OREGON SMALL WOODLANDS ASSOCIATION

Woodland Owners Who Love Their Land

January 4, 2017 Testimony to Board of Forestry

My name is Jim James. I am the Executive Director of the Oregon Small Woodlands Association. The department's economic analysis focuses on the impact to all of Oregon. Let us not forget the disproportional economic impact to forest owners with small parcels when their property has an SSBT stream. Last September, the board authorized the department to proceed with a rule making package with relief for parcels impacted by the new rules by 8% or more. As you recall, I lobbied for a 4% threshold.

In retrospect, I do not think I did a very good job of explaining my rational to others to get other's support for a 4% relief decision. I do believe the harvest by the total 2323 parcel owners who could get relief at the 4% threshold is predictable based on historical harvest data and how these 2323 parcels are scattered throughout the 2.25 million acres of non-industrial forest land with SSBT streams. The impact to SSBT streams is also predictable. It shows an insignificant impact to SSBT streams with a 4% relief threshold.

The Riparian Rule Advisory Committee will meet again on February 16th. It is my intent to work with the committee members and ODF staff, explain my rational, and try to find a consensus on a relief threshold different that the 8% authorized by you. What I ask of the board, at this time, is to keep an open mind about the proper relief threshold. I will be back at a future board meeting asking for something different than 8% with a clearer explanation than I presented last September. FYI, I included a copy of my September testimony with some details of my rational. My basic rational has not changed, but I hope to present it in a way that will be easier to understand and hopefully with support from others on the Riparian Rule Advisory Committee.

If you recall, in September, there was a discussion of not wanting to unravel the hard work of the Riparian Rule Advisory Committee on the consensus the committee worked so hard to achieve. I know as a member of the committee, I appreciate the board's recognition of the work that went into that effort. However, the relief topic was never part of that consensus and I see this topic as a complete standalone issue.

I will continue to remind you that the 2323 parcels that would get relief at the 4% threshold belong to real people, with real financial impacts when a portion of their assets are lost. The relief prescriptions will dramatically increase the number of trees required to be left in their riparian areas. Only 1083 parcels will get relief with the 8% threshold. I believe the 1240 parcel owners that would be added at a 4% threshold deserve a second look.

Thank you for the opportunity to testify. I look forward to a continued conversation on this topic.

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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 belief the Board intended to provide relief to landowners who were disproportionally 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 of data that 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?

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- 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 that 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.