



2025 Annual Government to Government Report on Tribal Relations

Submitted to: Oregon Legislative Commission
on Indian Services

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State of Oregon
Department of Environmental Quality

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Executive summary

This Oregon Department of Environmental Quality Annual Government-to-Government Report on Tribal Relations provides an update on DEQ efforts and actions during the past year to consult, coordinate, collaborate and enhance relations with tribal nations. DEQ's work centers on protecting human health and the environment, and its partnerships with tribes are an important priority for the agency. Ongoing activities include work to reduce greenhouse gas emissions, protect communities from air toxics, cleanup of contaminated lands, modernization of Oregon's recycling system, protection of rivers and streams, watershed restoration projects, consultation on the development of rules, policies and procedures, technical assistance and more.



State of Oregon
Department of
Environmental
Quality

DEQ maintains government-to-government relationships with the nine federally recognized tribal governments in Oregon and communicates formally through in-person meetings, correspondence via letters and emails, as well as informally through phone conversations and coordination meetings. DEQ considers tribal nations as leaders in protecting and restoring Oregon's air, land and water quality, and acknowledges the expertise and knowledge of tribes as an important complement to our shared work.



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1. Agency contacts

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2. Agency interest areas

As the State of Oregon's environmental protection agency, the Oregon Department of Environmental Quality partners with the nine federally recognized tribal governments in the state on issues related to air, land and water quality. DEQ's work is linked to the work of tribal governments through natural and cultural resources, as well as community and economic development programs. Programs that DEQ administers and implements often affect federally recognized tribes. In recognition of this, every year DEQ develops a comprehensive report regarding the program and policy changes (including rulemakings) that are expected to be considered by the agency's policy-making body - the Environmental Quality Commission. DEQ's tribal liaison reaches out to the key contacts from each tribal nation regarding how best to communicate relevant information, and DEQ uses this feedback to inform the agency's work. In addition, DEQ's tribal liaison provides regular updates to the primary contacts for each tribe on key topics including:

- Upcoming cleanup projects
- Information about permits scheduled for issuance in the upcoming year and details about specific permits, when requested
- DEQ's regulatory authority, timelines and processes for proposed new projects or policies that may be of tribal interest
- Development of air, land and water monitoring plans
- Presentations on monitoring results from the previous year
- Emergency/spill response activities and drills
- Funding opportunities
- Invitations to participate on advisory committees
- Any other topic as requested by tribal staff

3. Agency statement

DEQ developed a Tribal Government-to-Government Relations Program in 1996 following the signing of Executive Order 96-30. In 2002, DEQ adopted a “Statement of Intent” to implement the order and to meet the requirements of Senate Bill 770 (ORS 182.162-168), which directs state agencies to promote government-to-government relations with the nine federally recognized tribal governments in Oregon.

DEQ’s most recent Tribal Relations Policy was published in 2010. The 2010 policy states that DEQ is committed to building and maintaining strong government-to-government relations with tribes. DEQ consults and coordinates with tribal nations on air, land and water quality issues that affect tribal interests, resources and lands. DEQ strives to build positive relationships with tribal leaders, managers, staff and representatives to understand tribal interests, explore opportunities for greater partnership and collaboration, and address tribal interests in DEQ actions. These partnerships increase our collective ability to protect and enhance public health and the environment.

DEQ implements the 2010 [Tribal Relations Policy](#) through regular meetings with tribal representatives at the staff, manager and leadership levels, and by seeking opportunities to collaborate with tribes on issues important to tribal governments.

In 2025, DEQ adopted a Strategic Plan. The plan identifies five strategic priorities for the agency in the years to come. One of the five priorities is specific to improving and strengthening the agency’s relationship with Oregon’s nine-federally recognized Tribes. The specific goal and supporting strategies are:

“Goal 2: Strengthen relationships with sovereign Tribal governments to promote meaningful and respectful engagement.

- *Strategy 2.1: Establish a full-time and dedicated Tribal Liaison position to coordinate tribal relations and DEQ’s Government-to-Government activities.*
- *Strategy 2.2: Build agency infrastructure to ensure meaningful, respectful and committed work with Tribes across the agency.*
- *Strategy 2.3: Revise and update DEQ’s Government to Government Tribal Relations Policy to better meet the needs and interests of Tribal governments.*
- *Strategy 2.4: Prioritize annual communication from DEQ’s Director to Oregon’s nine federally recognized tribal governments to request in-person meetings.”*

4. Participation in the government-to-government process

In 2025, DEQ engaged in the following government-to-government activities:

1. In April 2025, DEQ's annual letter from the agency Director was sent to the nine tribal councils sharing an overview about key areas of work, including some significant rulemakings.
2. Water Quality Program
 - DEQ has been coordinating with staff from the Confederated Tribe of Grande Ronde regarding NPDES permit renewal for several municipal wastewater treatment plants in the Willamette Valley.
 - DEQ has been coordinating with staff from the Coquille Indian Tribe regarding NPDES permit renewal for several municipal wastewater treatment plants in the south coast basin.
 - DEQ invited tribal participation and engagement in the Three Basin Rule revision process. A representative of the Confederated Tribes of Grand Ronde actively participated as a member of the Rulemaking Advisory Committee, and the agency engaged with the tribe via follow-up consultation.
 - DEQ staff met with staff from Confederated Tribes of Grand Ronde regarding violations identified at the Stella Jones wood processing facility on Yamhill River.
 - DEQ engaged in formal consultation with Confederated Tribes of Grand Ronde regarding Willamette River Total Maximum Daily Load development and implementation.
 - DEQ staff met with Confederated Tribes of Umatilla Indian Reservation to discuss questions about biosolids management and land application.
 - DEQ staff met with Confederated Tribes of Umatilla Indian Reservation and Oregon Department of Agriculture to discuss changes in toxics and pesticide rules.
 - DEQ notified the Columbia River Inter-Tribal Fish Commission of the 401 water quality certification issuance for the USACE Civil Works Lower Columbia River Dredge Material Management Plan
 - DEQ responded to the Columbia River Inter-Tribal Fish Commission's letter of support for the NEXT Renewable Fuels 401 water quality certification petition for reconsideration
 - DEQ staff engaged in regular meetings with Nez Perce Tribe staff regarding Snake River, Hells Canyon Complex, Mercury TMDL – and also convened in-person.
 - DE
3. Land Quality Programs

- DEQ notified all nine federally recognized Tribes of proposed rules to list a variety of PFAS/PFOA compound as “hazardous substances” in Oregon.
- DEQ notified the Grand Ronde, Siletz, Warm Springs and Confederated Tribes of the Umatilla Indian Reservation about the upcoming clean-up work that will be happening on Moore and Wright Island, in Portland, starting in 2025. DEQ staff met with staff from Grand Ronde to discuss.

