

One glaring detail has been omitted from SB 830 and the SB 838 study group
That is what role will the EPA have presently and in the future, under the NPDES the
DEQ and EPA both control what is administered under a MOA

<http://www.deq.state.or.us/wq/pubs/moas/NPDESMOAEPA201004.pdf>

The role of the DSL has stood firm because it is specifically written in statute
under DSL DIVISION 102 that states in 141-102-0010

(c) Review all projects proposed in ESH pursuant to the standards set forth in the state's
Removal-Fill Law (ORS 196.600 to 196.990) and rules (OAR 141-085)

Not so with EQC and DEQ they promulgate rules under internal management directives,
court orders and comments from the EPA that are legally binding even if they conflict
with state law. as in this example

<http://www.deq.state.or.us/wq/standards/docs/EPAreviewAntiDeg.pdf>

The NPDES 700 J and PM have been continuously in the courts for almost two decades.
The EQC and DEQ have been controlled by the EPA on several occasions, disapproving
303d adding 870 streams, table 40 standards that were disapproved by EPA in 2010 that
were set at 6.5 grams of fish a day that were set at federal levels that are now based on
fish consumption at 10.9 pounds of fish a day (175g) per person.

And other numerous IMD's that the EPA says are required to be set as statute.

More DEQ IMD's; <http://www.deq.state.or.us/wq/pubs/pubs.htm#imds>

For the NPDES the EPA will have to approve, disapprove or if they change something
they will call for comments nation wide then Oregon has to accept the permit that they
write, pretty big unknown, putting ESH in the NPDES 700pm permit will end badly for
Oregon and don't understand why you would want this when Oregon is working hard to
keep from being under federal control with efforts for the Oregon sage grouse and work
removing the ESA listing of the coastal Coho salmon.

The idea behind SB 838 was to bring both sides to the table, Oregon's miners were there
and acted in good faith they were meet with the environmentalist and lawyers from
NEDC as admin's of the meetings, Jonathan Manton lawyer, Marla Nelson NEDC lawyer
Brett Brownscombe lawyer (was with NEDC in 2000), Karen Tarnow liaison to the EPA,
even the kerns & west facilitator Debra Nudelman was an environmental lawyer.

There was not a consensus, they wrote what they wanted. They also used a huge amount
of DSL resources to draw maps to make it look like dredging was bigger than it was
all the maps are shown in Townships a township is 36 square miles, mining claims are
mostly in the checker board pattern of BLM lands and don't take into account the miles
of streams that are mostly not mined that are farm or timber Co. lands.

The new 2015 DEQ NPDES 700pm permit is already overly restrictive.

there were 536 permits issued in 2014 everything that is in reports are from study's from
elsewhere, there should be a real world study of what's going on, you cant base your
decisions on a PowerPoint presentation. Option B "No change" keep the current permits
let our state agencies do their job to regulate mining, Not Lawyers with an agenda!!!

Please vote NO on SB 830
Thank You,
Dennis Hebard
3800 Barger Dr.
Eugene, Or 97402
541-463-7530
aircraft8976@comcast.net