacts to these communities from perspectives such as public health, transportation, planning and other infrastructures that effects community well-being.

The last four years have shown progress within DEQ and throughout the state to center environmental justice in our work, but we have a long path ahead to fully include, train, and develop materials to support staff to move this important work forward. This report highlights a few of the internal DEQ efforts to advance this work forward including understanding and utilizing data layers to contribute to the statewide mapping tool, updating internal processes and policies, and developing important outreach and engagement scaffolding to build trust with our communities. It will take all these efforts along with a strong commitment from the Environmental Justice Council to truly begin to honor the historical harms to our communities.



Acknowledgements

There are many people whose hard work, dedication and commitment is reflected throughout this report and cannot all be acknowledged by name. We thank everyone at DEQ, at every level of the agency, who has worked to advance and embed environmental justice into the fabric of our work.

We thank DEQ's Environmental Justice Working Group leaders who have worked passionately to create a culture at the agency that centers environmental justice. Thanks to the EJWG Emeritus Members (Ximena Cruz Cuevas, Franziska Landes, Meenakshi Rao), Technical Subcommittee leads (Colin Donald), Policy Subcommittee leads (Stephanie Caldera, Morgan Schafer), Community Engagement and Outreach Subcommittee leads (Ryan Bellinson, Blair Paulik Aguilar). Thank you as well to the more than 90 members of staff who are members of the EJWG, your work continues to impact our agency and ability to serve all people in Oregon with dignity and fairness.

Special thanks to the lead authors of this report for the time they dedicated and their thoughtfulness to make the report reflect the diversity of environmental justice initiatives taking place across DEQ: Ryan Bellinson, Ximena Cruz Cuevas, Matt Davis, Lydia Emer, Blair Paulik Aguilar, Morgan Schafer, Melissa Arne, Ann Farris, and Wade Pearson.

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DEQ at a glance

The Oregon Department of Environmental Quality's mission is to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, water and land. DEQ carries out its mission to protect public health and the environment for everyone in Oregon.

DEQ administers federal and state laws designed to limit air, water and land pollution to protect public health and the environment. This includes the federal Clean Air and Clean Water Acts, and the Resource Conservation and Recovery Act and Oil Pollution Act, which covers waste management and underground storage tank programs as well as spills of petroleum and hazardous substances. Federal and state laws are implemented through Oregon Administrative Rules adopted by the Environmental Quality Commission, DEQ's rule and policymaking body. DEQ's rules are found in OAR Chapter 340.

The Environmental Quality Commission is a five-member commission whose members are appointed by the governor and subject to confirmation by the Senate. The commissioners serve four-year terms at the pleasure of the governor. Commissioners may be reappointed but may not serve more than two consecutive terms. In addition to adopting rules, the EQC also approves the agency's request budget, establishes policy (subject to legislative mandate) and appoints the agency's director.

DEQ's headquarters is in Portland, with regional administrative offices in Bend and Eugene. Field offices are located in Coos Bay, Medford, Pendleton, Salem, The Dalles, and Klamath Falls. DEQ operates Oregon's environmental laboratory in Hillsboro. The Vehicle Inspection Program operates in the Portland metro area, and in Medford, and includes a technical center and six inspection stations in the Portland area, and one inspection station in Medford.

For the 2023-2025 biennium DEQ has a total funds budget of \$716,723,487 and 857 authorized full-time equivalent positions.

- **Director:** Leah Feldon
- **Environmental Justice Liaison:** Matt Davis (acting)

Air Quality Division and Greenhouse Gas Programs

DEQ carries out federal and state laws designed to ensure that everyone in Oregon is breathing healthy air, and that air quality is not harming our climate. DEQ monitors air quality across Oregon to ensure that it meets or exceeds national health-based standards. In the few areas where national standards are not met, DEQ works with local partners to develop and implement programs that address the causes of non-attainment. The air quality program in Lane County is carried out by the Lane Regional Air Protection Agency.

