



March 20, 2014

Joelle Gore, Acting Chief,
Coastal Programs Division (N/ORM3),
Office of Ocean and Coastal Resource Management
National Ocean Service, NOAA
1305 East-West Highway,
Silver Spring, Maryland 20910
via email: joelle.gore@noaa.gov

Re:
EPA/NOAA Proposed Disapproval of Oregon's Coastal Nonpoint Pollution Control Program
under CZARA

Dear Ms. Gore:

I am writing to support EPA and NOAA's proposed disapproval of Oregon's Coastal Nonpoint Pollution Control Program because I believe that Oregon does not have a program in place to control nonpoint source pollution in its coastal watersheds that is sufficient to carry out the CZARA management measures and the additional management measures the law requires to achieve and maintain Oregon's water quality standards and protect Oregon's designated uses.

The uses and water quality standards in coastal watersheds that I'm concerned Oregon is failing to protect are native fish; native aquatic and aquatic-dependent wildlife including birds, mammals, and amphibians; public and private drinking water; fishing, including eating fish free from contamination; swimming, wading, and boating; and my ability to enjoy the aesthetic qualities of Oregon's waters and wetlands.

My basis for believing that Oregon does not have a program in place to protect these uses and water quality standards is Oregon's many years of failure to control run-off pollution from timber harvesting, pesticide use on forest lands, riparian buffers for fish-bearing streams, riparian buffers for non-fish bearing streams, any other sources of pollution or aquatic degradation that are not covered by a discharge permit.

There is an ever growing concern by residents in the Illinois Valley about the use of Oregon Department of Forestry (ODF) approved pesticides on forestlands and the damages being done to neighboring small organic farmers, vineyard owners, natural forest land owner/practitioners and other community members. My reasons for believing Oregon does not adequately control run-off

pollution from these sources come from many experiences that people have suffered in my community, including my own.

I would like to share some of our community concerns and my personal experience regarding the issue of forest practices and pesticide use on neighboring land.

My husband [REDACTED] and I live at Camp Forest (aka Camp Ecostery) is a place where natural-selection-based, sustainable natural community ecosystem relationships are learned, practiced and taught. Camp Forest retains the natural community of species in and around trees that sustains trees and humans.

Camp Forest is a regularly visited demonstration/showcase for sustainable relationships. Trees and other resources are extracted on a perpetual basis. Visitors are challenged to identify where anything is being extracted, and few do. Hugely more wood is grown than it is with forestry tree plantation practices because there's no down time. There are countless other benefits. Camp Forest's natural community ecosystem biological, ecological and economic values increase every year, whereas the tree farming approach of managing to convert natural communities to "land stocked with trees," causes these values to decrease, eventually to little or no value.

It appears that little is understood by chemical users of the impacts these chemicals have on their neighbors, adjoining watersheds and the larger community. It seems to be taken for granted that the labels and instructions of the chemical company is all that they need to consider, because that is the legal requirement. The ODF and legal system is set up to support the use of harmful chemicals at the expense of adjoining watersheds and neighboring community.

Camp Forest consists 230 acres of land where natural communities are retained and depended upon to provide a wide range of forest products and uses, including maximum timber production of highest quality. The principles and practices of the natural selection approach have been developed and implemented at Camp Forest for more than four decades. We provide tours and workshops as a community service to teach people how natural ecosystem communities function and how humans can have sustainable relationships with them.

The natural community ecosystem that resides on our land is interconnected and interdependent with adjoining lands and the species that reside on them. We don't use chemicals because they cause huge collateral damages and are expensive in countless ways. Our approach is to rely on all naturally evolved species, 1000's of them to sustain the species at Camp Forest. When neighboring landowners kill and contaminate on their lands, they kill and contaminate the species on ours, including the fish that live in our streams; and poison our family. These neighboring lands are headwaters to our domestic and fish water, including Coho who like many other species, face serious threats to their survival.

The neighboring land owner did spray toxic chemicals on their land, the headwaters of Camp Ecostery. It was manually applied over several days by backpack, and yet had very serious consequences to our lives.

Here is what happened to my husband, in his own words:

Introduction

We live a healthy organic life style. We live in a natural forest community environment and we don't use chemicals. On September 30, 2010, however, I was unknowingly exposed to herbicides sprayed on an adjoining sixty-acre clear-cut. At 3 AM the following morning I became ill in many unusual ways. I went to see a doctor later on that day. Blood tests revealed I had elevated liver enzymes (I had normal liver enzyme levels in 2009). My liver enzymes remained elevated for a few months and then began to drop, but remained above normal. In mid April, 2011, I was diagnosed with autoimmune hepatitis.

Background

On Sept 30, 2010, it was a nice warm day and the air was still. After lunch, my wife Mary and I decided to take a leisurely golf cart ride around our forest to observe and enjoy Nature. Along the way we decided to check out our domestic spring water source that comes from the clear-cut area.