4. Air Quality and Climate Programs:

- DEQ notified all nine federally recognized Tribes about the opportunity to participate in the Climate Protection Program Equity Advisory Committee.
- DEQ invited all nine federally recognized Tribes to participate in a Rules Advisory Committee for a rulemaking to update Toxicity Reference Values used in health-based air quality permitting.

5. Other Engagement and coordination:

- DEQ’s Director and Tribal Liaison attended the Government-to-Government Summit
- DEQ staff attended and presented at this year’s Oregon Tribal Environmental Forum
- Throughout the year DEQ’s tribal liaison and other staff attended and presented at the tribal-state natural resources and cultural resources cluster meetings held in 2025. DEQ followed up with tribal representatives in several ways regarding topics and issues raised at those meetings.
- Throughout the year, DEQ connected with each of the nine federally recognized tribes on various topics and agency actions, including draft air and water permits that were proposed or in the process of being renewed, cleanup sites, enforcement actions, DEQ programs and restoration projects. Many of these interactions are highlighted in the following sections.

DEQ greatly appreciates the leadership and partnership of tribal governments working with the state to protect the environment, human health, as well as natural and cultural resources.

5. Internal tribal relations action and training

DEQ's internal tribal relations activities are focused on improving consultation and communication between agency and tribal leadership and staff, as well as providing training to DEQ employees on tribal government, sovereignty and issues of interest to tribal nations.

- Throughout the year, DEQ's tribal liaison advised and assisted DEQ managers and staff on issues of interest to tribal nations, providing guidance for consulting and coordinating with tribal governments on many environmental activities.
- DEQ maintains a [Tribal Government Relations web page](#) to provide information about the government-to-government process, federally recognized tribes, and DEQ's tribal relations activities. DEQ employees use this site to learn about tribal nations and our government-to-government responsibilities.
- Two DEQ staff completed the Portland State University Certificate in Tribal Relations Program in 2025, increasing to the total number of staff who have graduated from the program to six people.
- DEQ finalized Tribal notification guidance for staff, providing a resource to prompt earlier and more consistency notification to Tribes of agency actions and work.

6. Summary of program-related issues and activities

DEQ works to protect air, land and water quality across the state and interacts regularly with tribal leaders and staff on a broad range of activities and issues. Primary areas of collaboration and discussion between tribal nations and DEQ staff over the past year are summarized below.

6.1. Improving water quality

Integrated Report

DEQ submitted its 2024 Integrated Report to the U.S. Environmental Protection Agency on March 12, 2025. This report includes the state's water quality assessment and reporting requirements identified under Sections 303(d) and 305(b) of the Clean Water Act. The report is now considered "state final" and is awaiting EPA approval. The development of the 2024 Integrated Report included broadly solicited public comment opportunity as well as specific outreach to tribal staff. In addition to the general reporting, this assessment includes reporting on four new pollutants and conditions: ocean acidification, marine hypoxia, [aquatic trash](#) and [PFOS](#). Additionally, the 2024 Integrated Report includes over 300,000 raw data results reported to the Water Quality Portal or submitted to DEQ by Tribal Nations. DEQ is grateful for this contribution to report on water quality status in Oregon.

Only those waters that are under the state of Oregon's jurisdiction are subject to the State's 303(d) and 305(b) assessment and reporting requirements. Tribal waters do not fall under DEQ's jurisdiction and are not assessed for water quality or developing the 303(d) list for the Integrated Report. DEQ does not develop TMDLs for tribal waters unless a specific government-to-government collaboration is requested by a tribe. When a water body lies partially within tribal reservation boundaries, DEQ only assesses the segments that are within Oregon's jurisdiction to prepare Oregon's 303(d) list. Waters that form the boundary between tribal reservations and state lands are assessed for Oregon's Integrated Report.

While DEQ continues to wait for EPA approval of the 2024 assessment, the [2022 Integrated Report](#), remains effective for regulatory purposes. The reporting includes an interactive 305(b) [story map](#) which provides an overview of the water quality assessment process, displays assessment results and presents an overview of how DEQ's water quality programs are connected through monitoring, assessment and watershed protection. Additionally, an interactive [web map](#) displays the Integrated Report results by overall status of an assessment unit. An [online searchable database](#) also provides access to raw data and parameter specific categorical conclusions for all assessed units.

DEQ has also begun development of the 2026 Integrated Report. In the spring of 2025, DEQ held an open comment period for DEQ's proposed methodology for developing the 2026 Integrated Report, which included a major revision to the assessment methodology for

freshwater biocriteria. This assessment methodology update went through a peer review process that included an Environmental Toxicologist with the Confederated Tribes of the Umatilla Indian Reservation. DEQ also held an open call for water quality data and has pulled additional data from publicly available data sources. DEQ plans to release the draft 2026 Integrated Report for public comment in spring of 2026 and will directly notify Tribes when it is available for public comment.

Water Quality Standards Triennial Review

DEQ completed the 2025-2028 Water Quality Standards Triennial Review on May 9, 2025. Of special note this year, EPA established the [Tribal Reserved Rights Rule](#). The rule notes that the Triennial Review process provides an opportunity for tribes to assert Tribal Reserved Rights in writing and request that DEQ consider new or revised standards to protect those rights.

DEQ sent a notification letter to all 9 federal recognized Tribes on July 9, 2024, about which Oregon water quality standards should be revised or need new or improved application procedures. DEQ invited tribes for a Government-to-Government consultation or any other means of engagement and coordination to discuss this triennial review process. DEQ staff met with staff from the Confederated Tribe of Grand Ronde and Cow Creek Band of Umpqua Indians to discuss the WQS Triennial Review and the federal Tribal Reserved Rights Rule.

DEQ shared an update on the Triennial Review and new Tribal Reserved Rights information at the Cultural Resources Clusters meeting on Oct. 28 – 29, 2024.

As part of the Triennial Review, DEQ accepted nominations from the public to designate Outstanding Resource Waters to protect high quality waters that constitute an outstanding state or national resource. Nominations were submitted for the Metolius River, Steamboat Creek, Rough and Ready Creek, and Illinois River. DEQ staff consulted with the Confederated Tribes of the Warm Springs regarding the nomination for the Metolius River. DEQ will initiate rulemaking to designate ORWs for Rough and Ready Creek and the Illinois River in the Rogue River basin in 2026.

Three Basin Rule revisions

During 2025, DEQ has developed revisions to the Three Basin Rule in response to a 2024 petition from Marion County to amend the rule to allow construction of an updated wastewater treatment facility in Mill City. The Confederated Tribes of Grand Ronde provided a representative to the rulemaking advisory committee, which met three times from March to June 2025. DEQ also held a separate seminar on permitting basics for advisory committee members, partly at the request of the representative of the Confederated Tribes of Grand Ronde. Input from the Tribal representative was valuable to shape the scope of the rulemaking.

