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MULTIDISCIPLINARY  
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October 22, 2001

The Honorable John A. Kitzhaber  
Governor of Oregon  
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Salem, OR 97310

The Honorable Gene Derfler  
Oregon Senate President  
State Capital  
Salem, OR 97310

The Honorable Mark Simmons  
Oregon House Speaker  
State Capital  
Salem, OR 97310

Enclosed is an Addendum to the IMST Administrative Report 2001-1 (issued February 9, 2001). Administrative Report 2001-1 evaluated agency responses to the specific recommendations of the IMST. It covered the period through October 2000. At the time this Administrative Report was released, the Team had not received responses from the Oregon Department of Forestry (ODF) regarding our Technical Report 1999-1 titled *Recovery of Wild Salmonids in Western Oregon Forests: Oregon Forest Practices Act Rules and the Measures in the Oregon Plan for Salmon and Watersheds*. ODF provided an initial response to each recommendation directed to the agency on April 6, 2001. This Addendum to Administrative Report 2001-1 evaluates ODF's responses.

The IMST will issue additional addendums to the Administrative Report as we receive additional responses to IMST recommendations.

Sincerely yours,

Logan A. Norris, Chair  
Independent Multidisciplinary Science Team

Enclosures  
Addendum

cc with Enclosure:  
House Committee for Stream Restoration and Species Recovery  
Neal Coenen, Manager, Oregon Plan  
Jim Brown, State Forester, ODF  
IMST

# **Evaluation of Responses to IMST Recommendations Administrative Report 2001-1**

## **Addendum 1 October 17, 2001**

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## Introduction

In February 2001, the IMST released an administrative report (IMST 2001) that evaluated the responses the Team had received from agencies regarding specific recommendations made in our technical and letter reports up through October 2000. At the time the administrative report was released, the Team had not received responses from the Oregon Department of Forestry (ODF) regarding our 1999 report on forest practices in westside forests (IMST 1999). In April of 2001, ODF did give an initial response to each recommendation directed to the agency. This addendum to Administrative Report 2001-1 evaluates ODF's responses.

In the material that follows we (a) state the recommendation of the IMST, (b) summarize the agency response to it, and (c) give our evaluation of the response. We conclude by indicating whether or not additional consideration of the recommendation is warranted. Each response was assigned to one of four general categories: adequate, intermediate, inadequate, or indeterminate.

- Adequate means that the IMST supports the decision of the agency
- Intermediate means that the IMST does not fully support the agency decision because the decision will decrease the likelihood of accomplishing the goals of the Oregon Plan in a timely manner, but not doom it to failure. We note our concerns but stop short of suggesting that the recommendation be reconsidered.
- Inadequate means that the IMST feels the decision by the agency will seriously detract from achieving the goals of the Oregon Plan, and the IMST strongly suggests that the decision be reconsidered.
- Indeterminate means that we can not tell what the agency decided to do with the recommendation, or that we do not have enough information to fully evaluate their response.

This addendum makes frequent references to the Oregon Board of Forestry and the Ad Hoc Forest Practices Advisory Committee on Salmon and Watersheds. The Board of Forestry supervises all matters of forestry in Oregon. Therefore, the Board must approve and adopt any proposed policy or regulatory changes ODF finds necessary to implement an IMST recommendation. This process can be lengthy and prevents ODF from immediate implementation. This is evident in our evaluations of responses recently received from ODF. We were able to evaluate their level of support to have a particular recommendation implemented but we were unable to determine if the necessary changes will be adopted by the Board of Forestry, and if final decisions will be effective.

In accordance with Executive Order 99-01, the Board of Forestry created the Ad Hoc Forest Practices Advisory Committee on Salmon and Watersheds. The FPAC was charged with: (1) determining what, if any, changes to forest practices both regulatory and voluntary, are necessary to meet water quality standards and to protect and restore salmonids; and (2) making specific recommendations to the Board of Forestry (FPAC 2000). During their deliberations, the FPAC reviewed our forest practices report (IMST 1999). In August 2000, the FPAC submitted a final report to the Board of Forestry (FPAC 2000). While the FPAC did not specifically address IMST recommendations, several of their recommendations appear to incorporate our concerns. In their recent response to the IMST, ODF indicates where these two sets of recommendations overlap and the agency's position on the FPAC recommendations.

## **Conclusions**

The IMST made 16 specific recommendations to ODF in the 1999 forest practices report (IMST 1999). Nineteen percent of the responses were found to be adequate. Another 25% were found to have adequate initial responses from ODF but the long-term actions by the agency are unknown so we also considered them indeterminate. Three of these four recommendations are related to FPAC recommendations and are supported by ODF. The Board of Forestry is in the process of establishing a set of guiding principles and developing a work plan to guide the effort in working toward implementation of FPAC recommendations. Final adoption and implementation of the FPAC recommendations has not occurred.

