

# Water Quality Program Plan 2025 – 2027





This document was prepared by Oregon Department of Environmental Quality Water Quality 700 NE Multnomah Street, Suite 600 Portland Oregon, 97232 Phone: 503-229-5696 <u>www.oregon.gov/deq</u>



## **Agency Mission**

The Oregon Department of Environmental Quality's mission is to be a leader in restoring, maintaining, and enhancing the quality of Oregon's air, land, and water.

#### Translation or other formats

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#### Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. Visit DEQ's <u>Civil Rights and Environmental Justice page.</u>

# **Executive Summary**

The Oregon Department of Environmental Quality Water Quality Program's mission is to protect, restore and improve Oregon's water quality. This is achieved by implementing state and federal laws that protect Oregon's rivers, lakes, streams, ocean, estuaries, and groundwater. This protection keeps these waters safe for a multitude of beneficial uses, including domestic water supply, fish and aquatic life, water contact recreation, irrigation, and others.



Specifically, DEQ protects, restores, and improves water quality by:

- Developing and implementing water quality standards and clean water plans.
- Regulating wastewater treatment systems and industrial and stormwater discharges that protect land, surface and ground waters.
- Collecting and evaluating water quality data.
- Providing grants and technical assistance to reduce and prevent nonpoint sources of pollution.
- Protecting drinking water sources.
- Providing below market rate financing to communities to fund water quality improvement projects.
- Coordinating with other state and federal agencies on actions that may affect Oregon waters.
- Licensing and certifying people who operate facilities that treat sewage and people who provide sewage disposal services and ensuring they have the necessary education, experience, and knowledge, as demonstrated by passing an exam, and obtaining continuing education.
- Encouraging the beneficial reuse of wastewater and the solids from wastewater treatment through regulatory programs and oversight.

Overall, the program plays a critical role in achieving DEQ's mission through policy development, collection and analysis of water quality data, and priorities to improve and protect the quality of water in Oregon. DEQ staff deliver critical core work by issuing permits and certifications, conducting inspections, carrying out compliance and enforcement, awarding grants and loans for clean water projects, and working with local partners to improve and protect water. The program is working to provide integrated and achievable permits, and to deliver programs and services that protect and enhance state waters to safeguard public health and the environment.

This report describes the core work, accomplishments, and work plans of DEQ's Water Quality programs. Each program provides:

- An overview of the program, including a description of sub-programs and core work
- A summary of program successes for 2023-2024
- A summary of program work plans for 2025-2027
- Appendix A: the 2023-2024 published water quality documents

The Water Quality Program staff work at DEQ headquarters in Portland, in each of DEQ's three regions across the state, and at DEQ's Laboratory in Hillsboro.

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# **Environmental Justice**

## What is environmental justice?

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, education or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

Fair treatment means that no group of people, including racial, ethnic or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal and commercial operations or the execution of federal, state, local and tribal environmental programs and policies.

Meaningful involvement means that:

- Potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment or health.
- The public's contribution can influence the agency's decision.
- The concerns of all participants involved will be considered in the decision-making process.
- The decision-makers seek out and facilitate the involvement of those potentially affected.

Environmental justice is achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, work, learn and play. *Source: EPA* 

DEQ is committed to the principles of environmental justice and to ensuring that the agency's actions – including permitting, cleanup, policy and planning, outreach and education, and compliance and enforcement – address the interests of Oregon communities, especially minority, low-income and other traditionally underrepresented communities, as much as state and federal laws allow.

## **Environmental Justice within Water Quality**

### **Drinking Water Protection**

The Drinking Water Protection Program is incorporating environmental justice into the program through several different ways.

One of these projects is the Small System Outreach Project. The overall goal of the project is to offer source water protection technical assistance, education, and capacity building to small drinking water system operators and community members, primarily of manufactured home communities. As of May 2024, DEQ identified and contacted 223 small public water systems that are manufactured home communities statewide. This effort has already resulted in 56 manufactured home communities taking initial or substantial steps toward implementing source water protection initiatives.

The drinking water protection program is prioritizing outreach to public water systems by using environmental justice screening tools to identify areas for engagement. In 2023 and 2024 a priority list was compiled looking at community public water systems. This work resulted in 138 groundwater systems identified as disadvantaged by Justice40 criteria or by Oregon's Drinking Water State Revolving Funds criteria; these were included in the priority list for outreach.

DEQ and the Oregon Health Authority are prioritizing disadvantaged communities for source water protection grants. For those projects considered eligible for funding, additional consideration is given to disadvantaged communities.

### Water Quality Standards

The water quality standard program included environmental justice factors in ranking of high priority projects in the current water quality standard triennial review project.

### Water Quality Assessment

The Integrated Report provides valuable datasets for environmental justice screening applications, as it is a consistent statewide assessment of beneficial uses such as fish consumption and drinking water uses. DEQ continues to evaluate different tools on how the Integrated Report data can be used for environmental justice considerations, and how to incorporate the results into the Oregon Environmental Justice screening mapping tool currently under development.

### **Clean Water State Revolving Fund**

The Clean Water State Revolving Fund program has incorporated environmental justice metrics into its affordability criteria to meet the EPA's Bipartisan Infrastructure Law (BIL) requirements. These updates prioritize communities facing water pollution issues, disproportionate health burdens, high unemployment, and low income, with a specific focus on small communities (populations under 10,001), and very small communities (populations under 2,501). This expanded eligibility allows more public agency borrowers in Oregon to qualify for principal forgiveness, increasing funding access for environmental justice communities. By offering planning loans with up to 100% principal forgiveness for amounts up to \$100,000, the CWSRF program helps these communities to develop sustainable water solutions and proactively prepare for future capital improvements and clean water protection projects.

### **Overflow and Stormwater Reuse Municipal Grants Program**

The EPA Sewer Overflow and Stormwater Reuse Municipal Grants Program (OSG) provides funding for stormwater planning, design and construction. These grants focus funding on rural and financially distressed communities in areas as identified by the EPA EJ Screening Tool. DEQ has awarded over \$2.7M to communities that qualify under these guidelines in the first two funding cycles of this grant. These funds are being utilized for several aspects of stormwater management and projects currently include updating of stormwater master plans, design of updated sewage lifts to prevent combined overflow, and the construction of green infrastructure such as bioswales.

### **Onsite Financial Aid Program**

The DEQ Onsite Financial Aid Program (OSFAP) supports programs to improve public health and water quality by providing grants and low-cost loans to address failing septic systems. OSFAP was funded with a one-time \$15 million allocation from the Oregon Legislature in 2021 in federal American Rescue Plan Act funds. Nine projects were selected for these funds including four programs with a focus on recovery efforts after the 2021 Labor Day wildfires. All of the projects prioritize grants for low- and moderate-income households, and several also provide affordable loan programs. This financial assistance program provides rural and low to moderate income Oregonians with access to effective wastewater treatment by addressing failing or outdated septic treatment systems. These improvements also reduce nitrates and other contaminants to ground and surface waters.

#### **Toxics Reduction Lead Grant**

In January 2024, the U.S. Environmental Protection Agency selected DEQ for a \$6 million Toxics Reduction Lead Grant through the Columbia River Basin Restoration Funding Assistance Program to prevent, reduce, and clean up toxics in Oregon's portion of the Columbia River Basin over five years. The grant activities will safeguard waterways, clean up distressed properties, and address per- and polyfluorinated, known as PFAS, compounds to protect human and environmental health. DEQ and its partners aim to mitigate environmental impacts on historically disadvantaged and underserved communities. Specifically, reducing or eliminating pesticide concentrations in water supports aquatic communities, including fish species of cultural, spiritual, economic, and dietary importance to tribal members in the Columbia River Basin. Additionally, funding will be directed towards communities most affected by pollutants, with an emphasis on environmental justice and cleanup in areas facing historical neglect.

#### Nonpoint Source Program—319

In late 2023, Oregon DEQ began working with Tetra Tech through an EPA technical assistance project to review, analyze, and address potential barriers to engaging disadvantaged communities (DACs) in nonpoint source pollution management. This will support DEQ's effort to increase equitable Nonpoint Source (NPS) pollution management outcomes across the state. The project was completed in 2024. A key deliverable from this project is a spatially-informed toolset to weigh environmental justice and nonpoint source pollution variables for prioritizing involvement of DACs within areas of existing Watershed Based Plans. DEQ plans to use the toolset in conjunction with the NPS project application scoring and evaluation process. Additionally, the NPS project funding and ranking evaluation form has been updated to incorporate environmental justice objectives into project scoring.

# **One Team for Clean Water Approach**

The Water Quality program staff works together through a set of guiding principles and values to protect, restore, and improve water quality in Oregon.

## **Our Guiding Principles**

DEQ...

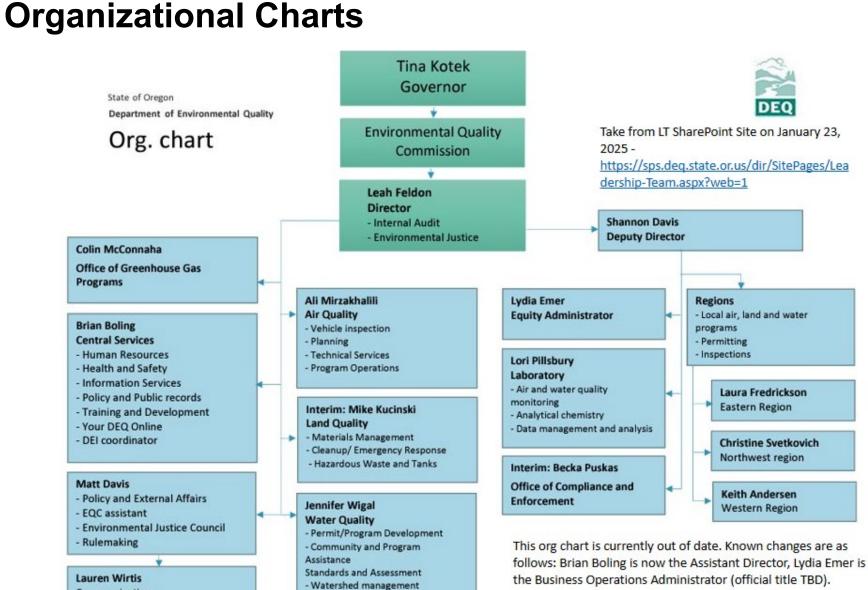
- Leads a partnership for clean water for Oregon's environment, communities, and economy
- Makes continuous progress toward meeting clean water standards in Oregon
- Leads thoughtful, collaborative development of policy based on sound science
- Delivers strong core work: permitting and certifications, funding, standards, assessments, watershed planning and restoration, environmental data collection, management and access, and compliance and enforcement
- Communicates early and transparently, both internally and externally
- Provides quality and consistency in our work
- Takes timely and responsible actions
- Continually endeavors to improve our processes and programs

Learn more about DEQ's Water Quality programs online.

