

March 1, 2016

Oregon Board of Forestry  
2600 State Street  
Salem, Oregon 97310

RE: Public comment on Siskiyou Region Exclusion to Streamside Buffer Proposal

Oregon Board of Forestry Members,

The Applegate Partnership & Watershed Council and the undersigned organizations and individuals share a common commitment to the health of Rogue Basin watersheds and the species and communities they sustain. With this goal in mind, we request that the Oregon Board of Forestry extend its November 2015 proposal for streamside buffers on private forest lands to the Siskiyou Geographic Region as defined by the Oregon Forest Practices Act's implementing rule. (OAR 629-635-0220).

The new riparian rule proposal is intended to fulfill the Board's obligation to meet the statewide Protecting Coldwater Criterion (PCW) of Oregon's water quality standard for stream temperature on small and medium streams bearing salmon, steelhead and bull trout, and is expected to take effect in January 2017. The new rule will allow harvest of fewer trees within larger Riparian Management Areas ("buffers") to protect shade and limit harvest-caused stream temperature increases to 0.5 degrees Fahrenheit (0.3 degrees C) or less. As we understand it, this important limit on stream heating applies equally to human activities in the Siskiyou as to other regions of Oregon. As you are aware, the current basal area retention standards applicable to the 50 and 70 foot Riparian Management Areas (RMA) along small and medium fish streams, respectively, often translate into on-the-ground no-harvest areas that are significantly narrower: commonly only as wide as the minimum no-cut buffer of only 20 feet. The RipStream study conclusively found that these minimum buffers and a range of other prescriptions compliant with current rules are not adequate to meet the PCW.

The two harvest prescription alternatives in your new proposal will both lead to wider, more effective buffers than are required under current rules. Under the "no harvest" option, all trees within 60 feet of small streams and 80 feet of medium streams would be left. Under the variable retention option some harvest may occur outside 20 feet but the intent is for a sufficient number of trees to be retained well-enough distributed throughout the RMA that adequate shade will be provided. However, private forestland managers in the Siskiyou region will be permitted to continue logging practices that cause stream warming above the PCW.

The Board's stated reason for exclusion of the Siskiyou District is that "it was incorrect to extrapolate data from other state regions with different environmental realities onto Southwest Oregon." (Mail Tribune 1.25.16) However, while the finding of "different environmental realities" is difficult to dispute on its own, it does not logically justify the exclusion of the Siskiyou Region. In the words of a leading aquatic ecologist: "The relationship between shade and stream warming is a fundamental physical

reality. Within temperate forests in the latitudinal range of Oregon, this relationship has never been shown to vary in any consistent way between regions. Hence the premise that the Siskiyou region is inexplicitly "different" is at worst a convenient fiction, at best an unexamined hypothesis that should not govern policymaking." (Personal Communication, Dr. Chris Frissell, Ph.D., February 2016)

The impact of riparian shade on the maintenance of cool stream temperatures is settled science. In 2004, the Oregon Independent Multidisciplinary Science Team found "that the vast majority of published studies document riparian shade has a significant effect on stream temperature." Much of the work in the local watersheds involves projects that directly address pervasive stream temperature elevation through riparian forest restoration. The Medford Water Commission did not give the Freshwater Trust \$8.1 million to shade the streams by planting trees in the riparian zone without solid scientific evidence. Additionally, NOAA's SONCC Coho Recovery Plan specifically states, "of the water quality problems in the middle Rogue – Applegate sub basin...elevated water temperatures is the most pervasive" (31-17). Oregon's long list of streams impaired for stream temperature in the Rogue Basin confirms this.

We are aware that in some respects – such as perhaps the local characteristics of some vegetative species and soils -- that the Siskiyou region of Oregon could fairly be characterized as a "different environmental reality" than the coastal mountains in which the RipStream monitoring project was conducted. But so could the Western Cascade District and the Interior District, yet those areas were included in your rule change. If the Board is insisting that the RipStream data and its conclusions do not apply to a large percentage of the state's forests, the Board should have clearly told the public long ago that the tax dollars spent on RipStream would only benefit a portion of the state's waterways. More importantly, the Board should also have made a plan for addressing the regions it has left out: both the Siskiyou and Eastern Oregon.

In summary, each of us considers it a travesty that the Siskiyou District was the only area in all of Western Oregon to be excluded from what is supposed to be a science-based effort to prevent further degradation of the state's watersheds.

The Board has indicated that it will address the Siskiyou situation at a later date. What is the time frame? A "RipStream" project takes 8 years to complete and longer for the Board to act on, and the last riparian rule revision was over 20 years ago. The existing rule that routinely leads to just a 20 foot buffer is clearly inadequate.

As stewards of one of the crown jewels of our state, we cannot passively accept the health of the Rogue River Basin being traded out of the equation. According to ODF analysis, there are over 900,000 acres of private timberland and almost 1600 miles of anadromous salmon, steelhead and resident trout bearing stream reaches in the Siskiyou Region. We strongly implore board members to revisit their decision to deny the streams of the Siskiyou the protection they need and that the Oregon Forest Practices Act requires you to provide.

Sincerely,



Applegate Partnership & Watershed Council  
Jack Shipley, Board Chair

cc: EPA, DEQ, Local Representatives, ODFW, Jackson & Josephine County Commissioners, OWRD, ODF, Governor's Office

We support the Applegate Partnership & Watershed Council's 3/1/16 letter to the Oregon Board of Forestry regarding the inclusion of the Siskiyou geographic region in the riparian buffer decisions.

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