



Pacific Fishery Management Council

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Dorothy M. Lowman, Chair | Donald O. McIsaac, Executive Director

September 23, 2015

Mr. Tom Imeson, Chair
Oregon Board of Forestry
2600 State Street
Salem, Oregon 97310
tom.imeson@nwnatural.com

Dear Chair Imeson and Members of the Board:

The Pacific Fishery Management Council would like to comment on the Oregon Board of Forestry's (Board's) decision related to riparian buffers required under Oregon's logging rules governing timber harvest on private lands. This decision represents an important opportunity to affect forestry practices in Oregon and significantly improve habitat conditions for threatened and endangered salmon in western Oregon, including Council-managed salmonids. The Council supports Board establishment of at least a 100-foot buffer on small and medium fish bearing streams, and further calls for a buffer on upstream reaches (beyond salmon distribution) to prevent downstream warming impacts on essential fish habitat (EFH).

The Council was established by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 (MSA), and has jurisdiction over 119 fish species in managed fisheries off the Washington, Oregon, and California exclusive economic zone. The MSA includes provisions to identify, conserve, and enhance EFH for those managed species (EFH is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.") The Council is authorized under MSA to comment on and make recommendations to Federal agencies regarding EFH protection. Furthermore, for activities that the Council believes are likely to substantially affect the habitat of Council-managed salmon species, the Council is obligated to provide comments and recommendations (MSA §305(b)(3)).

Vegetated riparian buffers perform numerous functions that are critically important to maintaining the quality of salmon habitat. For example, they are a source of large woody debris, leaf litter, and insect fall; they provide shade to maintain cool water temperatures, and they filter stormwater runoff before it enters the stream. As such, Amendment 18 to the Pacific Coast Salmon Fishery Management Plan includes the protection and restoration of riparian vegetation as important tools for conserving salmon EFH.

Inadequacy of Current Buffers

Because implementation of the current logging rules often result in buffers as small as 20 feet on Oregon's private forested lands, they are inadequate to protect cold water for salmon. Both the Environmental Protection Agency and National Oceanic and Atmospheric Administration have determined that riparian buffers under the Oregon Forest Practice Act are inadequate to meet state and Federal water temperature standards specifically designed to protect Council-managed salmon as well as steelhead and bull trout. Currently, Oregon's logging rules governing timber harvest on private lands provide significantly less stream protection than those in Washington, California, and Idaho.

An Oregon Department of Forestry peer-reviewed, published study (RipStream¹) conclusively determined that Oregon's current forest practices rules allow logging too close to small and medium fish-bearing streams to prevent warming in excess of established limits from individual harvest units.

Importance of Board Decision

The Board's decision is of particular importance because it will affect the size and extent of riparian buffers for small and medium salmon, steelhead, and bull trout streams on 6.8 million acres of privately-owned timberland in western Oregon. Also at issue is the appropriate distance above these streams to provide riparian protections in order to minimize downstream temperature effects.

The Board is engaged in rulemaking in part because this study demonstrates that current stream protection requirements are not adequate to attain the "Protecting Cold Water Criterion," a key component of the state's federally-approved water quality standard for stream temperature that protects cold water stream reaches for salmon, steelhead, and bull trout. Buffers that meet the criterion are feasible and are in line with practices adopted by neighboring states.

Ripstream Study

The recommendation for at least 100 feet buffers on small and medium fish-bearing streams is based on the original RipStream study. Logging down to the minimum buffers under current rules is now understood to cause warming of about 1.45 degrees Celsius, on average. The warming limit for any single land use activity is 0.3 degrees Celsius.

The Oregon Department of Forestry analytical model based on RipStream provides a sound tool to evaluate how wide a no-harvest riparian buffer strip is needed to meet the Protecting Cold Water Criterion standard. While current requirements often result in just 20 feet of trees left next to streams, Oregon Department of Forestry analysis shows that to prevent stream warming with a high probability (~85 percent), at least a 100-foot no-cut buffer is needed. A 90-foot buffer would prevent warming approximately 50 percent of the time, and a 120-foot buffer would ensure no temperature impacts virtually 100 percent of the time.

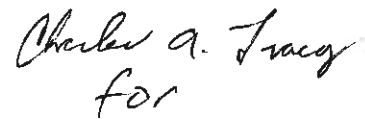
¹ Groom et al. 2011, Response of Western Oregon (USA) stream temperatures to contemporary forest management, *Forest Ecology and Management*, 262: 1618-1629.

Conclusion

The Council supports at least a 100-foot buffer and recommends a buffer on upstream reaches (beyond salmon distribution) to prevent downstream temperature impacts on salmon EFH.

Thank you for considering our comments.

Sincerely,



Charles A. Tracy
for

D. O. McIsaac, Ph.D.
Executive Director

JDG:kma

Cc: Council Members
Habitat Committee
Oregon Board of Forestry Members