June 19, 2014

The Oregon Board of Forestry
Oregon Department of Forestry
2600 State Street
Salem, OR 97310

Dear Board members:

As leaders with the Oregon Society of American Foresters (OSAF), we wish to provide a few comments related to the Board of Forestry’s current riparian rulemaking and the Rule Analysis Workshop on June 23. For background, The OSAF has nearly 1,000 members and is the largest state affiliate of the national Society of American Foresters (SAF). The SAF supports and represents the forestry profession in advancing the science, education, technology, and practice of forestry. OSAF members work throughout the state in a variety of organizations, including local, state and federal agencies, higher education, as well as the private sector.

Many OSAF members are directly involved with planning and administering forest operations that must comply with Oregon’s Forest Practice Rules, and thus they are primary stakeholders in the current rulemaking process. However, we must emphasize that OSAF provides an independent, professional perspective rather the views of our members’ employers, public or private. And although OSAF has not taken a formal poll or position on the rulemaking that is underway, our comments here are expected to be generally consistent with the views of the broader OSAF membership. A formal member-endorsed position statement on “Managing Riparian Forests” (available at http://www.forestry.org/oregon/policy/current/) supports this expectation.

We understand that the current rulemaking was initiated by the Board in January 2012 when it concluded that the RipStream study provided evidence of the degradation of resources, in that the existing forest practice regulations do not insure that the state water quality standard for protecting cold water (PCW) on small and medium fish streams. The Board has taken considerable time in the subsequent rulemaking process, but we believe this is important given the existing technical and socioeconomic complexity of the issue of forest stream protection. And although we question the original decision to initiate rulemaking, we support the deliberate and cautious approach the Board has used to date, including its interest in gathering substantial and current technical, policy and stakeholder information at the June 23 Workshop.

As the Board considers the information presented on June 23, we hope that it recognizes the following notable points about the relevant science, policy and practices for forest stream protection in Oregon:

- The current rules have been broadly effective in limiting stream temperature increases to relatively small and temporary changes that are within the range of natural variability for productive forest watersheds.
• There is no compelling evidence of wide-scale impacts to fish populations and general water quality under the current rules. In contrast, recent study findings provide good evidence of effective production and protection of fish and water quality.

• The PCW standard inadequately accounts for natural spatial and temporal variability in forest stream temperatures and also for achieving a beneficial balance of temperature and aquatic productivity through active riparian forest management.

• Given the forest stream densities in western Oregon, the Riparian Management Areas (RMAs) represent a substantial land area and forest asset for private landowners in the region. An increase in required tree retention through rule modifications would have substantial socioeconomic effects while having relatively limited positive benefits for fish and water quality.

With these points in mind, we believe that the Board’s rulemaking should continue to proceed with caution and that attention be focused on possible rule refinements to address site-specific situations where minor adjustments to the stream shade requirements may be desirable. To be most cost-effective, such rule changes would benefit from further research and monitoring that are more pointedly designed to identify and model the RMA characteristics that achieve a desirable level of protection. In the interim, as more targeted data and information are gathered, it may be appropriate for the Board to consider adopting voluntary or other measures that provide flexibility to forest managers and owners to deal with site-specific conditions and concerns.

Thank you for your attention to our comments. If you have any questions or if OSAF can provide any assistance to the Board regarding this important issue, please do not hesitate to contact us.

Sincerely yours,

Richard Powell, Oregon SAF Chair

Paul W. Adams, Oregon SAF Policy and Legislation Committee Chair