



February 16th 2023

House Committee on Agriculture, Land Use, Natural Resources, and Water
Oregon State Legislature
900 Court St. NE
Salem, Oregon

Re: Opposition to HB 2647 – Harmful Algal Blooms

Chair Helm and Members of the Committee:

Thank you for the opportunity to testify on HB 2647. The undersigned represent farmers, ranchers, and foresters around the state who are interested in protecting and enhancing water quality across our farms, forests and beyond. The agricultural and forestry sectors are proactive about protecting and enhancing water quality on agricultural and forestry lands, which represent the largest land use in the state. Our industries were proactive in developing the Agricultural Water Quality Management Program and the Forest Practices Act, years before most states had thought of developing their nonpoint source programs. Since then, we have invested millions in studies, on-the-ground restoration, active land management, and compliance with our respective programs.

Over the last few years, the issue of harmful algal blooms (HABs) has been highlighted in Oregon's ongoing water quality conversations. While the primary impact of HABs is on drinking water, the impacts can extend into the food processing sector, recreation, and other sectors dependent on a clean, safe water supply.

Understanding the causes and solutions to addressing HABs is a complex effort which involves a diverse cross-section of experts and stakeholders. Work is already ongoing at the federal and state level, with now a number of identified measures to prevent HABs in surface waters and processes in place for issuing alerts and determining sources and solutions. **The proposal in HB 2647 does not reflect an understanding of the diverse expertise already involved in this issue, and the extent of information that is already known.**

HB 2647 requires DEQ to "identify sources of pollutants that contribute to the occurrences of harmful algal blooms" and "develop strategies for reducing pollutants that contribute to the occurrences of harmful algal blooms and the frequency and severity of harmful algal blooms." It also requires DEQ to "develop pollution reduction plans for point sources and nonpoint

sources identified” as potential sources of pollution that contributes to HABs. However, **DEQ is already responsible for investigating the causes, identifying sources of pollution and writing a pollution reduction plan, under rules written by the agency.**

Current state programs designed to address HABs occur within a framework already in existence for addressing nonpoint source water quality. Expertise, rules, and associated programs exist within Oregon Department of Fisheries and Wildlife, Oregon Department of Environmental Quality, Oregon Health Authority, and Oregon Department of Agriculture, and among water supply and natural resources stakeholders. In the event of HABs, multiple authorities react rapidly and coordinate together to protect public health. In fact, Oregon has been recognized by the CDC for its rapid response in alerting and educating the public when harmful blooms occur.

Many of us participated in a previous workgroup to address HABs within Oregon. This group focused on education around Oregon’s existing water quality programs, with a goal of ensuring that all the relevant state agencies are communicating and working together within Oregon’s existing framework to develop a long-term plan for identifying and addressing HABs.

HB 2647 does not account for this previous work, or recent and evolving work at the federal level. The bill seeks to create a new water quality framework specific to HABs, housed only within Oregon DEQ. This ignores ongoing work, fails to account for each agency’s responsibilities within their respective water quality programs, and unnecessarily blurs the lines between drinking water protection and the state’s overall water quality program, which is complex and involves multiple agencies.

We oppose HB 2647 because it fails to account for existing work and authorities related to HABs, and proposes a simplified solution to a complex problem that requires diverse expertise and stakeholders.

Thank you for the opportunity to comment on HB 2647. We look forward to staying engaged on how to continue to address ongoing HAB issues around the state.