

Stream rules: Vote on new rules set for April

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fish-bearing streams on private land allowed water to increase in temperature well beyond the 0.3 degrees Celsius allowed under the Protecting Cold Water Protocol, the temperature standard adopted by the Department of Environmental Quality. By law, Oregon's forestry practices must not impair water-quality standards set by DEQ. In 2012, stakeholders and the state started crafting new rules to further protect small and medium streams containing salmon, steelhead and bull trout.

Stream buffers under current rules are 20 feet on either side. The state Department of Forestry's proposed rules call for 60 feet on either side of smaller streams and 80 feet around medium streams.

Brad Knotts, a field coordinator for state foresters on the Forest Practices Act who explained the rules Wednesday, said the rules will result in the basal area — the amount of trees left behind in stream side management areas — doubling.

The Board of Forestry, which is taking public comment until March 1, is set to vote on the new rules in April. The rules would become effective in July.

Too little

Pam Birmingham, who testified at the hearing Wednesday, lives on 20 acres of forestland above Humbug Creek near Elsie.

"I live next door to a 136-acre clearcut," Birmingham said of a parcel uphill to the east of her house.

She said the land was logged in 2011 and 2012, following current forest practices, but led to torrents of mud ruining the gravel in her driveway and silted in her well, leaving her without running water. The smaller, seasonal streams above her property were not considered fish-bearing.

"True watershed protection must take into account the turbidity and temperature of upstream tributary," Birmingham said Wednesday, adding



Pam Birmingham shows a map of the streams that surround her residence on Thursday at her home near Elsie. She said a clearcut logging operation in 2011 adjacent to her home removed many trees and caused sediment runoff that ruined her well.

that the current rules fall short by stopping "where the fish stop. Water and temperature don't care where the fish stop."

Arguments at Wednesday's hearing were that the increased buffers still fall short of laws in neighboring states and what is necessary to protect cold, clear water.

Joyce Hunt, chairwoman of the Necanicum Watershed Council, echoed a common sentiment that the buffers around such fish-bearing streams should be at least 100 feet.

Mary Scurlock, a coordinator for the Oregon Stream Protection Coalition, said her organization, scientific findings and at least 12 scientists from Oregon State University support buffers of 100 feet or better.

Carolyn Eady, who became involved in forestry in the 1990s and has served on several advisory committees, said the state's new rules are "the least the state can do to get the feds (and) environmentalists off their back."



A stream that provides water to the well at Pam Birmingham's home in Elsie does not fall under the state's proposed stream buffer rules.

Economic impact

The Department of Forestry estimates the new rules will lead to a 0.3 to 0.4 percent decrease in the 20-year annual average private softwood harvest and cost between 62 and 87 jobs, along with \$3.8 million to \$5.5 million less in compensation.

The rules are estimated to affect 10 percent of forestland owners and about 1,500 forestry-related businesses. Representing more than 1,000 of those businesses Wednesday was Rex Storm, the forest pol-

icy manager for trade group Associated Oregon Loggers.

Storm said the rules are unnecessarily complex, don't give landowners enough time to adapt, are too stringent and don't provide enough relief for forestland owners.

Science or politics?

One of the largest forestlands affected by the changed rules would be the Lewis & Clark Timberlands, a 140,000-acre tree farm in the hills between the Clatsop Plains and the Clatsop State Forest. The land is managed by Portland-based Greenwood Resources Capital Management. It rivals the 153,000 acres of Clatsop State Forest.

Jim Hunt, a production manager for Greenwood, has worked on the property for more than 20 years and through multiple ownerships, much of it as an engineer. One of his major contributions has

been designing better roads, bridges and culverts, increasing fish passage throughout the property. Hunt also serves on a committee advising the state on forest practices.

Hunt said there has been a lot of work done voluntarily by landowners over the years to protect water quality and fish. He pointed to the Oregon Plan for Salmon and Watersheds, a voluntary, public-private partnership started in the late 1990s to improve practices and avoid coho and other salmon species joining the endangered species list.

The Lewis & Clark Timberlands have been a part of the Sustainable Forestry Initiative, a voluntary forest-certification program involving third-party audits to prove land is meeting sustainability standards, since 1999.

"What most people want to see is a thorough examination of all the science," Hunt said. He said research pointing toward sunlight as improving conditions for fish and their food sources may not have not been given enough credence in the rule-making process.

Mark Morgans, the manager of the Lewis & Clark Timberlands for Greenwood, has worked on the property since 1999 and said his employer is dedicated to environmental stewardship, going beyond the minimum.

"If the data shows there's a better way to manage resources, great," Morgans said. "But if the rules are changing because of a perception, then that seems unfair."

Some of the sites in the Rip-Stream Study were on Greenwood's land, he said, but those studies used the minimal forest practices required, which he added are not representative of the more robust environmental protection measures Greenwood takes.

"This property is going to be influenced by these new rules," Morgans said. "We've taken that into consideration. We've provided the comments we think are prudent."

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