LEAGUE OF WOMEN VOTERS® OF OREGON

The League of Women Voters of Oregon, established in 1920, is a grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

November 9, 2026

To: Shannon Leonard, Program Analyst, Water Quality Department, Oregon Dept. of Environmental Quality

Re: **Tetra Tech's Evaluation and Recommendations Report (Nutrient Study) – Comments**

The League of Women Voters of Oregon (LWVOR) commends the Department of Environmental Quality (DEQ) and Tetra Tech for conducting a comprehensive evaluation of Oregon's Water Quality Division programs. Clean, accessible, and safe water is fundamental to public health, environmental justice, and a thriving democracy.

As an organization with a long-standing commitment to the protection and sustainable management of Oregon's vital natural resources, LWVOR grounds its engagement in this process in our established positions supporting the **strict enforcement of Clean Water Act standards and the Safe Drinking Water Act** across all Oregon rivers, estuaries, and coastal watersheds.

The comprehensive evaluations conducted by Tetra Tech and the ongoing regulatory actions by DEQ provide a critical pathway to uphold these bedrock environmental laws. The recommendations outlined in this submission directly operationalize our core policy mandates by demanding accountability, rigorous standard-setting, and robust protections for public health and aquatic ecosystems. Specifically, transitioning the roadmap into a prioritized matrix (Recommendation 1), targeting high-risk areas through focus watersheds (Recommendation 2), addressing nonpoint pollution drivers (Recommendation 3), and establishing parity for groundwater and drinking water (Recommendation 4) are essential steps to ensure that DEQ's framework fully realizes the protective intent of both the Clean Water Act and the Safe Drinking Water Act across the state.

As Tetra Tech transitions into Phase 2 to finalize the **Water Quality Roadmap by June 2027**, LWVOR recommends refining the current 200+ "menu of options" into a **prioritized, phased decision matrix**. This matrix must balance legal and regulatory constraints with realistic agency staff capacity and prioritize high-risk, vulnerable communities.

Key Recommendations for the Phase 2 Roadmap

1. Transform the "Menu of Options" into a Phased Implementation Matrix
   - **Map Dependencies & Trade-Offs**: Clarify prerequisites for all major policies. For instance, advise DEQ to establish near-term numeric benchmarks/translators for Total Nitrogen and Total Phosphorus before undertaking resource-intensive numeric nutrient criteria rulemaking.

- **Distinguish Control vs. Collaboration**: Categorize recommendations into internal actions DEQ can execute directly under its current legal authority versus actions requiring statutory changes or interagency coordination (e.g., with the Oregon Department of Agriculture [ODA] or Department of Forestry [ODF]).
- **Phase Effort vs. Impact**: Pair high-impact, long-term regulatory actions with low-effort, immediate wins to establish continuous progress while protecting limited staff capacity.

2. Operationalize the "Focus Watershed" Pilot Strategy
- **Target Limited Resources**: Statewide implementation across all 92 HUC8 watersheds in Oregon is unfeasible due to staffing and financial constraints.
- **Pilot Cross-Program Integration**: Launch Phase 2 implementation within a designated **10% to 20% subset of HUC8 basins ("Focus Watersheds")**. Selecting high-priority basins—such as those facing severe groundwater nitrate contamination, drinking water risks, or harmful algal blooms—allows DEQ to integrate standards, monitoring, permitting, and Total Maximum Daily Load (TMDL) programs locally before scaling statewide.

3. Shift Investments Toward Dominant Nonpoint Sources via Pre-Regulatory Incentives
- **Rebalance Point vs. Nonpoint Focus**: Address the reality that nonpoint agricultural runoff and land application represent the vast majority of nutrient loading compared to point-source dischargers.
- **Incorporate Market-Based Tools**:
    - **Pre-Regulatory Credit Certainty**: Grant point sources credit toward future TMDLs if they invest in upstream agricultural nonpoint reductions.
    - **Landowner Accreditation Frameworks**: Partner with ODA and local conservation districts to establish voluntary accreditation offering participating agricultural producers "safe harbor" protections or priority funding access.
    - **Restructured Funding Models**: Shift Section 319 and Clean Water State Revolving Funds toward targeted "Pay for Performance" initiatives (e.g., cover crops, riparian buffers, soil testing).

4. Elevate Groundwater and Drinking Water Protections to Parity with Surface Water
- **Address Historical Imbalance**: Elevate groundwater protection to ensure equal transparency and urgency as Clean Water Act surface water programs.

- **Target Vulnerable Aquifers**: Recommend groundwater nitrate budgets (analogous to TMDLs) for vulnerable aquifers, update Water Pollution Control Facility (WPCF) land application rules to enforce agronomic loading limits, and expand subsidized private well testing in high-risk areas.

5. Modernize Data Systems with Public-Facing Dashboards
- **Build Partner & Civic Trust**: Replace fragmented, paper-based, or complex databases (such as AWQMS) with intuitive digital public tools.
- **Deliver Usable Public Dashboards**: Recommend user-friendly, public-facing water quality dashboards and standardized Best Management Practice tracking databases to monitor 5-year and 10-year strategy milestones.

We request your consideration of our recommendations and look forward to continued action to address the groundwater contamination in the Lower Umatilla Basin Groundwater Management Area.

Thank you for the opportunity to discuss this matter.

Mark Kendall
President LWVOR

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