

Poor Forestry Practices



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Poor forestry practices can cause significant water quality problems.

Clearcutting leads to erosion of soil into rivers. Roads and clearcuts can cause landslides that bury streams below. Cutting trees beside a stream can elevate water temperatures and destabilize banks. Pesticides applied to a stand of trees can leach to a nearby waterway through groundwater or be carried with the soil by stormwater. These practices can harm aquatic life by limiting sources of food, shade and shelter. The problems are more acute in certain parts of the country. In Washington state, forestry activities are responsible for almost a third (32%) of impaired river miles. California, Florida, Louisiana, Mississippi, Montana and West Virginia also report that forestry activities degrade over 1,000 miles of streams in each state.

In 2000, the Roadless Area Rule set aside vast roadless areas for protection, but these and other areas have subsequently been reopened to more logging for the stated purpose of reducing fire hazards under the Bush Administration's "Healthy Forests Initiative."



Using the Clean Water Act

- **Water quality standards** — Identify the existing and designated uses downstream of forest land. Which uses are the most sensitive to polluted runoff from forest practices? To protect those uses, identify water quality criteria for temperature, bacteria, sediment (total suspended solids), nitrogen and phosphorus, dissolved oxygen, pesticides and fertilizers used in the basin, habitat, streamflow and biology. Evaluate whether the criteria are stringent enough to protect existing and designated uses. (Chapter 1)
- **303(d) list** — Do the water bodies downstream of forest lands in your watershed support uses and meet water quality criteria? If not, or if they are threatened, make sure they are on the 303(d) list for the appropriate pollutants, problems and threats. (Chapter 3)
- **TMDL process** — Is there a TMDL scheduled or in progress in your watershed? Are poor forestry practices included as sources of the impairments? Are there reasonable assurances that forestry practices will be improved to help meet water quality standards? If not, encourage your agency to establish them. (Chapter 3)
- **NPDES** — In 2002, the Ninth U.S. Circuit Court of Appeals ruled that a NPDES permit was needed for aerial spraying of pesticides over forest lands in Oregon and Washington. Inquire about the permitting process for aerial pesticide application in your state. If there isn't one, look for the opportunity to make a similar case to the Forest Service and your state agency. (Chapter 2)
- **Section 319** — This section of the Clean Water Act authorizes money to the states for projects that address nonpoint source pollution. Ask your state water quality agency how to apply for a 319 grant to address forestry problems in your watershed. (Chapter 6)
- **Section 401** — This section of the Clean Water Act requires that the state agency review all federal permits or licenses for activities resulting in discharges to water. Section 401 has been applied to U.S. Forest Service permits for ski resorts. Many believe that it should also apply to timber sales. (Chapter 4)

Using other laws (Chapter 10)

- **SDWA** (p. 183) — Is the surface water or groundwater downstream of forest lands used or designated for drinking? If so, it is likely that human health concerns will provide leverage to ensure that poor forestry practices are addressed. Identify the risks and talk to the agency in charge of developing the Source Water Assessment for your watershed. Be sure that the forest practice risks to drinking water sources are included in the assessment and considered by your drinking water provider.
- **CZMA/CZARA** (p. 187) — Amendments to the Coastal Zone Management Act require control of non point source pollution in the “coastal zone,” including forestry runoff. If you are in a coastal state, find out whether your state applies the provisions of this law to coastal forestry practices. Many states are applying this law broadly beyond immediate coastal areas.
- **National Forest Management Act** (p. 188) — National Forests and Grasslands are managed based on “Land and Resources Management Plans” prepared in compliance with the National Forest Management Act. These plans provide an opportunity to incorporate Clean Water Act requirements into forest management practices. In addition, citizens can appeal timber sales and other activities (such as road building) using Clean Water Act or Endangered Species Act provisions when those activities are likely to have adverse effects on a watershed.
- **ESA** (p. 186) — Are there threatened or endangered species in your watershed? If so, you have another tool for protecting against the damaging effects of poor forestry practices. The Endangered Species Act prohibits any activity that would result in harmful impacts to the species or its habitat.
- **Wild and Scenic Rivers Act** (p. 187) — Is any part of your watershed designated as a Wild and Scenic River? If so, timber harvests and forestry practices must be conducted so as to avoid adverse impacts on the river.