



"An Equal Opportunity Employer"

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March 3, 2011

Andrea Matzke
Oregon DEQ - Water Quality Division
811 SW 6th Avenue
Portland, OR 97204

DEQ
MAR 07 2011
Water Quality

Dear Ms. Matzke:

My family has been manufacturing wood products and managing forestland in the Santiam Canyon since 1922. I am very concerned about the proposed Human Health Toxic Pollutants rules and how this increased regulation will affect my ability to manage my forestland in Oregon.

I believe the Oregon Forest Practices Act has significantly improved water quality in Oregon as it relates to pollution from non-point forest management operations.

Any regulation and enforcement of forestry practices should come directly from the Oregon Department of Forestry and no other agency. Oregon statute requires landowners to conduct forest management operations in compliance with the Forest Practices Act. ORS 527.770 states that a forest operator conducting, or in good faith proposing to conduct, operations in accordance with best management practices currently in effect shall not be considered in violation of any water quality standards. I am not aware of any Oregon law that provides direct enforcement authority over forest landowners to either the EQC or DEQ, and I oppose any proposal to establish such an authority.

It is critical that any water quality regulation of forestry operations remain under the direction and enforcement of ODF, through practical best management practices based on sound, peer reviewed, science. If DEQ continues to move forward with the proposed rulemaking language, I believe family forest landowners could very likely be subject to unreasonable and economically inefficient rules that force families to sell their forestlands.

I oppose DEQ's establishment of TMDLs on forestlands in Oregon. Any attempt by DEQ to directly regulate forestry operations through any mechanism, particularly TMDLs, would be in direct conflict with Oregon law.

I support the formal comments and suggested rule language changes submitted by the Oregon Small Woodlands Association (OSWA). As an active participant of the DEQ stakeholder group,

I know OSWA seeks to find a positive balance between the need to maintain water quality standards in Oregon and keeping family forestlands economically viable so families can maintain ownership of these lands that contribute a variety of valuable products and services to Oregonians and our nation.

Our forest practices have resulted in the O.S.U. Austin Family Business Program naming our firm as the Large Family Business of the Year. The Governor's Milestone Sustainability Award was given to our firm in 2009. Recently, the Northwest Environmental Conference bestowed their 2010 Environmental Excellence Award to our firm in part due to our forest practices.

We have more than adequate oversight by the Oregon Department of Forestry and we wish to avoid the duplicity of oversight by the Department of Environmental Quality.

Sincerely,

A handwritten signature in cursive script that reads "Robert Freres, Jr." The signature is written in black ink and is positioned above the printed name and title.

Robert Freres, Jr.
President

RF:lt