

[REDACTED]
March 15, 2014
[REDACTED]

Joelle Gore, Acting Chief,
Coastal Programs Division (N/ORM3),
Office of Ocean and Coastal Resource Management National Ocean Service, NOAA
1305 East-West Highway,
Silver Spring, Maryland 20910 email: joelle.gore@noaa.gov

Re: EPA/NOAA Proposed Disapproval of Oregon's Coastal Nonpoint Pollution Control Program under CZARA

Dear Ms. Gore:

We are a subcommittee of the 600+ member [REDACTED], which is a designated advisory committee to Tillamook County (located on the north Pacific coast of Oregon) government and we are the citizens' water protection committee of the Oceanside Water District. The district, which encompasses Oceanside and Cape Meares, provides drinking water for some 800 residents of the area and, equally important, the many thousands of people who visit this scenic coastal area annually.

We are writing to you in support of the EPA and NOAA's well-founded opposition to the proposed Oregon Coastal Nonpoint Pollution Control Program. We believe there is ample evidence that Oregon does not have a meaningful program in place to control such pollution in coastal watersheds. Oregon's program is wholly insufficient to carry out CZARA management measures. It is unable to achieve and maintain Oregon water quality standards as required by law. People expect their water to be clean and safe, and it's hard to think of a government function more important than the protection of drinking water.

The source of fresh drinking water for our community is the nearby forested watershed of Short Creek. Our group – the [REDACTED] – is concerned because of the threats posed by two industrial activities in this very small watershed of some 1,200 acres. They are industrial forestry and commercial, open-pit aggregate mining.

The other ongoing problem, is a cluster of basalt rock quarries in the creek's headlands. The quarry operator has discharged contaminated storm water into the creek. On two occasions, water district employees were forced to shut down the treatment plant when slurry-like stormwater overflow was found to come from one of the quarries, overwhelming our water plant's processing capabilities, making treatment for drinking water impossible. Since Short Creek is the community's only drinking water source, the situation was serious.

Our basis for believing that Oregon does not have a program in place to protect highly sensitive drinking water source watersheds is Oregon's many years of failure to control run-off pollution from timber harvesting; maintenance of logging roads; herbicide use, and mining/quarrying

operations on forest lands and roadsides. Specifically, the unaddressed potential threats to the watershed are:

Excessive Turbidity: Land slides, logging roads, over-logging, and quarry operations can push debris into the watersheds. High levels of chlorine must be added so the water meets federal safety standards. The chlorine reacts with the organic matter in the water to create known carcinogens.

Contamination: Herbicide spraying of logging roads and clear cuts with ensuing run-off into the water supply are a well-established health risk. Currently the monitoring of spraying operations and testing of waters immediately after the spraying is essentially non-existent .

Inadequate Regulation: Oregon's Forest Practices Act is many decades old and has many loopholes that reduce the governmental oversight necessary to protect citizens. Problems in our area include:

- Although Oregon's timber-harvesting rules restrict clearcuts to 120 acres by a single owner, these rules can be, and have been, circumvented by adjacent owners. A recent example was an operation in nearby Rockaway Beach that destroyed the watershed. The rule must be changed to apply to any nearby forest harvests, not just within a single owner's property.
- In our Short Creek drinking water source watershed there are multiple roads that cross tributaries, causing a risk of rain-induced runoff into the streams. Regulations need to be changed to include turbidity monitoring of streams during and after rainstorms, and in the case of excess turbidity that can be traced to runoff from roads, citations and fines need to be assessed. Road surface conditions need to be monitored on a regular basis.
- A quarry operation in our drinking water source watershed has twice illegally dumped polluted storm water from their holding pond into Short Creek, requiring emergency shutdown of our water system. The relevant government bodies, the Department of Geology and Mineral Industries (DOGAMI) and the DEQ, inspected only after the violations were pointed out by our watermaster. In both cases there were no fines or sanctions. The operator continues to operate a commercial quarry with trucks full of aggregate traveling on logging roads. This needs to be changed so that the quarries operating within a drinking water source watershed are inspected regularly, any water in holding ponds is tested for organic and inorganic contaminants, discharges into the forest are not permitted, and violations are subject to severe fines and sanctions up to and including mandatory shut down of operations.
- Records show that while the Oregon Department of Health requires regular testing of the communities drinking water for bacterial contamination as well as common inorganics like copper and lead, the only testing for toxic organics (Synthetic Organic Compounds or SOC's) like herbicides is every three years, at a time of year that bears no relation to the critical period when spraying occurs. This needs to be changed so that: a) there is on site real time monitoring during applications of herbicide to assure no contamination of streams and wetlands in the watershed. b) water samples are taken within hours of the spraying to verify that none of the chemicals have contaminated the streams.

It should be clearly stated here, that our concerns pertain primarily to the regulations and organizations whose responsibility is to protect the forested surface watershed that provides drinking water to our community. The situation at present is clearly inadequate to prevent potentially disastrous contamination of our drinking water.

Thank you for this opportunity to comment on whether Oregon has a program in place to control nonpoint source pollution in coastal watersheds that is sufficient to achieve and maintain water quality standards and protect Oregon's designated uses.

Respectfully submitted,