Following the public comment period in September, DEQ met separately with Grand Ronde's Ceded Lands program to discuss comments received from the Tribe and DEQ's response. DEQ also was able to provide a status update related to permitting the wastewater treatment facility in Mill City. DEQ will present the final rule for EQC action in December 2025.

Monitoring toxic pollutants

Toxics monitoring supports the evaluation of toxics impacts on tribal First Foods and ecological integrity. In 2019, DEQ's statewide toxics monitoring program established a trend network of approximately 60 locations based on a risk assessment using previously collected data through the toxics monitoring program. Due to the COVID-19 pandemic, DEQ's toxics monitoring work was limited in 2020-2022, but included statewide sediment collection, water monitoring in the Willamette Valley, and wildfire response water monitoring. In summer 2023, the DEQ laboratory resumed statewide toxics water monitoring, and in 2024 added an expanded list of analytes including pesticides, bio-available aluminum, and low-level mercury. In 2025, the Association of Public Health Laboratories (APHL) selected the DEQ Laboratory to host a graduate fellow who has been developing a method to analyze for toxics in fish tissue samples, including PFAS, PCBs and mercury. The APHL fellow will continue method development in 2026 and DEQ expects to be capable of analyzing toxics in fish tissue within the year.

The Toxics Monitoring Program also continues to stay engaged with the Yakama Nation Toxics Monitoring Project in the Columbia River Basin. In 2024, DEQ collaborated with Yakama Nation staff when developing applications for EPA's Columbia River Science and Monitoring grants. EPA awarded partial funding for DEQ's proposal and DEQ received the funding in late spring 2025. With this funding, DEQ has begun planning sampling locations and permit applications for this monitoring. In 2026, DEQ will monitor fish tissue toxics in the Oregon tributaries to the Columbia River, continuing to coordinate with the Yakama Nation's sampling in the mainstem Columbia River.

Groundwater management areas

Oregon revised statute 468B.180 authorizes the EQC to declare a groundwater management area when DEQ groundwater assessments reveal area-wide groundwater contamination problems at consistently high levels. A GWMA declaration requires DEQ, Department of Agriculture, Water Resources Department, Oregon Health Authority and other state agencies to focus efforts to reduce existing contamination and to prevent further contamination of the affected aquifer (ORS 468B.184). Actions taken by agencies to address contamination under 468B.160 include public education, research and implementation of best management practices, and conditions on permitted wastewater discharges, DEQ leads the effort by convening a local GWMA committee comprised of at least seven members representing a balance of interests in the area affected by the declaration. This committee provides advice to state agencies in the development and implementation of an action plan to reduce concentrations of the groundwater contaminant of interest in the area. Oregon currently has three GWMA's (Figure 2): Northern Malheur County, Lower Umatilla Basin, and Southern Willamette Valley. All three areas were designated due to widespread nitrate contamination.

The Lower Umatilla Basin Committee was convened in 1996 and finalized the first Lower Umatilla Basin Ground Water Management Area Action Plan in December 1997; a second action plan was approved by DEQ in November 2020. In September 2022, DEQ restructured the [LUBGWMA Advisory Committee](#) into 10 membership categories to better ensure broad

representation of various interests on the committee, including tribal government. Two members from the Confederated Tribes of the Umatilla Indian Reservation currently serve on the committee and have been engaged in LUBGWMA Committee work over the past year. The tribes offer expertise in land use planning and cultural and natural resources, including water quality standards development, implementation, and monitoring. In September 2024, state agencies submitted a [Nitrate Reduction Plan](#) identifying actions planned and in progress to reduce nitrate contamination in the area.

Statewide groundwater monitoring

DEQ's statewide groundwater monitoring program completed sampling in the Southern Deschutes in 2024, between Sunriver and La Pine area, to monitor trends in nitrate contamination. This effort included sampling 60 wells in the spring, resampling 20 wells for seasonal analysis, and sampling 40 additional wells. These wells primarily consist of volunteered domestic and irrigation wells. DEQ staff shared information about this work with the Confederated Tribes of the Warm Springs and the Burns Paiute Tribe. DEQ did not conduct statewide groundwater monitoring in 2025 but rather conducted expanded sampling in the Lower Umatilla Basin in spring 2025. As the Statewide Groundwater Monitoring Program moves into new areas, DEQ will continue to engage with tribal representatives in the sampling areas and provide the monitoring results to all interested parties.

Other groundwater monitoring efforts in 2025 included continued sampling of network wells in the state's three areas designated as Groundwater Management Areas (GWMAs), and a limited domestic well testing project north of Prineville, Oregon.

Water Quality Permitting

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 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). As of fall 2024, all water quality permits administered by DEQ are now available in Your DEQ Online, a new electronic data management system.

Prior to each federal fiscal year, DEQ updates and publishes a plan identifying the NPDES Individual Permits that the program plans to renew during each quarter of the forthcoming year, as well as a forecast of permit renewals anticipated over the next five-year period. The [2026 Permit Implementation Plan](#) and [Five-Year Permit Implementation Plan](#) are available online. The publication of these Issuance Plans is intended to provide interested parties, including

Tribal Nations, an advance opportunity to identify permits of potential interest and engage with the Department. DEQ also annually updates a five-year forecast for General Permits that the agency will be actively working to renew and issue (available in the [Five-Year Permit Implementation Plan](#)).

Clean Water State Revolving Loan Fund

DEQ's Clean Water State Revolving Fund loan program continues to provide below-market rate loans for planning, design and construction of projects that enhance or protect water quality. Federally recognized tribal governments are eligible to apply to the loan program. The program offers loans for wastewater treatment, as well as stormwater and nonpoint source watershed protection projects. The program awards principal forgiveness to eligible borrowers based on affordability, as well as for projects addressing water efficiency and energy efficiency, incorporating green infrastructure or that qualify as environmentally innovative.

The CWSRF program supports protection Tribal cultural resources by requiring all construction projects to demonstrate compliance with the National Historic Preservation Act (1966) and Archeological and Historic Preservation Act (1974). This includes mandatory consultation with Tribes on many projects as part of the environmental review process. The program continues to participate in statewide conferences and host small-group outreach opportunities in rural regions and this past summer co-hosted events in eastern and southwestern Oregon. The program recently received an inquiry from the Cow Creek Band of Umpqua Tribe of Indians regarding possible funding for land acquisition and source water protection under the CWSRF program. DEQ actively helped formulate interagency Best Practices in Community Engagement Around Water Projects as part of the implementation of House Bill 3293 (2021). These practices are intended to ensure that Tribes and disadvantaged communities have the opportunity for meaningful engagement when communities undertake engagement efforts for supported water projects. DEQ continues to coordinate with Oregon Water Resource Department and other agencies that fund water projects to address HB 3293. DEQ also includes representation of Tribes on the CWSRF Advisory Committee for any rulemaking.

