



Providing Opportunity to Family Forestland Owners

March 20, 2014

To: Environmental Quality Commission
RE: Oregon Cold Water Criteria

My name is Jim James. I am Executive Director of the Oregon Small Woodlands Association (OSWA). OSWA is a membership trade organization that represents the interests of Oregon's 140,000 family forest owners. We have county chapters throughout the state, with about 3000 members. There are 4,668,000 acres of family forestland in Oregon which is 44% of the private forests in the state.

OSWA supports Oregon's Forest Practice Act (FPA) and our members willingly contribute nearly 10% of their forest value to the protection of water quality and other public values. We support these laws because they are based on science and common sense. I assume you are aware that Oregon's Board of Forestry is in a rule making process to evaluate whether the Oregon's FPA's riparian protections for small and medium fish bearing streams are adequate to meet the Cold Water Criteria established by the EQC over a decade ago. The criteria states there can be no man caused water temperature increases above 0.3 degree Celsius. A recent study, titled RipStream, shows when riparian areas are harvested to the minimum requirements in the FPA, stream temperatures show an average increase of 0.7 degree Celsius, 40% of the time. This is a potential violation of the current Cold Water Criteria set by the EQC.

RipStream is not the only study being done on forest streams. There are several paired watershed studies (Asea, Trask River, and Hinkle Creek) that also provide new scientific information about stream temperatures and more importantly these studies, unlike RipStream, also measure the impact on the beneficial uses of forest streams, fish. These studies are showing that minor increases in temperature can actually be beneficial to fish and these increases are temporary in a forest setting. This new information suggests the EQC may have made a mistake over a decade ago when they set the Cold Water Criteria to apply everywhere salmon, steelhead and bull trout are present.

OSWA supports the FPA because it is based on good science, as I hope you would agree it should be. It would be a travesty if good science was trumped by a poor public policy developed over a decade ago without the benefit of today's scientific knowledge.

It is my understanding that the Clean Water Act allows modifications to criteria when there is new evidence about the beneficial use of streams. There is no degradation when the beneficial use is not negatively impacted. OSWA requests the EQC review the current Cold Water Criteria taking into consideration all the science about forest streams that is now available. Please take this request seriously. Thanks for the opportunity to make public comments.

Jim James
Executive Director
Oregon Small Woodlands Association