U.S. Environmental Protection Agency

Mike Llewelyn
Administrator
Water Quality Division
Department of Environmental Quality
811 SW Sixth Avenue
Portland, Oregon 97204

Nan Evans
Interim Director
Department of Land, Conservation and Development
635 Capitol Street, NE, Suite 150
Salem, Oregon 97301

Dear Messrs. Llewelyn and Evans:

The National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) Headquarters and Region 10 continue to review Oregon's submittals pertaining to the remaining conditions of approval for Oregon's Coastal Nonpoint Pollution Control Program (CNPCP). We previously sent you written feedback on the boundary, agriculture and urban conditions. Now, we have completed our review of the marina, hydromodification and riparian areas submittals and have enclosed an interim decision document for these conditions. This document addresses each condition, conveys NOAA/EPA findings, presents a rationale for our decisions, and recommends actions the State can take to achieve full approval.

Based on the information provided, NOAA and EPA concluded that Oregon has fully met several of the marina conditions, including: solid waste management; liquid material management; petroleum control; fuel stating design; shoreline stabilization; storm water runoff; sewage facility management and maintenance; fish waste management; boat cleaning; and boat operation. The State has also satisfied portions of both the hydromodification and riparian areas conditions.

Please note that NOAA and EPA's final decision on these conditions is contingent upon a public notice and opportunity to comment on our intent to fully approve Oregon's CNPCP. This process will occur once NOAA and EPA conclude that Oregon has met all of the conditions under Section 6217. The final decisions may also be subject to Tribal and ESA consultation. In addition, this letter should not preclude the use of (1) FY03 Clean Water Act Section 319 funding to further support any of the conditions placed on your program; and (2) FY03 Coastal Zone Management Act Section 310 funding to support implementation of approved elements of your program.

NOAA and EPA congratulate Oregon on its progress towards program approval and encourage you to continue working to address the remaining CNPCP conditions. We will be sending additional feedback on Oregon's remaining conditions (administrative coordination; critical coastal areas, additional management measures and technical assistance; and monitoring) shortly. If you have any questions regarding the enclosed interim findings or recommended actions, please contact either Allison Castellan of NOAA at (301) 713-3155, Extension 225, or Teena Reichgott of EPA Region 10 at (206) 553-1601.

Sincerely,

John King, Acting Chief
Coastal Programs Division
National Ocean Service

Rick Parkin, Acting Director
Office of Ecosystems and Communities
EPA Region 10

Enclosure