

Good Morning, I am Geoff Becker and I have been, for some 15 years now, a Board Member of the APWC, one of the first Watershed Councils in the State of Oregon. Our council has worked with the BLM, NOAA-NMFS, ACOE, DSL, ODFW and many other state/federal agencies and private organizations. We have removed numerous fish barriers, improved instream habitat, worked on irrigation efficiency, and educated and involved the public (including children) on various, relevant issues. But the majority of our efforts have involved improving the condition of compromised riparian buffers. As you know, many of our streams are temperature limited and listed as Clean Water 303d water quality limited streams. There is little debate that the vast majority of public studies document that riparian shade has a significant effect on stream temperatures. The APWC has planted tens of thousands of native trees and shrubs in an attempt to replicate natural conditions of shade-protected streams in our area. However, much of this beneficial work has been negated by clear-cuts on private timberland that leaves a mere 20 foot buffer on either side of the streams. This practice is illustrated in both the cover of the RipStream Findings report and the recent photos I have handed out ^{a fish-bearing tributary} of the West Fork of Evans Creek, a prime Coho salmon stream.

The Watershed Councils of the Rogue River basin have recently submitted a unified comment letter to ODF, as have numerous other Siskiyou stakeholders. The Watershed Council comment letter has also been sent to Oregon's Governor, the Natural Resources Director, the State Forester, and to the Southern Oregon State Senators and Representatives. Although I am sure most are aware of this issue, we are trying to impress upon them the importance of this to Southern Oregon.

I have here in my possession some of the aforementioned comments; virtually all have addressed this issue respectfully, using sound and settled science to prove their point. Reading between the lines, augmented by my conversations with the authors, the overwhelming feeling is that the entire concept that the Siskiyou region should be excluded from the 2015 Revised Rules because “it was incorrect to extrapolate data from other state regions with different environmental realities onto Southwest Oregon” is laughable. Rather than a reason, it is an excuse based on the institutional bias by the Board. In the words of Dr. Chris Frissell “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 inexplicably “different” is at worst a convenient fiction, at best an unexamined hypothesis that should not govern policymaking.”

Furthermore, ODF’s own predictive modeling based on its rigorous RipStream study field data, indicated that at least a 90’ buffer is needed to have a high probability of meeting the Protecting Cold Water Criterion. Yet, at the November 5, 2015 meeting, when the Board initially proposed to to exclude the Siskiyou, Option 1 with a 90’ buffer for both medium and small streams, including ALL of Western Oregon, was not even brought to a vote. Option 2, supported by the timber interests, had a 70’ buffer for medium streams, 50’ for small streams and excluded the Siskiyou Region, was defeated on a 3 to 4 vote. Option 2 was then amended at the last minute to increase the 50’-70’ buffers to 60’-80’. The final 4-3 decision (the timber industry members voted against) was clearly a compromise designed to secure enough votes to pass something, and was not based solely on the scientific data.

Additionally, 32 of the 33 Ripstream sites were located in the mid to northern coast range and the 33rd was on the east side of the coast range somewhere around Elkton in the Umpqua drainage. Yet the board had no problem including the Willamette Valley and the West slope of the Cascades in their decision, despite their significant differences. The Siskiyou Region has numerous micro-climates. Ashland gets roughly 15" of precipitation per year, Medford 20", the Applegate 25", Grants Pass 30", Cave Junction 40", the headwaters of the Little Applegate 60". You surely are not considering having multiple riparian set-back rules here in the Siskiyou region to reflect those "different environmental realities". I have been unable to, despite many hours researching the ODF web site and filing a freedom of information request with ODF, to find any scientific debate on why the Siskiyou should be excluded. In my opinion, your decision was politically and economically motivated rather than scientifically motivated.

At a public meeting on November 13, 2018 in Central Point, OR, ODF stated they were midway through a scientific literature review on this issue and presented the four possible results that the Board will be presented with for their decision in April:

(#1) "The FPA rules are working as designed." That is clearly incorrect as the PCW and the Clean Water Act are consistently being violated with the current 20' buffer rules. This makes the fourth possible result of "no action needed" a moot point.