## **Our Values**

- Environmental results
- Public service
- Partnerships
- Excellence and integrity
- Teamwork
- Employee growth
- Diversity
- Health, safety, and wellness
- Economic growth through quality environment

Lean more about DEQ on our website.



#### Lauren Wirtis

Communications

### Water Quality Division Organization

**WQ Division Administrator** Jennifer Wigal **Deputy Administrator** (Interim) Sara Slater **Community and Program Permitting and Program** Assistance (CWSRF, water quality grants) Development (NPDES non-stormwater, biosolids, Deb Mailander *reuse, pretreatment)* **Rebecca Bodnar** Standards, Source Water Protection & **Permitting Data** Assessments **Management and Special** (WQS, Integrated Report, Drinking Water Source Protection) **Programs** Connie Dou (Compliance Policy and Data Management) Wyatt Stinnett

Watershed Management (TMDL/NPS program, Pesticide Stewardship Partnership) Steve Mrazik **Statewide Program Managers** 

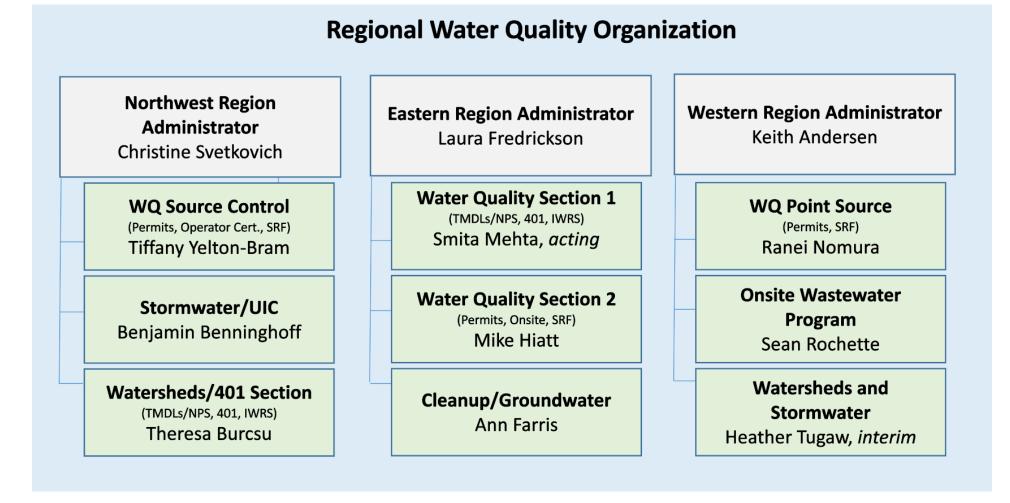
**Onsite Septic Program** Sean Rochette (*located in WR*)

401 Certification & WQ Trading Theresa Burcsu (located in NWR)

Stormwater & Underground Injection Control Benjamin Benninghoff (located in NWR)

Groundwater Protection Program Ann Farris (*located in ER*)

Wastewater Operator Certification Tiffany Yelton-Bram (*located in NWR*)



#### 

## **LEAD and OPA Water Quality Organization**

Laboratory and Environmental Assessment Division Lori Pillsbury

> WQ Monitoring Karen Williams

Resource Assessment and Technical Support Wade Peerman Office of Policy and External Affairs Matt Davis

Sr. WQ Policy Analyst and Legislative Coordinator Rian vanden Hooff

Operations and Policy Analyst Adam Coutu

# Water Quality Program Overview

DEQ's Water Quality program works to further DEQ's mission by partnering with local governments, communities, businesses, environmental organizations, and the public, and conducting government-to-government consultation with tribal governments. DEQ's objective is to provide an open, consistent, and effective regulatory process.

The program includes more than a dozen sub-programs overseen by the division administrator, deputy division administrator, laboratory administrator, and regional administrators. This includes planning, coordination, compliance and enforcement, and leadership for Oregon's Clean Water Act programs, two programs with a Safe Drinking Water Act nexus, and developing policy and implementing Oregon's state-initiated programs. The programs DEQ administers under federal authorities and programs are:

- 401 Certifications
- Clean Water State Revolving Fund
- Drinking Water Protection
- Integrated Report
- National Pollutant Discharge Elimination System permitting (including pretreatment and biosolids management and stormwater)
- Nonpoint Source Management
- Total Maximum Daily Loads
- Underground Injection Control
- Wastewater Operator Certifications
- Water Quality Monitoring
- Water Quality Standards

The Water Quality program is also responsible for carrying out programs under state laws including:

- Groundwater Protection
- Regulation of onsite septic systems
- Water Pollution Control Facility permitting
- Water Reuse

The program has a legislatively authorized budget for 241 full-time employees across 12 locations statewide. The Water Quality program's funding comes from the state of Oregon and federal sources. More specifically, the program receives state funds from Oregon's general fund, other funds (i.e., permit fees), and state lottery funds. Federal funding comes from the U.S. Environmental Protection Agency through the following grants: Clean Water Act section 106 Water Pollution Control; Clean Water Act section 319 Nonpoint Source Management Program implementation; Clean Water State Revolving Fund capitalization grants and Safe Drinking Water Act administration funds.

#### Examples of DEQ's Program Work



- 1. Stormwater construction
- 4. NPDES MS4 stormwater
- 7. Underground injection control stormwater
- 10. Biosolids
- 13. Sewage and water conveyance
- 16. Onsite septic hauling

- 2. Integrated water resources planning
- 5. NPDES industrial wastewater and stormwater
- TMDL MOS: margin of safety; LA: load allocation; WLA: waste load allocation; NB: natural background
- 11. Industrial pretreatment wastewater treatment
- 14. Beneficial uses
- 17. Onsite wastewater system permitting and regulation

- 3. Nonpoint source
- 6. NPDES municipal wastewater
- 9. Recycled water
- 12.401 certifications
- 15. Water pollution control facilities
- 18. Water quality monitoring

# Projects, Successes, and Workplans

## Water Quality Program Administration and Cross Program Projects

- Provide leadership and oversight of all statewide programs
- Provide program-wide infrastructure through business and strategic planning, professional development coordination, legislative and stakeholder outreach and communications, performance management and rulemaking initiatives
- Develop and update program vision to align with agency goals and priorities
- Lead budget development, tracking and implementation
- Approve and track program goals, metrics, and milestones to provide clear expectations and alignment of program work

#### 2023-2024 Program Successes

• Several more Water Quality programs went live in DEQ's new Environmental Data Management System known as Your DEQ Online (YDO).

#### 2025-2027 Work Plan

- DEQ has identified a need for a locally supported, multi-interest, long-term and sciencebased strategy that supports nutrient reduction goals in waterways, including groundwater, throughout the state. Such an approach is proposed to be an "Oregon Nutrient Reduction Strategy" which will be based upon a foundation of best available science and supported by demonstrated and measurable effectiveness in achieving anthropogenic nutrient reductions. DEQ is contracting with Oregon's Kitchen Table to assist with community engagement and outreach, with a particular focus on community members that have been left out of traditional public decision-making processes. DEQ will contract with a consultant to support the development of the nutrient strategy.
- In the 2021 legislative session, DEQ was allocated \$350,000 to conduct initial scoping and planning during the 2021-2023 biennium for a water data platform. The Oregon Water Data Portal: HB 5006 Funding Final Report and Portal Recommendations provides an overview of the initial scoping effort undertaken by the Oregon Water Data Portal (OWDP) project team, which represents phase 1 of a multi-phase effort to identify requirements, options, challenges, opportunities, and resources required for development of a water data portal. Currently DEQ is the lead agency for this statewide project and includes participation from several different state agencies. Phase 2 deliverables will include a recommendation for future governance and project management, Pilot portal, determination of agency data readiness for integration into the portal, and engagement sessions with interested parties.
- Planning, training and preparations for the remainder of DEQ's water quality programs to go live in Your DEQ Online, including WPCF-OS.
- Fee rulemakings to support fee increase to support continued services of programs supported by fee revenues.

## Water Quality Standards

DEQ establishes and updates regulations that specify Oregon's water quality standards for surface water as part of its federal Clean Water Act requirements. The program establishes standards to protect beneficial uses of Oregon surface waters. Beneficial uses include aquatic life, fish consumption, domestic/drinking and industrial water supply, recreation, and others. Water quality standards form the basis for evaluating Oregon's water quality and providing a basis for regulatory requirements and restoration actions in other water quality sub-programs.

### 2023-2024 Program Successes

- Completed rule amendments to update Fish and Aquatic Life Use designations. The rules are awaiting U.S. EPA approval.
- Completed rule amendments to toxic substances water quality criteria for protection of Fish and Aquatic Life. The rules are awaiting U.S. EPA approval.
- Finalized and streamlined a nomination process and fact sheet for interested parties to submit Outstanding Resource Water nominations to DEQ.
- Completed nutrient case study for Crooked River
- Ongoing participation in national EPA workgroups developing implementation guidance for national copper, aluminum, and PFOS/PFOA criteria.

### 2025-2027 Work Plan

#### **Core Work**

- Conduct standards reviews and rule revisions to establish and update scientifically based water quality standards based on the most up to date scientific data and information
- Plan and develop individual and multiple discharger variances and use attainability analyses
- Develop policy and procedures documents to ensure effective, consistent, and transparent application of water quality standards through collaboration with other water quality programs
- Coordinate and collaborate with stakeholders, the EPA, the National Marine Fisheries Service (NMFS), US Fish and Wildlife (USFW), the Oregon Department of Fish and Wildlife (ODFW) and other state and local agencies during water quality standard development

#### **Special Projects**

- Complete Triennial Review of Water Quality Standards for projects initiated in 2025-2027
- Variances Temperature variances approach and case studies
- Variances procedure document to evaluate and issue variances
- Establish a procedure and database to track additional information on "active spawning areas" used by resident trout for purposes of applying the spawning criteria for dissolved oxygen.
- Considering Outstanding Resource Water Designations for Illinois River (Rogue Basin), Rough and Ready Creek (Rogue Basin), and Steamboat Creek (Umpqua Basin)
- Develop procedures to apply narrative criteria related to algal growth and nutrients to

fish and aquatic life

• Develop procedures to apply narrative criteria related to toxic substances for fish and aquatic life

## Water Quality Assessments

DEQ's water quality program evaluates and prepares data analyses, reviews, and reporting for a wide range of water quality data and information. These critical reports and evaluations closely tie together the work of DEQ's laboratory to conduct monitoring across the state, analyses of samples and utilizing data from entities outside of DEQ providing actionable information for DEQ water quality programs and the public who look to these evaluations to guide their own decision-making and environmental protection and restoration efforts (see also Laboratory section below). These efforts include:

- Annual reporting of key performance measures, including analysis and reporting for the water quality index
- Reporting on water quality toxics monitoring
- Reporting on statewide groundwater monitoring

A key assessment product is the development of an Integrated Report that meets the requirements of the federal Clean Water Act for sections 305(b) and 303(d) biennially. The report provides the foundation for many other water quality regulatory programs including NPDES permitting, TMDL and 401 certification and is the state's most comprehensive source of water quality information for Oregon's waters. It is an important component of the Clean Water Act framework and provides valuable information on the status of Oregon's waterways for the public use. DEQ uses WQ data and information from a variety of sources to assess water quality and biennially evaluate whether waters are meeting standards, which includes the 303(d) list of impaired waterbodies. The assessment helps DEQ use state resources more efficiently by focusing its limited resources on waters that are prioritized for restoration by the development of TMDLs.

