



## Providing Opportunity to Family Forestland Owners

November 5, 2014

To: Board of Forestry and Environmental Quality Commission

From: Scott Hanson, President, Oregon Small Woodlands Association

Re: Riparian Rulemaking Process

1. From the September 3 Board of Forestry meeting after much debate and at least some doubts expressed by some Board members, the ODF was directed to develop prescriptions for a new riparian protection rule. OSWA was disappointed with this decision because we believe the effects of canopy opening can increase fish biomass and the current rules are more than adequate to protect fish habitat in forest streams. We are committed to follow the continuing rulemaking process and will voice concerns when appropriate. The mood surrounding the decision at least signals the Board to go very slow and get it right.
2. OSWA's view is unchanged that no one has demonstrated the Oregon Protecting Cold Water criteria has a basis in science. It is a pure policy call; a "line in the sand" if you will where EPA simply recommended a strict "no man caused" temperature increase and it was adopted. The purpose of the Protecting Cold Water criteria is to protect water quality for fish. Somewhere in this discussion fish health has been entirely left out. The focus has been entirely on temperature instead of what it should be on, what is best for fish.
3. OSWA's position is to follow the science on the relationship between canopy opening, changing stream temperature and fish health.
4. We believe the policy process should include the response of fish to temporary canopy openings based on research studies. A number of studies show increasing fish biomass with canopy opening. Attached to my testimony are graphs from two landmark studies, Hawkins et.al., 1983 and Murphy and Hall et.al., 1981 that show the difference in trout and salmonid biomass in reaches with less shade compared to greater shade. Openings generated considerably more fish biomass. So there is a tradeoff where less shade can be beneficial to fish versus how less shade impacts the stream temperature.

In summary, the Board of Forestry should not take any action without first evaluating the impact of that action on the beneficial uses of forest streams, fish. Oregon does not need larger stream buffers or other onerous regulations to protect fish. More appropriate would be voluntary measures that modify existing retention targets in current riparian areas. I am eager to hear what prescriptions come out of our Regional Forest Practice Committees. An approach that utilizes the knowledge of foresters with practical solutions for unique situations on the ground is much preferred over the use of models that try to predict outcomes without the benefit of each areas unique circumstance. OSWA supports the Board's decision to use Regional Forest Practices Committees for this purpose.



## **Providing Opportunity to Family Forestland Owners**

Thank you for considering OSWA's input.