

DESCHUTES COUNTY LEGISLATIVE UPDATE

Friday, January 24, 2025, 8:00 am

This meeting will be held virtually.
Members of the public may access the meeting
using this link: <https://bit.ly/3WDZYOx>

Or call (253) 205-0468
Webinar ID: 879 4809 6174
Passcode: 156736

- 1. Welcome –Chair**
- 2. Commissioner Updates**
- 3. Updates from NW Policy Advocates – Doug Riggs**
- 4. Review Bill Tracker Report by Department**



Deschutes County 2025 Legislature Report

Report Date: January 23, 2025

Blue Highlight = Bill discussed during previous meeting. Priority and Position is staff recommendation. Commissioners have not taken a position on the the bill.

Yellow Highlight = Commissioner's confirmed Priority and Position

No highlight = Bill has not been discussed

Board of Commissioners

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 3078	2	No Position	01/17/25 - Referred to Agriculture, Land Use, Natural Resources, and Water with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Levy E; Sen Broadman (Presession filed)	
Directs the Oregon Drinking Water Services of the Oregon Health Authority to establish a pilot program for training drinking water system operators.					
HB 3112	2	No Position	01/17/25 - Referred to Agriculture, Land Use, Natural Resources, and Water with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Helm; Rep Owens (Presession filed)	
Directs the Water Resources Commission to establish a program for compensating ground water right holders for voluntarily relinquishing all or portions of ground water rights in basins designated as critical ground water areas.					
SB 775	2	No Position	01/17/25 - Referred to Natural Resources and Wildfire, then Ways and Means. 01/13/25 - Introduction and first reading. Referred to President's desk.	Rep Levy B; Sen Nash (Presession filed)	
Requires that ground water data generated or used for specified purposes by the Department of Environmental Quality, State Department of Agriculture, Water Resources Commission or Water Resources Department be peer reviewed.					



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Community Development

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 2168	1	Support	01/22/25 - Public Hearing held. 01/17/25 - Referred to Agriculture, Land Use, Natural Resources, and Water with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of House Interim Committee on Agriculture, Land Use, Natural Resources, and Water for Representatives Ken Helm, Mark Owens)	
<p>Instructs the Oregon State University Extension Service to establish a program for providing assistance to households that rely on wells for drinking water or on septic systems for wastewater treatment.</p> <p>1/15/2025 - Peter Gutowsky - Water well and septic system support.</p>					
HB 2178	2	No Position	01/17/25 - Referred to Agriculture, Land Use, Natural Resources, and Water. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Helfrich (Pre-session filed)	
<p>Limits standing in appeals made to the Land Use Board of Appeals to those who reside or maintain a business in or within 25 miles of the boundary of the local government or special district and who have appeared before the decision maker in person at a hearing if available.</p> <p>1/15/2025 - Peter Gutowsky - Board policy discussion.</p>					
HB 2400	2	No Position	01/17/25 - Referred to Housing and Homelessness. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Breese-Iverson; Rep Elmer; Rep Levy B; Rep Mannix; Sen Nash; Sen Weber (Pre-session filed)	
<p>Allows the owner of property outside an urban growth boundary to site an additional dwelling on the property for occupancy by a relative of the owner.</p> <p>1/15/2025 - Peter Gutowsky - Board policy discussion.</p>					
HB 2422	2	No Position	01/17/25 - Referred to Housing and Homelessness. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Wallan (Pre-session filed)	
<p>Requires that lands zoned to allow density of one or fewer dwellings per acre to be considered a rural use.</p> <p>1/15/2025 - Peter Gutowsky - Board policy discussion.</p>					