### 2023 – 2024 Program Successes

- Completed 2024 Integrated Report assessment methodology for inland and estuarian waters.
- Developed assessment methodologies for the evaluation of biological impacts of ocean acidification and hypoxia in state marine waters. The methodologies were a culmination of a two-year technical workgroup process. Oregon is the first state to develop the Ocean Acidification and Hypoxia assessment methodology.
- Finalized and presented the 2024 assessment methodology to the Environmental Quality Commission.
- Held two separate open Calls for Data to solicit WQ data for use in the 2024 Integrated Report—one Call for Data for inland and estuarian waters and another specifically focused on marine water quality data.
- Published the draft Integrated Report for public comment. Following consideration of comments and revision, plans to submit the final 2024 Integrated Report to EPA in December 2024

#### 2025 – 2027 Work Plan

#### **Core Work**

- Submit the Integrated Report to EPA for approval every two years.
- Assess water quality data from internal and external sources
- Evaluate and report on surface water quality status relative to beneficial use attainment
- Develop and update guidelines, policies, and methodologies used for assessment purposes
- Facilitate public engagement while implementing process changes and reporting on impaired waters
- Collaborate with DEQ lab staff on monitoring data collection, assessment, and development of the Integrated Report

#### **Special Projects**

- Submit 2024 Integrated Report to EPA for final approval
- Developing the 2026 Integrated Report assessment methodology updates, including an improved methodology for freshwater narrative biocriteria interpretation.
- Release 2026 assessment methodology for public comment
- Methodology to assess narrative toxics criteria and tissue toxics for Assessment Methodology
- Working with WQS team to develop procedures to apply narrative criteria related to algal growth and nutrients to fish and aquatic life

## **Drinking Water Protection**

Drinking water protection is implemented in Oregon through a partnership between DEQ and the Oregon Health Authority (OHA). The program addresses over 2,500 public water systems serving approximately 75% of Oregonians. Under an interagency agreement with OHA and with funding from the Safe Drinking Water Act, DEQ is responsible for source water protection which includes minimizing the risk to the source water before it reaches the surface water intake or groundwater well for a public drinking water system. DEQ uses Clean Water Act tools and pollution prevention to minimize treatment costs and reduce public health risk.

### 2023 – 2024 Program Successes

- Provided technical assistance to public water systems, local partners, and their communities to improve or protect drinking water quality while focusing resources and outreach to address needs of disadvantaged and environmental justice communities.
- Continued implementing Small Systems Outreach Project. Contacted 223 small systems that are manufactured home communities through emails, phone calls, and site visits resulting in 56 manufactured home communities taking initial or substantial steps toward implementation of source water protection initiatives.
- Connected public water systems and local partners to funding sources to implement protection activities and provided technical assistance during project development and grant application. The significant influx of federal funding from the Bipartisan Infrastructure Law and the Inflation Reduction Act has increased funding pools and lead to more water systems with successful applications. Many of the projects funded have close ties to environmental justice communities and Tribes.

- Developed a web-based map showing all OHA Drinking Water Source Protection Fund grants between 2008 and 2023.
- Launched a workshop series focused on the coast to build community among drinking water and technical assistance providers and to build capacity for source water protection efforts and land conservation. The workshop series included two workshops in October 2023 (for the south coast and mid-coast regions); three workshops in February 2024 (north, mid- and south coast) and three workshops in October 2024 (north, mid- and south coast).
- Continued coordination with DEQ Clean Water State Revolving Fund team on eligibility and processes for funding drinking water source protection projects through nonpoint source pollution loans for planning projects and land conservation. Assisted City of Port Orford in obtaining Clean Water State Revolving Funds for purchase of a 160-acre parcel in their drinking water source area that was slated for timber harvest. Assisted City of Port Orford and Seal Rock Water District (Lincoln County) in obtaining planning loans. DEQ's Drinking Water Protection team provided technical assistance throughout the application process including assisting with exhibit development.
- Assisted Oregon Watershed Enhancement Board (OWEB) in implementing HB2010 and developing rules and guidance for the OWEB Drinking Water Source Protection Fund by serving on the Rules Advisory Committee and providing technical assistance.
- Developed a pilot project with EPA and the Environmental Finance Center at Rural Community Assistance Corporation to select and assist public water systems with preparation and planning for applying for land conservation funding. EPA has provided technical assistance funding for City of Depoe Bay, City of Newport, City of Reedsport and Neskowin Water District. The funding supports subcontractors that will provide technical expertise as water systems pursue land acquisition.
- Coordinated with place-based planning groups in Mid-Coast and John Day to provide technical resources to assist public water systems protect their sources.
- Completed 9-key element 319 Nonpoint Source Program Watershed Based Plan checklist for the Molalla Subbasin that allows local partners including Cities of Canby, Molalla, and Colton to apply for 319 grant funds. Local partners applied in 2023 but were not selected for 319 grant funds.
- Requested, processed, and submitted raw water turbidity data from 14 public water systems using surface water sources for DEQ Water Quality Assessment Team call for data for evaluation of 303(d) parameters.
- Prepared data on drinking water sources and water quality issues for 15 Agricultural Water Quality Management Plans and coordinated with basin coordinators to highlight this information for Oregon Department of Agriculture.
- Core team member for DEQ development of PFAS strategic actions providing water quality and drinking water protection input. Provided input to OHA on proposed maximum contaminant levels. Ongoing coordination with DEQ's cleanup program regarding PFAS detections at public water systems and potential for DEQ Site Assessment assistance.
- Updated and maintained GIS data for the assessment and drinking water protection activities including delineated drinking water source areas, surface water sensitive areas, and identified potential contaminant sources. Made data layers available to state partners, water systems, and the public on the <u>Drinking Water Protection Program</u> <u>Website</u>.

### 2025 – 2027 Work Plan

#### **Core Work**

- Implement interagency agreement with Oregon Health Authority (OHA) to promote drinking water protection in Oregon by providing technical assistance to public water systems and communities.
- Assist OHA in updating and enhancing source water assessments for public water systems using groundwater sources and evaluate risks to all drinking water source areas in cooperation with state and federal agencies and other interested parties.
- Serve as lead agency in coordinating drinking water source protection activities with other state and federal agencies in Oregon. Leverage the Clean Water Act and other programs and authorities to protect public water supplies.

#### Work Plan

- Strategically invest time in both one-on-one interactions with public water systems and, when the opportunity exists, deliver resources and assistance to groups of water systems (either by type or by geographic area). Tailor resources and outreach methods to address needs of disadvantaged and environmental justice communities.
- Build partnerships and funding opportunities for public water systems and their communities to enhance resiliency through workshops and participation in regional efforts. Conduct three coastal workshops per year (Fall 2025 and Fall 2026) and Emergency Response and Source Water Protection training for small systems with EPA support (Spring 2025).
- Continue strong efforts for land conservation while federal funding through the Bipartisan Infrastructure Lawand Inflation Reduction Act is still available. Conduct focused technical assistance and workshops and assist water systems with grant applications for both planning and conservation.
- Coordinate and collaborate with other agencies and entities so that resources can be leveraged and managed to enhance drinking water protection. Communicate key information from source water assessments, water quality monitoring, and other watershed analysis to state and federal partners to guide priority actions and advance protection. Advocate for source water protection with state and federal agencies/programs.
- Provide technical assistance to OHA and water systems in evaluating susceptibility to cyanotoxins, PFAS, other toxics, and other emerging contaminants.
- Coordinate and partner with OHA Emergency Preparedness and Planning program and communities to conduct local and state all-hazards planning. Assist and provide technical assistance to improving resiliency and ability to respond to emergencies and natural disasters that may impact watersheds supplying intakes.
- Update and maintain Source Water Assessment data and the program website to provide easy access to data and resources for water systems as well as local, state and federal partners.
- Host Spring 2025 Western States Source Water Protection Conference for EPA Regions 8, 9, and 10 with assistance from OHA and EPA.

## Water Quality Laboratory

DEQ's laboratory collects and analyzes water samples to support DEQ's Water Quality program. DEQ augments its water quality data by using monitoring data from a wide variety of sources, including watershed councils and federal agencies.

DEQ's water quality monitoring programs provide information for all stages of an adaptive management cycle. Water quality data are used to identify the magnitude and extent of emerging issues, determine the appropriate levels of protection for human health and aquatic life, develop water quality management plans, assess compliance with water quality standards and regulations, understand trends in water quality conditions overtime, and measure the effectiveness of water protection projects and programs.

### Monitoring

Water quality monitoring activities include:

- Routine water quality monitoring at 160 locations throughout the state
- Implementing the statewide toxics monitoring trending network
- Implementing a statewide groundwater monitoring program
- Monitoring and analysis in three designated Groundwater Management Areas
- Monitoring and analysis of susceptible public water facilities for cyanotoxins
- Monitoring for emerging contaminants at public water supply source areas
- Monitoring and analysis of harmful algae blooms in rivers, streams, and lakes
- Monitoring and analysis for the Oregon Beach Monitoring Program in partnership with the Oregon Health Authority
- Implementing EPA's National Aquatic Resource Surveys in Oregon
- Developing and updating Quality Assurance and Sampling Analysis Plans.
- Providing quality assurance (split) sampling at approximately 30 landfills in Oregon
- Conducting studies to determine the relationship between water quality, habitat conditions and biological conditions.
- Conducting special studies to meet program needs, including:
  - Monitoring chemical, physical and biological conditions in waterbodies around the state to support Total Maximum Daily Load development and implementation.
  - $\circ$   $\;$  Monitoring to determine compliance with permit conditions
  - Synoptic groundwater surveys
  - Monitoring to support evaluation of water quality complaints and investigations

### Water Quality Data Management

DEQ manages all water quality data for the agency through a public access system, called the Ambient Water Quality Monitoring System. The Resource Assessment and Technical Support team at the laboratory maintains a series of tutorial videos for the public to better understand how to use the database.