Developing and implementing water quality improvement plans (TMDLs)

When rivers and streams exceed water quality standards set to protect people and aquatic life, DEQ develops a pollution reduction plan called a Total Maximum Daily Load, or TMDL. Many tribal governments have worked collaboratively with DEQ over the past year to develop and implement plans to reduce pollution in waters across the state that currently do not meet water quality standards. Progress made on TMDLs is summarized below.

Temperature Replacement TMDLs

In October 2019, the U.S. District Court of Oregon, Portland Division, issued its final order and judgment for NWEA v. USEPA, commonly referred to as the Temperature TMDL litigation. This case was originally filed in 2012 by Northwest Environmental Advocates to challenge EPA's

action on numerous temperature TMDLs. The final order requires DEQ and EPA to develop replacement TMDLs by the end of 2028 for 15 areas (see [DEQ's Temperature replacement TMDLs web page](#)).

DEQ finalized Quality Assurance Project Plans for nearly all 15 areas and continued the technical work and public engagement to affected entities, other interested parties, and tribes on the projects due in 2024 and 2025. The Environmental Quality Commission adopted, and EPA approved the Willamette Subbasins TMDL and the Lower Columbia-Sandy Subbasin TMDL in August and September 2024 respectively. On May 8, 2025, the EQC adopted a rule amendment to include Willamette mainstem and major tributaries project area to the Willamette Subbasins TMDL. The final TMDL was approved by EPA on June 25, 2025, and EPA established the Umpqua River Basin TMDL on June 27, 2025 thereby completing the next two project TMDLs in the series. Tribal input was sought to offer basin-specific knowledge for these temperature TMDLs, and DEQ has extended invitations to participate on the Rule Advisory Committee (RAC) for the Willamette Mainstem and Major Tributaries where members are asked to provide input on fiscal impacts, racial equity, and environmental justice considerations. Considering the constraints of the temperature TMDL replacement court-ordered deadlines, the accelerated timeline did not allow for meaningful engagement beyond extending an invitation to participate on the RAC. Following EPA approval of the Willamette Mainstem and Major Tributaries, DEQ consulted with the Confederated Tribes of the Grand Ronde. EPA reached out to the Cow Creek Band of Umpqua Tribe of Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, Coquille Indian Tribe, Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians and Confederated Tribes of Grand Ronde for the Umpqua TMDLs. The Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians, the Confederated Tribes of the Grand Ronde, and the Cow Creek Band of Umpqua Tribe of Indians are participating on the rule advisory committee for the Umpqua Water Quality Management Plan rulemaking.

Tribal input will continue to be sought for the eight remaining temperature replacement TMDL projects, including invitations to participate on Rule Advisory Committees, in accordance with the project-specific court ordered deadlines for EPA action to approve or disapprove TMDLs by Oct. 18, 2027, Dec. 4, 2028, and May 29, 2029.

Coquille River Subbasin TMDLs

DEQ continues to work with the Coquille Indian Tribe and provide outreach opportunities to the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians and Confederated Tribes of Grand Ronde during development of the Coquille River TMDLs to address dissolved oxygen, temperature, bacteria, chlorophyll-a and pH. DEQ also engaged with representatives from the Cow Creek Band of Umpqua Tribe of Indians staff and received their input on the South Fork Coquille River TMDL for Camas Valley. DEQ anticipates tribal input will continue to be informative in the ongoing efforts to improve water quality and fish habitat conditions on the Oregon south coast. In early 2023, DEQ invited tribal participation on the Coquille Subbasins

TMDLs Rulemaking Advisory Committee and the Coquille Indian Tribe has agreed to participate as this project moves forward in 2026.

Snake River-Hells Canyon TMDLs

Consistent with the terms of a 2021 settlement agreement, DEQ is developing a TMDL for methylmercury in reaches of the Snake River that include the Hells Canyon Complex Hydroelectric Project. In 2023, DEQ initiated technical advisory committee meetings for the mercury TMDL and invited participation from parties of the agreement, the Nez Perce Tribe and conservation organizations Pacific Rivers and Idaho Rivers United. DEQ also began holding regular meetings with the Nez Perce Tribe to collaborate on TMDL development. As the Mercury TMDL progresses, DEQ will update the Tribes and conservation groups on progress and invite their participation in additional advisory groups during the public engagement. In April 2025, the Nez Perce Tribe invited DEQ to present to the tribal executive committee, and to tour by boat the Snake River from Lewiston, Idaho to the Snake River dam. As part of the court-ordered temperature TMDL replacement projects discussed above, DEQ will also be revising the 2004 Snake River- Hells Canyon Temperature TMDL. The Temperature TMDL is under development for EPA action by Dec. 4, 2028. DEQ plans to seek input from an advisory committee that includes the Nez Perce Tribe and the Upper Snake River Tribes.

In addition to these specific TMDL examples, many tribal governments work on projects throughout Oregon that support TMDL implementation and nonpoint source pollution management, such as channel reconstruction, fencing and flow restoration, levee elimination and riparian planting to improve water quality. The TMDL and Non-Point Source Program recognize the importance of tribal input and collaboration on these projects and the need to improve tribal engagement in the development and implementation of TMDLs. As the program continues to develop and implement TMDLs, careful consideration will be made as how to better meet the needs of tribal governments to collectively achieve water quality goals.

Drinking water source protection for public water systems

In Oregon, EPA directly implements the Safe Drinking Water Act for tribal public water systems to improve access to safe drinking water. DEQ's drinking water protection program works with EPA to ensure that tribal drinking water utilities are aware of potential risks to their water supply from areas outside of their jurisdiction. In addition, DEQ's drinking water source protection program can also collaborate with tribal representatives, their communities, and their partners to help develop, prioritize or review best management practices on nearby non-tribal lands that could affect tribal water sources. The Confederated Tribes of the Siletz Indians continued to actively participate in the Mid-Coast Water Planning Partnership during the reporting period, including attending in-person meetings. In June 2025, the City of Boardman began developing a Drinking Water Source Protection Plan with support from the OHA Drinking Water Source Protection Fund. The plan's advisory committee includes staff from DEQ, OHA, and the Confederated Tribes of the Umatilla Indian Reservation.

In 2025-2026 the DEQ Laboratory is working with the Oregon Health Authority to collect 1,054 samples from about 900 public water systems statewide that serve less than 3,300 people.

DEQ's Laboratory will analyze samples for several Per and Polyfluoroalkyl substances, abbreviated as PFAS and dubbed "forever chemicals."

Water Quality Certification

Non-Federal Hydroelectric projects

Tribal governments and DEQ have worked together on important aspects of the following hydroelectric projects licensed by the Federal Energy Regulatory Commission over the past year.

Hells Canyon Hydroelectric Project

The federal licensure for the Hells Canyon hydroelectric project remains in progress, but the timeline for issuance of the Federal Energy Regulatory Commission's draft Environmental Impact Statement (previously anticipated September 2025) is currently unknown.