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Community Development

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 2647	2	No Position	01/17/25 - Referred to Agriculture, Land Use, Natural Resources, and Water. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Evans (Pre-session filed)	
<p>Authorizes cities to bring certain lands within their urban growth boundaries for light industrial and open space uses.</p> <p>1/15/2025 - Peter Gutowsky - Board policy discussion.</p>					
HB 2950	2	Support	01/17/25 - Referred to Agriculture, Land Use, Natural Resources, and Water with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Andersen; Rep Boice; Rep Grayber; Rep Lively; Rep McLain; Rep Tran; Rep Walters; Sen Campos; Sen Frederick; Sen Pham (Pre-session filed)	
<p>Requires the Land Conservation and Development Commission to update the statewide land use planning goal relating to "citizen involvement" by rule by June 30, 2027.</p> <p>1/15/2025 - Peter Gutowsky - The purpose of revisiting Goal 1 (Citizen Involvement), to the greatest extent possible, is establishing the broadest and most inclusive public engagement and participation in land use planning and decision-making processes by all members of the community, including environmental justice communities.</p>					
HB 3105	2	No Position	01/17/25 - Referred to Agriculture, Land Use, Natural Resources, and Water. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Helm; Rep Owens (Pre-session filed)	
<p>Provides that a certificate to appropriate water may be assigned.</p> <p>1/15/2025 - Peter Gutowsky - No comments.</p>					
HB 3136	2	No Position	01/17/25 - Referred to Housing and Homelessness. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Breese-Iverson; Sen Anderson; Sen Meek (Pre-session filed)	
<p>Removes a requirement that a maximum of two real estate professionals may serve on a city or county planning commission.</p> <p>1/15/2025 - Peter Gutowsky - Board policy discussion.</p>					



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Community Development

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
SB 73	1	No Position	01/17/25 - Referred to Natural Resources and Wildfire. 01/13/25 - Introduction and first reading. Referred to President's desk.	Presession filed (at the request of Senate Interim Committee on Natural Resources and Wildfire)	
Restricts methods by which lands zoned for farm, forest or mixed farm and forest use may be redesignated for nonresource use.					
SB 75	1	Support	01/17/25 - Referred to Natural Resources and Wildfire. 01/13/25 - Introduction and first reading. Referred to President's desk.	Presession filed (at the request of Senate Interim Committee on Natural Resources and Wildfire)	
Defines "high wildfire hazard area" for purposes of developing an accessory dwelling unit on lands zoned for rural residential uses or a replacement dwelling on lands zoned for resource uses. 1/15/2025 - Peter Gutowsky - No comments.					
SB 521	2	No Position	01/17/25 - Referred to Housing and Development. 01/13/25 - Introduction and first reading. Referred to President's desk.	Rep Osborne; Sen Smith DB (Presession filed)	
Requires additional cities to develop urban reserves. 1/15/2025 - Peter Gutowsky - Board policy discussion.					
SB 522	2	No Position	01/17/25 - Referred to Housing and Development. 01/13/25 - Introduction and first reading. Referred to President's desk.	Rep Osborne; Sen Smith DB (Presession filed)	
Authorizes counties to allow contiguous clustered nonresource dwellings on a clustered development tract in lieu of approval of individual nonresource dwellings on lands zoned for forest or farm use. 1/15/2025 - Peter Gutowsky - Board policy discussion					



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Community Development

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
SB 817	2	No Position	01/17/25 - Referred to Natural Resources and Wildfire. 01/13/25 - Introduction and first reading. Referred to President's desk.	Pre-session filed (at the request of Governor Tina Kotek for Land Use Board of Appeals)	
Increases fees for filing a notice of intent to appeal and a motion to intervene with the Land Use Board of Appeals.					
1/15/2025 - Peter Gutowsky - Board policy discussion.					



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Community Justice

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
SB 816	2	Support	01/17/25 - Referred to Judiciary. 01/13/25 - Introduction and first reading. Referred to President's desk.	Pre-session filed (at the request of Governor Tina Kotek for Oregon Youth Authority)	

Modifies provisions of law regarding local juvenile diversion plans and plans for juvenile crime prevention basic services.