Six percent were found to be inadequate, and the IMST urges the Board of Forestry to reconsider developing a policy framework to incorporate landscape level management into ODF's activities (Recommendation 2). Twelve percent were found to be intermediate and were related to FPAC's recommendations that do not appear to provide adequate protection for small non-fish bearing streams. The remaining 38% of the responses were found to be indeterminate, although most responses appeared positive, we were unable to determine how ODF would go about implementing them. We urge ODF to keep the IMST updated on the Board of Forestry's and the agency's progress in addressing both the FPAC and IMST recommendations. A more complete evaluation of responses may occur at a latter date once this process is completed.

## **References**

Forest Practices Advisory Committee on Salmon and Watersheds (FPAC). 2000. Report of the Forest Practices Advisory Committee on Salmon and Watersheds. Oregon Department of Forestry. Salem, Oregon.

Independent Multidisciplinary Science Team (IMST). 2001. Evaluation of Responses to IMST Recommendations. Administrative Report 2001-1 to the Oregon Plan for Salmon and Watersheds. Oregon Watershed Enhancement Board. Salem, Oregon.

Independent Multidisciplinary Science Team (IMST). 1999. Recovery of Wild Salmonids in Western Oregon Forests: Oregon Forest Practices Act and the Measures in the Oregon Plan for Salmon and Watersheds. Technical Report 1999-1 to the Oregon Plan for Salmon and Watershed, Governor's Natural Resources Office, Salem, Oregon.

## **Technical Report 1991-1, Recovery of Wild Salmonids in Western Oregon Forests: Oregon Forest Practices Act Rules and Measures in the Oregon Plan for Salmon and Watersheds**

**Recommendation 1.** Explicitly incorporate the policy objective of the Oregon Plan and Executive Order 99-01 into OFPA.

**ODF response:** The Oregon Forest Practices Act (OFPA) is a regulatory framework and policy established by the Legislature. The scope of the Oregon Plan is much broader than the OFPA. The Board of Forestry's overall policy document is the Forestry Program for Oregon (FPFO). The FPFO is in the process of being updated. As the Board considers revisions of the FPFO, ODF will recommend incorporating the policy objectives of the Oregon Plan and Executive Order 99-01 into the FPFO.

**IMST conclusion:** *Adequate.* The IMST encourages the Board of Forestry to incorporate the policy objectives of the Oregon Plan and Executive Order 99-01 into the FPFO.

**Recommendation 2.** ODF should develop a policy framework to encompass landscape (large watershed) level planning and operations on forests within the range of wild salmonids in Oregon.

IMST recommends that the following elements be included in this modified forest policy framework:

- Long-term landscape level assessment of the upslope and riparian forest and associated aquatic systems to ensure that the desired future condition is maintained across the landscape and through time.
- Identified goals for the characteristics of aquatic systems and riparian and upslope forest across the landscape to ensure the integrity of salmonid habitat.
- Monitoring that will provide the information needed to evaluate the aggregated outcomes of management at the landscape level.
- Coordination among agencies and watershed councils to facilitate landscape level planning and management at scales that extend beyond the forest.

**ODF response:** Clarification from IMST on this recommendation was incorporated into the Forest Practices Advisory Committee (FPAC) recommendations. The FPAC made a recommendation to the State of Oregon to develop a clearer and more comprehensive policy on riparian management that addresses all land uses. This recommendation was forwarded to the Governor by the Board of Forestry in a letter advising the Governor to begin work on developing an effort to address this longer-term issue as it applies to the Oregon Plan.

Concurrently, the Board of Forestry is in the process of incorporating the policy objectives of the Oregon Plan as part of its next revision of its strategic plan (see Recommendation 1). The Board is also investigating, developing, and promoting incentives to encourage forest landowners to encompass broader landscape goals in their

management plans, and is continuing to investigate and analyze forest conditions across the landscape.

**IMST conclusions:**

- *Inadequate.* Although the Board of Forestry's initial response is positive by forwarding FPAC's recommendation to the Governor, there is more to a landscape than riparian zones. The Board does not address how it would develop a landscape level policy framework for ODF. Landscape level activities occur at several scales, while a State level policy is needed, each resource management agency should have a policy in place to direct their own activities.

**Recommendation 3.** Treat non-fish bearing streams the same as small, medium, and large fish-bearing streams when determining buffer width protection.

**ODF response:** The FPAC recommendations to the Board of Forestry would treat all large and medium streams the same in terms of both riparian width and tree retention. Where tree retention is proposed for small non-fish streams, the riparian width is proposed to be the same. Additional increases for the purpose of large wood recruitment will be framed as a policy choice.