In advance of the federal licensing process, DEQ staff are in regular communication with Nez Perce Tribe and the tribe's natural resources staff for the development of the Snake River Mercury and Temperature TMDLs and to share information about restoration and conservation opportunities in the Snake River Basin that are complementary to the 401 water quality certification conditions that will be implemented once the license is issued by FERC.

Pelton Round Butte Hydroelectric Project

DEQ is continuing a coordinated process between with Portland General Electric and the Confederated Tribes of Warm Springs and other state agencies to evaluate implementation of DEQ's existing 401 Certification for Pelton Round Butte. More work is anticipated in 2026.

The Confederated Tribes of Warm Springs have important roles as a regulatory entity, 401 water quality certification authority, Fish Committee member, and co-owner and co-licensee with Portland General Electric for the project. DEQ and representatives of CTWS natural resources and water resource entities are in regular communication about the implementation of each 401 certification and water quality issues throughout the Deschutes basin.

Lower Klamath Hydroelectric Project

The removal of the JC Boyle dam in Oregon and three other downstream dams on the California reach of the Klamath River represents the largest dam removal project in U.S. history. In 2025, it was documented that access had been restored to more than 350 miles of salmon habitat in the upper basin for the first time in a century with Chinook seen in Williamson and Sprague Rivers above Upper Klamath Lake in October 2025. DEQ staff continue tracking implementation of conditions for the 401 Water Quality Certification (issued in September 2018) for the removal of the J.C. Boyle Dam and subsequent restoration.

Dredge and fill projects

The 401 water Quality Certification Program continues to issue Section 401 water quality certification decisions for projects which require a federal permit or license to conduct any activity that may result in a discharge (including dredge and fill material) in waters of the United States. The 401 program issued a water quality certification to the Confederated Tribes of the Umatilla Reservation in 2025 for restoration work, and another 401 water quality review for connected work by CTUR is under review.

The 401 dredge-fill program continues to attend pre-project meetings for the Cascade Renewable Transmission project proposed in the Columbia River. The project submitted a 401 Water Quality Certification request to DEQ in November for geotechnical drilling work. As part of DEQ's Communication Plan for this project, the 401 program notified all nine tribal governments about the geotechnical drilling 401 application.

In March 2025, DEQ received a petition for reconsideration by Columbia Riverkeepers and NEDC for the NEXT Renewable Fuels 401 water quality certification. The Columbia River Inter-Tribal Fish Commission submitted a letter of support of the petition for reconsideration to DEQ. DEQ denied the petition for reconsideration and communicated that decision to the Columbia River Inter-Tribal Fish Commission.

USACE dredging projects in the Columbia River regularly intersect with tribal interests such as salmon and lamprey, or may involve tribes with water quality regulatory authority. United State Army Corps of Engineers Civil Works branch submitted a request for a 401 Water Quality Certification to DEQ for the Lower Columbia River Dredged Material Management Plan. DEQ issued a public notice of the draft 401 water quality decision in July 2025 and received public comments from the Columbia River Inter-Tribal Fish Commission.

Oregon Water Data Portal Project

Following direction from the Oregon Legislature in 2021 and 2023, DEQ facilitated an effort with other state agencies, universities, contractors, and breadth of interested parties, including Tribes, to scope and initiate water-related data and information resource management improvements to support statewide water-related decision making. Initial scoping and planning efforts for the [Oregon Water Data Portal](#) were completed in June 2023. During the 2023-25 biennium, the project undertook efforts to further develop and support the OWDP concept, including creation of a [pilot version of the portal](#). These efforts included organizing webinar events and engaging tribal staff to provide input and guidance on development of this project. The pilot portal is already demonstrating substantial value by integrating datasets that were previously difficult to connect. Users can now explore relationships between data from multiple sources. The project has also fostered new collaboration between agencies, building relationships and trust across traditional boundaries. In the absence of dedicated funding during the 2025-27 biennium, project development progress will be paused while state agencies continue efforts to ensure that critical water data sets are collected and managed in a manner that will be compatible with a centralized data portal platform.

6.2 Laboratory

Technical assistance

Biomonitoring staff from DEQ's Laboratory conferred with staff from the Confederated Tribes of the Umatilla Indian Reservation about DEQ assisting with developing CTUIR's bioassessment capacity. In June 2025, DEQ biomonitoring staff traveled to Pendleton to deliver a field training for CTUIR staff on field collection of macroinvertebrates. Training covered reach/site layout, study design, sample collection, sample preservation and equipment sources (including using DEQ's equipment). The air quality monitoring section provided hands-on training in BAM 1022 sampler operations and audits to the Warm Springs Tribe. Training occurred at DEQ's Bend air quality monitoring site. DEQ staff offered additional training and support as needed.

Outreach and support

Staff from the water and air quality monitoring sections as well as the Agency Toxics and Emerging Contaminants Strategic Coordinator attended the Oregon Tribal Environmental Forum in October. DEQ biomonitoring staff presented an overview of DEQ's biomonitoring program and potential training options. Following that, CTUIR staff presented their response to the DEQ macroinvertebrate training they'd received and their plans for incorporating biomonitoring techniques.

Air quality staff discussed capabilities of the laboratory as well as offered opportunities for collaboration and support. The Agency Toxics Coordinator presented the new PFAS Strategic Plan and discussed upcoming opportunities for engagement.

The air quality monitoring manager met with Confederated Tribes of the Lower Umpqua, Coos and Siuslaw Indians to discuss the opportunity to host their data in our Air Quality Index (AQI) platform. This would support CTCLUSI's public communication goals. This work is ongoing.

The Laboratory Administrator collaborated with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) on two presentations at the Association of Public Health Laboratories annual conference held in Portland in May. One member of CTUIR provided a plenary session on First Foods and another member participated and presented during a session on emerging contaminants. This collaboration continues as opportunities arise.

The DEQ Laboratory's Water Quality Toxics Monitoring Coordinator continued planning with the Yakama Nation's Columbia River Mainstem Fish Tissue and Water Quality Monitoring Program which is in partnership with the Columbia River Intertribal Fisheries Commission, Washington Department of Ecology, Oregon DEQ, and the USGS. That work is described in the Monitoring Toxic Pollutants section of this report.

6.3. Improving Air Quality

Oregon Climate Protection Program

The Climate Protection Program (CPP), adopted by the EQC after the previous rules were invalidated, went into effect Jan. 1, 2025.

The program goals are to:

- Reduce greenhouse gas emissions to address the worsening effects of climate change
- Achieve co-benefits from reductions in other air contaminants
- Enhance public welfare for Oregon communities, particularly environmental justice communities including communities of color, tribal communities, communities experiencing lower incomes, rural communities, and coastal communities
- Accelerate the transition from fossil fuels to lower carbon energy sources while supporting a strong statewide economy

In February 2025 Director Feldon was sent to the nine federally recognized tribes on March 10. DEQ reviewed the over 40 notices of interest, held follow up calls, and selected 10 individuals and organizations to participate on the committee. The CPP rules require at least one committee member represent a federally recognized tribe or tribal interests. An enrolled member of the Confederated Tribes of the Umatilla Indian Reservation is participating on the committee along with 9 other representatives from multiple regions with lived experience, involvement, or expertise in environmental justice, decarbonization, clean energy, energy efficiency, or community outreach.

