

State of Oregon  
Department of Agriculture  
Department of Environmental Quality

Memorandum

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**To:** Environmental Quality Commission      **Date:** May 27, 2011  
**From:** Neil Mullane, DEQ Water Quality Division Administrator, and Ray Jaiidl, ODA Natural Resource Division Administrator  
**Subject:** Status of Memorandum of Agreement between Departments of Environmental Quality and Agriculture for meeting water goals and objectives

One of the tasks assigned by the EQC to the Oregon Department of Environmental Quality (DEQ) as part of the Human Health Toxics Rulemaking Package was to update the department's Memorandum of Agreement (MOA) with the Oregon Department of Agriculture (ODA). The updated MOA would reflect our current working relationship and understanding of state statute and federal law for meeting water goals and objectives. DEQ and ODA began working on revising the MOA in fall 2010 with the expectation of having a signed MOA by mid June, 2011.

In January 2011, Department of Agriculture convened a subcommittee from its Program Advisory Committee membership to review the draft MOA. The membership of the subcommittee included representatives from Oregon Farm Bureau, Oregon Environmental Council, Association of Clean Water Agencies, Oregon Cattlemen's Association, Soil and Water Conservation Commission, and Board of Agriculture.

DEQ and ODA have been working on several projects collaboratively and currently have an excellent working relationship. ODA and DEQ have expressed their commitment to improve on existing partnerships, and proposed language that would clarify respective agency roles and mutual goals to facilitate interagency coordination in the draft MOA. Members of the subcommittee raised concerns with certain aspects of the MOA that stemmed from their disagreements with the interpretation of related state statutes.

The timeline on the MOA has been delayed due to the coordination needed between the two agencies and stakeholder groups. The delay will also allow us to address any changes to state statute during the 2011 legislative session. DEQ and ODA determined that it would be best to continue work on the MOA after we know what changes, if any, are made to state statutes.

We recommend revising the current timeline for updating the MOA to have a final draft by September 30, 2011, and have the MOA signed by November 30, 2011.

We would be happy to discuss this issue with you in more detail.



*Neil Mullane*

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Neil Mullane, Water Quality Division Administrator, Department of Environmental Quality

*Ray Jaundl*

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Ray Jaundl, Natural Resources Division Administrator, Department of Agriculture