DEQ regulates about 2,700 facilities that emit air pollutants. This is carried out through two permitting programs, one under Title V of the federal Clean Air Act, and the other under state law. Oregon also implements a program, Cleaner Air Oregon, to evaluate and reduce the public health impacts from industrial air toxics emissions. The Air Quality Division is funded through a

variety of fees, including permit and vehicle inspection fees, as well as federal grants and General Funds.

Finally, DEQ implements several programs that significantly reduce greenhouse gas emissions in Oregon. Such programs include the Clean Fuels Program, Employee Commute Options program, regulating methane emissions from landfills, and the Climate Protection Program. To coordinate and consolidate the work on greenhouse gas emissions, DEQ established an office of Greenhouse Gas Programs in 2020.

In 2024 DEQ applied on behalf of Oregon for a U.S. Environmental Protection Agency Climate Pollution Reduction Grant to further fund these and other state programs. Due to Oregon's extensive programs to support people in Oregon, DEQ's grant request was fully funded at \$197 million. DEQ will be using these funds to administer the Climate Equity and Resilience Through Action Grant, and support programs reducing emissions from transportation, buildings, and materials.

Water Quality Division

Federal and state laws require that Oregon's rivers, streams, lakes and ocean waters be clean – clean enough so that fish and other wildlife thrive, and that people can recreate and drink water without harming their health. The EQC sets specific water quality standards designed to achieve these outcomes. DEQ monitors water quality across the state. Where data show these standards are not met, DEQ develops clean water plans, or Total Maximum Daily Loads, that show what must be done to meet standards.

DEQ also administers more than 3,800 permits that limit wastewater discharges, including large municipal and industrial treatment systems, septic systems, and other on-site sewage treatment and disposal systems. DEQ works closely with the Oregon Department of Agriculture, Oregon Department of Forestry, Oregon Watershed Enhancement Board, Oregon Department of Fish and Wildlife, U.S. Forest Service, and the Bureau of Land Management to control pollution from land and water uses. The Water Quality Division's Clean Water State Revolving Fund is also provides low-interest loans for water quality improvement projects across the state.

The Water Quality Program is funded through a variety of permit fees and revenue agreements, federal grants, the Lottery Fund, and General Fund.

Land Quality Division

This Land Quality Division oversees materials management, solid and hazardous waste management, emergency response to spills, and cleanup of contaminated lands. The division protects human health and the environment by requiring companies to:

- Produce and use materials more sustainably.
- Reduce the use of toxic chemicals and safely manage the generation of waste.
- Reduce the risk from exposure to contaminants by cleaning up contaminated sites.

- Prepare for and mitigate hazardous material spills.

Programs in the Land Quality Division are funded differently. Some are funded entirely through fees, or receive federal funds through grants and cooperative agreements, and a very small amount of General Fund. While others, like the Cleanup Program and Emergency Response Program are required to seek reimbursement for their work.

While cost recovery is intended to hold the polluter accountable for paying for cleanup and emergency response, the approach limits community engagement, proactive work, or response when there is no clear responsible party.

Regional Offices

Most of DEQ's permitting and inspection activities are implemented through three regional offices. These offices are responsible for reviewing permit applications, issuing permits, performing compliance inspections, responding to climate and working with local communities to address environmental concerns.

Office of Compliance and Enforcement

The Office of Compliance and Enforcement supports all DEQ programs to maintain compliance with environmental laws. When entities violate environmental laws, this office's work provides a consistent enforcement response to level the playing field. This often starts with a warning letter and escalates to formal enforcement, if repeated, which includes a fine and requirement to correct the violations.

When the office assesses a penalty, the violator has the option to direct up to 80% of its fine to a project that benefits human health and the environment. This is called a supplemental environmental project. A violator has to propose a project for DEQ review and approval, implement that project and report on the results.

Supplemental environmental projects support environmental justice by directing funds back to the impacted community, engaging in a project is entirely at the violator's discretion. If the violator opts not to do a project, all funds from DEQ fines go to the state general fund.

