Congress of the United States
Washington, DC 20515

May 6, 2014

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

The Honorable Kathryn Sullivan
Administrator
National Oceanic and Atmospheric Administration
1401 Constitution Avenue, NW, Room 5128
Washington, DC 20230

RE: Pending Decision on Oregon's Coastal Nonpoint Control Program

Dear Administrator McCarthy and Administrator Sullivan:

It has come to our attention that the Environmental Protection Agency (EPA) and National Oceanic and Atmospheric Administration (NOAA) have proposed finding that the State of Oregon has failed to submit an approvable Coastal Nonpoint Pollution Control Program (CNPCP) as required by the Coastal Zone Management Act. Based on the State of Oregon's March 20, 2014 response to NOAA and EPA's proposed findings, we believe disapproval is unnecessary and will handicap efforts to improve Oregon water quality and ensure a healthy coastal environment. Therefore, we write to strongly encourage you to reconsider the proposed findings and approve Oregon's CNPCP, so that our state can continue to receive important grant funding to the State of Oregon under Section 319 of the Clean Water Act ("CWA") and Section 306 of the Coastal Zone Act Reauthorization Amendments to the Coastal Zone Management Act ("CZARA").

The State of Oregon is a leader in environmental protection and has been working diligently with the EPA and NOAA for nearly two decades on its CNPCP. We appreciate these agency efforts and hope that they continue. Those efforts, however, will be frustrated/undermined if Oregon's CNPCP program is disapproved.

More specifically, disapproving the State of Oregon's CNPCP would result in significant reductions in federal grant funds that would undermine the state's commitments and responsibilities under Coastal Zone Management Act – an outcome that is counter to all stakeholders' interests. For example, the Oregon Department of Environmental Quality receives approximately $2 million a year in Clean Water Act Section 319 grant funds. If the state's CNPCP is disapproved by EPA and NOAA, this funding would drop by 30 percent a year starting in the next fiscal year and lead to a complete loss of funding in the next few years. Section 319 funds are used to implement water quality improvement projects on private lands and local communities; they are used to help cover the costs for important nonpoint source pollution projects; and they are used to leverage other sources of funding, such as the Oregon Watershed Enhancement Board and the federal Natural Resources Conservation Service to accomplish local restoration projects. CNPCP disapproval would end funding for these essential restoration and water protection activities.

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The Oregon Department of Land Conservation and Development (DLCD) also receives approximately $2 million annually in Coastal Zone Management Act Section 306 grant funds. This funding would drop by 30 percent in the next fiscal year if the State of Oregon's CNPCP is disapproved. Section 306 funds support the exact programs, activities, and projects that help ensure the state is in compliance with the Coastal Zone Management Act. A reduction in funds would significantly impair DLCD's ability to provide funding and technical assistance to local governments, and would directly reduce the state's ability to protect the Oregon coast and promote sustainable coastal communities.

Again, we appreciate your willingness to work with the state as it continues to improve its water quality programs. We share mutual goals of responsibly managing our coastal resources, protecting our water quality, and balancing economic development. To that end, we request that the agencies approve Oregon's CNPCP program.

If the agencies do not believe Oregon has satisfied the statutory requirements for an approvable program, we respectfully request an explanation of what specific, statutory requirements Oregon's CNPCP fails to meet not already addressed by Oregon's March 20, 2014 submittal.

Thanks in advance for your timely attention to our request.

Sincerely,

KURT SCHRADER
Member of Congress

PETER DeFAZIO
Member of Congress

GREG WALDEN
Member of Congress

EARL BLUMENAUER
Member of Congress

SUZANNE BONAMICI
Member of Congress