



Oregon
Stream
Protection
Coalition

Association of Northwest
Steelheaders

Audubon Society of
Portland

Cascadia Wildlands

Center for Biological
Diversity

Coast Range Association

Defenders of Wildlife

Hells Canyon
Preservation Council

Institute for Fisheries
Resources

KS Wild

McKenzie Flyfishers

Native Fish Society

Northwest Environmental
Advocates

Northwest Guides and
Anglers

Northwest Sportfishing
Industry Association

Oregon Wild

Pacific Coast Federation
of Fishermen's
Associations

Pacific Rivers

Rogue Riverkeeper

Sierra Club

Trout Unlimited

Umpqua Watersheds

Washington Forest Law
Center

WaterWatch of Oregon

The Wetlands
Conservancy

Wild Earth Guardians

Wild Salmon Center

BEFORE THE OREGON BOARD OF FORESTRY

9 March 2016

Request to Amend Work Plan to Include:

1) Meeting Protecting Coldwater Criterion in Siskiyou and Eastern Oregon, and; 2) Closing Gaps on Coastal Nonpoint Pollution Control Management Measures under CZARA

The Department's 2016 Private Forests Work Plan is on your consent agenda today. The Oregon Stream Protection Coalition strongly urges you not to approve this Plan until it is amended to include work in two areas:

- 1) Development of a riparian rule to meet the Protecting Coldwater Criterion on small and medium streams in the Siskiyou region of Southwest Oregon and the Blue Mountain and Eastern Cascades regions of Eastern Oregon;
- 2) Development of an approach to strengthening the management measures NOAA and EPA find lacking in their ongoing disapproval of Oregon's coastal nonpoint water pollution control plan under federal coastal zone statutes

Siskiyou and Eastern Oregon. The imperiled salmon, steelhead and bull trout affected by riparian logging on the ~3.5 million acres of private forestland in these regions require your attention. On the contrary, it is your legal duty to act to meet a water quality standard designed to protect them. ORS 527.765 (Board shall develop best management practices to insure attainment of water quality standards); OAR 340-041-0028 (11) (a) and (d) (protecting coldwater criterion).

The Protecting Coldwater Criterion applies statewide to salmon steelhead and bull trout (SSBT) reaches, and to upstream reaches where stream warming limits are necessary to meet the criterion downstream. The best available monitoring and research information presented to this Board supports a finding that the current water protection rules are not adequate to meet this standard statewide. Unfortunately, the 2016 work plan proposes no action to advance riparian protection in Southwest and Eastern Oregon.

Until November, we had hoped that the Siskiyou would be covered by the proposed riparian protection rule now under development because the Board was still considering a rule change for all of western Oregon. But the Board has now decided to exclude the Siskiyou region from the proposed riparian buffer increases, and we see no rational basis for that decision in the record. As indicated by the attached map, there is a significant amount of private forestland and salmon and steelhead stream miles in the Rogue Basin. We strongly concur with Rogue Basin watershed councils and other local organizations that your exclusion decision merits reconsideration.

But regardless of whether you see fit to reconsider exclusion of the Siskiyou in the proposed rule, it is incumbent on this Board not to let the excluded regions languish in limbo. Please commit to taking concrete steps in 2016 toward new riparian rules in Eastern Oregon and the Siskiyou. At the very least, we suggest that the Department assemble the available scientific and technical information relevant to meeting shade requirements in these regions -- a job that could be accomplished through a contract with outside experts.

