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26 February 2014

RE: 25 February 2014 Tillamook Comments Session, responding to EPA and NOAA disapproval of Oregon's Coastal Area Pollution Program

Joelle Gore  
Acting Chief, Coastal Programs Division(N/ORM3),  
Office of Ocean and Coastal Resource Management, NOS, NOAA  
1305 East-West Highway  
Silver Spring, MD20910

Dear Ms Gore,

I am a retired biological oceanographer (33 years at Scripps) who has the honor of serving as chair of the Lower Nehalem Watershed Council (LNWC), a volunteer body whose sole purpose is the protection and restoration of the Nehalem Watershed, its headwaters, tributaries, mainstem, estuary, and bay. We have historically partnered with USFWS, NOAA, EPA, Army Corps, Oregon DFW, ODF, DEQ, Dept. Ag, ODLCD, ODOT, OWEB, Tillamook County, local municipalities, water boards, farmers, the county dairymen's coop, American Rivers, North Coast Steelheaders, and other foundations and organizations.

LNWC has two stipended personnel: 1) a full time Coordinator with a BSc in marine biology and an MSc in science education and 2) a part time fiscal officer. All other parties are volunteers. Volunteers work at such tasks as extirpation of invasives, planting of trees and shrubs in watersheds and along bank-side setbacks previously trashed by cattle, and the annual bay cleanup, which brings in two to three tons of riverside trash each year. An all-volunteer steering committee formed of myself, a retired attorney, a n active riparian restoration specialist, a forestry specialist, and a community member. The fiscal officer is ex-officio. The Council consists of the above plus about 20 active member. These numbers swell when there is field work to do.

LNWC depends on some financial support from the partners listed above. Those funds support the Coordinator, the Fiscal Officer, and contract to perform restorative and preventive services to the riparian and estuarine ecosystem. No single partner pays for any of our projects; several to many partners are required in order to accomplish sometimes-very complex problems. Some of our projects follow.

**Roy Creek.** Roy Creek is located near to the head of tide of the mainstem Nehalem. It was a Coho, Steelhead and Cutthroat spawning creek until the rotting rail and vehicular trestles were replaced some 40 years ago by culverts and roadbed fill. Shortly thereafter the culverts became perched and fish passage was entirely stopped. Some 15 years of planning, partnership formation, and multi agency coordination were required to replace the filled road beds with a concrete bridge with a passage width of 30 feet. Two years ago the new fish passage was opened. 3 weeks later the local state fish biologist walked the lower half mile of the creek, and he found the spent, spawned out carcasses of Coho salmon, as well as Steelhead and Chinook and the move upstream. Three weeks!

**Vossberg Creek.** Vossberg creek is a relatively short, one mile creek, emptying into the bay. It once was a Coho spawning creek. Fish passage had been impeded some 50 years ago by a small dam and a private fish hatchery. Three years ago, in mid summer, the dam had been removed, the remnants of the hatchery scrapped, and the stream bed realigned and large wood structure added. At the October meeting of the

watershed council the local fish biologist reported that he had that afternoon found salmon hatchlings in several “holes” created by the large wood placements. Last summer I observed adult Coho entering the creek, much to the alarm of the gulls bathing at the apron of the creek!

**Neahkahnie Creek.** Neahkahnie Creek heads at Neahkahnie Mountain near Manzanita. After dropping to the valley via two waterfalls, it passes through about a mile of prime Coho spawning gravel, then through a small lake, then under US 101 to continue two miles to join with Aldercreek, which in turn extends another mile before entering the salt marsh and bay. Steelhead and Coho have been seen for years coming up as far as the pool on the south side of US101.

Neahkahnie creek was made impassable to fish over 80 years ago by the installation of a family dam at the lower end of the lake, then by the perching of a culvert at the south side of US101. The dam will be removed this year. A new, fish-friendly culvert will be installed under US101. Fish passage should be restored by end of this year or early next year. Extirpation of invasive lilies and grasses, and replanting with willows and trees is performed by volunteer work parties of community members and organizations, and will be an ongoing maintenance project. Partners in this project are the usual Federal, State, County, municipal and private entities.

In the 14 years of the existence of this council, about 25 miles of Coho, Steelhead, and Cutthroat spawning creeks have been rehabilitated, and water flow through wetland and beaver habitat restored.

Having said all of this, I want you to know that I personally sympathize with the plaintiffs and with the Courts, in the recent decisions concerning the adequacy of the State’s response to NOAA, EPA and other agency regulations. And I agree that some sort of penalty must be assessed in order to motivate the State’s officers and agents to comply. I take no issue with that.

Where I take issue is with the whole scale reduction, and possibly, ending, of NOAA and EPA funding coming into the State. The local watershed councils depend upon grant funds from several Federal agencies to do our work. We depend upon the superb agency scientists and technicians who give us advice, council, and technical assistance to carry out our projects. If the Federal government goes through with this, do you think that the State’s bureaucrats and agency directors will see pay cuts? I much doubt it. It will be the performers, those of us who get results where the rubber meets the road, who will feel the impact, and the riparian and estuarine ecosystems, their fish and other denizens, will be the losers .

I hope that you will be able to tailor the punitive cuts to impact only those who require such penalties.

Very sincerely yours,

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