1/15/2025 - Deevy Holcomb - Positive update for local control / use of state grant/pass through dollars to Juvenile Community Justice. Allows counties to utilize funding for all youths on supervision, for services to avoid their escalation to state Youth Authority custody. Currently, a portion of state grant monies are targeted only at youths already adjudicated (on probation). This change would open up that funding stream to be used with any youth referred for and being supervised for a criminal offense on a diversion or probation status. The Juvenile division has advocated for this change for many years.



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District Attorney

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 2142	2	Support	01/17/25 - Referred to Judiciary. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Boshart Davis (Pre-session filed)	
<p>Requires a prison sentence for the unlawful delivery or manufacture of a controlled substance when the person has certain prior convictions.</p> <p>1/16/2025 - Stephen Gunnels - Requires a 36 month or more prison sentence for delivery or manufacture of a controlled substance if the person has a previous conviction for delivery, attempted delivery or manufacture of a controlled substance within the previous 5 years.</p>					
HB 2293	2	Support	01/17/25 - Referred to Judiciary with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Javadi; Rep Lewis; Rep Mannix; Rep Osborne; Rep Reschke; Rep Scharf; Rep Wright; Rep Yunker; Sen Thatcher (Pre-session filed)	
<p>Limits pretrial release of defendants charged with a felony or Class A misdemeanor to security release.</p> <p>1/16/2025 - Stephen Gunnels - Requires security release or judge's order for people who have been arrested on a class A misdemeanor or any felony. The jail cannot release those individuals without security being set unless the judge orders conditional release (release on conditions without having to post security).</p>					
HB 2470	2	Support	01/17/25 - Referred to Judiciary with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of House Interim Committee on Judiciary for Oregon District Attorneys Association)	
<p>Directs the Oregon Health Authority to expand the capacity of the Oregon State Hospital.</p> <p>1/15/2025 - Stephen Gunnels - Oregon is in desperate need of additional capacity in its state hospital system. Many severely mentally ill people are held in jail awaiting an evaluation, placing a burden on our jails and on the people suffering from mental illness.</p>					
HB 2494	2	Support	01/17/25 - Referred to Judiciary. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of House Interim Committee on Judiciary for Representative Jason Kropf)	
<p>Requires the Oregon Criminal Justice Commission to study the effect of different types of sentences on rates of recidivism.</p> <p>1/16/2025 - Stephen Gunnels - Requires CJC to study effects of different kinds of sentences on rates of recidivism.</p>					
SB 773	2	Support	01/17/25 - Referred to Judiciary. 01/13/25 - Introduction and first reading. Referred to President's desk.	Sen Nash (Pre-session filed)	
<p>Establishes a mandatory minimum sentence of 48 months' imprisonment for assault committed by a correctional facility inmate against a corrections officer.</p>					



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Finance

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
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HB 2088	2	Oppose unless amended	01/17/25 - Referred to Revenue. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	
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Provides for a process by which former owners of real property deeded to the county for delinquent property taxes may claim the surplus value after the property has been disposed of by the county.

1/15/2025 - Robert Tintle - HB 2088 is similar to HB 2089 and 2096. HB 2089 is similar to HB 2088 except 2089 applies to properties foreclosed on or after 5/25/23 (look forward) and HB 2088 applies to properties foreclosed on or after 5/25/2017 (look back).

Opposed as written due to additional notice requirements prior to judgement, requirements to post in five languages, and requirement to hire an appraiser/real estate broker.

The bill as written places undue additional administrative burden on the underfunded and limited staff. The notice requirements prior to judgement is excessive compared to current notice requirements at the one-year redemption period. The additional notice requirements would be better placed at the one-year redemption period instead.

HB 2089	2	Oppose unless amended	01/17/25 - Referred to Revenue. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of House Interim Committee on Revenue for Representative Nancy Nathanson)	
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Provides for a process by which former owners of real property deeded to the county for delinquent property taxes may claim the surplus value after the property has been disposed of by the county.