Central Services Division

The Central Services Division ensures that DEQ satisfies the legal and administrative requirements relating to human resources, organizational development, policy development and implementation, health and safety, budgeting, accounting, information technology, and business systems. This coordinated work supports all aspects of the agency in carrying out its mission. The Director's Office provides leadership, intra- and inter-agency coordination, Environmental Quality Commission support, review and issuance of agency enforcement actions, and legislative liaison functions.

Office of Communications and Outreach

The Office of Communications and Outreach is staffed by eight people who provide communications and web support to all programs in the agency. This team is responsible for ensuring all information about the agency's work is accessible and reaches the communities the work is impacting. This work is done through the agency website, fact sheets, building community relationships, community meetings, podcasts, social media, press releases and media interviews. Unfortunately, this section has not grown alongside the growth of the program work at the agency and staff are stretched to communicate proactively.

Advancing environmental justice

DEQ is proactively strengthening the agency's capacity to address environmental justice. Over the past three years, staff have come together to lead this work and help strengthen DEQ's commitment to serving communities in Oregon more equitably. The Environmental Justice Work Group has been integral in moving the agency's EJ efforts forward by ensuring the obligations of House Bill 4077 are met, as well as advancing EJ by integrating it into DEQ processes. Over 90 people across the agency are members of the EJWG.

The legislature authorized new positions at DEQ to support HB 4077 implementation, including providing staff support to the Oregon Environmental Justice Council, and to support of listening sessions and coordinate DEQ's ongoing data collection for developing the new statewide EJ mapping tool. Additionally, during the most recent legislative session, DEQ received approval to hire an Equity and EJ manager and an EJ coordinator. This commitment to dedicated EJ positions will further support, coordinate and elevate EJ efforts at all levels of our agency, including staff, managers, and leadership, while building on the ongoing work of the EJWG.

Environmental Justice Work Group priorities

The staff led EJWG is divided into three teams to support EJ inclusion into DEQs work- the technical team, the community engagement and outreach team, and the policy team. The EJWG is currently collecting agency-wide feedback to guide future objectives and ways to support the agency in prioritizing EJ efforts.

Technical

The Technical team is focused on cultivating partnerships with agencies and institutional collaborators listed under HB4077 as having a role in the development of a statewide EJ mapping tool. Additionally, the team led the EJ data collection efforts for across the agency's air, land, and water divisions. The team also assisted with the GIS-related data considerations and helped advance cross-agency collaboration on the Open Data Inventory being led by the Department of Administrative Services. These important cross-agency efforts, in addition to Environmental Justice Council coordination and collaboration with our agency and academic partners, will continue as the Environmental Justice Council begins its work engaging communities in the selection of indicators for use in the statewide mapping tool.

Community Engagement and Outreach

The Community Engagement and Outreach team focused on developing tools and resources for DEQ staff to more effectively engage with EJ communities in their day-to-day work. The team created two tools for the agency to use. A resource library that captures and organizes past experiences to inform future meaningful engagement with impacted communities, and a map of community partner relationships staff hold with organizations across the state. In addition, this group is continuously advocating for internal organizational cultural shifts and to increase and sustain meaningful engagement with historically disadvantaged communities.

Policy

The EJWG Policy team is focused on updating DEQ's 1997 agency-wide EJ policy and supports incorporating environmental justice into policy work across the agency. By focusing on strengthening EJ capacity, the agency has built a broad and engaged staff-led team working on EJ issues and solutions, increased positions at the agency dedicated to EJ work, cultivated multi-agency partnerships, initiated projects to develop EJ tools and resources for the agency and began updating policies and rulemaking resources to bolster EJ efforts agency wide. A few examples include providing guidance on incorporating EJ and meaningful community engagement into rulemaking and the Office of Compliance and Enforcement's supplemental environmental projects.

Environmental justice mapping tool development

DEQ plays an active and leading role in the development of Oregon's environmental justice mapping tool. DEQ is also responsible for maintaining a significant portion of the environmental burden datasets that are responsive to statutory direction provided in HB 4077 on the scope of the tool.

Under HB 4077, the Department of Administrative Services' Office of Enterprise Information Services is responsible for recommending data quality standards and methodologies for the development and maintenance of the mapping tool. In this capacity, they initiated a statewide data inventory, seeking data from all state agencies that relates to EJ and the development of a statewide EJ mapping tool. DEQ submitted 21 environmental burden data layers to DAS EIS in September 2024.