(#3) "Additional Study is warranted." The last time that decision was made on the steamside buffer was in 2002. It took more than 13 years for a revised rule to be voted on and it is now 17 years and counting for both the east side and the Siskiyou. Just to put this in perspective, we landed a man on the moon in less time than half the time!

Number 2: "FPA rules may not meet stated objectives" is the only viable "possible result.

I realize that economic factors also play a role in your decisions and rightly so. However, according to studies available, the timber in the debated zone is less than 1/2 of 1% of timber available. Another economic factor that should be considered is the NOAA/DEQ decision to withhold over a million dollars annually for riparian restoration grant funding from the State of Oregon (since 2016) due to the state's continued failure to implement forest practice policies adequate to meet Federal coastal zone requirements and water quality standards, including but not limited to, those related to stream temperatures. If Oregon had met federal standards, which include the riparian setback issue, these 319 monies that have been withheld would translate into many on-the-ground jobs in Oregon. Furthermore, the time your staff has wasted managing this issue, and the many entities that have spent time commenting, meeting and researching this issue are economic factors that cannot be discounted. Another important bread and butter consideration is the money spent on, and the jobs created by, the sports fishing industry. Accommodations, restaurants, guides, etc are all affected by the health of the fishery.

Both the Forest Service and the BLM have established riparian setbacks that are well over 100' for fish bearing streams in the Siskiyou. Even the counties have a minimum 50' setback on private lands. The surrounding states have a much more protective buffer width than the ODF. The Medford and the Ashland Water Commissions have contracted with the Fresh Water Trust to the tune of some \$10 million to plant shade trees to mitigate the warm water discharged by their water treatment plants. Everyone has to do their part in an

attempt to protect our threatened salmonid species, in particular the endangered Southern Oregon Northern California Coho. I realize that there is not a magic number for the width of the riparian buffer that all can agree upon. In fact, there is considerable debate that the warmer, dryer conditions in the Siskiyou Region would warrant larger setbacks. However, the 60'-80' rules adopted for the rest of Western Oregon is at least a starting point for the Siskiyou Region.

Your own mission statement is "to lead Oregon in implementing policies and programs that promote sustainable management of Oregon's public and private forests". It has been 17 years. It is time to do your job and get this done. Thank you for your time.

Example Images of Riparian Buffers in Southern Oregon

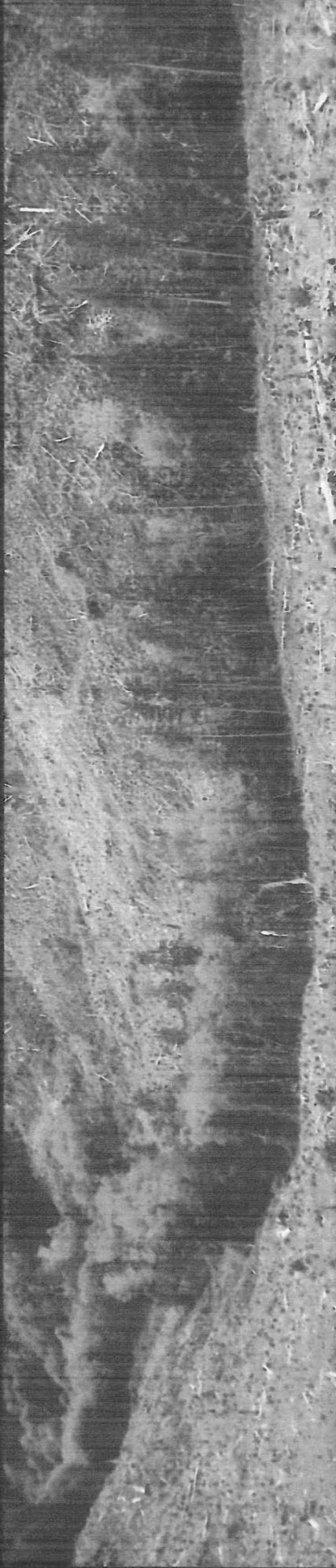


Rogue Basin Drainage

Example Images of Riparian Buffers in Southern Oregon



Rogue Basin Drainage



RipStream Findings

Leadership Team

25 September 2014

Jeremy Groom