1/15/2025 - Robert Tintle - HB 2089 is similar to HB 2088 except 2089 applies to properties foreclosed on or after 5/25/23 (look forward) and HB 2088 applies to properties foreclosed on or after 5/25/2017 (look back). HB 2089 is similar to HB 2096.

Opposed as written due to additional notice requirements prior to judgement, requirements to post in five languages, and requirement to hire an appraiser/real estate broker.

The bill as written places undue additional administrative burden on the underfunded and limited staff. The notice requirements prior to judgement is excessive compared to current notice requirements at the one-year redemption period. The additional notice requirements would be better placed at the one-year redemption period instead.

HB 2096	2	Oppose unless amended	01/17/25 - Referred to Revenue. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of House Interim Committee on Revenue for Cascade Policy Institute, Pacific Legal Foundation, OTLA, AARP, Oregon Consumer Justice, Oregon Law Center, DevNW)	
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Provides for a process by which former owners of real property deeded to the county for delinquent property taxes may claim the surplus value after the property has been disposed of by the county.

1/15/2025 - Robert Tintle - HB 2096 is similar to HB 2089 and 2088. HB 2089 is similar to HB 2088 except 2089 applies to properties foreclosed on or after 5/25/23 (look forward) and HB 2088 applies to properties foreclosed on or after 5/25/2017 (look back).

Opposed as written due to additional notice requirements prior to judgement, requirements to post in five languages, and requirement to hire an appraiser/real estate broker.

The bill as written places undue additional administrative burden on the underfunded and limited staff. The notice requirements prior to judgement is excessive compared



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Finance

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to current notice requirements at the one-year redemption period. The additional notice requirements would be better placed at the one-year redemption period instead.					
SB 675	2	Oppose	01/17/25 - Referred to Finance and Revenue. 01/13/25 - Introduction and first reading. Referred to President's desk.	Sen Bonham; Sen Robinson (Presession filed) (at the request of Senator Noah Robinson)	
Lowers the interest rate imposed on unpaid property taxes to one-half of one percent per month.					
1/15/2025 - Robert Tintle - This bill would reduce the interest accrued from 1.33% per month to 0.50% per month. This would result in reduced CAFFA funding for local assessment and taxation which is already challenged.					



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Health Services: Behavioral Health

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 2056	1	Support	01/17/25 - Referred to Behavioral Health and Health Care with subsequent referral to Ways and Means. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Nosse (Pre-session filed)	

Requires the Oregon Health Authority to study the cost of community mental health programs.

1/23/2025 - Holly Harris - placeholder bill that will be replaced with AOCMHP language to fund the gap for CC, A&A, and Mobile Crisis. Gap was identified in cost report done by OHA as 32 million annually.



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Health Services: Public Health

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 2954	1	Support	<p>01/17/25 - Referred to Behavioral Health and Health Care with subsequent referral to Ways and Means.</p> <p>01/13/25 - First reading. Referred to Speaker's desk.</p>	Rep Tran (Pre-session filed)	
<p>Appropriates moneys from the General Fund to the Oregon Health Authority for distribution to local health departments and federally recognized Indian tribes in Oregon to provide addiction prevention services.</p> <p>1/15/2025 - Thomas Kuhn - Oregon spends 94% of its substance use dollars on recovery and treatment and only 6% on prevention, most of which is earmarked only for tobacco. This bill will allocate \$25 million per biennium so counties and tribes can hire at least one staff person dedicated to preventing drug and alcohol use. Right now, there are very few evidence-based prevention programs in the state and those that do exist do not have dedicated, dependable funding. This bill will also help counties sustain or expand these programs.</p>					



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Health Services: Public Health