DEQ has also played a key role as a member of the environmental justice mapping tool leadership team, made up of the agency and academic entities named in HB 4077, and guided by the EJC. To support this team and the development of the environmental justice mapping tool overall, DEQ staff has led the project management efforts, including the creation of a comprehensive project plan to guide the EJC and agency partners to complete the mapping tool by the September 2025 deadline set in statute. The workplan includes detailed information on project deliverables, roles and responsibilities, timeline, and risk management. Beyond DEQ's project management support, agency staff have also been engaged in early conversations

regarding the environmental justice mapping tool methodology. In this setting, DEQ is providing key insights on considerations related to aggregating and representing environmental data.

During the 2024 Legislative Session, DEQ secured a one-time appropriation of \$50,000 to support community engagement activities associated with the mapping tool. Under direction from the council, DEQ entered an inter-agency agreement with the Oregon Health Authority to develop a comprehensive community engagement strategy for the council, and to convene two of the required six listening sessions by June 30 2025. The legislatively authorized funds are being used to support OHA staff time and the costs associated with holding the listening session. OHA is delivering this work through their Office of Environmental Public Health and Equity Office.

Meaningful involvement and participation in agency decision making and rulemaking

DEQ is a regulatory agency that implements mandates through rule development to protect air, land, and water, while also reducing public health burden throughout Oregon. The rulemaking is a crucial aspect, because it determines how programs will operate day-to-day. The rulemaking process can include informational meetings, public hearings, rules advisory committees, and public comment.

The rules advisory committee, or RAC, is made up of interested parties from industry, community, environmental organizations and other members that could be directly impacted by the resulting rules. The intent of a RAC is to provide guidance and perspective for a balanced rule development. Rule development is done in a very structured fashion and the resulting staff report includes the proposed regulations and considerations for the Environmental Quality Commission review.

The agency has prioritized including additional guidance to consider EJ issues and improve meaningful engagement from impacted communities throughout the rulemaking process. ORS 182.545(1) requires that state natural resource agencies "...in making a determination whether and how to act, consider the effects of the action on environmental justice issues." As a part of all rulemaking, DEQ documents this requirement in an EJ analysis in the notice of proposed rulemaking. In 2024, DEQ continued to update and refine the guidance available to staff for conducting EJ analyses for rulemaking.

The 2024 highlights section of this report includes examples of work at DEQ to more meaningfully involve and engage communities in our work, and to address environmental justice issues.

Highlights in 2024

The following represents specific highlights in 2024 of work DEQ has done to conduct more meaningful public engagement, and to consider EJ in the decision we make.

Spanish language Air Quality Index

In 2024, DEQ launched a [Spanish language version of the Air Quality Index](#), a mapping tool that shows how healthy the air is at DEQ's many monitoring stations in real time. It also translates complex air quality data into an easy-to-understand color-coded scale that communicates health risks.

Access to this information in multiple languages is critical to ensuring non-English speaking communities also have access to the information needed to understand environmental conditions and to take actions to protect themselves, their families and their communities. This tool is particularly important during wildfire season when communities across Oregon experience poor air quality from wildfire smoke.

Community compensation

Programs across DEQ are seeking more in-depth engagement from the public to shape programmatic decision-making, particularly from historically disadvantaged and underserved communities. Compensating people for their time, lived experience and expertise is one way to reduce barriers to participation and demonstrate the value DEQ places on their knowledge. Additionally, it builds equity, trust and justice into the foundation of the state's work. By providing compensation, we show our appreciation for their participation and acknowledge the value of their time and expertise.

DEQ recently completed a process for compensating community members through gift cards. The agency developed a guidance document that describes the type of work DEQ will compensate people for and at what rate. DEQ will be rolling this procedure out to staff in the first quarter of 2025.

There are still ways DEQ can further reduce barriers to participation that the agency will investigate in 2025, including:

- Providing childcare.
- Establishing contracts with community-based organizations, individuals, and Tribal governments and staff.
- Supporting transportation options for areas outside of Portland.

