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To: Members of the Joint Ways & Means Natural Resources Subcommittee

From: Rhett Lawrence, Oregon Chapter Sierra Club

Date: May 16, 2013

RE: House Bill 2427

Co-Chairs Edwards and Unger, and Members of the Committee: Good afternoon, my name is Rhett Lawrence and I'm the Conservation Director for the Oregon Chapter of the Sierra Club. I'm here testifying on behalf of our more than 20,000 members and supporters in Oregon and I thank you for allowing my brief comments today.

As an organization with a long history working in support of renewable fuels as well as the protection of Oregon's farmland, clean water, fish and wildlife, we were concerned about the Oregon Department of Agriculture's (ODA) reversal last year of long-standing policies that protected specialty seed and vegetable producers from the significant risks associated with planting canola in the Willamette Valley. Because of the substantial environmental issues related to canola, we believe the mechanisms put in place by House Bill 2427 would be a step in the right direction.

As you know, the Willamette Valley is one of the top vegetable seed producing regions in the world, known internationally for the purity and quality of the seed produced here. We are concerned that canola poses substantial risks to the Valley's seed and vegetable growers because of the possibility of cross-pollination and the introduction of pests and plant diseases. Canola also poses threats to clean water and healthy fisheries, as most of the canola seed in production today has been genetically modified to resist certain herbicides. If canola cross-pollinates with Willamette Valley weeds in the same plant family, we would likely see herbicide-resistant traits spreading throughout the Valley. This would require the use of more aggressive herbicides to control common weeds in the future, resulting in increases in water pollution and harm to fisheries in the future.

Given these concerns, we were gratified to see the Legislature take on the task of addressing this issue and we do support HB 2427 in its current form. The inclusion of the moratorium on commercial planting of canola until 2018 in the bill is a wise idea and we believe that it should be maintained. However, we would like to flag a few concerns about the bill and suggestions for its improvement.

For starters, we have some concern that the language in Section 4 (1) of the bill that allows ODA to allow the growing of canola "to the extent necessary" is rather vague. We would not want that broad statement to give the agency too much latitude to approve the growing of significant amounts of canola in the name of research, so we would prefer that that language get tightened down and more closely limited. Furthermore, in order for the research prescribed in Section 4 (2) to be affordable and doable at all, the scale of this project will need to be reasonable, which is yet another reason for that language to be tightened down.

In addition, while we are supportive of the various forms OSU's research might take under the provisions of Section 4 (2), we would ideally like to see some research into the development of alternative oilseed crops suitable for the Willamette Valley that do not pose the same cross-pollination and disease risks canola does. Similarly, because of the previously-noted fears that canola might cross-pollinate and transmit herbicide-resistant traits to other plants, we would like to see some more research into those possibilities and ways to prevent it. But again, in order for this study to get off the ground at all, the costs will need to be minimized, so the research will need to be carefully prescribed.

In conclusion, we do appreciate the efforts of the Legislature to address concerns about canola with House Bill 2427 and we support the bill, while also maintaining that there are ways it might yet be improved. Thank you very much for considering our comments and I'd be happy to take any questions.