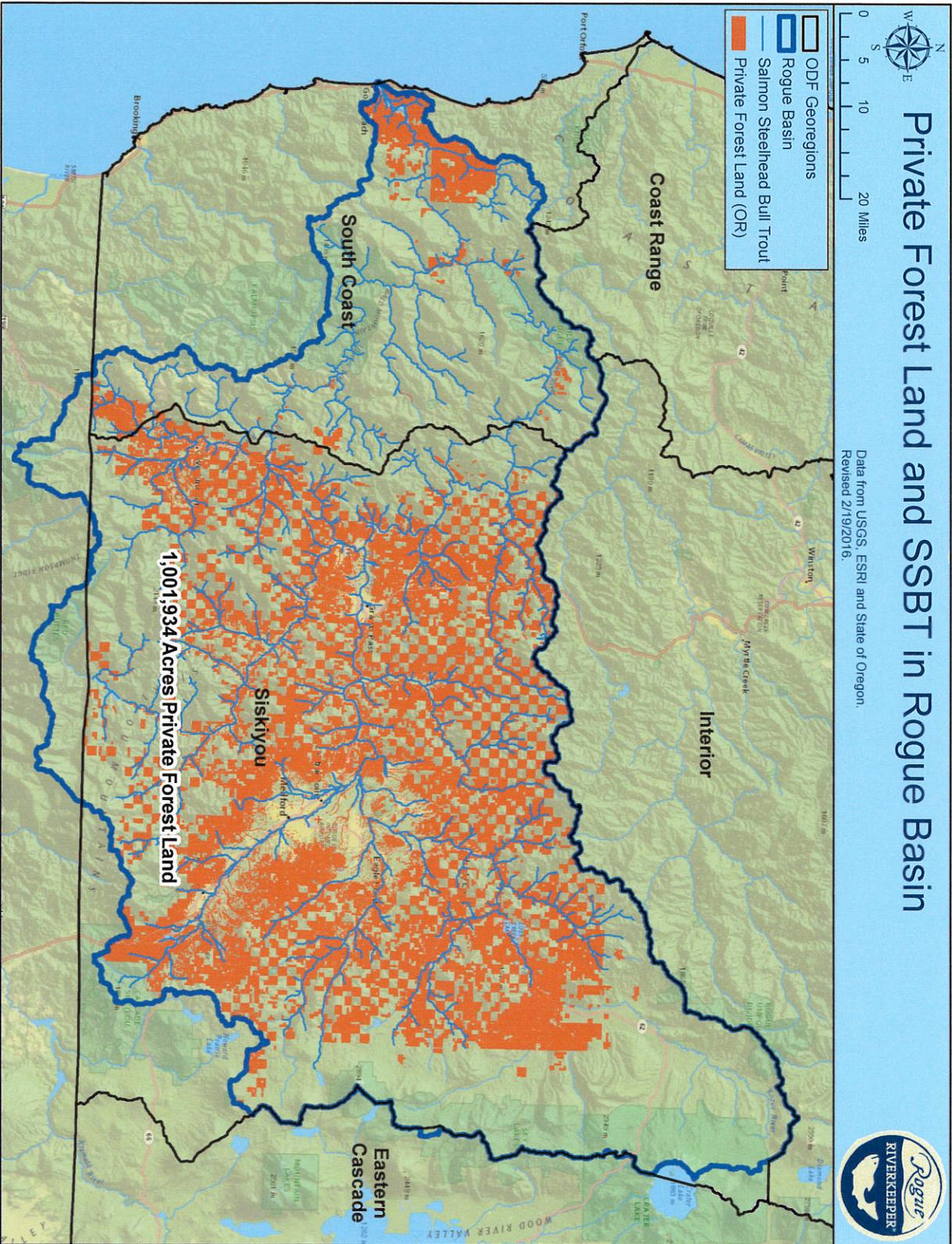
Closing Gaps on Coastal Nonpoint Measures. In January of 2015, NOAA and EPA found that the State of Oregon had not submitted a fully approvable Coastal Nonpoint Pollution Control Program s required by section 6217(a) of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA), 16 U.S.C. 1455b. Most of the reasons specified for disapproval have been on the table since 1998.

We frankly do not understand how Oregon hopes to solve its CZARA compliance problems without the Department's actively working on ways to address each of the issue areas identified by the federal oversight agencies in their ongoing disapproval of Oregon's coastal program. We note that the work plan does address aerial spraying of forest chemicals, largely in connection with new legislation, but the other issue areas listed, as reasons for the federal disapproval are not specifically called out. We urge the Board to chart a path forward that meets the need for increased riparian protection on the many fish-bearing and non fish-bearing streams excluded from the PCW rulemaking and reducing risks across the landscape from unstable slope management and forest roads.