Water for this particular domestic spring comes from the bottom of a canyon. The watershed area around this spring, that feeds it, had been clear-cut. This clear-cut virtually destroyed this spring for domestic water purposes and appears to be responsible for killing a lot of aquatic life, including fish. We had been checking this area out on a fairly regular basis.

On this particular trip we noticed that some shrub's appeared to be wilting in the clear-cut area. Mary asked me to take her home immediately because she is very sensitive to chemicals. I decided to return and look more closely at the vegetation to see if it really was dying.

When I returned, the air was still. I noticed a subtle unrecognizable odor, but couldn't identify it. As I got closer to the sixty-acre clear-cut, the odor became stronger, but I was unable to identify exactly where it was coming from. Unfortunately, I thought it was some kind of herb and never even thought about it being a chemical odor.

I walked the property line for some distance before I became convinced that the area had indeed been sprayed with herbicides. Suddenly a strong breeze occurred, as it typically does in the afternoon. The breeze, probably around 5-10 MPH, blew down over the sixty-acre clear-cut directly onto me. I thought at the time that this might be bad for me, but there was no way that I could escape it.

Later I realized that the warm day had probably vaporized these herbicides, that they had become concentrated in the canyon where the stagnant air was, and that I had become a victim when the afternoon breeze blew them onto me.

Twelve hours later

The night of September 30, 2010, is a night I'll not forget. I had many things happen to me on this night that had never happened to me before. I had never had a headache, high blood pressure in the middle of the night, hot flashes, dizziness, loss of balance, disorientation, altered mental state, loss of memory, and difficulty sleeping.

The next day I went up to the shop to do some work, but when I got there I couldn't remember why. I kept trying to do things, but would forget what I was going to do before I got to doing it. It was a very frustrating day. My memory problem has gradually improved, but it's still not back to where it was before this happened.

From that day on my energy level was very low. Many of these symptoms persisted for weeks, some for months, and some have continued to this day.

Prior to the herbicide exposure I never had trouble sleeping, thereafter I continued awakening at 3 AM in the morning for months. My awakening in the middle of the night problem gradually subsided, but it has not gone away. I'm increasingly getting better night rests and increasingly sleeping all the way through some nights.

I had always been grounded and confident. After the incident, I recall being afraid of everything and had a gross distortion of reality that persisted for about a week following the exposure. My value system shifted in a way I cannot fully describe. I had always been focused on the things I needed to do, in touch with my surroundings, and very productive. Suddenly I lost that connection and drive. Some of the ingredients that normally formed my personality were missing. My brain did not function in the way it always had. It was like having a puzzle in front of me with pieces missing so that I couldn't get the whole picture. These personality changes lasted for a week or so before returning to normal.

I have been an exceptionally healthy person, especially at my age. I've been able to out work, out hike, and out do most people. I've not fully recovered, but seem to be recovering.

Geological background

Our property and home are extremely vulnerable to whatever happens on the adjoining sixty-acre clear-cut land. Our home is located 500 feet downwind from this sixty-acre clear-cut area. In 2008, when the sixty-acre clear-cut occurred, there was a continual flow of dust down across our land to our home. Our home became covered with dust inside and outside. This is documented with pictures. We have a weather station that records weather, including wind speed and direction, every two hours. Data from this weather station shows how vulnerable our land and home are to whatever occurs on this sixty-acre clear-cut landscape area.

Wildlife observations

Our domestic water rights are also for fish. Before the sixty-acre clear-cut, we watched fish jumping in our pond on a daily basis, now we're not seeing them. Several fish have

been found dead in the water for no apparent reason. Our coho salmon and cutthroat trout seem to have disappeared.

Each year from 1967 to 2008 the abundance of wildlife in our forest had steadily increased. The sixty-acre clear-cut adjoining our forest dramatically changed this. Ever since the 2008 sixty-acre clear-cut, there has been a rapid decline in species populations and several have disappeared.

We're seeing many unprecedented wildlife changes happening around us. We have deer that feed in this area with external fur problems, an almost complete disappearance water fowl, disappearance of many bird species, major decline in insect species and populations, etc. I was born here and I've never seen wildlife of all kinds suddenly disappear like this.

Cause is still unknown

We still do not know exactly what I was exposed to. The Oregon Department of Forestry sent notification for application of Triclopyr (Element 4) on the sixty-acre clear-cut adjoining our property, however, the forester working for the owner said that they used Polaris SP (Imazapyr). We contacted the property owner by email (March 30, 2011), and told her that I am seeing a doctor and need to know exactly what chemicals had been used and asked them to send the specimen labels and MSDS's. She has not replied. One of the doctors at the clinic where I've been going for years made a request to PARC to get this information. PARC contacted us and said they will try and get it for us. They said that it will take time. We are still waiting.

Prescribed treatment

My regular doctor prescribed prednisone. We did some research on possible side effects and they were bad, so I made a decision not to take it. We've been exploring other options and implementing some recommended herbal supplements instead.