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 5025	1	Support	02/06/25 - Informational Meeting scheduled. 02/03/25 - Informational Meeting scheduled. 01/30/25 - Informational Meeting scheduled.	Pre-session filed (at the request of Oregon Department of Administrative Services)	1:00PM 01/28/2025 Joint Subcommittee Human Services Informational Meeting H-170 1:00PM 01/29/2025 Joint Subcommittee Human Services Informational Meeting H-170 1:00PM 01/30/2025 Joint Subcommittee Human Services Informational Meeting H-170 1:00PM 02/03/2025 Joint Subcommittee Human Services Informational Meeting H-170 1:00PM 02/04/2025 Joint Subcommittee Human Services Public Hearing H-170 1:00PM 02/06/2025 Joint Subcommittee Human Services Informational Meeting H-170

Appropriates moneys from the General Fund to the Oregon Health Authority for certain biennial expenses.

1/15/2025 - Thomas Kuhn - Oregon Health Authority budget bill. PH Modernization (additional \$25M) and the Early Childhood package (additional \$10.2M, WIC, Nurse Family Partnership, Family Connects, Babies First, and CaCoon) will be included in this bill.



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Health Services: Public Health

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
SB 702	2	Support	01/17/25 - Referred to Early Childhood and Behavioral Health. 01/13/25 - Introduction and first reading. Referred to President's desk.	Rep Bowman; Rep Gamba; Rep Hudson; Rep Isadore; Rep McLain; Rep Neron; Rep Nguyen H; Rep Pham H; Rep Tran; Sen Frederick; Sen Gelser Blouin; Sen Golden; Sen Jama; Sen Manning Jr; Sen Reynolds; Sen Sollman; Sen Taylor (Pre-session filed)	Prohibits distributing, selling, attempting to sell or offering to sell flavored inhalant delivery system products or flavored tobacco products in this state. 1/15/2025 - Thomas Kuhn - Prohibits distributing, selling, attempting to sell or offering to sell flavored inhalant delivery system products or flavored tobacco products in this state.



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Road

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 2157	2	Watch	01/17/25 - Referred to Transportation. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of Joint Committee on Transportation for Representative Susan McLain, Senator Chris Gorsek)	
<p>Directs the Department of Transportation to study issues related to transportation funding and present the results of the study to the Joint Committee on Transportation.</p> <p>1/15/2025 - Chris Doty - Placeholder bill for Transportation Funding Package</p>					
HB 2158	2	Watch	01/17/25 - Referred to Transportation. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of Joint Committee on Transportation for Representative Susan McLain, Senator Chris Gorsek)	
<p>Directs the Department of Transportation to study issues related to transportation funding and present the results of the study to the Joint Committee on Transportation.</p> <p>1/15/2025 - Chris Doty - Placeholder bill for Transportation Funding Package</p>					
HB 2160	2	Watch	01/17/25 - Referred to Transportation. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of Joint Committee on Transportation for Representative Susan McLain, Senator Chris Gorsek)	
<p>Requires the Department of Transportation to study the development of uniform standards for speed bump height and markings.</p> <p>1/15/2025 - Chris Doty - Placeholder bill for Transportation Funding Package</p>					
HB 3175	1	Support	01/17/25 - Referred to Emergency Management, General Government, and Veterans. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Gomberg; Rep Marsh (Pre-session filed)	
<p>Removes the cap on fees a county may charge to fund the county's activities related to public land survey corners.</p> <p>1/21/2025 - Chris Doty - This bill is of utmost importance to County Surveyors. In 1985 the Legislature established the Public Land Corner Preservation Fund (ORS 203.148) which established a document recording fee to fund maintenance of the Public Land Survey System and the 1/2 mile grid of public land corners - which is the framework on which all public and private real property and resource land boundaries in Oregon are based. The Legislature established a \$10 cap on recording fees in 1985 and that cap remains unchanged. HB 3175 will remove the cap and allow counties to establish their fee commensurate with the need of their individual corner preservation program. With inadequate fee revenue, counties are struggling to maintain existing corners and replace destroyed or damaged corners.</p>					



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Road

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 3209	2	Support	01/17/25 - Referred to Transportation. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Boice; Rep Helm; Rep Lively; Rep McLain; Sen Golden; Sen Gorsek; Sen Prozanski (Pre-session filed) (at the request of Oregon Recreation and Park Association, Oregon Tow Truck Association, Central Oregon Cities)	

Imposes a surcharge on certain vehicle registration fees and recreational vehicle trip permits.