DEQ held the first two committee meetings virtually on Sept. 8 and Nov. 12, 2025. The committee is scheduled to meet approximately every other month into 2026. Committee meetings are open to the public.

The committee will advise on criteria for Community Climate Investment Entities that will be contracted with DEQ to implement projects funded through the CCIs. CCIs are one method of compliance under the CPP rules. DEQ will host a request for applications for non-profits who are interested in becoming a third party CCI entity, to implement projects that reduce emissions. DEQ anticipates having a third party CCI entity approved to receive funds by the end of 2026. A CCI entity must use a minimum of 15% of CCI funds for projects that benefit federally recognized tribes and tribal communities in Oregon. These funds are prioritized for the benefit of Oregon's environmental justice communities, including tribes and tribal communities.

DEQ presented to the Legislative Commission on Indian Services on June 3, 2025, regarding the newly implemented Climate Protection Program and the timeline for implementation of Community Climate Investments, DEQ began the process of forming the Equity Advisory Committee, an important piece of ensuring the community climate investments support an equitable transition for environmental justice communities and Oregon's federally recognized tribal nations. A formal letter from

DEQ intends to continue to inform and work with tribes on the program's implementation.

Oregon's Climate Pollution Reduction Planning Grant

DEQ continues to host monthly calls for all CPRG implementation grant recipients, including 8 Tribes throughout the Pacific Northwest region, to support implementation of funds, share resources and manage decreased federal capacity.

DEQ has IGAs with the Confederated Tribes of Umatilla Indian Reservation and the Confederated Tribes of Grand Ronde to engage with tribal members and staff on climate planning efforts to be included in the deliverables for the EPA.

DEQ has regular meetings with the Affiliated Tribes of Northwest Indians and has provided data to other Tribes to support their planning work. DEQ continues to reach out to all Oregon Tribes to discuss climate planning.

Oregon's Climate Pollution Reduction Implementation Grant

In 2024, Oregon's Department of Environmental Quality won \$197 million in federal funding from the Environmental Protection Agency through a nationwide competitive grant process for its Climate Equity and Resilience Through Action (CERTA) program. CERTA will reduce greenhouse gas emissions and deliver the secondary benefits of clean energy, lower utility costs, the construction of energy-efficient housing, and improved health outcomes in Oregon. DEQ is partnering with the Oregon Department of Transportation, Oregon Department of Energy, Oregon Housing and Community Services, Oregon Health Authority and the Energy Trust of Oregon to implement the CERTA grant.

The five-year CERTA grant currently underway will deliver results in three key sectors across the state:

- Transportation is the largest contributor to Oregon's greenhouse gas emissions and contributes to air pollution that negatively impacts public health. CERTA funds will provide rebates and grants for electric vehicles and trucks for Oregon residents, businesses and local government fleets. CERTA funds will also build electric charging infrastructure across the state for electric vehicles and trucks.
- Buildings and homes generate a third of Oregon's [sector-based greenhouse gas emissions](#). CERTA will provide rebates and grants to developers, builders, landlords, and homeowners to construct [low-embodied carbon](#) housing and improve the energy efficiency in housing and commercial buildings. Low-embodied carbon housing includes converting existing non-residential buildings to housing or building space-efficient housing. Upgrades to improve energy-efficiency in buildings and homes includes installing insulation and heat pumps, among other upgrades. These activities will save energy, reduce utility costs, improve indoor air quality, and increase housing production.
- Landfills and food waste produce methane, a potent greenhouse gas. CERTA will provide funding to landfills to invest in new technologies, equipment, and food waste processing capacity to improve methane capture, leading to improved waste

management efficiency. CERTA will also provide funding to community organizations to support community composting programs.

The CERTA grant will generate work opportunities across the state, including in construction, heat pump installation, electrical contracting, and landfill operation and other specialized labor.

DEQ provides information to Tribes and Tribal members on how they can benefit from this grant on the CERTA [website](#) and can provide opportunities based on Tribal interest.

Wildfire smoke

The 2025 wildfire season burned far fewer acres than recent years with 1,100 fires across all lands for a total of approximately 338,000 acres. However, fires in the wildland urban interface resulted in 200 structures damaged or destroyed. As of October 28, there have been 1,135 fires on Oregon Department of Forestry protected lands resulting in 24,275 acres burned. ODF stands up three Type 1 Incident Management Teams which were deployed 6 times in the 2025 fire season. Deployments included the Rowena Fire, Elk Fire, Marks Creek Fire, Grizzly Complex, Flat Fire, and Kelsey Peak Fire.

DEQ's smoke management team worked with partnering state agencies, local public health and tribal public health partners to ensure Oregonians were protected from smoke. During 2025, Oregon's wildfire smoke response efforts included outreach to all tribal health or environmental contacts for statewide smoke response coordination efforts and various Incident Management structures established in response to the fires. These are part of DEQ's standard Oregon Wildfire Severe Smoke Response Protocol. Tribal representatives from all nine federally recognized tribes were invited to 10 smoke coordination calls. These calls resulted in the development and issuance of air quality advisories on 24 days. Advisories were mostly issued for areas east of the Cascade Mountains, although the western portions of Douglas, Lane, and Josephine counties were under an air quality advisory during the fire season. During wildfire smoke coordination calls, state agencies provided information that focused on the concentration of fine particulate matter (PM_{2.5}), the associated health risks, and the expected impacts or conditions for weather and smoke in the upcoming days. The team discussed indoor clean air spaces, resources available for indoor air filtration equipment, and how to avoid or best manage smoke indoors. Meetings also discussed upcoming outdoor events and how those events may be impacted by wildfire smoke.

6.4. Improving land quality and sustainable management of materials

Emergency Response

DEQ's Emergency Response Program contacts tribes regularly regarding significant incidents throughout the state. Between Nov. 1, 2024, and Nov. 1, 2025, DEQ contacted the tribes 167 times, representing 48 unique incidents, to ensure cleanup actions were undertaken in a

manner to protect cultural and natural resources. Most of these incidents were regarding oil spills to soil that required in-ground disturbance work associated with the necessary cleanup actions. DEQ also provides contact information for each tribe to cleanup contractors to ensure contact is made with the appropriate tribes before any ground disturbance activities occur.

Major incidents in 2025 included:

- DEQ was notified at 0730 on October 26, 2025, of a tanker truck crash on Hwy 26 at milepost 91 on the Warm Springs Indian Reservation. The tanker had released an estimated 2,793 gallons of gasoline and 1,583 gallons of diesel to the ground approximately 200 feet from Mill Creek. The impacted area was approximately 166' long and 40' wide causing Hwy 26 to be closed in both directions. DEQ's State On-Scene Coordinator Charles Kennedy met with the Warm Springs Fire Chief, Warm Springs Emergency Manager, ODOT and the responsible party to discuss cultural resources, tribal concerns and begin initial planning and establish a Unified Command.

