

February 18, 2011

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

Dear Ms. Matzke:


I own 165 acres of forestland, some in Douglas County and some in Washington County. We have owned and managed these lands for over 10 years. I have been a Council member of the Tualatin River Watershed Council for 10 years. Our Council has implemented countless projects in the Tualatin Basin to restore and improve water quality. Personally, I am a diligent and active proponent of protecting and enhancing water quality on my own and other private forestlands.

I am very concerned about the proposed Human Health Toxic Pollutants rules. If implemented, these rules could have significant effects on my ability to manage my forestlands, as they could impose an unnecessary and cumbersome process on management activity. The Oregon Forest Practices Act has significantly improved water quality in Oregon, and should continue to be relied on as the practical and primary method of maintaining water quality on streams flowing through forestlands.

Any regulation and enforcement of forestry practices should come directly from the Oregon Department of Forestry – the logical agency to ensure forestland water quality. It has an excellent track record, the organizational structure to administer protection rules, and accomplishes the job in the most efficient manner. 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.

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.

I earnestly hope that DEQ will work with Oregon Department of Forestry, Oregon Small Woodlands Association, and others to ensure that needed water quality improvement is achieved in practical, efficient methods that private forestland owners can comply with. My judgment is that the Oregon Forest Practices Act is the best vehicle to do that.

Sincerely,

Harold T. Nygren
19022 SW Finnigan Hill Road
Hillsboro, OR 97123
503-628-5472