



## MEMORANDUM

To: Oregon Board of Forestry  
Fr: Mary Scurlock, Oregon Stream Protection Coalition  
Re: Follow up on Private Forests Monitoring Agenda Item, 9/5/18 Meeting  
Dt: 9/5/18

This memo lists and further clarifies a few points that I made on behalf of OSPC at the Board meeting yesterday in response to staff presentations.

### **Implementation Monitoring**

We appreciate the Department's highlighting not just the aggregate "rule division" findings which show very high compliance rates, but the "needs improvement areas" which focus on specific rules affecting Small Type N streams, small wetlands and road-related design and performance objectives. High aggregate compliance rates should not overshadow potential impacts from areas categorized as needing improvement. These findings may well translate into significant environmental impacts given the extent to which small streams, forest roads and small wetlands occur on the landscape. We strongly encourage the Board and the department to follow-up on these items, e.g. with landowner outreach, trainings and additional rigor in day-to-day administration of the rules.

We also have a few questions and concerns that come to mind in response to the compliance monitoring report.

1. Sample size: Is the 100 unit sample size large enough to be either representative or statistically significant?
2. Site Selection: We understand that notification numbers were randomly selected, but because sites are ultimately limited to those volunteered by willing landowners, isn't there high potential for bias in site selection?
3. Methodologies: The details of key observation methodologies not apparent from the report. We understand that the metrics in current ODF guidance for FPA Administration were used, but for example it is not clear to us how the low sediment delivery volumes were estimated visually. We will follow up with staff to obtain the appendices not included in today's report in order to understand this better.
4. Roads and Nonfish streams: The problem areas involving roads and nonfish streams affect significant features on the forested landscape. Road densities and stream densities can be extremely high on private forestlands, and water quality standards and TMDL load allocation do also apply to nonfish streams.

### **Effectiveness Monitoring Projects:**

OSPC has the following concerns and expectations of the the proposed approach were voiced:

- the Western Oregon wood project must explicitly re-examine the scientific basis for the current rule's assumption that the functionality of a 120-year-old forest in riparian areas approximates that of mature forests 80-200 years old and otherwise meets the Board's statutory/ecological objectives.
- for the Western Oregon wood project it is imperative that the Department identify or develop a credible method for modeling wood sources under various management scenarios, including the current one. (The current proposal seems unclear on whether ODF will actually do this).
- for the Western Oregon wood project, the increased occurrence of mass wasting events due to landscape level forest disturbance, and the large-wood-depleted nature of landslide materials emanating from logged slopes, must be acknowledged in assessing wood sources and recruitment and overall conservation needs within riparian zones.
- ODF's Siskiyou Region stream temperature project must seek out literature, data, and analyses accounting for upstream impacts on downstream temperatures. Small and Medium F streams cannot be presumed to be adequately protected only by adjacent riparian protection.
- ODF must examine in its context-setting literature synthesis the ecological basis for the Board's thus far unsubstantiated assumption that RipStream data analysis cannot credibly be used to infer a need for policy change in the Siskiyou due to vegetative and climatic differences. The Board's consideration of this issue so far has been dominated by horse-trading in a rule-adoption forum and has lacked rigorous scientific inquiry into the actual significance of purported regional differences to logical inference about stream temperature and large wood depletion. OSPC technical arguments (Frissell and Nawa 2016) as to why RipStream data and analysis can inform policy in the Siskiyou have received no response, but their merits should be addressed as part of this project. <http://oregon-stream-protection-coalition.com/wp-content/uploads/2016/11/BOF-November-2-2016-Ashland-Testimony-Final.pdf>
- OSPC members believe that action is urgently needed to more effectively protect coldwater habitats as evidenced by poor instream conditions and low fish numbers in many western Oregon watersheds.

OSPC plans to provide technical input on the Systematic Review protocols for both projects out for stakeholder comment in a few weeks.