



January 8, 2020

Thomas Imeson, Chair
Oregon Board of Forestry
2600 State Street
Salem, OR 97310

RE: Agenda Item 3, Siskiyou Streamside Protections Review

Dear Chair Imeson and Members of the Board:

Thank you for the opportunity to provide public comment on Agenda Item 3: Siskiyou Streamside Protections Review. Rogue Riverkeeper works to protect and restore clean water and fish populations in the waters of the Rogue through advocacy, accountability, and community engagement.

Siskiyou Streamside Protection Review

The Board of Forestry Work Plan for ODF Private Forests (Agenda Item 6 Attachment 1) states that the Department will seek approval for the charter workplan at this January 2020 meeting and will plan to bring the results of the expanded literature review on stream temperature to the Board at the July 2020 BOF meeting.

We support getting all of the available relevant information to the Board for a sufficiency decision at the July 2020 BOF meeting. This includes information from the expanded literature review on stream temperature that will incorporate data and analysis from the RipStream study, as stated in the “Update on Siskiyou Streamside Protections Review” document (Agenda Item 3 Attachment 1, p. 1). We suggest that the Department include these timelines in the project charter.

Charter Work Plan

We suggest that the Charter Work Plan be updated to clarify that other monitoring options may be identified, such as through the Advisory Committee process. Additionally, the Charter Work Plan should be amended to reflect that the current list of monitoring options is not a decision to move forward on those specific monitoring options at this time. Finally, the Charter Work Plan should incorporate the July 2020 timeline for the Board to make a sufficiency decision.

ODF-DEQ Collaboration

We continue to support ongoing collaboration between DEQ and ODF, particularly regarding the incorporation of TMDL data and analysis in informing a sufficiency decision.

Climate Change

Regarding the Department's two options for the consideration of climate change (see "Update on Siskiyou Streamside Protections Review" Agenda Item 3 Attachment 1), we believe that available information on climate change is important contextual information to incorporate into the current rule sufficiency analysis. We respectfully request further clarification regarding the 9-12 month timeline under Option 1. Instead, we suggest that a modified Climate Change Option 1 is adopted that will enable the Board to make a sufficiency decision by July 2020, as outlined in the Private Forests Workplan.

Climate Change Option 2 describes a comprehensive climate change policy review that should be more fully fleshed out with input from and coordination with additional state agencies. This option should not be directly attached to the Siskiyou Streamside Protection Review process.

Advisory Committee

We don't have any specific objections to the stated objectives of the Advisory Committee outlined in Agenda Item 3 Attachment 3 and strongly support the Department's efforts to make these meetings accessible to stakeholders in the Siskiyou region.

Members should be welcomed who represent ODFW, DEQ, small forest landowners, industrial landowners, local government, drinking water managers, tribal, and conservation/fishing interests. We do not think it is necessary or equitable to have "representatives" of the regional advisory committee in addition to landowner representatives, but the landowner representatives may (and likely will be) members of the regional advisory committee.

Conclusion

The 2002 statewide sufficiency analysis and the results of the RipStream study in 2011 demonstrated that current stream buffer rules under the Forest Practices Act are not protective of stream temperature and violate the Protecting Cold Water ("PCW") water quality standard.¹ Under ORS 527.765(1), the Board is required to establish regulations and best management practices to "insure that to the maximum extent practicable" water quality standards are achieved and maintained. The 2012 finding of resource degradation was not restricted geographically to exclude the Siskiyou, which includes much of the Rogue watershed, until 2015. Since 2015, we have submitted extensive comments regarding the impacts of not reliably meeting the PCW in the Rogue watershed, which supports threatened Southern Oregon/Northern California Coast ("SONCC") coho salmon and where many waterways are listed as impaired for temperature with existing TMDLs.

We urge the Board to act based on due consideration for all available information and the history of this issue at the Board to find that the current water protection rules for the Siskiyou do not meet stated objectives and a resource is being degraded under ORS 527.714 and 527.765.

Sincerely,

Stacey Detwiler
Conservation Director

¹ Groom et al. 2011. *Response of Western Oregon (USA) stream temperature to contemporary forest management*, *Forest Ecology and Management*, 262: 1618-1629.

Rogue Riverkeeper