Well, we did find a doctor in Coos Bay who was better able to help [REDACTED]. He said that he believed that [REDACTED]'s liver and health issues are the result of toxic exposure and agreed with [REDACTED] that the only explanation that make sense is that it was from the day he was exposed to chemicals on the land adjoining ours. This doctor put him on a program to cleanse the toxins from his body and his health has continued to improve. The costs to our family financially, time-wise, quality of life and emotionally cannot be understated.

The use of chemicals is not economically viable when you consider the cost of collateral damages. We believe that a viable cumulative economic analysis of the collateral damages done to Camp Forest by ODF approved practices on neighboring land, would show damages to our land far exceed the economic value of timber and other biomass extracted from their land. Impacts from chemical usage have added enormously to these damages; as well as collateral damages to the community as a whole.

In the past three/four years, we have sent letters of concern to ODF in response to notices that we

have received from ODF regarding forestry operations on neighboring land. Replies from ODF told us that they can offer us virtually no protection from harm caused by forest practices, or help with our expressed concerns. I received no reply to my letters of 7/14/09, or to letter dated 1/12/10.

Subsequent impacts to the aquifers feeding two of our legal water systems have rendered both of these domestic water systems useless as the result of these practices, including the one used by our grandparents when they homesteaded in 1918 and another being the sole source of water where our parents lived since 1932. Springs are the only water sources that have ever been used for either of these two family residences.

Over the past several years we had also been living under the constant fear of what toxic chemicals sprayed into the headwaters of our land and water collections systems would mean to us, our family and community and where the collections systems of our domestic and fish water systems to our health and the health of others exposed. While we asked to be notified prior to herbicide spray (and told by ODF we would be notified), so that we could at least attempt to protect ourselves from toxic chemical drift, we were not notified. We were not notified, our fears were realized and we have suffered serious adverse health impacts that we believe were caused from drift into Camp Forest.

ODF's assumptions, policies, laws and practices, pose a huge threat to the quality of life, long term economic viability, and sustainability of our communities. We urge you to listen to fish and other biologists, drift experts, toxicologists, other experts and citizens that wish to expose the dangers of pesticide. ODF has failed to achieve its stated vision, values and mission of sustainable forest practices.

Deer Creek watershed's entire population of over 2,000 (Selma zip code 97538) depends on spring and well water for domestic use, as they always have. Because there is no other option for domestic water for this community, keeping our aquifers free of toxic chemicals are critical for providing and protecting water for the entire community of Deer Creek watershed. While many homesteads in the Deer Creek watershed rely on groundwater wells for domestic water uses, there are also dozens of domestic surface water rights held by residents on Deer Creek and its tributaries used for drinking water. Many of those domestic surface water rights have old priority dates, some predating the state of Oregon. Surface water has historically provided the best quality domestic water for domestic use. Many areas of the Deer Creek watershed do not have good quality deep water wells, so a large percentage of the residents must rely on surface water. Protecting those domestic surface water rights and domestic well supplies is vital to the health of the health and well being of our community.

It is time for Oregon to be required to protect the human and legal rights of its citizens. Small land holders that are working towards sustainability need you to take action to implement necessary protections because we are being hugely threatened by policies that promote use of harmful chemicals. If Camp Forest, a pioneer demonstration forest for sustainable practices can be subject to harmful chemicals, how can Oregon's public policy makers say that they are supporting local communities?

There is ample proof that these chemicals are toxic and that they are causing a violation of our basic human rights. It is imperative that we have immediate changes to Oregon's pesticide spray laws, regulations, policies, and rules. We need stronger federal oversight and protection. We Oregonians have lost heart seeing that these things are being allowed to happen, and worse, be advocated and perpetuated by our state, and lack of oversight by federal protection agencies. These chemicals do not know property lines. They outgas for years as they decompose. They reside in the soil, often in a variety of degraded forms, which can be more toxic than the initial compound. What's more a large percent of the ingredients in these pesticides, so called inerts, in actuality are unknowns. We have a right to know what is in our air, in our water and what may be causing health conditions, such as liver disease, cancer, auto-immune and reproductive illnesses, in fact changing our very DNA, our children's and forever.

I do not believe that Oregon has in place a program to protect and restore riparian areas needed to maintain cool stream temperatures and habitat, protect and restore channel conditions from modification, protect and restore wetlands, identify where more protection is needed to protect important habitat for species, identify where more pollution control is needed to protect uses, monitor water quality and use water quality data to improve pollution controls, monitor pesticide use and impacts, assess whether pollution controls are reducing pollution and improving water quality, link the enforcement agencies and process with other agencies, or use enforcement when voluntary actions are not adequate to protect water quality.

Thank you for this opportunity to comment on whether Oregon has a program in place to control nonpoint source pollution in coastal watersheds that is sufficient to achieve and maintain water quality standards and protect Oregon's designated uses.

Sincerely,

A large black rectangular redaction box covering the signature and name of the sender.