



Oregon

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Jim James, Executive Director
Scott Hayes, President
Oregon Small Woodlands Association
187 High Street NE, Suite 208
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Dear Mr. James and Mr. Hayes,

Thank you for your March 31 letter to the Environmental Quality Commission regarding the discussions regarding Oregon's Cold Water Protection criterion and its relation to the Board of Forestry rulemaking process. We appreciate your interest and look forward to future discussions on this issue.

DEQ agrees that the RipStream study is an important piece to learning how forest practices affect stream temperatures and water quality. DEQ will continue to engage in the RipStream study at the request of the Oregon Department of Forestry, which is leading the study.

In your letter, you point to the discussion at the March EQC meeting regarding Washington's equivalent to the Cold Water Protection Criterion. We have followed up with Department of Ecology regarding its relevant regulatory provisions and have learned with more detail how its water quality requirements relate to Washington's review of their forest practices.

While Washington's cold water protection criterion allows a 2.8°C cumulative increase in stream temperature from nonpoint sources, the controlling standard in Washington used to determine whether forest practices meet water quality standards is Washington's antidegradation policy. Under that policy, whenever a water quality constituent is of higher quality than a criterion, a lowering of water quality may only be allowed if there are no affordable alternatives to the degradation. Under the policy, a lowering of water quality for temperature is defined as an increase of 0.3°C or greater (WAC 173-201A-320(3)(a)). When the Forest Practices Board reviews forest practices, they measure whether the practices will increase temperature by 0.3°C to ensure that they meet antidegradation requirements.

This process is supported by Washington's forestry rules, specifically the Adaptive Management Program rules, which state that the Forest Practices Board must establish objectives so that "forest practices, either singularly or cumulatively, will not significantly impair the capacity of aquatic habitat to meet or exceed water quality standards (designated uses, criteria, and antidegradation)." (WAC 222-12-045(2)(a)(ii)(C)). Washington has used these standards in establishing its current practices, which require that harvests within Riparian Management Zones for fish/domestic use waterbodies must meet stand targets for Desired Future Condition, and any harvest within 75 feet of a fish/domestic use waterbody requires a shade analysis to ensure shade targets will be met.

(Over, please)

We hope that this letter clarifies the questions regarding how Washington's forest practice reviews work with respect to water quality standards. Please let us know if you have any questions.

Sincerely,



Jennifer Wigal
DEQ Water Quality Program Manager

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