Launching the Community Air Action Planning

Communities across Oregon consistently ask DEQ for resources to conduct community-scale air quality monitoring but existing agency resources fall well short of community demands. At the same time, research shows the strong connection between air pollution with negative health impacts. While DEQ programs tend to regulate individual facilities, we recognize many communities are exposed to air pollution and that air pollution is caused by a broad array of activities that DEQ cannot address on its own.

In response, DEQ has launched the [Community Air Action Planning](#), or CAAP, pilot program with an [EPA grant](#) to explore these issues and develop a place-based, community-led approach to improving air quality knowledge and building capacity for collective action. To advance this work, DEQ used the grant funds to purchase air quality monitoring equipment and partner with three organizations: Neighbors for Clean, Desert Research Institute, and Portland State University. These organizations will support community outreach and relationship building, data visualization and program evaluation and learning, respectively.

In the first phase of the CAAP program during 2024, DEQ worked closely with community-based organizations, state government agencies and local government organizations across Oregon to develop the program's guiding principles. DEQ used the group's feedback to develop a community selection [process](#) that DEQ used to identify and partner with four communities during CAAP's pilot phase: Chiloquin, Gresham, McMinnville, and Medford.

DEQ has started working with the Gresham neighborhoods of Rockwood and Wilkes East and McMinnville. DEQ will ramp down its support of the first two communities in Summer 2025 and begin collaborating with Chiloquin and Medford. In each community, residents, schools, businesses and civic organizations will [collect](#) air quality data which will be displayed in real time and be evaluated in a 'community air quality report' at the end of the 6 to 10 month monitoring period. While air quality data is being collected, DEQ and Neighbors for Clean Air are providing monthly capacity building trainings to help the community learn about air quality and develop knowledge that will be used to decide what actions, if any, the community will seek to take once they receive their air quality report.

While the CAAP program is still in its early stages, it has already garnered significant interest. Over 70 communities across the state applied to participate in the program and in the first community where air quality monitoring began, more residents requested to host monitoring equipment than DEQ has to distribute. While the sources of air pollution across Oregon grow increasingly complex – from more intense wildfires to changing transportation systems to increasing land use change and construction to new industries – the CAAP pilot program seeks to build the Air Quality Division's ability to support communities and develop capabilities for problem-solving and protecting public health.

Climate Equity and Resilience Through Action Grant

Starting in 2025, Oregon will begin distributing \$197 million to residents, businesses, and Tribes to support [climate pollution reduction measures](#) through the CERTA grant. These measures will reduce greenhouse gas emissions from buildings, housing, transportation, and waste, while providing benefits to surrounding communities. Read [Oregon's Climate Equity and Resilience Through Action Grant](#)

EPA awarded the money to Oregon as part of the Climate Pollution Reduction Grant under the [Inflation Reduction Act](#). The process to develop Oregon's [proposal](#) included engagement with partner agencies, local jurisdictions, and Tribes with a shared goal to create sustainable and transformative approaches to tackling the climate crisis. This funding will infuse innovative and durable programs across the state identified in [Oregon's Priority Climate Action Plan](#), which

Oregon developed as part of the EPA's [Climate Pollution Reduction Grant Program](#). Led by DEQ's Office of Greenhouse Gas Programs, this work is a multi-agency effort that funds initiatives for Oregon Departments of Energy, Transportation, Housing and Community Services, the State Health Authority, and Energy Trust of Oregon that reduce greenhouse gas emissions in the transportation, building, and materials sectors. While the measures funded in this grant do not represent all the necessary and needed actions for emission reductions in Oregon but are an importation infusion for programs across the state.

The grant measures not only reduce GHG emissions but also provide opportunities to address public health inequities for those living in areas most impacted by climate change. Cases of heart disease, cancer, obesity, and diabetes have a [higher rate of incidence in low-income and disadvantaged communities](#). This grant prioritizes Low Income and Disadvantaged Communities throughout its measure outcomes.