- Data processing and analysis to support the volunteer monitoring program
- Supporting the Pesticide Stewardship Partnership program by working with watershed partners to collect and analyze stream samples during pesticide application periods
- Providing technical assistance, water quality instrumentation, training, and data to partners
- Technical assistance and data processing and analysis to the permitting program
- Technical assistance and data processing and analysis to the TMDL program

### Sample Analysis

The analytical chemistry sections (Inorganic/Organic) support the agency and its programs through chemical analysis of environmental media, such as ambient air and water, for the presence of inorganic and organic contaminants and general parameters. Water Quality analytical activities include:

- Laboratory analysis in support of DEQ's water quality monitoring programs, including but not limited to:
  - o Ambient Water Quality
  - Biomonitoring
  - Total Maximum Daily Load (TMDL)
  - Statewide Groundwater and Groundwater Management Areas (GWMAs)
  - Pesticide Stewardship Partnership
  - Water Quality Toxics Monitoring
- Laboratory analysis to support the oversight functions of DEQ's Water Quality Permitting Program
- Laboratory analysis to support inter-agency monitoring activities such as drinking water testing for cyanotoxins, PFAS, and fluoride
- Maintaining EPA certification required to serve as the state's drinking water primacy lab
- Provide technical assistance and review of analytical data to support agency programs and the regulated community
- Develop new analytical methodologies for monitoring contaminants of emerging concern
- Update and maintain Standard Operating Procedures (SOPs) for chemical analysis
- Maintain required method validation to sustain laboratory accreditation through The NELAC Institute (TNI) and EPA
- Analyze Proficiency Testing (PT) samples to ensure analytical methods are accurate

#### 2023 – 2024 Program Successes

#### Monitoring

- Safely brought in over 8,800 samples representing over 65,000 analyses.
- Completed biological, habitat and water quality monitoring surveys at more than 55 sites for the EPA National Rivers and Streams Assessment.
- Completed modeling and analysis of western state macroinvertebrate data sets to inform biological impairment methodology development.
- Monitored 160 ambient monitoring stations six times in each year, 2023 and 2024.
- Monitored 80 locations across 21 beaches for the Oregon Beach Monitoring Program from May through September
- Monitored approximately 60 surface water locations for more than 100 toxic contaminants each year.
- Coordinated sample collection and analysis of cyanotoxin samples for 60 public water facilities from May through October
- Implemented a statewide recreational HABS monitoring network of 40 waterbodies, each sampled 4 times between May and November.
- Coordinated response, including sampling and toxin analysis, to approximately 20 public inquiries into potential HABs in recreationally used waterbodies.
- Completed Southern Deschutes Groundwater study sampling of approximately 60

wells.

- Completed annual to quarterly monitoring of Oregon's three designated Groundwater Management Areas.
- Completed fourth year of monitoring field parameters, nutrients, plankton and cyanotoxins at high Cascade lakes and basin reservoirs to support Deschutes TMDL development.
- Collaborated and coordinated water monitoring programs with other state natural resource agencies through the Strategic Enterprise Approach to Monitoring team (STREAM Team)

#### Water Quality Data Management

- Published annual Oregon Water Quality Index
- Published the Cannon Beach Microbial Source Tracking Study Report
- Made improvements to data receipt and processing efforts

#### **Sample Analysis**

- Upgraded laboratory instruments including:
  - Installation of a new Liquid Chromatography-Mass Spectrometry (LC-MS/MS) instrument to support trace level analysis of PFAS in drinking water and nondrinking water matrices.
  - Installation of a new Inductively Coupled Plasma Mass Spectrometer (ICP-MS) instrument for measuring trace metals in groundwater, surface water, river/stream sediment, and fish tissue.
  - Installation of a new Flow Injection Analyzer for measuring various forms of nitrogen in groundwater and surface water.
- Transitioned the analysis of Pharmaceuticals and Personal Care Products (EPA method 1694) to a newer, more sensitive instrument, allowing lower reporting limits for target compounds.
- Added 7 new compounds to the Pharmaceutical and Personal Care Products (EPA method 1694) analysis to support Statewide Groundwater and Toxics Monitoring Programs.
- Added 2 new compounds to the Semi-volatile Pesticide (EPA method 8270) analysis to support the Pesticide Stewardship Partnership program's efforts to monitor current-use compounds.
- Performed over 45000 analyses on water quality samples 1/1/2023 through 8/30/2024
- Completed method validation study for bioavailable aluminum in water

### 2025-2027 Work Plan

#### Monitoring

- Collect and analyze water quality and biological data to develop water quality standards
- Collect water quality and biological data to support the Integrated Report development
- Collect and analyze water quality data for the development of TMDLs
- Collect and analyze cyanotoxins data for the protection of vulnerable public water supplies and recreational waterbodies
- Monitor approximately 60 sites for toxics annually
- Collect and analyze bacteria samples for to protect recreational beach use
- Collect and analyze groundwater samples in three designated Groundwater Management Areas (GWMA)
- Collect and analyze groundwater samples in one area annually outside of GWMAs

#### Water Quality Data Management

- Report Oregon Water Quality Index statistics for Key Performance Measures
- Assist with reporting and data analysis for new water monitoring projects
- Provide technical assistance and data management for volunteer monitoring partners
- Provide data management for the water quality permit program that is used in NPDES permit renewals and submitted as part of annual stormwater reports.
- Coordinate collection and analysis of pesticide samples to inform watershed partners
- Manage the call for data that occurs every two years
- Deliver data to the DEQ assessment team for use in the integrated report

#### Sample Analysis

The laboratory plans to add the following analytical methods and/or additional compounds to its capabilities pending funding and capacity:

- PFAS ambient water, wastewater, groundwater, tissue (EPA 1633)
- 6-PPDq ambient water (EPA 1634 draft)
- Additional current use pesticides and herbicides to EPA method 8321
- Transfer analytical methods for legacy contaminants (dioxins, PCBs, PBDEs) to newer instrument

### Watershed Management

### **Total Maximum Daily Loads**

Once a waterbody is identified as not meeting water quality standards and is placed on the 303(d) list, federal law requires states to develop a management plan to meet standards. This plan is called a Total Maximum Daily Load, also known as a clean water plan or TMDL. TMDLs describe the maximum amounts of pollutants that can enter the river or stream without exceeding water quality standards. These contaminants may come from municipal, industrial, commercial, or surface runoff sources, including naturally occurring background sources. DEQ

develops TMDLs on a basin or sub-basin scale using intensive analysis and modeling based on water quality monitoring, geospatial, and other data sets.

Implementing a TMDL often leads to revised permit limits when industrial and municipal wastewater permits are renewed and development of TMDL implementation plans by land managers with jurisdiction in different sectors – agriculture, forestry, urban areas and transportation. On agricultural land, the Oregon Department of Agriculture's Water Quality Management Area Rules and Plans and other voluntary efforts can be used as part of their TMDL implementation plans. On state and private forestlands, the Department of Forestry implements the Forest Practices Act and other efforts described in TMDL implementation plans. On federal lands, the U.S. Forest Service, and Bureaus of Land Management and Reclamation develop TMDL implementation plans, which may draw from those agencies' Water Quality Restoration Plans. In urban areas, local governments develop TMDL implementation plans for nonpoint sources and activities not covered by municipal stormwater permits. Transportation sector TMDL implementation plans are developed by counties, Oregon Department of Transportation and railroads.

Under most circumstances, TMDL implementation plans rely on landowners and land managers within a river basin. Local watershed councils, soil and water conservation districts, and other organizations carry out actions to meet the objectives of the TMDL implementation plans.

### **Nonpoint Source Program**

Under Section 319 of the Clean Water Act, the Environmental Protection Agency provides grant funding to states, territories and tribes to implement a wide variety of activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects and monitoring to assess the success of specific nonpoint source implementation projects.

DEQ Nonpoint Source Program staff work with municipalities, universities, state agencies, nonprofits, watershed associations, regional planning commissions, and other organizations to develop and implement watershed-based plans in priority watersheds. The 319 grants support implementation of the watershed-based plans, which include TMDL and water quality management plans.

### 2023 – 2024 Program Successes

#### **Total Maximum Daily Loads**

- The Upper Yaquina TMDLs and WQMP was adopted by rule by the EQC September 2023, EPA approved the TMDLs November 16, 2023, and the TMDLs are now in effect.
- The Powder River Basin Bacteria TMDLs and WQMP was adopted by rule by the EQC in May 2024, EPA approved the TMDLs on July 3, 2024, and the TMDLs are now in effect.
- Temperature TMDL replacement projects continues to meet interim milestones for achieving the court ordered schedule for reissuance of temperature TMDLs:

- The Lower Columbia-Sandy Temperature TMDLs and WQMP was adopted by rule by the EQC in August 2024, EPA approved the TMDLs on September 12, 2024, and the TMDLs are now in effect.
- The Willamette Sub-Basins Temperature TMDLs and WQMP was adopted by rule by the EQC August 2024, EPA approved the TMDLs on September 12, 2024, and the TMDLs are now in effect.
- The Willamette Mainstem and Major Tributaries Temperature TMDLs and WQMP was issued for public comment August 9, 2024, and the public comment period was closed October 14, 2024. The TMDL and WQMP are scheduled to be brought to the EQC in January 2025 in order to meet the court-ordered deadline of EPA action by February 28, 2025.
- The regional TMDL and Nonpoint Source Program staff performed: review of TMDL implementation plans; TMDL annual reports; Oregon Department of Agriculture area plans; complaint response and enforcement actions; Oregon Water Resources Department Division 33 reviews; and Oregon Watershed Enhancement Board grant reviews

#### **Nonpoint Source Program**

- Completed the 2023 Nonpoint Source Annual Report and received satisfactory progress notification from EPA for implementation of the Nonpoint Source Management Program Plan
- Completed the annual Oregon statewide status and trends report
- Continues to collaborate with Oregon Department of Forestry under the 2021 updated Memorandum of Understanding to achieve water quality goals related to forestry nonpoint source pollution
- DEQ and Oregon Department of Agriculture completed a revision to the Memorandum of Agreement in January 2023 and continues to collaborate on water quality goals relating to agricultural nonpoint source pollution.

