

March 16, 2011

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

DEQ
MAR 15 2011
Water Quality

RE: DEQ Toxics Rulemaking Package

Dear Environmental Quality Commission:

My name is Sharon Waterman. My husband and I own and operated R & B Waterman Ranch, LLC in Coos County, Oregon. We own a ranch in the Coquille Valley as well as a ranch in the hills south of Bandon. Our operation includes cow/calf pairs, stockers, sheep and timber. After SB1010 was passed by the legislature in 1993 and SB502 and 503 were passed in 1995 declaring the Oregon Department of Agriculture to be the sole agency responsible for developing and implementing agriculture water quality plans and rules, I started attending the Local Advisory Committee meetings in our basin. I don't remember whether they met for two or three years on a monthly basis. The meetings for many agriculture producers were frustrating as the LAC membership included some people who had very little knowledge of actual agriculture practices and their affect on water quality and the land. Many of us spent hours and hours of volunteer time trying to educate members plus bring science rather than "impressions" to the table. We even did tours to help ODA staff understand the difference in our basin vs other basins throughout the State. It was very hard for those outside the area who were working with the LAC to understand just how different our weather conditions are in Coos County vs other areas of the State and how those conditions affect water quality issues. I organized a group of agriculture people as well as non-agriculture participants and we spent hours doing draft rewrites for the LAC to consider. Our AGWQMP may not be perfect in your eyes but it is much better and more realistic just because of the work and time we committed to the process.

I know the Area Plans and Rules have significantly improved water quality in our basin as it related to non-point agriculture sources. For example, we have changed our cow/calf operation specifically due to SB1010 and AFO rules. We used to winter our mother cows on the hill ground we own in Coquille and feed them during the winter months out of the hay barns. We stopped that practice and went to spreading out the cows over our 500 plus (at that time) acres of hill land and we fed the cows in the trees and over the fields. Then we sold the mother cows and went to a "stocker" operation in Coquille where the cattle are only there during the dry months of the year. We have fenced many of the waterways on our property plus put in off-stream watering. We have hard surfaced heavy use areas and road to prevent erosion. We water bar all our roads on the hills to prevent erosion and control the flow of water during heavy rainfalls. We have changed culvert to bridges for the benefit of fish passage. We replant areas logged on our properties the first winter after logging and we fertilize and seed logging roads to prevent

erosion in the fall before the rains begin in the winter. I could go on and on but won't because I think you get the point. We are not the only ones who have changed our practices for the betterment of water quality.

Any regulation and enforcement of farming practices should come directly from ODA and no other agency. I volunteer my time on Boards that assist landowners with projects and funding to improve water quality. It is much better to work with them and one can accomplish a lot more than using the heavy hand of regulation plus fines to accomplish goals of water quality. Those outside of agriculture do not always have a clear view of what is reasonable, practicable, as well as economical when dealing with water quality issues.

Any attempt by DEQ to directly regulate farming practices through any mechanism, particularly "Implementation-Ready" TMDL's would be in direct conflict with Oregon Law. It is important that there be a positive balance between the need to maintain water quality standards in Oregon and keeping farm and ranch families in business providing safe and healthy food for the public.

I have grave concerns with the draft memorandum between ODA and DEQ. Upon reading it, I am very concerned over the power the EQC has not only on agriculture water quality plans but timber management practices (Oregon Forest Practices).

I believe these Area Plans and Rules administered through the ODA management process are an effective way to collaboratively enforce mandated regulations where all parties come together to find ways to elevate water quality on farms and ranches. These new proposed DEQ rules concern all of us that worked and volunteered years of time working on the SB1010 plans for agriculture in our basins. We need a process that relies upon best available science and that is how our Area Plan and Rules were developed. I also do not think the EQC and DEQ should be involving themselves in Forest Practices. These rules fall under the Oregon Department of Forestry and they need the freedom like agriculture to manage their lands as they have in the past. Again, the timber industry has made a lot of changes over the years to improve their operations and for the betterment of the environment.

I know your time is valuable and I appreciate your efforts in looking at all aspects of this rulemaking process. My sincere hope is that you carefully review these rules, listen to the agriculture and timber people who actually work the land and leave the regulatory processes as they are within the Oregon Department of Agriculture and Oregon Department of Forestry.

Sincerely,



Sharon Waterman, rancher
87518 Davis Creek Lane
Bandon, Oregon 97411