



House Committee on Agricultural and Natural Resources
Oregon State Capitol
900 Court St NE, Hearing Room D
Salem, OR 97301

Dear Chair Clem and Members of the Committee:

My name is Nancy Webster and I live in Rockaway Beach. I grew up on the south Oregon Coast where for many years my father worked for Weyerhaeuser as a lumber grader. My grandfather and uncles worked as farmers, loggers, and mill workers.

My testimony here today represents my own views as well as the interests of over 200 members of Rockaway Beach Citizens for Watershed Protection. As a group, we are deeply concerned about the impacts of current forest practices and pesticide spraying on our sole source of drinking water from the Jetty Creek watershed. We strongly support passage of HB 3226.

But this is not just a serious health issue for Rockaway Beach. For example, more than 1,000 Oregonians joined us recently in opposing clearcuts and aerial spraying above Oswald West and in the watershed draining to Short Sands Beach. We also are in close coordination with several like-minded citizen groups on the coast and across Oregon that oppose the use of toxic pesticides in our forests and watersheds.

Today I want to talk about what I have seen happening to the Jetty Creek watershed, the sole source of surface drinking water for Rockaway Beach. The Jetty Creek watershed, flowing into the nearby Nehalem River, is about 1400 acres of steep land close to the ocean. It is divided into two parcels of land, each owned by a separate timber company. Jetty Creek is listed as “priority fish habitat” for threatened coho, steelhead, and trout. The State of Oregon has spent approximately two million dollars on fish habitat improvements in that area.

You may hear from others that our current forest management regulations are effective, that we do not need to fix what is not broken, but what has happened at Jetty Creek shows that this is not so. Existing forest management regulations have not protected the quality and quantity of drinking water for Rockaway Beach. This is but one example of what is happening to other drinking water sources at the Oregon Coast.

In 2012, a friend of mine, who worked as a water quality specialist for DEQ, and I hiked into the Jetty Creek watershed. There we saw extensive clearcuts, as well as the lower wetlands that border Jetty Creek logged with minimal buffers and the headwater streams “cut over” without any buffers. Two loggers working up there said they questioned that type of logging for a watershed, and then they mentioned that it would also be aerial sprayed with pesticides. An expert who I talked to said that it is easy for these pesticides to enter the water and that spraying them near a drinking water source, as well as a salmon spawning habitat, is irresponsible.

Between 2003 and 2014, 82% of this watershed was clearcut, and the logging continues. After walking into the Jetty Creek watershed, an expert in forestry practices who I know made the following observations: (1) This is an inappropriately high percentage of logging for a drinking water source; (2) Logging was done across tributary streams that feed into Jetty Creek, leaving no buffers; (3) Because of clearcutting and the lack of adequate remaining natural buffers to stop sediment from entering the creek, there is a higher risk for excessive water turbidity; (4) Steep slopes adjacent to the creek that have minimal vegetative buffers are already showing evidence of large earth movement and slope failure. This area already has a history of slides. See [SLIDO: Statewide Landslide Information Layer for Oregon](http://www.oregongeology.org/slido/)
www.oregongeology.org/slido/

Many times after heavy rains, I have seen the water in Jetty Creek looking like the color of chocolate, which indicates excessive turbidity. The operations manager for the Rockaway Beach water treatment plant, located at Jetty Creek, told me that sometimes it is difficult to make safe drinking water due to high levels of turbidity. High levels of turbidity require increased use of chlorine in the water to counter the effects of the additional organic material. Unfortunately, chlorine and organic material react to form carcinogenic substances known as trihalomethanes (THM's). Between 2003 and 2014, Rockaway Beach had more THM violations of EPA standards than any other town on the Oregon Coast. Before clearcutting of the Jetty Creek watershed began in 2003, there were no THM violations, but since then, because of these violations, Rockaway Beach has had to spend about \$1.5 million to update its water treatment facility.

Logging of the Jetty Creek watershed has been done with little consideration for the impact on the people and fish who depend on it. In its present, clearcut state, too much water runs off in the winter thereby leaving too little water for the summer when there is more demand. Rockaway Beach does have backup wells, but these are located under the Nedonna Beach residential area where most of the houses have septic tanks, many of which are old and likely leaking. These wells go down only about fifty feet and, since they are adjacent to the ocean and below septic tanks, there is a risk of microbial, nitrate, or saline contamination of the water.

According to an expert, people who live near sites that are aerial sprayed with pesticides may be directly exposed to them, since winds blowing over the ocean frequently change direction. Some people who live near areas that have been sprayed mention smelling the spray solution. Employees of the Oregon Health Authority and the EPA have told me that if you can smell the spray, you have been exposed to it. All told, privately-held industrial forest that is subject to aerial spraying is directly adjacent to many residential areas in the ten miles between Jetty Creek and Garibaldi.

The existing notification system for upcoming aerial spraying is totally inadequate in that the “window of opportunity” when this work can be done is too large. Currently, most people get no timely warning about spraying other than the sound of the helicopter. That does not allow residents to take precautions, such as leaving town, shutting their windows, or keeping their pets and children inside. Another problem related to the poor notification system is that the Oregon Department of Forestry does not communicate with DEQ regarding spray activities. This makes it nearly impossible to do effective air and water testing.

I have heard people responsible for industrial forestry methods refer to the importance of cost-benefit analysis in deciding how to manage a forest, but in doing so, they don't seem to place much emphasis on maintaining high quality drinking water, public health, or fish habitat. In summary, current forest

regulations have allowed the Jetty Creek watershed to become compromised in its ability to supply clean and safe water. That is why I support this bill that is before the Oregon State Legislature.

To be specific, the following components of the bill would have prevented the unfortunate situation at Jetty Creek:

- 1) Section 2, page 3: Numeric criteria established by BOF, based on the best available science (with consultation with DEQ and ODFW) to limit cumulative effects and protect (among other things) water quality and flow, natural forest cover, extent of late successional old growth forest, road density, maximum annual timber harvest area expressed as a percentage of forestlands (NOT plantations), etc.
- 2) Forest Management Plans (Sections 2, 3, 4 & 5). Timberland owners of 5,000 acres or more would be required to develop 10-year plans that demonstrate compliance with numeric criteria established in Section 2. Public may comment and object and then be granted a hearing about the contested portions of the plan.
- 3) Riparian Buffers. (Page 7, Section 8.) See details re: fish and non-fish streams. Greater buffers would have limited or reduced sediment.
Ditto for the Road Management Plan requirement. (Section 9, Page 8). Requires landowners to identify problem roads and then stormproof or decommission them.
- 4) Section 11: Local governments may enact and enforce ordinances or regulations that provide greater protection as established in Section 2 above for soil productivity, water quality and flow, fish and wildlife and other public trust resources on forestlands within the jurisdiction of the local government.

Thank you for your consideration of this bill.

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