LUBGWMA Nitrate Reduction Plan

The Lower Umatilla Basin has long been identified as a Groundwater Management Area by the State of Oregon because of persistently high levels of nitrate contamination. Nitrate contaminated drinking water poses a threat to human health, particularly to pregnant people and formula-fed infants. In September 2024, DEQ in collaboration with state agencies, local government, Tribal government and EPA, released a comprehensive [Nitrate Reduction Plan](#). The plan identify key strategies necessary to reduce groundwater nitrate levels to 7 mg/L or less.

Key highlights include:

- Oregon Department of Agriculture:
 - Agriculture Water Quality program: Develop new compliance benchmarks to address nitrate levels potentially linked to irrigated agriculture. The process will be collaborative and include partner engagement. The estimated implementation date is 2026.
 - Confined Animal Feeding Operation (CAFO): Strengthen state regulations, including Senate Bill 85, implementing new nutrient application permits for manure exports and update existing CAFO permits to prevent groundwater contamination.
 - Strategic Implementation Areas: Implement new initiatives to prevent additional nitrate contribution by developing assessment methodologies to understand groundwater and surface water impacts better.
- Department of Environmental Quality:
 - Update and modernize wastewater permits in the LUBGWMA to ensure operations that reuse nitrogen-rich wastewater to irrigate crop fields protect groundwater. DEQ has been updating permit requirements via permit renewals and modifications and will continue to monitor and adapt requirements to ensure operations maintain compliance and minimize potential nitrate leaching.

- Partner with Umatilla County to regulate septic systems in the area and partner with a nonprofit lender to offer affordable financing options for homeowners to repair or replace failing septic systems.
- Test a long-term well network of about 30 wells four times each year and complete an updated analysis that tracks nitrate trends over time. The information can inform land use decisions and supplements the site-specific groundwater monitoring and trends analysis that's required by wastewater permits.
- Oregon Water Resources Department:
 - Expand its inspection program to ensure that new, abandoned, and altered wells in the LUBGWMA are constructed properly to ensure that groundwater resources are protected. Staff will be conducting additional well assessments to develop a better understanding of how well construction and aquifer characteristics may be influencing water quality.
 - Collaborate with Morrow and Umatilla counties to provide technical assistance for the Drinking Water Investigation project which is evaluating opportunities to connect well owners to existing municipal water systems.
 - In collaboration with DEQ and ODA, update the conceptual model for the alluvial aquifer system within the LUBGWMA. The model was last released in 1995 and this update will include new data that has been collected in the three decades since the original report was released.
 - Continue to collect quarterly groundwater level data through OWRD's well monitoring network. Staff will also look for opportunities and partnerships to expand the network throughout the LUBGWMA.
- Oregon Health Authority:
 - Provide free laboratory tests of domestic well water to LUBGWMA residents, as it has since 2023, and offer re-testing opportunities to ensure well users have safe drinking water.
 - With the Oregon Department of Human Services, continue to provide well users whose water has unsafe levels of nitrate (10 milligrams per liter of water or higher) with free water delivery, and for well users with nitrate test results between 10-25 mg/L, free installation and maintenance of one in-home reverse-osmosis water treatment system.
 - Continue to inform and educate well users about the negative health effects of nitrates in drinking water through direct outreach in collaboration with Morrow and Umatilla County Health Departments and several community partners.
 - Continue to provide data and technical support to Morrow and Umatilla County Planning Departments working to identify options to extend existing or establish

new public water systems to provide a more durable source of safe drinking water to LUBGWMA residents.

Cleanup Strategic Planning Work

In 2024, DEQ continued work to prepare a new strategic plan for the Cleanup Program. The Cleanup Program is committed to developing a vision for the program's future (2050 Vision) and creating a more equitable and sustainable future for the program. A key goal of the project team is to center feedback from tribes and disproportionately impacted communities in the development of the 2050 Vision and Strategic Plan.

In 2024, the agency focused on preparing issue specific briefing papers that articulate and evaluate the current status of the program. Those papers will be released for public review in the coming months. In 2025 the agency plans to begin engaging externally on this work. That will include prioritizing engagement with communities disproportionately impacted by contaminated properties, and tribal communities.

