

Dr. Stephen Hobbs, Chairman
Oregon Board of Forestry
2600 State Street
Salem, OR 97310

RE: Agenda Item #4: Forest Regulation-Issue #6

- **Rule #3 Riparian management above fish barriers**
- **Rule #4 Wood from debris flows and landslides**

July 28, 2006

Dear Chairman Hobbs and Board Members,

Welcome to Baker City and thank you for this opportunity to comment on Forest Regulation - Issue #6. For the record, I am Randell Guyer, a local chapter member of the Oregon Small Woodlands Association. I am here today to comment on behalf of our statewide membership and to share perspectives of a landowner class representing close to half of all privately-held forestland in Oregon.

The Oregon Small Woodlands Association respectfully asks the Board to take no action today on Rule Concepts #3 and #4, in favor of a rigorous analysis of a subtle but very real and dramatic shift of responsibility from the department to the landowners on resource sites.

This shift contemplates an historic operational change in the relationship between landowners and the department that is provoking much discussion among landowners and legislators, and it is deserving of further analysis before Board action. Additionally, in recognition of this shift, OSWA would strongly urge the Board to concurrently develop rule guidance. While this has not been the past practice of the department, OSWA would suggest it an appropriate approach in this circumstance.

Neither the effort to protect riparian sites nor the need to promote the delivery of large woody debris (LWD) is at issue. As an organization, OSWA shares the goal of increasing active management by landowners in riparian areas. However, the current situation is that many landowners, especially family forestland owners, choose a default position of *no* management in riparian areas, despite the department goal of increasing active management in these resource-sensitive areas. OSWA membership surveys consistently show a frustration with complicated rules that likely have a strong correlation with a landowner's decision to provide no management. Carrying this forward, adoption of Rules #3 and #4 today may well provide more *disincentives* to landowners rather than encourage a move toward active management.

OSWA requests the Board delay action on rule adoption today in order to take advantage of an opportunity to respond to legislators and positively engage them as stakeholders to work to ensure there are funds made available to achieve desired future conditions on the ground. We're committed as an organization to develop the best and most effective rules. The best way to do that is with a well-funded department that includes riparian specialists and stewardship foresters. Rather than a shift in responsibility to the landowners to identify resources requiring additional protection for public purposes, there should be a shared responsibility that includes the department and the legislature.

Thank you.