30 January 2015

American Bird Conservancy

Audubon Society of Portland

BARK

Cascadia Wildlands

Center for Biological Diversity

Coast Range Association

Conservation Northwest

Earthjustice

EPIC-Environmental Protection Information Center

Forest Web of Cottage Grove

Geos Institute

Gifford Pinchot Task Force

Great Old Broads for Wilderness

Institute for Fisheries Resources

Klamath Forest Alliance

Klamath-Siskiyou Wildlands Center

Native Fish Society

Northwest Environmental Advocates

Pacific Coast Federation of Fishermans Associations

Olympic Forest Coalition

Olympic Park Associates

Oregon Wild

Oregon Chapter of the Sierra Club

Soda Mountain Wilderness Council

Threatened & Endangered Little Applegate Valley

Umpqua Watersheds Inc.

Washington Chapter of the Sierra Club

WaterWatch of Oregon

Western Environmental Law Center

WildEarth Guardians

Wild Nature Institute

Tom Vilsack
Secretary of Agriculture
United States Department of Agriculture
Washington, D.C. 20250

Sally Jewell
Secretary of the Interior
United States Department of Interior
Washington, D.C. 20240

Re: High stakes of weakening the Aquatic Conservation Strategy of the Northwest Forest Plan

Dear Secretary Vilsack and Secretary Jewell:

Your predecessors' signatures on the Aquatic Conservation Strategy (ACS) of the Northwest Forest Plan broke new ground for federal forest management in 1994. Twenty years later–even with uneven and incomplete implementation–this strategy is largely responsible for higher quality aquatic habitats, enhanced water quality, sustenance of imperiled salmon and associated recreational and commercial fisheries, restoration of sediment and hydrologic regimes, increased floodwater retention, and countless other ecological and economic benefits that flow from healthy watersheds.

Yet despite its ecological successes, the ACS is under attack in Congress, state houses and county seats. The Forest Service and Bureau of Land Management, the land management agencies charged with its administration, are being pressured to dismantle or significantly weaken the ACS on the putative basis that its protections are excessive and needlessly deny rural communities the economic benefits of increased timber harvest.

We write to urge your careful consideration of the potential ecological impacts of eroding the ACS through your agencies' land management planning processes, and call on you instead to validate and strengthen this approach on Pacific Northwest federal forests, providing a model for federal forests nationwide.

Compelling scientific reasons for why the ACS should be preserved and strengthened are provided by a recent white paper (Frissell et. al. 2014) that resulted from a two-day meeting of independent scientists and has been published by the nonprofit Coast Range Association.[1] The take-home message from this paper is that the ecological reasons supporting adoption of the ACS are still valid today, and that emerging science on climate change, stream conditions

[1] Frissell, Christopher A., R. J. Baker, D. DellaSala, R. M. Hughes, J.R. Karr, D. A. McCullough, R. K. Nawa, J. Rhodes, M.C. Scurlock, R. C. Wissmar. 2014. *Conservation of Aquatic and Fishery Resources in the Pacific Northwest: Implications of New Science for the Aquatic Conservation Strategy of the Northwest Forest Plan*. Coast Range Association, Corvallis, OR. 44 pp. (http://coastrange.org/documents/ACS-Finalreport-44pp-0808.pdf)

on private lands, riparian thinning, nutrient retention and other scientific issues justify more, not less, protection of streams from cumulative land-use and climate change impacts. Unfortunately, the agencies have not initiated a comparable internal and multidisciplinary peer review before embarking on their efforts to dismantle longstanding and crucial provisions of the ACS in ongoing planning processes (e.g. past and present BLM plan revision effort, Okanogan-Wenatchee forest plan revision, legislation proposed by Rep. DeFazio and Sen. Wyden).

There are numerous important policy components of the ACS that deserve recognition and retention, including but not limited to:

- **Riparian Reserves as currently delineated.** Current default and watershed-specific criteria provide an adequate land base where protection and restoration of water quality, aquatic and terrestrial riparian-dependent species are the leading management objectives.

