



*Coos Soil & Water Conservation District  
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March 14, 2011

DEQ  
MAR 15 2011  
Water Quality

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

RE: DEQ Toxics Rulemaking Package

Dear Environmental Quality Commission:

Coos Soil and Water Conservation District is concerned with the new proposed water quality rules and "implementation ready TMDL's". It is essential the Environment Quality Commission (EQC) carefully evaluate the results these rules will have on agricultural land owners/managers. We need a good vision on how these new rules will affect the Agriculture Water Quality Management Plans and Rules adopted by Local Advisory Committees (LAC) across the State. Local SWCD's played a major role in this process and also serve as the Local Management Agency (LMA) for these plans.

In 1993, the Oregon Legislature passed SB1010 that enacted the Agriculture Water Quality Management Act requiring landowners to prevent and control water pollution from agriculture activities and soil erosion. This mandate lead to the adoption of Water Quality Management Area Plans and Rules specific to each watershed basin. Area rules describe requirements for agriculture landowners to protect water quality. These plans provide flexibility for landowners/managers to select management practices based on conditions, economics and what is practicable.

In 1995, the Legislature passed SB502 and 503 declaring the Oregon Department of Agriculture to be the sole agency responsible for developing and implementing "any program or rules that directly regulate farming practices...that are for the purpose of protecting water quality." Coos SWCD believes it is imperative that any water quality regulation required of agriculture landowners and land managers continue to be managed though these Area Plans and Rules by ODA with SWCD's as the LMA to assist landowners.

Coos SWCD opposes any attempt by DEQ to directly or indirectly regulate farming practices through any mechanism, including "implementation-ready" TMDL's . Any regulation implemented by the Agriculture Water Quality Management Area Plans and

Rules should be based on best available soil, crop and animal science that demonstrates the effects of land practices on water quality and is reasonable, economical and practicable to production agriculture. Any regulation and enforcement of farming practices should come directly from ODA.

The goal of the Coos SWCD is to assist agriculture producers with water quality concerns. This goal is accomplished through educational programs and materials, Small Grant Team projects, going out to farms/ranches and assisting the land manager with practices to improve water quality, etc.

Coos CSWCD Board of Directors encourages the EQC carefully consider the effects of the proposed rulemaking on agriculture's water quality plans and rules.

Thank you for allowing Coos SWCD to comment on this important issue.

Respectfully,

A handwritten signature in cursive script that reads "Sharon Waterman".

Sharon Waterman, Chairman  
Coos Soil and Water Conservation District  
371 North Adams  
Coquille, Oregon 97423