### 2025 – 2027 Work Plan

#### Total Maximum Daily Loads and Nonpoint Source Program Core Work

- Develop, issue and implement TMDLs and water quality management plans
- Evaluate the status of achieving TMDLs, and water quality targets and goals
- Participate in the biennial reviews of Oregon Department of Agriculture (ODA) area rules and plans
- Every five years, the program develops the state's Nonpoint Source Management Program Plan. The plan is a requirement of the Clean Water Act and details the state's plan for controlling pollution added from nonpoint sources and improving water quality.
- Each year, DEQ prepares the Oregon Nonpoint Source Pollution Program Annual Report which documents progress in meeting the schedule of actions and milestones contained in the Nonpoint Source Plan. The annual report also includes a summary of annual Nonpoint Source Program activities and accomplishments.
- The program produces an annual statewide surface water quality status and trends report to support implementation of the TMDL and nonpoint source programs.
- Work with designated management agencies, Oregon Department of Forestry and ODA on water quality implementation plans

- Provide technical assistance to DEQ staff, internal and external workgroups, other state and federal agencies and interested public
- Respond to water quality complaints
- Conduct water quality enforcement

#### **Special Projects**

- Temperature TMDLs and Water Quality Management Plans for the following areas: Mainstem Willamette (February 2025), Rogue Basin (April 2026), John Day Basin (April 2026)
- Coquille TMDL for dissolved oxygen, E. coli, fecal coliform, pH, and temperature parameters
- The Snake River Mercury TMDLs is in development: DEQ is in close communication with the USGS and Idaho Power Company as they are completing research studies and modeling of mercury dynamics in the Hells Canyon.

## Water Quality Permitting

DEQ issues and renews permits through a defined, consistent, and transparent process utilizing legal and regulatory authorities. DEQ issues both National Pollutant Discharge Elimination System and Water Pollution Control Facilities permits in Oregon Permits are issued as "individual" permits to single facilities and "general" permits to cover classes or categories of dischargers under a single permit. Individual and general permits are issued for a fixed period not to exceed five years for NPDES permits and 10 years for Water Pollution Control Facilities permits. The Water Quality Permitting Program carries out the following activities to protect water quality:

- Issue discharge permits that protect or improve the quality of receiving waters and protect the beneficial uses of those waters. Inspect facilities and review discharge monitoring reports to ensure adherence to individual and general permit requirements.
- Take prompt and appropriate enforcement actions when violations occur.
- Provide appropriate technical assistance for regional permit teams, permittees, external interested parties, and the public to help assure ongoing compliance with individual and general permits
- Develop policy and guidance for permit writing staff to ensure consistent permit development and enforcement actions for permit noncompliance
- Work with internal and external interested parties to implement process improvements designed to reduce time for permit development, to improve communication, and to provide permits that communities can successfully implement

The permitting program includes permits for industrial wastewater, domestic wastewater, application of biosolids, use of recycled and gray water, discharge of stormwater to surface waters, and wastewater discharge to underground injection control systems. The permitting program currently manages more than 4,500 individual permits and general permits (in part administered by other agents).

Challenges to implementing the permitting program have increased with the growing number and types of permits and their increasing complexity. Achieving program objectives requires effective and coordinated development and implementation of water quality standards, assessments, TMDLs, and federal regulations. For all permits, DEQ:

- Provides training, interpretation, and coordination with EPA's National Pollutant Discharge Elimination System Program
- Coordinates implementation of surface water quality standards and the National Pollutant Discharge Elimination System permitting program
- Ensures facility permits are consistent with state regulations and, when applicable the Clean Water Act and Safe Drinking Water Act and their implementing federal regulations
- Ensures facility permits are consistent with state water quality standards and criteria
- Ensures Water Pollution Control Facilities permits are consistent with state groundwater standards and requirements

### **Industrial Wastewater**

- Issues National Pollutant Discharge Elimination System permits for various industrial activities and associated wastewater such as seafood processing, commercial logging, steam electric power plants, surface water discharges associated with pesticide application, wood processing and finishing, metals manufacturing and various industrial activities
- Issues Water Pollution Control Facilities permits for various industrial activities with discharges or activities (irrigation, lagoon seepage, etc.) that may impact groundwater

#### **Domestic Wastewater**

- Works with wastewater utilities and Oregonians to help ensure proper treatment and reuse or disposal of treated municipal biosolids and liquids
- Works with internal and external interested parties through guidance and training for consistency in permit issuance for large publicly owned treatment works and small onsite collection systems
- Implements the industrial pretreatment, biosolids management, and recycled water programs
- Develops and implements the state's Oregon Revised Statutes and Oregon Administrative Rules related to wastewater

### **Biosolids**

Biosolids are the residual solids produced in the treatment of sewage and domestic wastewater that have been subjected to additional treatment such that it can be safely and beneficially used as a soil amendment. All wastewater treatment facilities must manage their solids at some point. The facility can haul the solids to another permitted facility, dispose of them at a permitted landfill, or subject them to additional treatment to meet biosolids standards and beneficially land apply them.

Biosolids program activities include:

- Developing and implement the state's biosolids program
- Working with wastewater utilities and the agricultural community to ensure proper treatment and management of biosolids
- Providing interpretation and coordination of EPA's biosolids program with internal and

external interested parties

 Providing training and technical assistance to wastewater operators and local municipalities

### **Recycled Water**

Recycled water is effluent from a domestic wastewater treatment system that has been treated sufficiently to safely use for a beneficial purpose. The recycled water program encourages the use of recycled water for domestic, agricultural, industrial, recreational, and other beneficial purposes in a manner that protects public health and the environment.

Recycled water activities include:

- Developing and implement the state's recycled water program
- Working with wastewater utilities and other interested parties to ensure proper treatment and management of recycled water
- Providing training and technical assistance to wastewater operators and local municipalities
- Coordinating with other state agencies to ensure the program protects public health and the environment

#### Graywater

Graywater is water discharged from domestic showers, bathtubs, bathroom sinks, kitchen sinks without garbage disposals and laundry facilities. The program encourages the reuse of graywater for beneficial purposes that do not require potable water, to reduce the demand on drinking water sources.

Graywater activities include:

- Developing and implement the state's graywater program
- Working with counties, municipalities, and private citizens to help ensure proper treatment and reuse or disposal of graywater
- Providing training and technical assistance to counties as well as business and homeowners
- Working with internal and external interested parties to promote safe beneficial reuse of graywater

#### Pretreatment

- The Industrial Pretreatment program is designed to prevent the introduction of
  pollutants into POTWs which will interfere with the operation of a POTW, including
  interference with its use or disposal of municipal sludge; prevent the introduction of
  pollutants into POTWs which will pass through the treatment works or otherwise be
  incompatible with such works; and improve opportunities to recycle and reclaim
  municipal and industrial wastewaters and sludges.
- The Industrial Pretreatment program applies to pollutants from non-domestic sources discharged into POTWs. This typically includes all industrial, commercial, and hauled wastes introduced into a POTW.

### Stormwater

More than 2,300 entities are covered under DEQ's National Pollution Discharge Elimination System municipal, construction, and industrial stormwater permits in Oregon.

Stormwater duties include:

- Developing, issuing, and renewing National Pollution Discharge Elimination System stormwater permits for municipal separate storm sewer systems, or MS4s, construction sites, and industrial facilities associated with certain regulated activities
- Implementing the permits by conducting inspections, technical assistance, and other compliance and enforcement activities under the federal Clean Water Act
- Providing training and program interpretation, and coordinating with the Environmental Protection Agency's National Pollution Discharge Elimination System and Compliance and Enforcement Programs
- Developing rules and ensuring program consistency for municipalities, facilities, and construction activities associated with stormwater discharges

### **Underground Injection Control**

The Underground Injection Control (UIC) program protects drinking water sources and aquifers by regulating the construction, operation, permitting and closure of injection wells that place fluids underground for storage or disposal. There are more than 44,000 Underground Injection Control permits registered in Oregon. In Oregon, most systems are associated with stormwater discharge.

UIC duties include:

- Keeping an updated inventory of all injection wells and report them to the EPA as required by federal regulation
- Issuing state permits or written approval to owners or operators of systems to operate qualifying systems that are rule authorized
- Issuing written DEQ approvals to properly close existing systems

### **Compliance Policy and Data Management**

As part of its responsibility to implement the federal NPDES permitting program in Oregon, DEQ collects, tracks, and analyzes permit-related data to assess compliance with permit limits. DEQ also tracks and reports compliance monitoring activities (e.g., inspections, report reviews) and enforcement actions (informal and formal enforcements) to EPA. Specific program activities to support these responsibilities include:

- Facilitating statewide coordination of compliance and enforcement activities relating to the state's domestic and industrial wastewater and stormwater programs
- Tracking compliance with the EPA/DEQ Performance Partnership Agreement by setting statewide goals, reporting annually on DEQ inspections, facilitating discharge monitoring report reviews and enforcement activities, and responding to periodic EPA State Review Framework audits
- Assisting permittees with electronic reporting of monitoring and compliance data
- Reporting National Pollution Discharge Elimination System permit data to the EPA, including permit inventories, compliance inspections, enforcement actions and

discharge monitoring data

- Planning for future water quality data needs and maintaining agency and water quality program data systems
- Providing subject matter expertise in developing permits that are compatible with state and federal data management systems
- Issuing invoices and tracking payment of water quality permitting fees
- Responding to public records requests for water quality permit-related data

#### 2023 – 2024 Program Successes

#### **Domestic Wastewater**

- Reviewed state rules, statues, and policies for the recycled water program to identify limitations and roadblocks to expanding water reuse in the state. Preliminary findings were documented and submitted to the 2024 legislative committee.
- Pursuing grant funding for a study to identify the fate and transport of PFAS found in biosolids that are land applied to agricultural fields in different ecosystems of Oregon.
- Continuing efforts to issue a general WPCF biosolids permit

#### Stormwater

- Processed and issued permit coverage for 1200-C construction and 1200-Z industrial stormwater general permit applications.
- Conducted 61 industrial, 135 construction and seven municipal stormwater inspections.
- Initiated the permit renewal process for the 1200-A industrial stormwater permit, the MS4 Phase II general permit, and one MS4 Phase I permit.
- Program staff continued to provide feedback and system enhancements throughout 2023 and 2024 for the Your DEQ Online system.

#### **Underground Injection Control**

- Acted on four Water Pollution Collection Facilities Underground Injection Control permit applications for issuance, modification, and other regulatory options, issued one permit, with two additional permits currently in the public notice phase of the process.
- Eliminated a backlog of UIC rule authorizations.
- Program staff continued to provide feedback and system enhancements to the Your DEQ Online system throughout 2023.
- Conducted an analysis for seeking Class VI carbon sequestration well program primacy.