Two cleanup contractors were brought in to begin utility locates, install an interceptor trench, develop a Health and Safety Plan, Inadvertent Discovery Plan, Incident Action Plan, secure an ODOT work permit, begin heavy equipment resourcing and waste profiling. A rappel team was brought in to descend a steep basalt cliff in order to place 75' of hard boom and 65' of absorbent boom on Mill Creek and assess the cliff face for petroleum contamination. An Oregon certified geologist was brought in to monitor all ground-disturbing activities and enforce the Inadvertent Discovery Plan. DEQ's State On-Scene Coordinator was on-scene coordinating with the Confederated Tribes of Warm Springs, ODOT, the geologist, two contractors, and others for more than two weeks, removing more than 3200 tons of material, backfilling, re-vegetating and completing cleanup.

- On August 22, 2025, DEQ was notified of a Tire retread factory fire located in the city of Gresham. The 2-alarm fire resulted in the release of 420 gallons of firefighting foam, 2,500 gallons of tire compound mixture and an undetermined amount of tire debris into the storm drains resulting in impacts to Gresham's storm water treatment plant. Initial reports from the city indicated heavy contamination which resulted in the confirmed death of wildlife such as tree frogs and leeches in the treatment plant. Through remediation efforts from unified command, clean up resulted in disposal of 30 tons of debris removal, 14,000 gallons of recovered and treated contaminated water and 1.67 tons of contaminated soil removed from the storm water treatment plant. Representatives of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) were notified of this incident via DEQ's email auto-forward system.

DEQ continues to work closely with tribal partners to ensure that their interests are prioritized and addressed. As part of this effort, DEQ has a rapid notification email system. Once enrolled, tribal contacts will immediately receive Oregon Emergency Response System reports for oil and hazardous material spills, in counties they have selected to receive. To enroll in this rapid notification, please contact Sr. Emergency Response Coordinator Kimberlee Van Patten at Kimberlee.van-patten@deq.oregon.gov.

In addition to Oregon's Emergency Response Program's work, DEQ continues in its role as an advisory member to both the Tribal Engagement Subcommittee of EPA's Region 10 Regional

Response Team of the Northwest Area Committee and the Geographic Response Plan Subcommittee.

Both Subcommittees work together to determine resource protection important to tribes in the northwest. The Subcommittees continue to provide outreach, training and exercise opportunities to Tribal members, as well as continual engagement to increase Tribal participation in area activities involving response and preparedness.

High Hazard Rail Contingency Planning

The High Hazard Rail Program is currently publishing the final Geographic Response Plan for the Deschutes River. Once that plan is published, the team will be working with Tribes as they begin creating Geographic Response Plans for water ways in Eastern Oregon. The DEQ rail staff are continually engaged in field work along all of the routes in Oregon and regularly conduct informational sessions about the program. They are also engaged with tribal nations to collectively build response plans tailored to the interests of those tribes. The GRP work completed by the program will directly feed into the larger inland Area Contingency Plan that is currently under development.

The High Hazard Rail Program went through the last legislative session to extend funding for the program through July 1, 2029. This will allow more time to develop response plans for Oregon water ways that could be impacted by a train derailment along a High Hazard Rail Route. The High Hazard Rail Program also continues in its close partnership with the Department of the State Fire Marshal and ensures drill and exercise compliance as required by Oregon Statute.

Tribal relations and collaboration remain priorities for the HHR program. To that end, both staff members have completed the Portland State University Institute for Tribal Government Certificate in Tribal Relations program.

Environmental Cleanup

DEQ and tribal governments collaborate on a number of projects to investigate and clean up contaminated lands across the state. During 2025, major projects included the following:

Cleanup 2050 Strategic Planning Project

The Environmental Cleanup Program is engaged in an effort to develop a vision for the future of the Cleanup Program and a strategic plan to turn that vision into reality. Strategic planning will allow the Environmental Cleanup Program to understand partner and community expectations while also reevaluating the use of tools and methodologies that have developed since the program's inception in the 1980s.

The future Cleanup strategic plan will allow the program to identify potential rulemaking, and/or statutory changes, plan for staffing needs, and evaluate appropriate funding mechanisms. As part of this process we are developing a 2050 Vision for the program. Engaging in robust conversations with communities, Tribal Nations, and the regulated community about what the program should look like in the future, and developing relationships with partners who are most impacted by the program's work are both pivotal components of this visioning process.

In 2025, the DEQ project manager and communications specialist worked with the Institute for Tribal Government to plan for and implement listening sessions with the federally recognized Tribal Nations in Oregon. Between September and October 2025, the DEQ-ITG team conducted preliminary visits and initial in-person listening sessions with the Confederated Tribes of Grand Ronde, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Cow Creek Band of Umpqua Tribe of Indians, the Confederated Tribes of Siletz Indians, and CTUIR. The DEQ team also attended the Oregon Tribal Environmental forum to listen and learn more about tribal priorities in Oregon and build relationships with Tribal Representatives.

The DEQ-ITG team has plans to engage with the remaining federally recognized Tribal Nations in Oregon, as well as Yakama Nation, the Nez Perce Tribe, and the Columbia River Inter-Tribal Fish Commission, later in 2025 or early in 2026 for preliminary engagement. The DEQ team is working with ITG to develop a Tribal Priorities document based on the input received during these listening sessions with Tribal Nations, which will be used to help guide the 2050 Vision for the future of DEQ's Cleanup Program.

Portland Harbor

DEQ has both lead- and support-agency responsibilities at the Portland Harbor Superfund site. DEQ works closely with six tribal governments on the site. The Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs, Yakama Nation, and Nez Perce Tribe are partners in this project. DEQ, tribal partners, EPA, U.S. Fish and Wildlife and National Marine Fisheries Service representatives meet regularly to discuss technical issues on this regionally important cleanup project.

The site is located in the Lower Willamette River, stretching approximately 10 miles from River Mile 2 to River Mile 12. DEQ provides technical support and works to ensure Oregon state rules are applied to the project in support of EPA, which is the lead agency working on cleaning up pollution in the river. DEQ leads the work controlling contaminants in "upland" areas—the contaminated lands along the river—to prevent recontamination of the river following EPA's in-water cleanup. Prior to making decisions on controlling sources of pollution, DEQ solicits input from the Confederated Tribes of the Grand Ronde Community of Oregon, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, and the Nez Perce Tribe. EPA's Record of Decision, issued in January 2017, relies on the upland and upriver pollution control work DEQ is conducting as part of the overall strategy for addressing contamination at the site. During 2025,

DEQ solicited input on multiple upland source control related documents and on three proposed source control decisions.