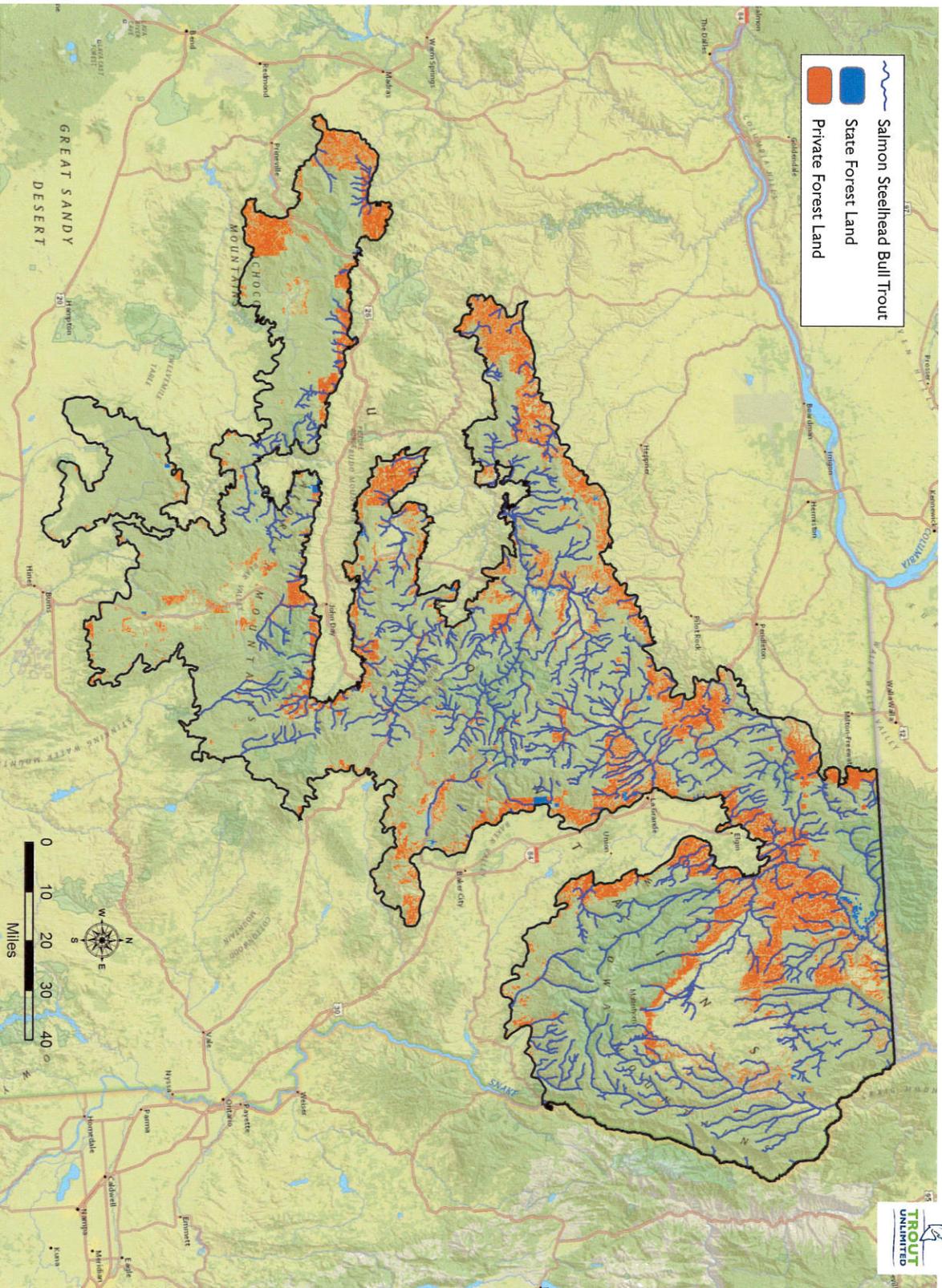
Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Mary Scurlock', with a large loop at the end.

Mary Scurlock, Coordinator



Blue Mountains - Private and State Forest Lands



Attachment 3 to Oregon Stream Protection Coalition Testimony to the Oregon Board of Forestry, March 9, 2016

Eastern Cascade - Private and State Forest Lands

