

Information for Package #2: Protecting Cold Water and Achieving Desired Future Riparian Conditions

Background

This document is designed to facilitate discussion, at the Board Subcommittee meeting, of potential riparian rules. It was developed at the request of, and in collaboration with, the Subcommittee. We used information from previous Board material and the following principles that emerged from July 23, 2015 Board Discussion:

- Temperature must be the lens used for evaluation due to Ballot Measure 49 concerns;
- Role of monitoring to evaluate implementation action;
- Must consider regulatory and voluntary approaches;
- Notion of equity and relief for non-industrial landowners;
- Goal of developing one or two proposals to bring to full Board for decision; and
- Developing a discussion guideline for the Board.

For more information of how this document was developed, see the Staff Report.

Summary of elements of Package # 2 (See Attachment 3 for more information)

Prescriptions:

Option A (Passive Management): (Voluntary) 50- and 70-foot No-cut buffer option with ½ of wildlife trees in 20-foot zone outside and adjacent to RMA;

Option B (Active Management): (Regulatory) variable retention with distributional requirement with 50 and 70-foot RMAs on small and medium streams, respectively, with a minimum number of conifer trees on both small and medium streams;

Option C (RMA thinning): (Regulatory) RMA thinning Encourage early/mid rotation thinning with trees well-distributed throughout the RMA, with a trees per 1,000’ standard, rather than basal area targets;

Option D (Test RFPCs alternate prescriptions): Test south-sided buffers and one-sided/staggered harvests, as suggested by the RFPCs, if follow-up monitoring can be assured.

Geographic Extent:

Prescriptions would apply to Salmon, Steelhead, and Bull Trout (SSBT) streams in South Coast, Coast Range, Interior, and Western Cascades Geographic Regions.

Package #2 Support notes

Outcome / concern	Expectation / solutions		
Likelihood of meeting PCW	<u>Supporter:</u> Model cannot do thinning; for no-cut, it makes significant progress towards meeting it (from 1.45 °C to 1.15 and 0.64 °C for 50’ and	<u>Others:</u> While model can’t evaluate thinning, won’t do better than no-cut; Can do better: 90’ No-cut and 275 ft. ² options get us to 0.3 °C.	<u>Supporter:</u> Only need to meet to maximum extent practicable; - DEQ, ODFW have indicated

Outcome / concern	Expectation / solutions	
	<p>70' no-cut)</p> <p>Placing some percentage of in-unit wildlife trees adjacent to RMA boundary will further reduce stream temperature impact</p> <p>Thinning that results in trees well-distributed throughout the RMA and associated understory development will reduce temperature impacts and provide additional habitat benefits (which is better than simple no-cut option)</p>	<p>support for temporary impacts if get a better outcome in the long run (i.e., move to desired future condition)</p>
Is RX feasible?	<p>Supporter: Yes, operators are familiar with 50' and 70' RMAs and thinning prescriptions (both commercial and pre-commercial)</p>	
Is RX feasible?	<p>Supporter: Yes, encourages active management to reach Desired Future Conditions, especially since narrow RMA increases opportunity to remove thinned trees; thinning moves towards DFC quicker</p>	
Unintended consequence	<p>Concern: Will have a big economic impact; it's too expensive.</p>	<p>Response: While it is a significant step, it would not be too expensive; On a per-mile basis, additional encumbered area for variable retention options on small and medium streams is 0.9 and 1.4 acres vs. 14.1 and 9.6 acres for small and medium streams, respectively, with a 90' no-cut buffer,</p> <p>Also, reduce chances of Ballot Measure 49 claim since keep same RMA widths</p>
Unintended Consequences	<p>Concern: No active wood placement</p>	<p>Response: Thinning and lower basal area targets combine to make wood placement more affordable, practical and opportunistic (as compared with 90' No-cut)</p>

Outcome / concern	Expectation / solutions	
<p>Equity concern: Disproportionate impact on some small woodland owners</p>	<p>Supporter: Since this would not be encumbering too much additional acreage as compared with current FPA, could apply same to all landowners</p> <p>In addition, small landowners manage on a small scale and would be more likely to respond positively to FPA changes that encourage active management focused on DFC</p>	
<p>Marginal returns for temperature and large wood</p>	<p>Supporter: 50' No-cut is at high end of marginal returns, 70' No-cut is at intermediate values of marginal returns</p>	<p>Supporter: Development of understory that results from thinning will initiate a new source of shade on these small and medium shade; thinning also results in trees growing faster; both of these have positive effects for temperature and large wood</p>
<p>From ORS 527.714 (5)(d)(B): Restrictions on practices directly relate to, and substantially advance, the objective</p>	<p>Supporter: The restrictions directly relate to the rule objective. They substantially advance the objective and do not go too far.</p>	
<p>From ORS 527.714 (5)(e): Least burdensome alternative</p>	<p>Supporter: Certainly, compared to a 90' no-cut prescription</p>	
<p>From ORS 527.714 (5)(f): Resource benefits achieved proportional to the harm caused by the forest practices</p>	<p>Supporter: It's a small change in temperature that requires only a small change in prescription. Additional resource benefits will be achieved by a renewed focus on DFC</p>	<p>Supporter: The current report on Key Performance Measures #8a-c (Forest Stream Water Quality) provides context that, "All streams and rivers on forestlands regulated under the Forest Practices Act receive protection appropriate to the beneficial uses of those water bodies". The KPM results lend credence to the argument that RipStream findings in the private forest study sites represent a small and temporary post-harvest stream temperature issue, deserving of a moderate fix.</p>

Outcome / concern	Expectation / solutions	
<p>Associated range of wood recruitment rates relative to unharvested stands for small and medium streams (Range)</p>	<p>Supporter: Wood recruitment for 50' and 70' No-cuts are 70% and 81% of non-harvested scenario; with wood placement being feasible, could be more wood entering stream. Thinning to grow bigger trees results in larger wood than highly stocked stands with no-cut prescriptions</p> <p>Operationally easier to place large wood in streams</p>	
<p>Risk of large areas with unaddressed temperature and wood recruitment concerns</p>	<p>Supporter: Both Packages #1 & #2 are focused on Salmon, Steelhead and Bull Trout streams, where the Protecting Cold Water standard applies</p>	
<p>Risk of extrapolating RipStream results from the study sites to other geographic regions</p>	<p>Supporter: 1) Since Siskiyou region is much drier, reduces this risk; 2) since science so unclear on downstream temperature transport, not going upstream of SSBT also decreases this risk</p>	
<p>Risk of significant length of stream reaches with unaddressed temperature and wood recruitment concerns</p>	<p>Supporter: Again, the standard we are addressing is PCW and it only applies to SSBT streams. Additionally, with voluntary implementation upstream of SSBT, when combined with these prescriptions, increase chance of landowners going upstream</p>	
<p>Risk of incorrect and/or complex and layered assumptions, modeling, and difficult field implementation</p>	<p>Supporter: Easy to implement in the field. Relatively easy for Regional Forest Practices Committees to work out details of implementation. After that, assumptions can be ground-truthed via monitoring</p>	