- **The Aquatic Objectives Overlay**. Although the ACS included activity-specific management standards and guidelines, the nine Aquatic Objectives are the strategy's real backbone. The standards and guidelines were themselves intended to "prohibit and regulate activities in Riparian Reserves that retard or prevent attainment of the objectives." ROD at B-12. But the Aquatic Objectives Overlay applies even outside of riparian reserves, addressing the ecological need to constrain activities in some upland areas (e.g., non-riparian, stream-associated unstable areas) and to limit the cumulative impacts of activities throughout a watershed. FEMAT at V-29. These objectives are, in short: to maintain or restore: critical watershed and landscape-scale features; connectivity within and between watersheds, physical integrity; water quality; sediment regimes; in-stream flow regimes; floodplain and wetland hydrologic regimes; riparian vegetation; and habitat sufficient to support well-distributed plant and animal species. ROD at B-11; FEMAT at V-30 to-31

- **A "Key Watersheds" Network to prioritize restoration efforts should be retained**. This also needs to be updated to include sufficient habitat protections to support aquatic and riparian-dependent species listed since 1994.

- **Watershed Restoration emphasis on Road Remediation and Removal**. The importance of reducing road-related impacts on aquatic and terrestrial ecosystems cannot be over-stated nor has this need diminished since 1994; road-related impacts to aquatic systems have increased in the face of diminished agency budgets for road maintenance and climate change and,

in a changing climate, this will diminish gains in aquatic restoration from the NWFP without further protections.

- **Standards and Guidelines**. All standards and guidelines that specify how the ACS and its components should be implemented must be retained. Other overall directives that should be retained include those prohibiting trees removed from full riparian reserve buffers from being counted toward agency timber targets and those requiring watersheds to have fewer roads – i.e., at a minimum no net increase, with a longer term emphasis on watershed-level road density reduction. Likewise, future plans should prohibit ecological damage from being "mitigated" by future mitigation elsewhere, a practice now seemingly permitted by Region 6 planning direction or inattention. (As indicated below, stronger direction is needed to address riparian thinning, post-fire salvage, and livestock grazing particularly in a changing climate).[2]

Drawing on current scientific understanding, key ecological reasons why the ACS should be conserved or strengthened noted by Frissell et. al. 2014 include:

1. There is no scientific basis to find that current ACS riparian reserves can be reduced and still ensure protection of riparian ecological functions and resilience of aquatic ecosystems to climate change. There is insufficient scientific support for reducing current Riparian Reserve default widths for any stream type given the importance of buffer redundancy, stream channel connectivity, vegetation density, and critical uncertainties around shallow groundwater regimes, channel migration, nutrient retention, toxic chemical delivery and climate change. Moreover, since riparian reserves were intended to benefit a wide variety of terrestrial wildlife reliant on near-steam habitats, including amphibians, spotted owls, marbled murrelets, reduced riparian reserves lack an ecological rationale on both aquatic and terrestrial conservation grounds.

2. Recent research underscores the original ACS presumption against timber harvest in aquatic emphasis areas, and now more clearly indicates that even harvest in the form of thinning and fuels reduction generally is inconsistent with attainment of aquatic objectives. This conclusion is based on risks of sediment impacts (Rashin et. al. 2006, Dwire et. al. 2010), hydrologic change (Hicks et al., 1991, Moore and Wondzell 2005) and

[2] Beschta, R.L., D. A. DellaSala, D.L. Donahue, J.J. Rhodes, J.R. Karr, M.H. O'Brien, T.L. Fleishcner, and C. Deacon-Williams. 2012. Adapting to climate change on western public lands: addressing the impacts of domestic, wild and feral ungulates. *Environmental Management* DOI 10.1007/s00267-012-9964-9

perpetuation of high density, high aquatic impact road networks (Jones et al. 2000, Trombulak and Frissell 2000, Gucinski et al. 2001, Black et al. 2013). A growing body of evidence indicates that riparian thinning – even that termed "restoration thinning" and practiced with in the belief that it promoted with ACS objectives – delays recovery of riparian forests and instream habitat (Pollock et. al. 2012; Spies et. al. 2013). In those limited situations where mechanical treatments are justified, downed wood should be retained on site. Although thoughtful implementation of the current ACS should theoretically reflect current scientific understanding of the limited benefits of near-stream mechanical treatment of vegetation, future plans should contain more specific direction to ensure that the mistakes of the past are not repeated or the benefits accruing from the ACS via recovering streams are not over-turned.