Blue Heron Mill site

In August 2019, the Confederated Tribes of the Grand Ronde and DEQ signed a Prospective Purchaser Agreement for the former Blue Heron Mill in Oregon City. The 23-acre now-closed paper mill is located at the base of the Willamette Falls, an area of immense cultural significance. Until the closure of Blue Heron in 2011, site operations included flour, saw, and woolen mills, tannery operations, foundries, city waterworks, and an electrical generation plant. Numerous environmental investigations performed on the property raised concerns about asbestos, lead-based paint, electrical and hydraulic fluids, mercury and petroleum.

The agreement identifies environmental cleanup tasks to be completed, and, in turn, limits the purchaser's future liability upon completion of the work. It is an agreement between the two parties that says they will work together to develop a scope of work for cleanup, followed by specific work plans to complete the scope of work, and a schedule for the work to be completed with DEQ oversight.

Cleanup work is progressing well under the PPA. The next large milestone for Cleanup is completion of the Remedial Investigation. Approximately 30 structures have been demolished under DEQ oversight. The first new construction project, consisting of developing road/utilities/infrastructure for a square City block, that will have ingress and egress from Highway 99/McLoughlin, will begin in October and is a huge milestone for the overall redevelopment.

McCormick & Baxter

DEQ has been working on the McCormick and Baxter Superfund site for many years. The site includes 41 acres of land along the Willamette River in north Portland and an additional 23 acres of in-water habitat that was heavily contaminated with creosote, copper, polycyclic aromatic hydrocarbons, arsenic and other contaminants over decades of industrial use. The cleanup was completed in 2005 and included excavation and off-site disposal of upland soil, construction of a clean soil cap over the entire site, capping sediment in the Willamette River and Willamette Cove, construction of a subsurface groundwater barrier wall to control migration of pollution from the site to river sediments, institutional controls and long-term monitoring.

On May 29, 2024, DEQ received a Prospective Purchaser Agreement application from the nonprofit Portland Botanical Gardens to purchase the McCormick and Baxter property and build a ticketed botanical garden on a part of the land. Portland Botanical Gardens is also proposing construction of a public greenway along the waterfront, an interpretive native plant garden, and a semi-public open gathering space.

Because of the Interest from community groups and Tribes in this property and the need for substantial public benefit as part of this PPA, DEQ decided to engage in a significant outreach and engagement effort to Tribes and community groups at the beginning of this PPA process.

DEQ has engaged with six tribal governments on the site, the same tribes that are engaged on the Portland Harbor site. The Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs, Yakama Nation, and Nez Perce Tribe. In 2024 DEQ notified all of the Tribes about the prospective purchaser agreement application to redevelop the property, with an offer to meet or consult. DEQ followed up that information with an offer to participate in informational webinars exclusively for Tribal representatives to learn about and discuss the proposed PPA with Portland Botanical gardens. The first webinar was held February 10th, the second webinar was held on April 30th 2025. These webinars were well attended and feedback from Tribal Representatives was considered when DEQ began negotiations with Portland Botanical gardens on the PPA documents.

DEQ proposes to enter into a Prospective Purchaser Agreement with Portland Botanical Gardens. DEQ will hold a 60-day formal comment period from Dec. 1, 2025 – Jan. 30, 2026 at 5 p.m. This will include both community and Tribal information meetings. DEQ will be hosting two exclusive virtual meetings for Tribal Representatives to discuss the proposed PPA. One important aspect of this PPA agreement would require Portland Botanical Gardens to develop a Tribal Engagement plan withing 90 days of purchasing the property. This requirement will ensure that Tribal engagement continues on this site into the future.

Fuel tank seismic stability rules

In 2022 the Oregon Legislature passed [Senate Bill 1567](#) requiring many large fuel storage facilities, mainly located along Willamette and Columbia River shorelines to mitigate risk of fuel spill resulting from a Cascadia Subduction Zone earthquake. A letter of support was sent by the Confederated Tribes of the Umatilla Indian Reservation reflecting significant Tribal interest in this high priority effort. [DEQ is responsible for implementation](#) of this law and is coordinating with Tribal interests. DEQ's tribal liaison informed Tribal representatives of the advisory committee plans and invited input and participation. During rule development briefings were provided at meetings of groups with Tribal representatives, including the Portland Harbor Community Action Group (10/12/2022), the State/Tribal Natural Resources Work Group (1/17/23) and the Portland Harbor Technical Coordinating Team (03/30/2023). Rule development included a comprehensive [environmental justice review](#) conducted by Portland State University. DEQ program implementation rules, including provision for ongoing public involvement, were approved on Sept 14, 2023.

DEQ welcomes Tribal involvement in ongoing program implementation and will continue offering opportunities for Tribal input at key points. Seismic Vulnerability Assessments were received from all regulated facilities by the June 1, 2024 statutory deadline and are going through

technical review now. Three significant riverside facilities are already moving forward with plans to minimize their risk. In April 2024 the Vigor shipyard on Swan Island agreed to decommission its waste oil holding tanks by 2028. The Portland General Electric Beaver Generating Plant in Port Westward (Columbia River) has agreed to cease diesel oil storage in 2026. At the Portland International Airport, a Risk Mitigation Implementation Plan proposing construction of new, seismically resilient fuel storage tanks was proposed for approval with a public hearing and comment period ending Dec. 13. That notice and future notices seeking Risk Mitigation Implementation Plan comments will be offered for Tribal input.

Materials Management

DEQ's Materials Management Program oversees and implements several programs that address the environmental impacts of the full cycle of materials, from production, consumption to disposal. Through these programs, the built environment, production and design, reuse and repair, waste prevention, and solid waste and recovery are addressed.

In 2024, the MM program launched the Reduce, Reuse and Reimagine grant funding program and reached out to share updates about the grant funding opportunities. The Confederated Tribes of the Grand Ronde applied for and was awarded funding.

For the 2026 grant cycle, the RRR grants program is prioritizing \$500,000 of its \$2 million funding opportunity for Tribes. The program is conducting direct outreach; currently working with the NW Native Chamber.

DEQ conducted outreach via email to solicit interest and answer questions about another upcoming funding program for activities to reduce the environmental impacts from packaging through reuse and other means. DEQ received responses from Warm Springs, Cow Creek and Grand Ronde, and met with representatives from Cow Creek and Grand Ronde.

DEQ participated in a broader meeting with CTUIR about a project the tribe is conducting about analyzing pollutants in First Foods. DEQ also attended CTUIR's Carbon & Culture Symposium in Cove, OR this fall. During the event, Materials Management staff shared information about DEQ's Food Systems work.

7. Conclusion

DEQ is grateful for the partnership with federally recognized tribal governments. These partnerships are essential in our shared efforts to protect and enhance the health of Oregon's people and environment, and the agency remains committed to improving, building and maintaining strong government-to-government relations with tribes in the future.