#### **Compliance Policy and Data Management**

- Continued to maintain Oregon's low rate of NPDES individual permittees in significant noncompliance through timely distribution of permittee-reported data to compliance staff and complete reporting of enforcement activities to EPA.
- Provided Stormwater program staff with enhanced DMR summary reports to highlight action items and areas needing additional review.

• Established several automated data flows from Your DEQ Online to EPA's ICIS database, which expands reporting to stormwater permits and increases the timeliness and accuracy of NPDES reporting.

### 2025 – 2027 Work Plan

#### Permitting

- Issue Permits (NPDES, WPCF, and general permits)
- Perform inspections and monitor compliance
- Conduct enforcement
- Develop policies and procedures
- Provide essential technical assistance
- Collaborate with internal and external interested parties

#### **Stormwater and Underground Injection control**

- Issue coverage under general permits and rule authorizations (e.g., Stormwater General Permits).
- Process permit applications.
- Perform technical review of Erosion and Sediment Control Plans and Stormwater Pollution Control Plans.
- Perform inspections and monitor compliance.
- Conduct enforcement using DEQ's enforcement guide.
- Review Discharge Monitoring Reports and other compliance reports, such as the MS4 annual report.
- Develop, update, and implement policies and procedures.
- Reissue the 1200-A industrial stormwater permit, the 1200-C construction stormwater permit, and the Oregon Department of Transportation MS4 Phase I permit, and WPCF UIC individual permits.
- Continue examining and developing federally required municipal stormwater program elements for state-delegated jurisdictions.
- Update stormwater Agent Agreements with five local agents.
- Provide feedback and system enhancements for Your DEQ Online system.

#### **Compliance Policy and Data Management**

- Collect and perform quality assurance review of statewide NPDES and WPCF compliance and enforcement data.
- Track compliance with DEQ/EPA Planned Partnership Agreement, Inspection Frequency Requirements (CMS) and DMR reviews
- Coordinate with regional DEQ offices to ensure efficient and accurate data collection. This will help the agency to maximize the value of Your DEQ Online.
- Track compliance with DEQ/EPA Planned Partnership Agreement, Inspection Frequency Requirements (CMS) and DMR reviews.
- Support DEQ permitting staff and the public in transition to Your DEQ Online for all water quality permits. This support includes providing technical assistance, creating frameworks for discharge monitoring reports, and creating summary reports for water quality compliance data.

- Ensure that DEQ follows EPA's NPDES policies in Oregon for inspections, priorities, and compliance. DEQ ensures EPA NPDES policies are implemented as authorized and obligated by the 2010 National Pollutant Elimination System Memorandum of Agreement and current biennial Performance Partnership Agreement with the 2014 Compliance Monitoring Strategy, National Enforcement and Compliance Initiatives, and 2017 NPDES Compliance Inspection Manual and mandatory basic and annual NPDES compliance inspector training.
- Report statewide facility and compliance and enforcement data accurately and in a timely fashion to EPA.
- Coordinate with regional DEQ offices to ensure efficient and accurate data collection. This will help the agency to maximize the value of Your DEQ Online.

## **401 Certification**

Section 401 of the Clean Water Act gives states and authorized Tribes the authority to grant, deny, or waive certification of proposed federal licenses, permits, or other authorizations that may result in a discharge into waters of the United States. States and Tribes evaluate whether a project or activity subject to a federal permit or authorization will be able to comply with state or Tribal water quality standards or other water-related rules. Federal authorizations subject to Section 401 review include U.S. Army Corps of Engineers (USACE) permits for dredge and fill activities, Federal Energy Regulatory Commission (FERC) licenses or authorizations for hydroelectric projects, and special use permits issued by federal agencies including U.S. Forest Service.

In Oregon, DEQ's Water Quality Program is responsible for the review of proposed projects under its Section 401 authority. The program also issues a water quality certification that accompanies the federal license or permit and includes any specific conditions or actions needed to be taken to ensure compliance with Oregon's water quality requirements.

### 2023 – 2024 Program Successes

- Dredge and fill staff issued 232 certifications in 2023 and conducted 9 inspections to ensure compliance, which resulted in 9 enforcement actions.
- Hydropower 401 staff, in coordination with Basin Coordinators and Basin Specialists in many regions, provided oversight and inspection of several significant active certifications including the Lower Klamath dam removal action, Clackamas River hydroelectric project, and the Carmen Smith hydroelectric project.
- Your DEQ Online went live in September 2021 and both 401 sub-programs continued to provide feedback and system enhancements. By the end of 2023, there were 597 YDO accounts associated with the 401 Dredge and Fill program.
- Between 2023-2024 the 401 program achieved full staffing, hiring three dredge and fill project managers, one hydropower project manager, and one dredge and fill program coordinator.

### 2025 – 2027 Work Plan

#### **Core Work**

• Issue decisions on 401 certification applications

- Perform inspections
- Conduct enforcement
- Provide outreach and technical assistance

#### Major Projects for 401 Dredge and Fill

- I-5 Bridge Replacement
- Scoggins Dam Safety Modifications
- USACE Civil Works Lower Columbia River Maintenance Dredging, and Dredge Material Management Plan

#### Other 401 Dredge and Fill Plans:

- USACE Nationwide Permit renewal
- Revise Post-Construction SWMP Guidance

#### Major Projects for 401 Hydroelectric Certification

- City of Portland Hydroelectric Project Relicensing
- Hells Canyon Relicensing Finalization and 401 Certification Implementation
- Pelton Round Butte 401 Modification
- Lower Klamath Dam Removal 401 Certification Implementation and Restoration
- Clear Branch Dam Special Use 401 Certification

#### **Other 401 Hydro Goals**

- Complete transition to Your DEQ Online
- Evaluation of 401 Certification approaches for Offshore Energy (wind, wave) proposals
- Evaluation of 401 Certification approaches for pumped storage proposals
- Evaluate non-hydroelectric reservoir water quality protection measures
- Review conduit and FERC-exempt hydroelectric recertification projects with WRD and ODWF (HART)

## **Wastewater Operator Certification**

Oregon statute requires domestic sewage facilities to operate under the supervision of a certified wastewater operator. The Water Quality program oversees the development of the requirements for wastewater operator certification, evaluates certification applications, provides standardized exams, and issues certificates to qualified operators. The statewide program supports an estimated 1,400 wastewater treatment plant and collection facility operators. DEQ coordinates its efforts with the Oregon Health Authority, which certifies drinking water treatment and distribution system operators in Oregon.

### 2023 – 2024 Program Successes

The Operator Certification Program produces a bi-annual report to the Oregon legislature that documents the number and type of certificates issued and renewed in the past two years. It can be found here: <u>https://www.oregon.gov/deq/wq/Documents/WWCertificationLegReport.pdf</u>

In addition to this core work, the Operator Certification program worked with our Advisory Committee to draft some rule amendments that make more people eligible to become certified. These rules were refined by a Rules Advisory Committee and the public comment process. The final draft will be presented to the Environmental Quality Commission on November 22, 2024.

### 2025 – 2027 Work Plan

- Certify wastewater system operators
- Manage facility classification worksheets to determine operator certification requirements
- Determine compliance with operator and system requirements
- Communicate regularly with an advisory committee (consisting of operators, regulators, educators, industry associates and system owners) and the Oregon Environmental Services Advisory Council (OESAC)
- Promote wastewater operation as a career
- Perform education and outreach to current and potential wastewater operators.

## **Onsite Wastewater Management Program**

More than 30% of Oregonians dispose of their wastewater through onsite septic systems, primarily residential systems. DEQ regulates their siting, design, installation and ongoing operation and maintenance. Staff within the Water Quality program manage these regulations. Without careful maintenance, septic systems can fail prematurely and result in public health hazards caused by surfacing sewage and pollution that can impact streams and groundwater. DEQ directly manages the onsite program in five counties, referred to as "direct service" counties: Jackson, Coos, Baker, Union, and Wallowa. The remaining counties manage the program under contract with DEQ, referred to as "contract counties."

Rural restaurants, breweries, manufactured home parks, RV parks and other commercial facilities often have large onsite wastewater systems and/or high-strength wastewater. DEQ permits these facilities in all 36 counties using Water Pollution Control Facility onsite permits. These systems are often complex and require a greater level of evaluation, design, maintenance, and operation.

The Onsite Septic program's responsibilities include:

- Processing septic system applications in counties where DEQ provides direct service
- Providing technical assistance and oversight to local governments that contract with DEQ to conduct the onsite program within their jurisdictions
- Providing technical assistance, education and outreach to the public, manufacturers, licensed installers and pumpers, maintenance providers and other organizations
- Implementing and overseeing the licensing program for onsite system installers and septic tank pumpers
- Responding to complaints, such as failing onsite systems and illegal installations of septic systems. Some complaints lead to formal enforcement and others are resolved with cooperation from the violator
- Working with Chemeketa Community College, the Oregon Onsite Wastewater Association, and other stakeholders to provide certification and continuing education opportunities for installers and maintenance providers
- Convening and participating in stakeholder and technical conferences and meetings to

provide education and outreach

• Reviewing new products for use in septic systems in Oregon

#### 2023 – 2024 Program Successes

- Processed new and renewal license applications for approximately 800 sewage disposal professionals. 500 licenses successfully migrated and set up in YDO.
- The four residential and small systems permitting agents issued 303 site evaluation reports, 180 construction permits, 249 repair permits and alterations, and 273 authorization notices.
- Completed 59 inspections of septic systems regulated under water pollution control facility permits (WPCF-OS).
- Issued 14 new WPCF-OS permits and renewed 54 existing permits. The backlog of expired permits has been reduced from close to 50% to about 42% since the end of 2022.
- 10 WPCF permits were terminated since the end of 2022. The permits were reviewed by onsite staff to deemed to no longer be necessary.
- Developed a standardized process for reviewing WPCF permit applications and plan reviews.
- Provided three annual soil workshops in Spring of both 2023 and 2024, providing soils training to state and county inspectors throughout the state.
- Conducted 17 variances since 2022.
- Finalized an Internal Management Directive for variances in 2023. This will provide variance officers guidance in evaluating proposals and provides transparency to the process.
- DEQ successfully defended a court challenge for a variance denial issued in January 2022. This took significant resources (time and money). The denial was due to the shallow unconfined water table and overall nitrogen pollution in the area. The court decision was appealed but ultimately dismissed in July 2024.
- 2023 legislative session provided general funding for a new position to provide training and assistance in natural disaster preparedness. This was determined to be a need following the 2020 wildfires that destroyed an unprecedented number of homes in Oregon. DEQ recruited and filled this position in April 2024 and efforts to provide statewide training are already underway.
- 2023 legislative session also approved a fee increase to fund a new position to help with the business analysis, reporting, and tracking aspects of the program. This includes the e-Permitting web-based permitting program used by DEQ's Onsite Program for the five counties directly administered by DEQ and in use by about fifteen other counties. This new position was filled in January 2024 and has been valuable in connecting with DCBS as the e-Permitting provider, as well as providing training and instilling consistency internally at DEQ.
- 2023 legislative session brought legislation and funding for a limited duration onsite rulemaking coordinator position with the intent that DEQ would conduct policy rulemaking. The position was recruited and filled in April 2024, with rulemaking expected to be completed in the second half of 2025.
- 2023 legislative session provided legislation that allows the onsite program (and other WQ programs) to increase direct service fees by up to 3% annually to support ongoing increases in expenditures and maintain current service levels.