1/23/2025 - Chris Doty - Abandoned RV's continue to plague our public spaces, placing a large financial burden on all levels of government. HB 3209 creates a funding source to pay for removal and disposal of abandoned RVs. Most abandoned RVs are not in operable condition, require specialized (haz-mat) clean-up, and have nearly zero salvage value to offset removal and disposal costs. Many can cost up to \$5,000 for removal and disposal. Modeled on a successful State of Washington program, the legislation creates a new user fee that would go to a dedicated statewide RV disposal fund to be managed by ODOT. This bill does not change existing law governing the circumstances under which an abandoned RV may be removed. It is solely focused on cost recovery. This section of the bill has a 10-year sunset. The bill creates \$25 annual abandoned recreational vehicle disposal fee paid at the time of biennial registration.



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Sheriff's Office

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 2581	2	Watch	01/17/25 - Referred to Emergency Management, General Government, and Veterans. 01/13/25 - First reading. Referred to Speaker's desk.	Rep Evans; Rep Grayber (Pre-session filed)	
Expands the duties of the State Resilience Officer.					
SB 773	1	Support	01/17/25 - Referred to Judiciary. 01/13/25 - Introduction and first reading. Referred to President's desk.	Sen Nash (Pre-session filed)	
Establishes a mandatory minimum sentence of 48 months' imprisonment for assault committed by a correctional facility inmate against a corrections officer.					



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Solid Waste

Bill Number	Priority	Position	Last Three Actions	Bill Sponsor	Upcoming Hearings
HB 2062	2	Support	01/17/25 - Referred to Climate, Energy, and Environment. 01/13/25 - First reading. Referred to Speaker's desk.	Pre-session filed (at the request of House Interim Committee on Climate, Energy, and Environment for Representative John Lively)	
Requires producers of batteries or battery-containing products to join a battery producer responsibility organization and implement a battery producer responsibility program for the collection and recycling of batteries.					
SB 726	2	Oppose	01/17/25 - Referred to Energy and Environment. 01/13/25 - Introduction and first reading. Referred to President's desk.	Rep Andersen; Rep Fragala; Rep Gamba; Rep McDonald; Sen Gelser Blouin; Sen Manning Jr; Sen Patterson; Sen Taylor (Pre-session filed)	

Requires the owner or operator of a municipal solid waste landfill to conduct surface emissions monitoring and report data as specified in the Act.

1/22/2025 - Tim Brownell - In 2021 Oregon DEQ implemented Surface Emissions Monitoring (SEM) for methane of all landfills with more than 200,000 tons of waste-in-place (which includes Knott Landfill) in order to identify and control fugitive emissions that might be occurring. Landfills represent the 3rd largest source of human-sourced methane emissions in the United States. The SEM monitoring system requires quarterly monitoring of the entire landfill except the active fill area, and if regulated thresholds are exceeded in any location of the landfill, it must be immediately remediated and rechecked within 10 days. If remediation efforts are not effective, after 30 days a more extensive remediation plan must be submitted to the DEQ for approval and penalties may be assessed. Staff feels that this approach is effective, extensive, and measured.

SB 726 expands the scope to using unproven fly-over technologies that are less reliable and less location-specific and can generate more public concern without improving the quality of the monitoring program. Satellite and aircraft fly-over monitoring can indicate larger generation sources, but does not provide the specific point-generation information necessary to effectively remediate the situations of releases. OAR 340.239 is new and just beginning to should the effectiveness of the regulation over more time.