2024 Rulemaking Outcomes

In 2024, the Environmental Quality Commission takes actions on a variety of rules impacting environmental justice communities and issues. These include:

- **Re-establishing a Climate Protection Program.** The commission adopted rules to establish declining and enforceable limits on greenhouse gas emissions in Oregon. This program includes Community Climate Investments, a part of the program designed to support an equitable transition away from fossil fuels while reducing climate pollution.
- **Updating aquatic life criteria for Water Quality Standards.** The commission adopted rules to update Oregon's Aquatic Life Water Quality Criteria for Toxic Pollutants. Specifically for new criteria for acrolein, aluminum, carbaryl, and diazinon, and update the state's aquatic life criteria for cadmium and tributyltin. Adding or updating these criteria in Oregon's water quality standards will provide increased protection for Oregon fish and aquatic life.
- **Establishing a rebate program for medium- and heavy-duty zero emission trucks.** The commission adopted rule to implement a new rebate program for zero emission trucks. The program is designed to support the transition to zero emission trucks, reducing climate and tailpipe pollution.
- **Implementing the plastic Pollution and Recycling Modernization Act.** The commission adopted rules to modernize Oregon's recycling system. The rules requires producers of packaging, paper products and food service ware to support and expand recycling services in Oregon for their products. EQC adopted rules on multiple topics, including permitting standards and fees related to commingled recycling processing facilities; living wages and supportive benefits for commingled recycling processing facility workers; generator-facing contamination; covered product exemptions; standards

for environmental impact evaluation and disclosure; and a waste prevention and reuse fee.

Future of environmental justice at DEQ

To prepare this section of the annual report, agency staff, managers and leadership reflected on the challenges and opportunities DEQ faces in advancing EJ in our work. Key themes emerged and are described below.

Opportunities

Updating DEQ's environmental justice policy

As noted previously, the agency is undertaking an extensive update to the agency's current EJ policy. DEQ is reviewing other states and agency policies to inform these updates. The three main areas that DEQ is focusing on for the new policy include legal frameworks and related structures; agency EJ objectives and goals; and metrics, measures and milestones. The primary goal for the policy update is to empower staff to include EJ throughout their programs and projects. A focus on metrics will also aid DEQ in understanding its impact on EJ communities and the agency's progress on meeting internal goals and improving plans to further the progress of environmental justice in Oregon. DEQ views this policy update as foundational work to advancing EJ at DEQ.

Relationship building

There are many overburdened communities around the state that DEQ does not engage with on a regular basis. Creates ongoing misunderstanding between the agency and communities. To begin to overcome this dynamic, DEQ is seeking out new relationships with overburdened communities. The agency is focused on forging these new relationships so it can eventually expand the diversity of voices in the room.

DEQ is approaching this need in several ways. The DEQ Office of Communications and Outreach has been working to build relationships, especially around contentious issues, facilitating an on-going two-way dialogue with the public. More programs at DEQ are bringing on staff with interest, passion and skills in building relationships with community members. Lastly, the EJWG Community Engagement and Outreach subcommittee is building resources to support agency staff in doing more of this work.

Valuing lived experience

DEQ is a science-based organization and has extensive capacity utilizing quantitative data throughout our work. However, the agency has far less proficiency evaluating qualitative data and incorporating that information into our programs. The agency is increasingly recognizing that communities around the state have diverse lived experience that provides them with

experiential knowledge that could help improve agency decision-making, particularly in contexts pertaining to environmental justice.

To enable DEQ to learn from communities with diverse lived experiences from around the state, DEQ formalized a policy and procedure to compensate communities for their participation in agency activities.

Building capacity for environmental justice

In the last two years the legislature has authorized four positions at DEQ, dedicated to EJ related work. These include:

- Environmental Justice Council Coordinator and Policy Analyst.
- DEQ Environmental Justice Coordinator.
- Senior Environmental Justice Research Analyst.
- Environmental Justice Manager.