**IMST conclusions:**

- *Intermediate.* Although ODF's initial response and FPAC recommendations are positive and would protect large and medium non-fishing bearing streams, we feel that they do not go far enough to protect small fish bearing streams. Too much variability and latitude in protection on the ground without regard to landscape functions may prevent the FPAC recommendations for small non-fish bearing streams from being effective.

**Recommendation 4.** Provide increased riparian protection for the 100-year floodplains and islands.

**ODF response:** The FPAC found that from a technical basis, channel migration zones (CMZ) appeared to have merit. The FPAC made one recommendation to the Board of Forestry to include CMZ within riparian management areas. The CMZ would be defined as an unconstrained reach of stream that, in the judgement of the State Forester, is likely to have channel movement that can go outside the RMA widths within the period of a rotation (50–100 years). Within the CMZ, the inner edge of the no-touch area will be the same as current rules, while the outer edge will be based upon guidance to be developed by a technical committee. Retained trees in the CMZ would be no less than the basal area standard target.

**IMST conclusions:**

- *Adequate.* Initial response and FPAC recommendations are adequate.
- *Indeterminate.* Final adoption by the Board of Forestry and effectiveness of implementation is not yet known.

**Recommendation 5.** Increase the conifer basal-area requirement and the number-of-trees requirement for RMAs, with increases in these requirements for medium and small streams regardless of fish presence.

**ODF response:** FPAC recommendations to the Board of Forestry will increase conifer basal area retention requirements on all streams where 60% of pre-harvest basal area is greater than the standard target. The standard target will be increased for medium and small fish-bearing streams, and for large and medium non-fish-bearing streams. For a subset of small non-fish-bearing streams, the FPAC recommends conifer basal area retention be equal to the current standard on small fish streams. ODF supports the FPAC recommendations as good targets for basal area and revisiting current basal area standards is necessary.

**IMST conclusions:**

- *Intermediate.* Our conclusions here are similar to those stated under Recommendation 3. Even though ODF's initial response and FPAC recommendations are positive and would protect large and medium non-fishing bearing streams, we feel that they do not go far enough to protect small fish bearing streams. Too much variability and latitude in protection on the ground without regard to landscape functions may prevent the FPAC recommendations for small non-fish bearing streams from being effective.

**Recommendation 6.** Complete the study of the effectiveness of the OFPA rules in providing large wood for the short- and long-term.

**ODF response:** The study was completed and a report entitled "Harvest Effects on Riparian Function and Structure Under Current Oregon Forest Practice Rules" (Dent 2001) was released in July 2001. Recommendations made to the Board of Forestry include; re-evaluating the standard targets for basal area to better address conditions and potentials of riparian areas on medium and small streams, and consider changes to vegetation retention rules to increase the maintenance and promotion of shade and potential large wood recruitment on small and medium streams.

**IMST conclusions:** *Adequate.* The study was completed.

**Recommendation 7.** Provide enhanced certainty of protection for "core areas".

**ODF response:** ODF is concerned about the "core area" concept and believes that it raises a number of technical, policy, and legal issues. From a technical perspective, the utility of core areas is best applied to coho and chum and appears to have much less utility for steelhead and chinook. ODF believes that "certainty of protection" should be evaluated for all rules and all areas and if rule objectives are not being met due to lack of specifics in the rule language and/or guidance, they support rule revisions.

**IMST conclusion:** *Indeterminate.* It is not clear what ODF is doing with this recommendation.

**Recommendation 8.** Develop and implement standards and guidelines that reduce the length of roadside drainage ditches that discharge into channels.

**ODF response:** ODF supports this recommendation and feels that it should be addressed as a priority through both regulatory and non-regulatory means.

**IMST conclusion:** *Indeterminate.* ODF did not elaborate on the type of regulatory and non-regulatory actions they would use to accomplish this recommendation and it is not possible to determine the possible effectiveness of such actions.

**Recommendation 9.** Implement the standards and guidelines for the length of roadside drainage ditch between cross-drainage structures, especially on steep gradient roads.

**ODF response:** ODF supports this recommendation and feels that it should be addressed as a priority, but predict technical difficulty will occur in ensuring that the guidance is feasible, site-specific, and does not create unintended negative outcomes.

**IMST conclusion:** *Indeterminate.* It is not clear how ODF will address this recommendation and how effective the resulting standards and guidelines would be.

**Recommendation 10.** Require the flow capacity of cross-drainage structures and stream crossing structures and culverts to meet current design standards.

**ODF response:** ODF has collected data to determine how well current stream-crossing structure design standards are being met and believe that the data should be adequate to achieve this recommendation.

**IMST conclusion:** *Indeterminate.* It appears ODF agrees with this recommendation, but we do not know what the data is or how it will be ultimately used by ODF to accomplish this recommendation.

