



Water Quality is Effectively Protected Through BMPs

Water quality is most effectively managed through best management practices tailored to local conditions by the states

- EPA spoke clearly and reasonably in 1976 when it declared that silviculture activities are nonpoint sources, with the exception of four specific point source activities. (40 C.F.R. 122.27)
- EPA recognized that, “numerous forest practices acts, State environmental programs, and local ordinances are excellent sources of effective regulation and... such State and local expertise is the critical factor in the development of the areawide plans for water pollution... [I]ncorporating BMPs should effectively prevent and abate water pollution from silvicultural activities.” (emphasis added) 41 Fed. Reg. 24709, 24710 (June 18, 1976).
- BMPs throughout North America are based on a common set of science-based principles. States apply general principles to their own circumstances and needs. For instance, Oregon's BMPs include guidance for constructing roads in landslide-prone areas that is not relevant in states such as Florida that do not have landslide-prone terrain.
- Studies demonstrate that BMPs currently in use significantly reduce environmental impacts and effectively protect water qualityⁱ.
- As an example, since 1997, ongoing monitoring in the southern states shows continuous improvement in use and effectiveness of BMPs in that region.
- EPA lists forestry as contributing to impairment in only 4% of impaired river and stream miles in the U.S.ⁱⁱ

Private forests are conserved through viable markets and stable legal, tax, and regulatory climates

- In the U.S. over 10 million forest owners own and manage nearly 450 million acres of private forest, comprising nearly 60% of all forestland in the country.
- The greatest threat to maintaining private forests in the U.S. is increasing competition from non-forest uses that produce a higher economic value.
- The families, businesses, and individuals that own and manage working forests depend on reasonable returns from products their forests produce and a stable tax and regulatory environment to afford the investments that keep their forests sustainable and economically competitive with other land uses.
- When markets are strong, or when new markets like energy emerge, private working forests are competitive with other uses. However, increasing regulatory costs and legal risks eventually make forestry less affordable and ultimately tip the balance in favor of non-forest uses.

Forests protect water quality. Conversion to other land uses is the greater threat to water quality.

- Water quality from managed forests using appropriate BMPs is typically high. Management activities can have limited short term impacts on water quality that do not harm long-term water quality, especially when viewed over the life-cycle of the forest.
- An NPDES permit will not have any incremental environmental benefit because it will likely mirror current best management practices.
- An NPDES permit will create additional costs and legal exposure and could force the conversion of forested land to other land uses, negating the water quality benefits of forests.

ⁱ Ice, G.G. 2004. *History of innovative Best Management Practice development and its role in addressing water quality limited waterbodies.* *Journal of Environmental Engineering* 130(6):684-689.

ⁱⁱ U.S. EPA. *National Water Quality Inventory Report to Congress.* Available at <http://water.epa.gov/lawsregs/guidance/cwa/305b/index.cfm>.