

**TESTIMONY OF
ALAN HENNING, FOREST TEAM, WATERSHED UNIT,
ENVIRONMENTAL PROTECTION AGENCY, REGION 10
BEFORE THE OREGON BOARD OF FORESTRY, November 5, 2015**

Good morning, Chair Imeson, and Board Members. My name is Alan Henning. I'm one of the Forest Team representatives for the US Environmental Protection Agency's Region 10 Office and I work on the review of Oregon's Coastal Non-Point Pollution Control Program as it relates to meeting requirements under the Coastal Zone Act Reauthorization Amendments, CZARA. Thank you for the opportunity to share my thoughts with you.

EPA has provided written and oral testimony on:

- a. The need for greater riparian protections for streams in both Western and Eastern Oregon;
- b. the need for greater protection on all fish bearing and non-fish bearing streams, not just SSBTs;
- c. the importance of the State's Protecting Cold water Criterion; and
- d. the high value of ODF's analysis of Ripstream results.

Today, I want to touch on a couple of key points in the Packages developed by the Board's Subcommittee.

However, before doing so, EPA would like to express its sincere thanks to the Board and ODF's management and staff for the work you have done on the entire riparian rule review process. I am sure you and the staff have put in countless hours beyond the call of duty in addressing this critical issue.

Key elements of the Subcommittee's Packages

Package 1

1. EPA appreciates the fact that the Geographic regions covered in the Package 1 proposal include those areas needing to be addressed under CZARA.
2. We also appreciate that Package 1 includes protections for streams above the SSBT streams, however we are concerned that 1000' will not be enough distance to attenuate heat loading from waters above SSBTs.
3. While we think that the 90' no cut buffers on S&M SSBT streams moves in the right direction, 100' and 110' no cut buffers provide a much greater certainty that the State's water quality standard, Protecting Cold Water Criterion, will be met.

4. Package 1, Option B, provides a thinning prescription for a 100' RMA. At the September Board meeting, ODF indicated that a .33°C. increase would result from the application of this prescription. EPA's analysis, using ODF's methodology, shows that an increase of .56* C. would occur. I would be happy to provide you with a copy of our analysis.

Package 2

1. Package 2 does not include the Siskiyou Geographic Region. The Siskiyou Geographic Region is part of the State's Coastal Non-Point Pollution Control Program and is covered by CZARA. If this region is not included in the riparian rule revisions, other steps would have to be taken to address the need for greater riparian protections in this area to meet the CZARA requirements.
2. EPA is concerned that Package 2 includes no increased riparian protections for waters above SSBTs.
3. EPA is concerned that the no-cut riparian buffers of 50' and 70' for small and medium sized fish bearing streams respectively will not meet the State's Protecting Cold Water Criterion.

I thank you again for the opportunity to provide this testimony.