



Woodland Owners Who Love Their Land

Testimony to Board of Forestry
September 7, 2016

My name is Jim James. I am the Executive Director of the Oregon Small Woodlands Association. Let me start by congratulating the Oregon Department of Forestry for their leadership in developing rule language for the new riparian rules you adopted last November. OSWA supports all of the department's recommendations to you on the rule language with the exception of the percentage threshold when a parcel would be eligible to use the relief prescriptions. As you know, the 10% threshold you approved in November was made without any detail about the impact to Salmon, Steelhead, and Bull Trout or to the landowner's impacted. ODF has done a good job of providing you with the information about how many parcels will be impacted by the new rules at different levels of relief, how many acres of forestland will be impacted, and how many miles of SSBT streams could have relief buffers. My testimony is based on ODF's work.

I believe the Board intended to provide relief to landowners who were disproportionately impacted by the new rules and by using the relief prescriptions these parcels would have negligible impact on fish. A 4% threshold for relief provides that relief with no negative impact to fish.

From ODF's data you can see that mathematically at 10% threshold 4% of SSBT streams could get the relief prescription. At 8% it is 6% and at 4% it is 15%. What if the new rules only allowed 1% of SSBT streams to use the relief prescription at any given time. Impact at any given time would depend on how much harvest takes place. Harvest from family forest owner property is predictable. It has been relatively consistent for the 53 years data has been collected.

- There are 2,250,000 acres of non-industrial forestland in the 16 counties regulated by the new SSBT stream rules.
- There are 105,268 acres of non-industrial forestland with SSBT streams – 4.6% of total
- The harvest from these 2,250,000 acres is predictable: Averages 348 MMBF over the last 53 years, was 500 MMBF in the last three years, and when one takes the most harvest ever from each county in any given year (not the same year) it is 650 MMBF.
- Because of the historical non-industrial harvest strategies and the fact that these parcels are small (average 15 acres) and scattered throughout the 16 counties with new riparian rules it is fair to predict this pattern will not change. Why would it?

- Worst Case Scenario – The maximum harvest ever in each county (650 MMBF) times the proportional acres represented by SSBT acres (4.6%) means the annual harvest could be 30 MMBF
- Worst Case Scenario - All 30 MMBF is clearcut harvest averaging 30 MBF per acre (it would probably be more) then the total acres harvested in SSBT acres is 1000 acres.
- Average parcel size is 15 acres so that would represent 67 parcels scattered throughout 2.25 MM acres.
- From ODF data there is an average of 820 feet of SSBT stream on each parcel with greater than a 4% relief threshold.
- That means those 67 parcels would represent only 0.4 % of the total SSBT stream miles at any given time. Much less than 1%.

And let us not forget:

- RipStream results: Following the old rules PCW temperature exceedances could be anticipated 40% of the time following a clearcut timber harvest with an average increase of 0.7 degree Celsius and temperatures return to normal within a short period of time.
- Paired Watershed studies prove this potential minor increase has no negative impact to fish
- The Relief requirements exceed the old rules by 130% on small streams and 24% on medium streams so any increase in temperature is unlikely or extremely small.

So the impact of SSBT streams with a 4% relief threshold is much less than 1% of the total SSBT stream miles. With this in mind, why should you ask landowners to give up more of their assets for no benefit to any fish species. The 2323 parcels that could use the relief prescription at 4% relief belong to real people with real needs who count on their forest to provide needed income from time to time. Please take a reasonable approach to landowner relief and select the 4% impact when a parcel can be eligible to use the relief prescriptions if they choose to do so.

Acres 35,075 8180 A907 105,268 Ac.
 Ave. Size 15Ac. 8Ac. 5Ac. 30Ac.

Table 3: Distribution of encumbered parcels by percent of additional encumbrance (>2.1%) and parcel size.

Parcel Size (Acres)	Additional Encumbrance																	Total # of Parcels		
	2.1-3%	3-4%	4-5%	5-6%	6-7%	7-8%	8-9%	9-10%	10-11%	11-12%	12-13%	13-14%	14-15%	15-16%	16-17%	17-18%	18-19%		19-20%	>20%
2-10	187	154	160	143	150	122	120	99	87	90	81	81	71	48	47	41	20	22	77	
10-20	100	89	80	68	66	52	32	18	17	14	10	9	9	5	3	0	3	2	1	
20-50	142	153	104	92	43	40	24	16	12	7	7	1	1	0	1	0	0	0	1	
50-100	123	72	52	26	12	2	2	3	1	0	0	0	0	0	0	0	0	0	0	
100-500	133	76	19	5	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	
500-5000	8	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
>5000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Number of Parcels	691	546	415	334	273	218	178	136	117	111	98	91	81	53	51	41	23	24	79	
percent of parcels eligible for relief prescription	3.560	2.869	2.323	1.908	1.574	1.301	1.063	905	769	652	541	443	352	271	218	167	126	103	79	
	45%	36%	29%	24%	20%	16%	14%	11%	10%	8%	7%	6%	4%	3%	3%	2%	2%	1%	1%	
Total Encum. Parcels																				7,885

The additional encumbrance columns represents one percent increments of additional encumbrance starting with 2.1 percent, except for the last column, which includes all encumbrances greater than 20 percent. The first row below parcel size rows shows the totals within a single column. The bottom two rows shows the cumulative number and percent of parcels eligible for relief, i.e., the sum of all parcels with encumbrances greater than that column.

Table 4: Distribution of miles of small and medium SSBT streams by percent of additional encumbrance (>2.1%) and parcel size.

Parcel Size (Acres)	Additional Encumbrance																	Total Miles		
	2.1-3%	3-4%	4-5%	5-6%	6-7%	7-8%	8-9%	9-10%	10-11%	11-12%	12-13%	13-14%	14-15%	15-16%	16-17%	17-18%	18-19%		19-20%	>20%
2-10	3	5	6	6	8	7	8	7	7	7	7	9	7	4	5	3	2	2	9	
10-20	6	7	8	9	9	9	6	4	4	3	3	3	3	1	1	0	1	1	0	
20-50	17	27	25	24	13	13	9	6	6	4	3	1	1	0	1	0	0	0	1	
50-100	33	26	24	14	8	1	1	3	1	0	0	0	0	0	0	0	0	0	0	
100-500	84	60	21	5	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	
500-5000	15	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
>5000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SSBT Miles	158	134	83	59	40	33	24	20	17	14	14	13	11	6	7	5	3	3	10	
Cumulative miles and percent of streams with relief prescription	653	496	361	278	219	180	147	123	102	85	71	57	45	34	28	22	17	14	30	
	28%	21%	15%	12%	9%	8%	6%	5%	4%	4%	3%	2%	2%	1%	1%	1%	1%	1%	0%	
Total SSBT Miles																				2,355

The additional encumbrance columns represents one percent increments of additional encumbrance starting with 2.1 percent, except for the last column, which includes all encumbrances greater than 20 percent. The first row below parcel size rows shows the totals within a single column. The bottom two rows shows the cumulative number and percent of SSBT streams with relief prescriptions, i.e., the sum of all miles on parcels with encumbrances greater than that column.

