



**Tillamook Estuaries Partnership**  
*A National Estuary Project*

March 19, 2014

Joelle Gore, Acting Chief, Coastal Programs Division (N/ORM3)  
Office of Ocean and Coastal Resource Management, NOS, NOAA,  
1305 East-West Highway  
Silver Spring, Maryland, 20910

Dear Ms. Gore,

On behalf of the Tillamook Estuaries Partnership (TEP), I am writing to request that EPA and NOAA reconsider their decision to levy penalties against the State of Oregon in the form of cuts to Sections 306 and 319 dollars for the Agencies determination of non-compliance with the Coastal Zone Act Reauthorization Amendments.

The Tillamook Estuaries Partnership is part of the National Estuary Program, created through the Clean Water Act and overseen by the EPA. In adopting the Tillamook Bay Comprehensive Conservation and Management Plan, the community identified four key areas that we focus on: 1) key habitat loss, 2) water quality, 3) minimizing flood impacts, and 4) citizen involvement. Our organization is committed to carrying out the core water programs of the Clean Water Act. As part of those efforts, TEP, as well as many of our partners, utilize Section 319 funds to implement projects to address water quality issues in our watersheds. We recognize that EPA and NOAA's issues with the State of Oregon's programs around stormwater runoff, on-site sanitation, and several forest practices are the source of the non-compliance determination. We also recognize that Section 319 funds are used directly to address many of those issues.

TEP uses Section 319 for a variety of programs. Section 319 dollars are a primary source of funds for one of our programs which directly impacts non-point source pollution- our Backyard Planting Program. Over 39 linear miles and 625 acres of riparian habitat have been restored through this TEP program. We all understand that riparian restoration is a long term investment with very beneficial outcomes. Whether it results in large wood recruitment (habitat), better filtration and shade (water quality), reduced runoff (including bacteria) and improved floodplain functions, or is used as an opportunity to help people become stewards of their lands through volunteer plantings, riparian restoration is a key component of any successful conservation strategy on the coast. Although the majority of these plantings take place in the lower watershed, the loss of this effort will further exacerbate the problems you are asking the State to address.

The Oregon Department of Environmental Quality (ODEQ) through the Section 319 program also funded TEP's initial monitoring program. As a result of this and subsequent funding sources, over 20 years of data has been collected in the Tillamook basin. Without this monitoring, we would not have known that the Wilson and Kilchis Rivers have been meeting recreational standards for bacteria, since 2006 and 2009 respectively. This is a tremendous success story of different partners, practices and projects working together to create improvements in our watershed. There is still much



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room for improvement but it does not minimize the substantial contributions and partnerships that have achieved this first goal. Without monitoring, we also would not have identified an issue like a faulty stormwater cross connect that once identified was remedied. While we no longer utilize Section 319 dollars for our monitoring program, without those start-up dollars, we would likely not have the highly successful and nationally recognized monitoring program that we have today. The loss of these dollars will also hinder the development and implementation of other similar water quality monitoring programs throughout the North Coast.

Another great example of a different type of project funded through Section 319 dollars is our Children's Clean Water Festival which is open to all 4<sup>th</sup> graders in Tillamook County. At this and other educational events, children learn about all aspects of water, from its chemistry, to its benefits, and to our critical need for clean water. Over 3500 students and close to 100 volunteers have had the opportunity to attend and learn from this festival over the last 13 years.

It is our understanding the ODEQ currently receives about \$2 million a year in Clean Water Act Section 319 grant funds. Furthermore, we understand that this funding will drop by 30 percent a year starting in the next federal fiscal year, leading to a complete loss of funding in the next few years. Another complication associated with this action includes the loss of leverage dollars with other sources of funding, such as the Oregon Watershed Enhancement Board and the federal Natural Resources Conservation Service, to accomplish local restoration projects. We do not think that either EPA or NOAA intended for these additional and substantial negative consequences. We also do not think that EPA or NOAA are anticipating the possible economic impacts, particularly in rural communities. The restoration economy is significant in the State of Oregon. To use the example of our NEP grant through EPA, in 2013, we leveraged \$11 for every \$1 of our Section 320 - dollars that fund staff, local infrastructure, local contractors and retailers. The domino effect of the loss of Section 319 dollars will be noticeable throughout our region.

We are also understand that Section 306 dollars will be reduced impacting not only the Coastal Zone program at the Oregon Department of Land and Conservation Development, but the local planning programs that depend on grants from DLCD as well as their expertise and technical resources. So many decisions at the local regarding land uses have direct impacts on natural resources and water quality issues. Yet another blow to local jurisdictions who have no control over the state regulations that the federal agencies are concerned with.

It is hard to accept that these consequences are a goal of EPA and NOAA. Removing one of the most significant tools in our toolbox to address non-point source pollution only compounds the problem you are trying to solve. The penalties may impact the state agencies, but they don't impact the rules.

We fully acknowledge that if the State is out of compliance with the federal standards, that the State must take actions to remedy those non-compliance issues. We ask that instead of exacting these drastic measures, that you continue to work with the State to solve the problems – as that is the



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ultimate goal. Perhaps engaging with organizations like TEP to partner on these solutions would facilitate the process. If that isn't sufficient, then we ask that you consider delaying the reductions until such time as you feel the state is not able to come into compliance.

If you have any questions, please feel free to contact me at [REDACTED]  
Thank you for your time and consideration.

