



House Committee on Energy & Environment

March 12, 2019

Our Coalition OPPOSES House Bill 2656

Chair Helm and Members of the Committee:

Oregon Farm Bureau, Associated Oregon Loggers, Oregon Cattlemen's Association, Oregonians for Food & Shelter and the Oregon Small Woodlands Association urge you to oppose HB 2656. Our members are families actively involved in forest management, ranching and farming, and include hundreds of small woodland owners, loggers, and land managers who would lose their operations if this bill passes.

House Bill 2656 would effectively end forest harvest across much of western Oregon, harming forest landowners, both large and small. Most family forestland owners undertake extensive improvements on their lands. They've planted seedlings, removed invasive species, reduced fire hazards, maintained roads and have plans to keep their properties healthy and productive for the next generation. House Bill 2656 ignores these investments, and strips woodland owners of the ability to manage or maintain their lands in future years. These operations have faced increasing economic pressures over the last decade, including rising fuel and labor costs and changing market conditions. House Bill 2656 would devastate these family owned businesses, eliminating the opportunity to reap the benefits of their investments.

Oregon's forestlands are currently managed under stringent state and federal regulations that protect water quality. HB 2656 bans commercial harvest, pesticide and fertilizer applications, and new road construction within drinking water sheds, which cover most of western Oregon. The bill seeks to ban these forest practices despite the fact that forested areas have the highest drinking water quality in the state, and we have not had detections of pesticides above any human health criterion in Oregon. Indeed, Lane and Lincoln County, two of the heaviest forestry counties in the state, have never had any detections of pesticides in their drinking water. Statewide, DEET is the most consistently found pesticide in water in forested lands. DEET is not used in forestry, meaning that these detections came from recreationalists using federal, state or private land for recreational use. Notably, by its plain language, this bill would ban people applying bug spray or campgrounds doing any sort of baiting or vector control if they are in these watersheds.

Water quality on Oregon's forestlands is protected through the Forest Practices Act, which creates a very stringent set of rules, based on the best available science, that forest managers must follow to protect water quality throughout all stages of their operation, from planting to harvest. The Forest Practices Act has been very successful in protecting water quality, and, when paired with the stewardship and diligence of

private timberland owners, is the reason the forested areas have among the highest water quality in the state.

House Bill 2656 also would jeopardize management of invasive forbs on Oregon forestland, including Himalayan blackberry, scotch broom, gorse, English holly, and ivy, among others. Invasive plants degrade wildlife habitat by replacing native cover and forage. Active forest management, including the responsible use of pest management tools, keeps these noxious species under control before they become too costly to eradicate.

HB 2656 increases the cost of managing forest landscapes, encouraging forestland conversion to other land uses. Conversion of small woodlands already is becoming more common, and lawmakers must decide whether or not they will support a regulatory landscape that allows for continued family forestland ownership. If not, Oregonians will see some of the most visible forestlands disappear into other, non-forested uses.

House Bill 2656 is an unnecessary and extreme solution in search of a problem. Water quality from forested lands is among the highest in the state. House Bill 2656 ignores sound science, and lays blame at the feet of Oregon forestland owners. It would result in significant harm to rural communities and set a dangerous precedent for Oregon's small woodland owners and family farmers and ranchers.

Vote NO on House Bill 2656

Key Drinking Water and Pesticides Facts:

Integrated Water Resources Strategy (2017):

“As another example, the Department of Forestry uses water right information from the Water Resources Department to determine whether forest streams are sources of domestic drinking water. Streams that serve as a drinking water source trigger more stringent forestry protections. There are many examples among local, state, federal, and tribal agencies where current and accurate water resources information from one agency partner affects whether the other agency can effectively carry out its mission.”
(Page 23)

“The Oregon Legislature passed the Forest Practices Act in 1971, the first law of its kind in the United States at that time. The Act and its rules have been changed many times in response to new scientific findings and evolving public needs and interests. The Forest Practices Act sets standards for all commercial activities involving the establishment, management, or harvesting of trees on forestlands. Many of the rules are aimed at protecting water sources. For example, regulations require landowners to leave forested buffers and other vegetation along streams, wetlands, and lakes to

protect water quality and fish and wildlife habitat. The Oregon Board of Forestry has primary responsibility to interpret the Act and to set rules for forest practices. The forestry laws have created a partnership between the Department for Forestry, landowners, and operators to achieve efficient and effective resource protection. Department policy, carried out on the ground by stewardship foresters, ensures compliance through a balance of science-based rules, incentives, educational and technical assistance, and uniform enforcement.” (Page 31)

Drinking Water Source Monitoring Project: DEQ

“In this report, we will summarize the results of the analytes detected. In the surface water sources sampled, the insecticide DEET was found at 85 percent of the sites, the herbicides Atrazine and Diuron were found at 43 percent of the sites and Fluometuron was detected at 28 percent of the sites. Overall, pesticides were present in 29 percent of surface water source samples, but the highest concentrations were at levels below the state’s water quality criteria for aquatic life, health-based levels, or drinking water standards (where available). Diethylphthalate and Bis(2-ethylhexyl)phthalate were found at 57 percent of the sites. Metal compounds were identified in almost half of the sites sampled. The highest number of detections included aluminum (at 100 percent), barium and manganese (at 57 percent). Since most metals in Oregon waters are from natural sources and attach to suspended clays in streams, it is not unusual to find high concentrations in source waters. Where the secondary maximum contaminant levels were exceeded for aluminum and manganese, the levels are likely significantly reduced by the drinking water treatment facility. Conventional treatment processes reduce turbidity and suspended solids from the source water with filtration. Finished drinking water samples at these public water systems met the established federal drinking water standards.”

<https://www.oregon.gov/deq/FilterDocs/dwpSourceMonPhase1-2Rpt.pdf> (emphasis added)

USGS/Eugene Water and Electric Board, Reconnaissance of Land-Use Sources of Pesticides in Drinking Water, McKenzie River, Oregon

- Twice yearly pesticide samples (117 samples at 28 sites) were collected from 2002 to 2010 in the lower McKenzie River basin.
- Tested for 175 compounds (72 herbicides, 43 insecticides, 10 fungicides, and 36 of their degradation products, as well as 14 pharmaceutical compounds).
- “Forestry pesticide use is not considered a likely threat to drinking water quality at the present time (2012).”
- “No significant detections based on the common LRL (laboratory reporting level) of any pesticide compounds were observed at the drinking-water intake or any mainstem river site, indicating that concentrations in the McKenzie River itself were consistently low.”

Alsea Paired Watershed Study, *Herbicides in Needle Branch Streamwater*

- Aerial application of herbicides made to unit adjacent to Needle Branch on 8/22/10. Tank mix included: glyphosate, imazapyr, sulfometuron methyl, metsulfuron methyl. Application was performed under Oregon Forest Practices Act standards.
- Baseline samples were taken as well as samples after 5 subsequent storm events.
- There were “no detects” for imazapyr, sulfometuron methyl and metsulfuron methyl.
- Highest detect for glyphosate was a limited duration pulse 115 ppt (parts per trillion) after a significant storm event. For reference the EPA health standard for glyphosate in drinking water is 700,000 ppt.