

## **STAFF REPORT**

Agenda Item No.:	7
Work Plan:	Private Forests
Topic:	Riparian Protections
Presentation Title:	Update on scoping stream side protection review for Eastern Oregon and Siskiyou
Date of Presentation:	July 25, 2017
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### **SUMMARY**

This agenda item presents work completed since the November 2016 Board of Forestry (Board) meeting at which they directed the department to work with stakeholders to formulate a rule review of eastern Oregon and Siskiyou riparian protections. Specifically, described work includes the Department's methods and preliminary results for a suite of analyses, as well as a draft decision framework to help align information for the rule review, and a summary of work with stakeholders.

### **CONTEXT**

The Board of Forestry's (Board) 2011 *Forestry Program for Oregon* supports an effective, science-based, and adaptive Oregon Forest Practices Act (FPA) as a cornerstone of forest resource protection on private lands in Oregon (Objective A.2). The discussion of Goal A recognizes that the FPA includes a set of best management practices designed to ensure that forest operations would meet state water quality standards adopted under the federal Clean Water Act. Similarly, the discussion of Goal D recognizes that the FPA is designed to protect soil and water resources, including aquatic and wildlife habitat (Objective D.6). The Board's guiding principles and philosophies includes a commitment to continuous learning, evaluating and appropriately adjusting forest management policies and programs based upon ongoing monitoring, assessment, and research (Value Statement 11).

### **BACKGROUND**

The Oregon Board of Forestry (Board) and the Department of Forestry are committed to using adaptive management in reviewing (and revising, if necessary) the Forest Practices Act using available science, monitoring and research. In November 2015, the Board of Forestry increased streamside protection standards in western Oregon. The Siskiyou region was not included because of different vegetative and geologic conditions, and the Eastern Oregon region was out of the scope of the science used in the review.

At the November 2016 meeting, the Board finalized the Private Forest Division's Monitoring Strategy. In conversing about the Strategy, the Board discussed the need to address issues in the Siskiyou and Eastern Oregon regions. The Board directed the Department to:

- Develop potential questions regarding streamside protections in the Siskiyou and Eastern Oregon regions;
- Estimate the timeline and resources to address questions for various levels of study rigor; and,
- Work with stakeholders to inform the Department and the Board.

The Board directed ODF to bring this information to the Board in July of 2017. However, due to staffing changes and potential reductions in funding, the Department did not have adequate resources to complete the work for the July 2017 Board meeting.

## **ANALYSIS**

### Department approach to Board direction

To address the Board's direction, ODF developed a project charter (Attachment 5). The Board directed ODF to work with Stakeholders to propose one or more questions and ODF began with disentangling various components of the questions about which the Board will ultimately decide, including:

1. What are the larger topics to address in the review? The department decided it was important to keep these topics at a coarse level to see what concepts stakeholders cared about most, rather than honing specific monitoring questions of which there would be too many upon which to decide.
2. Where should we assess the question(s)? This question includes the following elements:
  - a. Stream type(s) – Fish, Non-Fish, Domestic
  - b. Stream size(s) – Small, Medium, Large
  - c. Geographic regions – Siskiyou, Eastern Cascade, Blue Mountains
3. What type of information (e.g., peer-reviewed journal articles, status and trend data) should we use to assess the question(s)?

### Informational Analyses

The department is working on a suite of analyses to inform the Board's previously mentioned decisions, including:

- Stakeholder Information
  - Survey (see Attachment 4 for the raw survey; data collected, partially analyzed): There were 15 questions, of which nine were multiple choice, and six invited narrative responses.
  - Additional written comments (data collected, analysis not yet started): Some individuals and parties submitted additional written comments on this process.
- Three Board advisory committees (the Regional Forest Practices Committees from Eastern and Southwest Oregon, and the Committee for Family Forestlands) provided letters expressing their perspectives on this process (Attachment 2; data collected but not analyzed)
- GIS Analysis (data collected and analyzed): We assessed the miles of stream sizes (S, M, L) and types (F, N, D, AFHD (anadromous fish habitat distribution)) by ownership and geographic region.
- Voluntary Measures (data collected and analyzed): We created a map based on Oregon Watershed Restoration Inventory data (i.e., the same database for information presented to the Board in June 2017) that illustrates the density of stream restoration projects.

- Harvest type (data collected and analyzed): We created a map of the percent of notifications that were clearcut, grouped in 20% bins. This information helps to assess differences in harvest practices between regions, and the applicability of various rule sets.
- Informational Summary (some data collected, much more to collect, and then start analyzing): We searched for publications that may be relevant to inform e.g., a literature review. Additionally, we asked stakeholders and partner agencies to provide additional, potentially-relevant information. Finally, we will be searching for information that is not necessarily published (e.g., TMDL, status and trend data, large wood or water quality data), yet may be relevant for analyzing to assess rule effectiveness, or help with study design. While we are not completing a literature review as part of this scoping process, we are assessing the potential relevance of all scientific information.

For these analyses, methods and results or preliminary results are presented in Attachment 1.

#### Decision framework/ example decision

The Board will eventually decide on:

- Which monitoring question(s) to address;
- Where to focus the questions (including stream type, size, and geographic region); and,
- What level of rigor with which to address the question(s).

To help the Board make these decisions, we are compiling both the previously-discussed informational analyses, other pertinent considerations, and a framework within which to consider all information in making these decisions (Attachment 3). However, it is important to note that these decisions are ultimately policy decisions - informed by analyses, information, values, and stakeholder perspectives – for which the Board chose to accept the responsibility for making, in the light of potentially sparse, and sometimes contradicting, information.

#### Next steps

Over the coming months, the department will: 1) complete the outstanding analyses; 2) refine a decision-making framework; and, 3) finish any additional work the Board might request to inform their decision-making process. Exactly when this work will be completed depends in part on the to-be-determined 2017-19 budget and associated staffing levels. It is likely we will bring a refined decision-making framework to the Board in November 2017, and the outstanding analyses and any additional Board requests for information to the Board in spring or summer of 2018.

#### **RECOMMENDATION**

This agenda item is informational only.

#### **ATTACHMENTS**

1. Informational Analyses: Methods and Preliminary Results
2. Letters from Advisory Committees of the Oregon Board of Forestry
3. Decision-making Framework
4. Survey of Stakeholders Regarding Eastern Oregon/Siskiyou Riparian Rule Review
5. Charter Work Plan