**Recommendation 11.** Provide for the stabilization of roads not constructed to current standards (including "old roads and railroad grades") in critical locations. Stabilization means reduction or elimination of the potential for failure. It includes a variety of strategies ranging from removal to abandonment, entirely or of sections, by which specific roads and railroad grades become a much less important source of sediment.

**ODF response:** ODF supports this recommendation and believes that this should be addressed as a priority through mostly non-regulatory means.

**IMST conclusion:** *Indeterminate.* It is not clear how ODF intends to accomplish this recommendation and how effective implementation would be.

**Recommendation 12.** Require durable surfacing on wet-season haul roads and require that hauling cease before surfaces become soft or "pump" sediment to the surface.

**ODF response:** ODF supports this recommendation and has a study underway to evaluate design and road surface factors related to wet weather hauling risks. The study was delayed over the 2000-2001 winter due to the drier than normal conditions. FPAC made recommendations to the Board of Forestry

**IMST conclusion:** *Indeterminate.* It is not clear how ODF intends to accomplish this recommendation or how effective the study will be and how the results will be used to adjust road use policy.

**Recommendation 13.** Retain trees on "high risk slopes" and in likely debris torrent tracks to increase the likelihood that large wood will be transported to streams when landslides and debris torrents occur.

**ODF response:** Legislation that will give ODF authority to direct retention of "in-unit" trees in the lower segments of debris torrent paths is in process. The specifics for when and where trees are best left in or along torrent paths will be adopted in rule.

**IMST conclusions:**

- *Adequate.* Initial response is adequate.
- *Indeterminate.* Adequacy of the specifics of when and where trees are left and the effectiveness of implementation is not yet known.

**Recommendation 14.** Continue to apply the current best management practices (BMP) approach to the management of forest lands with significant landslide potential, and develop a better case history basis for evaluating the effectiveness of BMP in this area.

**ODF response:** ODF supports recommendations made by FPAC to the Board of Forestry regarding the identification and notification to operators of high-risk sites for landslides and debris torrents. As proposed by FPAC, ODF believes that this should better ensure the application of the current BMP to these areas. ODF also believes that incorporating the current "protection guidelines" into the rules will also assist with the necessary application of BMP. This issue also remains a monitoring priority and will be considered in the current update of the monitoring program.

**IMST conclusions:**

- *Adequate.* Initial response and FPAC recommendations are adequate.
- *Indeterminate.* Final adoption by the Board of Forestry and effectiveness of implementation is not yet known.

**Recommendation 15.** Modify culverts and other structures to permit the passage of juvenile and adult salmonids upstream and down stream at forest road-stream crossings.

**ODF response:** The FPAC recommended to the Board of Forestry that forest landowners should accelerate the identification, prioritization, and restoration of existing stream crossing structures (typically culverts) that currently do not pass fish on streams inhabited at any time by anadromous or game fish species, or fish that are listed as threaten or endangered by federal or state agencies. A voluntary approach is being implemented under the Oregon Plan through the Road Hazard Identification and Risk Reduction Project but is not moving as fast on family owned land as it is on industrial land. ODF is currently completing a final report on implementation, and studies designed to look at the effectiveness of current designs are beginning in the research community.

**IMST conclusions:**

- Adequate. Initial response and FPAC recommendations are adequate.
- Indeterminate. Final adoption by the Board of Forestry and effectiveness of implementation is not yet known.

**Recommendation 16.** Oregon Department of Fish and Wildlife (ODFW) and ODF should develop a collaborative program of monitoring to quantify the linkages between parameters of ecosystem condition and wild salmonid recovery.

**ODFW response:** ODFW responded that they have developed a collaborative monitoring program with ODF and other state agencies through the interagency monitoring team. They are in the process of collecting data for some parameters that describe ecosystem condition. They agree that it is important to understand the linkages between parameters of ecosystem condition and wild salmonid recovery and intend to continue their efforts to build data to help understand these relationships.

**ODF response:** ODF responded that they are in the process of collaborating with the Department of Environmental Quality, ODFW, Oregon State University (OSU), and forest landowners to develop a long-term process to quantify the impacts of various practices with parameters such as temperature and large wood, and to quantify the linkages among ecosystem parameters and salmonid recovery. The quantification of linkages among ecosystem parameters and salmonid recovery is research, not monitoring, and will require substantial resources beyond those currently within both ODF and ODFW.

**IMST conclusion:** Adequate. While recognizing the limitations ODF and ODFW may have for conducting research, we encourage the interactions with OSU, to develop a collaborative program where agency monitoring can support research efforts and vice versa. Analysis of the outcomes of the programs are suggested for the future to verify that it is providing the quantitative relationships between ecosystem condition and salmonid recovery that is at the heart of this recommendation.