This level of dedicated staffing represents a significant investment in DEQ's EJ work, and an opportunity to advance and resource the efforts described in this annual report. In 2024 DEQ established an Office of Equity to coordinate Environmental Justice and Equity work at the agency. At the tail-end of 2024 DEQ hired the Environmental Justice Coordinator positions. The Senior Environmental Justice Research Analyst position remains vacant.

Challenges

Time and resources

EJ work cannot effectively be achieved by one team within DEQ. It requires all staff, regardless of position or seniority, to embrace EJ. This shift will require cultivating an agency-wide mindset shift of seeing EJ as integral to our core work, not as separate or additional from our core work. However, in practice that also means it requires dedicated time and resources, a perennial challenge at DEQ.

DEQ is excited about the new, dedicated EJ positions but still struggles to create time for all positions to advance their EJ knowledge and practice. This is particularly true of positions that are funded through revenue sources with a narrow set of allowable expenditures. The exemplary work of the EJWG is great, but is entirely voluntary.

Funding

DEQ is heavily funded by fees and cost recovery. Both have clear expectations on what is allowable and not allowable, and do not always keep pace with the costs of inflation. Some program areas struggle to fund the training, community engagement and community compensation necessary for meaningful environmental justice efforts. This results in inconsistent implementation which could harm the public's trust in our commitment to the work.

Organizational silos and readiness

DEQ's organizational structure, budget and programmatic activities are deeply rooted in media-based silos (i.e., air, land and water). This presents challenges to addressing cross-cutting environmental justice issues and to engaging communities in holistic ways. Specific ways this challenge can manifest include:

- Challenges pursuing federal funding opportunities that don't neatly align with one of DEQ's air, land or water division (e.g., Environmental Justice collaborative problem solving grants).
- Engaging communities facing multiple environmental health disparities as one DEQ, as opposed to program specific engagements that do not address the totality of community concerns and interests.
- Leveraging lessons learned when incorporating environmental justice principles across the department.

The EJWG is an example of a strategy to address this challenge. The EJWG includes engagement from staff across all parts of the agency, focusing on issues and capacity building that cut across the traditional DEQ silos. It is a model for the agency to consider as it continues to experience the consequences of organizational siloing.

The organizational silos, paired with disparities in funding impact readiness across the agency to fully incorporate EJ principles in our work. Organizational readiness is contingent on a shared commitment, and the time, resource and expertise sufficient for transformative work.

Engaging with the Environmental Justice Council

DEQ continued to engage directly and deeply with the Environmental Justice Council throughout 2024. We expect this engagement to feature in three distinct domains.

Providing staff support to the council

HB 4077 designates DEQ as an agency that may provide staff support to the EJC, under an agreement with the Governor's Office. DEQ employs the council's coordinator and the agency provided significant administrative and operational support to the council throughout 2024.

Specifically, the EJC Council Coordinator and Policy Analyst is responsible for:

- Managing the logistic and technical aspects of council meetings (public notice, securing meetings venues, etc.).
- Supporting the Governor's Office and council leadership in agenda setting and other meeting documentation.
- Serving as a liaison with guest speakers and the public.
- Advising the council on approaches to advancing their work.
- Convening representatives of state natural resource agencies to coordinate on shared issues.

The Council Coordinator and Policy Analyst is a resource to Oregon state agencies and serves as a liaison between the executive branch and EPA Region 10 environmental justice staff, and other states advancing environmental justice work.

In addition to employing the council coordinator, DEQ secured dedicated funding to support EJ mapping tool community engagement efforts.

Statewide environmental justice mapping tool

As noted previously in this report, DEQ holds a leadership position in the development of a new Oregon-specific statewide EJ mapping tool. DEQ is directed in statute to assist the council in their work to develop this tool and provides that assistance in partnership with the OHA, Portland State University, Oregon State University and DAS EIS.

In 2024, DEQ focused on working with council to further develop the EJ mapping tool by supporting the council in decision-making on 10 specific design and methodology issues.

In addition to providing project management support to the council and entities working on the tool, DEQ will continue to serve as the lead on technical issues relating environmental burden datasets.