

Testimony of Jon A. Souder, Ph.D. on HB 2594

Chair Helm, and members of the Committee, for the record my name is Jon Souder and I'm the forest watershed extension specialist and assistant professor in the College of Forestry at Oregon State University. I'm here on my own accord and not representing OSU.

Over the past three years I've been the principal investigator for a study funded by the Oregon Forest Resources Institute called "Trees To Tap" evaluating the effects of active forest management on drinking water quality. There are 337 public water systems in Oregon that rely on surface water as their primary source; these systems supply about 3.5 million Oregonians. Of these, 156 systems are classified under Oregon statute as Community Water Supplies (CWS), those serving 15+ hookups and 25 persons year round. In addition, there are countless private domestic water sources that also rely on surface water on streams traversing their property.

The 156 community water system source watersheds are predominantly forested, around 80%. Industrial forest companies own 34% of the areas of these source watersheds, with another 10% owned by state and local governments, and about 15% woodland and rural residential owners. Thus, about 60% of the area within community water system source watersheds is regulated by the Oregon Department of Forestry under the Forest Practices Act.

The Trees To Tap project involved a rigorous science review focusing on the effects of active forest management (harvest, forest roads, and revegetation) on four areas: (1) changes in water quantity and timing; (2) sediment and turbidity; (3) forest chemicals; and (4) natural organic matter and disinfection byproducts. We reviewed over 750 peer-reviewed journal articles and reports related to these topics, with each area resulting in a chapter in the report, soon to be published as a book by OSU Extension Communications. We also surveyed all 156 community water systems, asking about their concerns related to drinking water source protection. Not surprisingly, forest management rose to the top of their concerns. We were not asked to, nor did we, evaluate the efficacy of the Forest Practice Act to protect drinking water quality.

I became involved with the topic of this bill when one of Rep. Williams' constituents, Steve Graeper, participated in a webinar about the project and suggested to Rep. Williams that I could help resolve a problem he was having as a director of a small water utility. I did some background research on how streams that provide domestic water were designated, and how CWS are addressed in the FPA regulations and guidance. I particularly examined guidance that ODF provided to their foresters on the designation of Type Domestic streams. These designations for community water supplies were made in the late 1970s through mid-1980s, and were "grandfathered" into the current framework. During the designation process, ODF Forest Practices Foresters (now Stewardship Foresters) were instructed to use their "best judgement" to determine what sections of streams above water intakes needed protection as domestic water sources. Subsequent guidance in the 35 years since 1986 has not resulted in substantive changes to these designations. Moreover, current guidance prohibits designating tributaries to these streams as Type D even though the original guidance allowed for this.

Chair Helm and members of the Committee, as called for in the Forest Practices Act, the "best available science" related to forestry and drinking water has evolved and improved in the last 35 years and it seems prudent and justified to revisit the regulations and procedures for protecting drinking water during forest operations. This bill's amendments would provide for this.