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March 18, 2011

Oregon Department of Environmental Quality
Water Quality Division
811 SW 6th Avenue
Portland Oregon 97204

RE: DEQ Toxics Rule Making

To Whom It May Concern:

The Marion Soil and Water Conservation District (SWCD) Board of Director's approved to comment at their monthly meeting on March 9, 2011 on DEQ's proposed Water Quality Standards rule revisions.

We believe the water quality standard that is being proposed is too high to apply to all Oregon streams and water bodies in general. It should otherwise vary across the state to reflect the local needs and uses of a particular stream and water body. For example, the fish consumption rates would be different on streams that do not have the higher consumption numbers that may be found on the Columbia River.

Marion SWCD also believes the Oregon Department of Agriculture (ODA) is doing their job in implementing, regulating and enforcing the Agriculture Non-Point Source Water Quality Management Plans (SB1010) as the current legislation was designed. We recognize and support DEQ's current role to serve as a regulatory back-up to ODA if and when needed. Yet, the new rules would give DEQ more authority over the Ag water quality program and lessen ODA's responsibility and authorities. To threaten ODA's handling of Agriculture's water quality concerns because of DEQ's lack of information is wrong. The existing rules recognize ODA's statutory authority to regulate and enforce the Agricultural Non-Point Source Water Quality Program and need to remain unchanged. Why try and fix something that is not currently broken?

Oregon farmers, ranchers and producers have worked hard over the years to participate and implement practices and projects to improve any runoff from their lands as legislated by the state of Oregon in 1993 through SB 1010. These accomplishments would be better understood and recognized if the agencies, who were given the authority to regulate water quality, had also been given adequate funding to fulfill their responsibility to actually perform monitoring and establish baselines, then report on the improvements.

These draft rule changes appear to be based on unfounded scientific data and surveys. Marion SWCD asks that you reconsider not changing the rules affecting the above concerns we have addressed.

Thank you,

Darin Olson

Darin Olson, Chair

To protect, conserve and improve the quality of soil and water in Marion County through planning, technical assistance and education.