

## **November 5, 2015 Board of Forestry Streamside Buffer (Riparian) Rule Analysis Decision Summary and Frequently Asked Questions** *(NOTE: Use with the BOF Decision document)*

### **Summary**

- The Oregon Board of Forestry ruled to increase streamside buffers on many streams in western Oregon. The decision will apply to streams that are:
  - West of the crest of the Cascades but not in the Siskiyou region; and
  - Classified as being a small or medium fish-bearing stream by the Oregon Department of Forestry (ODF); and
  - Determined to support salmon, steelhead or bull trout.
- This decision will increase buffer widths on applicable streams by 10 feet and more than doubled the amount of trees to be left uncut.
- The decision included options to provide economic relief for smaller parcels and to provide an alternative prescription for streams that run in an east-west direction.
- Rules must still be written on this decision and may take over a year to be formalized. This process will allow public review and input.
- For all other streams, the current rules will continue to apply.

### **Questions & Answers**

- **Why did the Board make this decision?** This decision was based on ODF monitoring results that showed rules falling short of the protecting cold water (PCW) standard, a Department of Environmental Quality (DEQ) temperature requirement. This standard requires that stream temperature not rise more than 0.5°F Fahrenheit due to activities such as logging.
- **How did this decision occur?** Stream temperature monitoring results have been presented to the Board since 2009. In 2012, the Board considered the need for new rules. Since that time the Board has heard testimony from ODF staff, scientists, stakeholders, and other state and national agencies that influenced its decision.
- **Does this decision apply immediately?** No. Rules must still be written, likely become effective in 2017.
- **Will streams near me be affected?** Streams that meet all of the following conditions will be affected: (1) located west of the crest of the Cascade Mountains (excluding the Siskiyou region); (2) classified by ODF as being fish-bearing and small or medium in size; and (3) determined to support salmon, steelhead or bull trout. ODF will make maps available that will help you to see if a specific stream might meet these criteria. How these determinations are to be made will be decided as part of the rulemaking process.
- **Why was the Siskiyou region excluded?** This decision was based on scientific data collected in regions outside of the Siskiyou. The Board determined it inappropriate to apply the same protection measures given the differences in vegetation and stream characteristics in this region.
- **How will economic impacts be included in this rulemaking process?** Consideration of economic impacts is a required part of the rule making process. ODF is currently working on an economic impact analysis.
- **What if the new rule will affect a large part of my property?** The Board decision has sought to provide relief for landowners with small lots next to such streams.
- **How can I provide input on future rulemaking?** The public may provide comments at public hearings on draft rules. These hearing are expected to occur later next year. An advisory committee has also been appointed that includes members from the public likely to be affected by the rule. Public can attend committee meetings. Additionally, written or emailed comments can be submitted to ODF at any time.

### **Questions or comments?**

- Email: [forestryinformation@oregon.gov](mailto:forestryinformation@oregon.gov), subject "Stream Rules"
- Online: <http://www.oregon.gov/ODF/AboutODF/Pages/Comment.aspx>
- Mail: Oregon Department of Forestry, 2600 State Street, Salem, Oregon 97310. Attn: "Stream Rules"