- The installer certification program was updated, improved, and expanded in 2023. It was expanded from one day to two days and class attendees reviewing test answers in-person, rather than leaving the test not knowing what they got wrong.
- Three county onsite program reviews completed. One in process and a total of 22 completed since 2017. Program reviews help to provide statewide consistencies and identify areas for improvement.
- Provided continued technical support to consultants, engineers, installers, 31 contract counties, state and federal agencies, and permittees.
- Ability to maintain services and program support throughout much change within the program. This includes a change in program manager, and the hiring and/or promoting of seven of the team members. Also able to maintain services with shortages in onsite staff support in the direct service offices.
- Prepared for transition of WPCF-OS permitting to Your DEQ Online including system testing and modifications, development of operating procedures, and staff training. Expected go-live date is late 2024 or early 2025.

#### 2025 – 2027 Work Plan

#### **Core Work**

- Take action on residential and WPCF onsite site evaluation, authorization, permit and repair applications
- Perform inspections and monitor compliance
- Investigate complaints
- Conduct enforcement
- Oversee authorized onsite agents and perform program audits
- Provide training and continuing education units to onsite agents
- License installers, maintenance providers and pumpers
- Oversee certification program for installers and maintenance providers
- Approve onsite wastewater products
- Develop policies and procedures

#### Work Plan

- Continue providing quality and timely services in direct service counties as well as technical assistance to all contract counties.
- Explore and implement methods for ensuring program resiliency and continuity when unexpected changes occur (ex: county gives program back to DEQ)
- Identify and implement solutions for improving required operation and maintenance of septic systems, including tracking, reporting, and enforcement.
- Update outdated county contracts / IGAs.
- Conduct program reviews for contract counties and provide feedback around improvements.
- Continue conducting WPCF-OS inspections and issuing permit renewals to reduce the backlog of administratively extended permits. Follow up on violations and enforcement actions.
- Identify gaps in natural disaster preparedness for the Onsite Program to create solutions for response and implementation.

- Continue to develop and improve upon program training opportunities and content as well as developing and implementing SOPs and best practices for onsite field staff. Develop and implement an onboarding plan for new onsite program field staff.
- Assist and renew last cycle of sewage disposal services licenses transitioning to YDO.
- Develop and document core operation SOPs and guidance for the program. Plan for transitions.
- Engage with regulated community by conducting installer meetings and soliciting feedback when adjusting policies, procedures, and rules.

#### **Special Projects**

- Onsite Policy Rulemaking planning on going to EQC in Fall 2025
- Go-live for WPCF-OS permitting in YDO (expected Spring 2025)

### Groundwater

Over 90 percent of Oregon's available freshwater is stored beneath the earth's surface as groundwater. Approximately 70 percent of Oregonians depend on groundwater for their daily water needs, particularly in rural, low-income or disadvantaged communities underserved by municipal services. Understanding and protecting Oregon's groundwater resources is a core element of Oregon's Integrated Water Resources Strategy. The Strategy emphasizes the importance of groundwater quality and quantity that are becoming more critical as Oregon experiences increased effects of drought and climate change. Protecting vulnerable groundwater areas requires effective implementation of Oregon's groundwater protection act, including working with local stakeholders to develop and implement groundwater quality in these areas to help guide protection activities and providing technical assistance to communities engaged in groundwater protection efforts.

### 2023 – 2024 Program Successes

- Hired two new staff to support the statewide program that includes a groundwater coordinator and a soil scientist specialist. These two staff double the size of the groundwater protection program so will have a significant impact on the program's capacity.
- Substantial work was completed in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA) with partners to redesign and enhance agency support for the GWMA committee, develop a cross-agency nitrate reduction plan that clarifies specific roles and actions of each involved agencies, and begin develop a cooperative research plan for future work.
- Isotope analysis and other research completed in the Southern Willamette GWMA.
- Began an updated evaluation of the Northern Malheur groundwater management area, which will be continued in 2025.
- Responded to a groundwater concern in Crook County by working with US EPA and partners State agencies to develop an area investigation plan and request funding.
- Coordinated with Governor's Office and Legislature on changes and clarifications to the Oregon Groundwater Protection Act.
- Worked on policy with Department of Justice to clarify Artificial Recharge and Aquifer Storage and Recovery procedures and standards.

- Conducted approximately Outdoor School Training for 10 school districts over 32 events, reaching over 1,300 5<sup>th</sup> and 6<sup>th</sup> Graders, that explained in detail groundwater processes and how to protect the resource. Received tremendous positive response from this program that has been ongoing for over 20 years.
- Provided substantial technical assistance and enforcement support for WPCF, NPDES, onsite, and landfill permits.

### 2025 – 2027 Work Plan

- Implement the LUBGWMA Nitrate Reduction Plan
- Enhance consistency and coordination statewide for Southern Willamette and Northen Malheur GWMAs.
- Begin strategic planning for the GW Protection Program to develop a long-term vision for the program with goal of building enhanced processes and resources for GW protection across Oregon.
- Continued coordination with sisters agencies, local communities, and US EPA to address areas of concern and other issues that arrive.
- Finalize IMD for AR projects.
- Succession planning for retiring long-time hydrogeologists in the program.
- Continue Outdoor School education events.
- Continue hydrogeological reviews for permitting programs.

# Water Quality Financial Assistance Programs

An important function of the Water Quality Program is administering financial assistance programs to communities for water quality and public health improvements. DEQ receives federal funding as authorized by the Clean Water Act and other federal appropriations such as the American Rescue Plan Act (2021) and the Bipartisan Infrastructure Law (2021). These funds in turn are made available to communities through below-market-rate loans and grants for projects such as wastewater treatment, stormwater improvements, nonpoint source protection, and toxics reduction.

Current funding programs include the Clean Water State Revolving Fund, the Onsite Septic Financial Aid Program, the Sewer Overflow and Stormwater Reuse Municipal Grants Program, and the Columbia River Basin Toxics Reduction Lead Grant. These programs are described in more detail below.

## **Clean Water State Revolving Fund Program**

The Water Quality program administers the Clean Water State Revolving Fund loan program, which is authorized by the Clean Water Act and implemented in coordination with EPA. This loan program acts like an environmental infrastructure bank by providing loans to eligible recipients for water infrastructure projects that benefit public health and water quality. Examples of eligible projects include new and improved wastewater and stormwater treatment, implementation of nonpoint source pollution management programs, water conservation and reuse, energy efficiency, and security measures for

publicly owned treatment works.

DEQ issued its first loan under the program in 1990. Since then, the program has loaned more than \$1.6 billion to more than 200 Oregon communities, counties, irrigation districts, and other public agencies and districts. Repayments of loan principal and interest earnings are recycled back into the program to finance new projects that allow the funds to "revolve" at the state level over time.

The Bipartisan Infrastructure Law of 2021 provided substantial supplemental funding authority over five years (2022-2026). An important funding priority is distressed communities or those facing environmental justice challenges. The Infrastructure Law also provides targeted funding for Emerging Contaminants and Green Infrastructure projects.

## Water Quality Grants

### **Onsite Septic Financial Aid Program**

The American Rescue Plan Act, passed in early 2021, provided funding to address economic recovery from the impacts of the COVID-19 pandemic and an opportunity to revitalize and rebuild communities. DEQ's Onsite Septic Financial Aid Program oversees \$15 million in the American Rescue Plan Act funds for projects that benefit public health and water quality by repairing and replacing failing septic systems. DEQ provided pass through grants to public agencies and other eligible organizations around the state, which are providing grants and low-cost loans to homeowners and small businesses. DEQ obligated all \$15 million to eight subrecipient organizations across the state:

Central Oregon Intergovernmental Council, Clackamas Soil and Water District, Clean Water Services, Craft3 (community development financial institution), Eugene Water and Electric Board, Homes for Good (Lazy Days RV Park), Lincoln County (with the Oregon State University Extension Office), Mid-Willamette Valley Council of Governments, and Tillamook County (with Community Action Team). More information is available on the <u>Onsite Septic Financial Aid</u> <u>Program</u>.

#### **Sewer Overflow and Municipal Grants Program**

The Sewer Overflow and Municipal Grants Program is an EPA program that provides grants for planning, design, or construction of stormwater improvement projects. Eligible activities include addressing and preventing combined sewer overflows, sanitary sewer overflows, and stormwater management. Funds can be used to improve aging infrastructure, for green infrastructure, and for controlling runoff. Eligible projects are either on Oregon's Clean Water State Revolving Fund intended use plan or are identified as priorities by DEQ's stormwater permitting program.

### **Oregon's Septic Loan Program**

In 2016 the Oregon legislature established the Oregon Septic Loan Program (ORS 454.779) with broad support from public health agencies, environmental organizations, and community development organization. This program authorizes the legislature to allocate funds to DEQ for pass-through grants to third parties to provide low-interest loans for septic system repairs and replacements. DEQ has partnered with Craft3, a community development financial institution

(CDFI) to administer the Septic Loan Program. Craft3's program provides below-market interest rates and flexible terms that are especially beneficial for low- or moderate-income property owners or others who may not be able to access traditional bank financing.

### **Columbia River Basin Toxics Reduction Lead Grant**

DEQ is the lead recipient of a \$6 million grant as part of EPA's Columbia River Basin Restoration Funding Assistance Program. With this funding, DEQ will support activities to safeguard waterways from pesticides and mercury, clean up orphaned brownfield sites in communities historically impacted the most by toxic pollutants, and implement actions to address PFAS compounds. This project will develop diverse partnerships to advance innovative toxic reduction or prevention activities designed to protect human health and the health of Oregon's land, air, and water resources.