3. Post-fire and other post-disturbance "salvage" logging is inconsistent with ecological restoration. There is overwhelming consensus in the scientific literature that that post-disturbance logging is not restorative and should be excluded from terrestrial and aquatic conservation emphasis areas (Beschta et. al. 2004, Karr et al. 2004, Lindenmayer et al 2004, Lindenmayer and Noss 2006, Donato et al. 2006, Noss et al. 2006). Although conscientious implementation of the current ACS should exclude these activities because they are not restorative and would impair achievement of aquatic objectives, future direction should prevent mistakes by generally prohibiting post-disturbance salvage in all NWFP reserves, particularly key watersheds and riparian reserves. Instead, post-disturbance management should emphasize road remediation and suspension of livestock grazing.

4. Livestock grazing is inconsistent with full protection of areas where conservation is the primary emphasis, such as riparian reserves and key watersheds. Evidence of the adverse impacts of livestock grazing on ecosystem process and functions has continued to mount, providing ample basis for a programmatic finding that grazing is categorically incompatible with conservation. Adding to long-recognized impacts on soils, riparian vegetation, instream habitat and water quality, recent science has focused on alteration of trophic cascades (Beschta and Ripple 2012) and grazing in combination with climate change as compounding stressors on public lands (cite Beschta paper above too). Again, although strict adherence to the ACS would exclude non-restorative livestock grazing (i.e. all grazing) from aquatic emphasis areas, this is still a matter of considerable local discretion. We urge you to take a stronger stand on livestock grazing in future land management plans direction than your predecessors were willing to do.

5. The ecological imperative to reduce road density and impacts of the retained road system is even greater today than at ACS inception. Evidence

of the connection between roads and aquatic ecosystem health has continued to mount, validating the original ACS emphasis on road-related watershed restoration. (Kaufmann and Hughes, 2006, Firman et al. 2012, Meredith et al. 2014). However, unacceptable road impacts still persist across the Northwest Forest Plan area, prompting the State of Washington to consider legal action against the Forest Service under the Clean Water Act. Future land management plans should prohibit new roads construction as well as road density increases in any watershed. Also needed are clearer criteria for assessing net road density, an improved roads classification system, watershed-level road density targets and mandatory decommissioning of roads whose maintenance is unfunded.

6. Whether current or reduced Riparian Reserve buffers are adequate for effective nutrient retention in light of current land use impacts from logging and grazing and legacy road and other conditions is an open question that deserves further study. Frissell et al. found it likely that full protection of wide Riparian Reserves is needed for effective nutrient retention on all stream types -- particularly including headwater streams with seasonal flow -- in mountainous terrain such as that in the area covered by the current ACS. Reductions to current riparian reserve configurations should not be contemplated without a full understanding of the impacts this will have on nutrient inputs to both freshwater and downstream marine habitats.

Request for Direction on ESA Consultation and Climate Change Analysis. In addition to considering the foregoing recommendations and findings with respect to future federal land use plans, there is also over-arching direction that we believe is needed to ensure transparent and rational decision-making around aquatic conservation policies. The first pertains to the level of analysis that will be conducted in consultations under the Endangered Species Act. Given the significance to aquatic and terrestrial species listed under the Endangered Species Act of changes to the ACS in future land management plans, it is critically important that the plan level consultation process is taken very seriously. Land managers must be required to provide the National Marine Fisheries Service and the Fish and Wildlife Service with the information necessary to meaningfully evaluate the impacts of management changes on protected species.

The second over-arching direction you can give your agencies would be to require the impacts of management and policy actions on ecological resilience to climate change to be specifically assessed at multiple scales, including at the plan, project, watershed analysis and ESA consultation levels. We recommend that environmental assessments, environmental impact statements, watershed analyses, Biological Assessments and ESA consultations should all be required to analyze, consider, and

report the anticipated direct and indirect effects proposed actions on the integrity and capacity of stream and watershed ecosystems for resilience to climate change.

In conclusion, we encourage you to martial your expert resources to scrutinize all of the concerns raised and recommendations made in this letter and in the attached report. We would very much appreciate a response from you as to how your agencies will address these concerns or why you believe our concerns about the current trend toward weakening the ACS are unfounded

With sincere thanks for your thoughtful consideration,

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