- The Pesticide Stewardship Partnership (PSP) Program will provide education, outreach, and technical assistance in three counties and multiple river basins.
- DEQ and partners from the University of Oregon's Resource Assistance for Rural Environments (RARE) and the Oregon Department of Agriculture (ODA) will provide technical assistance to rural communities and agricultural producers to reduce mercury in stormwater runoff.
- The grant will also fund remediation of contaminated land at up to 10 distressed sites in historically disadvantaged communities.
- DEQ also plans to complete and implement a PFAS Strategic Plan to evaluate actions required to address PFAS entering and spreading in Oregon's environment.

#### 2023-2024 Program Successes

In addition to the successes noted for each program below. DEQ staff collaborated with state agencies and professional associations on outreach and shared funding efforts. Organizations included Business Oregon, Oregon Association of Water Utilities, Oregon Watershed Enhancement Board, Oregon Association of Clean Water Agencies, the League of Oregon Cities, the Council of Infrastructure Finance Authorities, and more. DEQ also participated in the multi-agency effort to develop best practices for community engagement as provided in House Bill 3293 (2021).

#### **Clean Water State Revolving Fund Loan Program**

- DEQ implemented new rules in May 2023 that allow for more principal forgiveness (up to \$2M for design and construction), new principal forgiveness for planning loans (Up to \$100,000), and new affordability criteria with environmental justice metrics. These Bipartisan Unfractured Law implementation and program incentives are creating more demand for the program including communities that meet affordability criteria with environmental justice metrics.
- In July 2023, DEQ implemented new rules that expanded eligible borrowers to include water districts and other special districts to fund nonpoint source projects including source water protection.
- As of July 2024, the Oregon CWSRF had \$993,600,655 in loan commitments for 216 active loans (in disbursement or repayment).
- Clean Water State Revolving Fund issued over \$86 Million in new loan commitments in SFY 2024. That is more than twice the loan commitments issued for each of the prior two

years. Eighteen of these borrowers were awarded principal forgiveness totaling \$8.2 million.

 DEQ enhanced technical assistance efforts to support borrowers and smaller communities in 2023 and 2024. A new loan information request form (LIRF) process that facilitated early meetings with borrowers was launched in 2023 and led to 24 applications. Also in 2024, DEQ piloted a cohort orientation for new borrowers to explain requirements and support available as they develop materials needed for loan issuance.

#### Water Quality Grants

#### **Onsite Septic Financial Aid Program**

The Onsite Septic Financial Aid Program (OSFAP) subrecipients made substantial progress on identifying and funding septic system improvements. The deadline to expend all funds for the Onsite Septic Financial Aid Program is December 2026, unless this program is extended with additional federal or state funding.

- As of July 2024, 305 projects were completed, totaling approximately \$5.7 million, or almost 40% of the funds.
- More than 1,200 property owners, mostly low- and moderate-income households, have applied for this funding, demonstrating the ongoing need.

#### **Stormwater Overflow Grant Program**

The following grants were awarded in FY23 for projects in FY 2023-2026.

- City of Astoria (\$185,880) is engaged in planning and development to replace the worn archimedes screws to prevent combined overflow and protect adjacent water bodies.
- City of Bay City (\$323,200) is engaged in planning to replace the Culver Street culvert and return some waterways to a more natural state.
- County of Tillamook (\$690,000) is engaged in construction for transfer stations in Manzanita and Pacific City. Both projects reduce contamination runoff and reduce the water intrusion into the collection site.
- Rogue Valley Sewer Services (\$383,000) is constructing an updated runoff and bioswale area for the City of Talent Cummins facility.

#### **Oregon's Septic Loan Program Overview**

The Oregon legislature initially funded this program with \$1,730,500 in 2016. An additional \$2 million was authorized during the 2021 legislative session for the 2021-2023 biennium. As of October 1, 2024, 205 homeowners in 29 of Oregon's 36 counties have received loans funded by state dollars through the Clean Water program. In all, Craft3 has issued \$4.4 million in loans by leveraging private investments and also issuing loans with revolved repaid loan amounts. All told Craft3 funded 379 projects resulting in clean water and public health benefits. Nearly 40% of families served by this program are low-income based on median household income metrics.

#### **Columbia River Basin Toxics Reduction Lead Grant**

Grant activities are underway for all subprojects for this program. New staff were hired, including a grant coordinator and a Toxics and Emerging Contaminants technical lead for the finalization and implementation of DEQ's PFAS Strategic Plan. DEQ also hired a dedicated project manager in fall 2024 to oversee the cleanup of up to 10 contaminated properties in the basin.

- A subaward to the ODA was issued for the PSP Program subproject and for efforts to work with the agricultural sector on mercury reduction. Grants will be awarded to PSP partners to reduce pesticides in waterways. The first solicitation for grant applications was completed on June 24, 2024, and ODA awarded three grants totaling \$122,074. ODA will also implement activities that will include best practices to control erosion and reduce mercury-bearing sediment from entering waterways.
- Subawards were finalized for the University of Oregon to provide technical assistance to rural Willamette communities for reducing stormwater contributions of mercury in waterways. The University of Oregon will place AmeriCorps members from their RARE program to develop and implement actions in the selected communities. Selected communities for the first year include the cities of Dallas, Monmouth, Falls City, Coburg, Tangent, St. Helens, and Estacada in addition to Columbia County, and Muddy Creek Irrigation Project.

### 2025 – 2027 Work Plan

# Water Quality Financial Assistance Programs: Core Work Across Programs

- Develop and implement policies, procedures, and process improvements to efficiently administer funding programs and coordinate water quality funding programs within DEQ. Starting in August 2024, the 319 nonpoint source grant program is coordinated by Community and Program Assistance Section.
- Support communities seeking funding for water quality projects by maximizing shared outreach efforts and materials about the funding opportunities, increasing staff training and coordination about funding programs, and seeking opportunities to leverage funding sources.
- Prioritize low- and moderate-income households for grant funding.
- Ensure access to loans and grants to communities of all sizes.

#### Clean Water State Revolving Fund: Work Plan 2025 – 2027

- The SFY 2025 Oregon CWSRF Intended Use Plan (published September 2024) includes 65 loan applications requesting a total of \$314,680,691. Projects can remain on the Intended Use Plan for 36 months.
- DEQ plans to increase annual new loan commitments from approximately \$86 million in SFY2024 to over \$100 million per year in 2025-27. This will be achieved through support of the pipeline of projects on the Intended Use Plan and increasing staffing in the lending program.
- DEQ launched a new online application system, the Clean Water Funding Hub, in September 2024. Initially the system is being used internally by agency staff as we determine how to best integrate the system into our workflows. DEQ is developing user guides, internal procedures, and trainings so that public users will be well-supported. The Funding Hub is also expected to increase transparency for borrowers, improve program efficiencies, and centralize key application and loan documents for tracking and reporting purposes.
- DEQ will continue process improvements including developing guidance, implementing practices to streamline the application and loan processes for borrowers, and identifying new opportunities to support the needs of Oregon communities. Areas of focus will

include implementing the Build American Buy America Act, maintaining attention on environmental justice and the needs of underserved borrowers, supporting projects that address emerging contaminants or incorporate green infrastructure, and identifying opportunities for potential for projects to increase community resiliency (e.g. natural disasters, climate change, and cyber security).

• DEQ anticipates initiating rulemaking in the second half of SFY 2025 to update procedures and to integrate community engagement planning as required by HB 3293 (2021).

### Water Quality Grants: Work Plan 2025 – 2027

#### **Onsite Septic Financial Aid Program**

All program funds must be expended by December 2026 as required by the American Rescue Plan Act (2021) and will close out March of 2027. The Homes for Good Project is expected to be completed by December 2024. In SFY 2025-27, DEQ will be working with the other seven awardees as they complete their projects. If a grant recipient cannot demonstrate the need or capacity to utilize all the awarded funding, then DEQ will reallocate some of the funding to another existing grant recipient.

#### The Stormwater Overflow Grant

Beginning in SFY2025, DEQ will award funding to stormwater projects on the Clean Water State Revolving Fund Intended Use Plan as well as selected MS4 projects identified by DEQ's Stormwater Management Program that are not seeking loans. Objectives for 2025-27 include:

- Prioritize green infrastructure and small communities in accordance with EPA guidelines.
- Oversee Active Projects, which are expected to be completed by June 2028:
- In July 2024, DEQ received a notice of award from EPA for \$742,000 from the FFY2023 allocation and \$610,000 from the FFY2024 allocation. DEQ has approved funding for the following projects on the Clean Water State Revolving Fund Intended Use Plan: City of Mosier, City of Astoria, City of Bend, City of Cottage Grove, City of Gresham, and City of Bay City. In addition, the program expects to fund a stormwater master plan update for the City of Eagle Point.

#### **Oregon's Septic Loan Program**

The Septic Loan Program remains an important resource to help rural and low/moderate income households to improve wastewater treatment and protect public health and water quality for both groundwater and nearby surface waters. To allow for more flexibility, DEQ has introduced a legislative concept for the 2025 legislative session that would expand the authorities in ORS 454.779 to include financial aid packages that pair loans with principal forgiveness or small grants. If this legislative change is approved and if funding is authorized for the program, the lowest income households would be prioritized for grant funding or principal forgiveness assistance.

#### **Columbia River Basin Toxics Reduction Lead Grant**

The five subprojects will be active in 2025-2027 as DEQ collaborates with partners, EPA, and local communities to implement strategies to reduce toxics in Oregon's portion of the Columbia River Basin.

#### 1. PSP Program – Oregon Department of Agriculture Partner

ODA will award competitive grants to local Watershed/Basin Councils and Soil and Water Conservation Districts within the Basin to support voluntary adoption of best practices to reduce pesticide use.

#### 2. Focused Ag Solutions – Oregon Department of Agriculture Partner

ODA will identify agricultural solutions to meet mercury reduction requirements in the Willamette Basin Mercury TMDL and develop plans to monitor the reductions.

#### 3. Technical Assistance to Rural Willamette Communities – University of Oregon Partner

UO will place up to 8 RARE AmeriCorps members with rural communities in the Willamette Basin to support activities that will reduce sediment and mercury loading.

#### 4. DEQ Small-Scale Cleanups – Distressed Properties

DEQ will develop a process to prioritize properties for cleanup using environmental justice criteria, redevelopment readiness, community support, water quality benefits and other considerations. DEQ will also enter into agreements and start cleanup activities at up to 10 properties that meet these criteria.

#### 5. DEQ PFAS Strategic Plan

DEQ will finalize the PFAS Strategic Plan in the first quarter of 2025and then begin implementing identified actions which are expected to include regulatory changes, actions to protect public health, and efforts to address Oregon PFAS concerns.