State of Oregon
DEQ Department of Environmental Quality

Temperature Total Maximum Daily Load Replacement project: Middle Columbia-Hood (Miles Creeks) Subbasin

Written comments

This document provides a compilation of written comments submitted by Rule Advisory Committee members during the designated comment period for RAC meeting 2. The RAC convened on Sept. 10, 2026. The comment period was open Sept. 10, 2026, to Sept. 24, 2026.

Original comments are on file with DEQ.

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Comment 1: Amy Kaser, Private Landowner

From: Amy Kaser <kaseramy@gmail.com>
Sent: Friday, September 18, 2026 1:59 PM
To: WILLITS Karissa * DEQ <Karissa.WILLITS@deq.oregon.gov>
Subject: Re: Checking in on the Miles Creeks Temperature TMDL rulemaking process

Everything looks great - you all are extremely well organized and I appreciate your attention to detail in this very large task you have.

Comment 2: Oregon Fish and Wildlife

From: GUZMAN Janna L * ODFW <**Janna.L.Guzman@odfw.oregon.gov**>
Sent: Thursday, September 24, 2026 1:15 PM
To: WILLITS Karissa * DEQ <**Karissa.Willits@deq.oregon.gov**>
Cc: ANTHONY Becky * ODFW <**Becky.Anthony@odfw.oregon.gov**>
Subject: RE: Checking in on the Miles Creeks Temperature TMDL rulemaking process

Hello Karissa,

I did not see anything the stood out, the changes and adjustments seemed reasonable and supported. Will we get to review the public comments as well, is that something that gets posted online or shared out to the RAC?

Thank you,

Janna Guzman

Water Planning Coordinator

Phone: 971-375-7672

Janna.l.guzman@odfw.oregon.gov

Comment 3: Oregon Parks and Recreation Department

From: HARTERT Ivan * OPRD <**Ivan.HARTERT@oprd.oregon.gov**>
Sent: Monday, September 21, 2026 8:31 AM
To: WILLITS Karissa * DEQ <**Karissa.Willits@deq.oregon.gov**>
Subject: RE: Checking in on the Miles Creeks Temperature TMDL rulemaking process

Karissa,

Thank you for the opportunity to comment after our second RAC meeting. At this time, I have no comments or suggested edits on the materials. Thank you!

Ivan Hartert (he/him) | Natural Resource Specialist - Mountain Region

Oregon Parks and Recreation Department

1401 Gekeler Lane La Grande, OR 97850

Phone: 541.805.4493 (cell)

Schedule: M-Thur 6:30am – 5:00pm

stateparks.oregon.gov

Comment 4: Forest Service

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. For translation or other formats, visit DEQ's Civil Rights and Environmental Justice page.

Forest Service **Mt. Hood National Forest** **16400 Champion Way Sandy, OR 97055-7248**

To: Michele Martin, Project Manager, ODEQ

From: Todd Reinwald, soil and water program manager, Mt. Hood NF

Date: Sept. 23, 2026

RE: Middle Columbia – Miles Creeks Subbasin TMDL Replacement Project, Rule Advisory Committee Feedback to meeting #2 (Sept.10, 2026)

This memo is in response to a request by DEQ for the Rule Advisory committee (RAC) to review the draft documents for public notice of the replacement TMDL.

The comments herein intend to endorse the adequacy of the Northwest Forest Plan and the Mt Hood Land and Resource Management Plan to protect shade on Forest Service Lands in the Miles Creeks subbasin, therefore questioning the requirement for the USFS to produce a shade gap analysis.

In a similar circumstance, the USFS solicited DEQ in March of 2026 for the same consideration regarding the TMDL in the Willamette River basin and Sandy subbasin WQMPs for stream temperature. In response DEQ accepted the request to waive the shade gap analysis requirement in that circumstance (see attachment).

Sufficiency of existing agency plans:

The Northwest Forest Plan (NWFP) Aquatic Conservation Strategy (ACS) prescribes riparian buffer distance based on site potential tree height. For intermittent streams, the stated buffer distance in the NWFP is one-site potential tree, or 100 feet slope distance, whichever is greater. In the application of this buffer, the USFS in the Miles Creeks Subbasin use a buffer distance of one site-potential tree, which in coniferous ecotypes is equal to or greater than 120ft. Generally, site potential tree heights range from 120 ft. to 200 ft on the National Forests in the Miles Creeks Subbasins.

Additionally, field verification of intermittent streams and wetlands is a standard practice on the Mt Hood National Forest (MHNF) for higher impact activities like commercial timber harvest. The USFS is required by Forest Plans to include stream course protection in timber sale maps. To properly protect these streams, field verification of stream type (perennial or intermittent) and location are necessary. This field verification typically occurs in the months of June through October to accurately capture the flow status of streams.

Forest Service
Mt. Hood National Forest
16400 Champion Way
Sandy, OR 97055-7248

Vegetation treatments within riparian reserve management on USFS lands in the Miles Creeks Subbasins are dictated by the Northwest Forest Plan and are site specific for local conditions, resource objectives, and ecological function. Clearcutting in riparian reserves is prohibited. Tree removal or thinning may occur to improve riparian conditions, reduce fire or insect risk, or enhance habitat, but must be consistent with ACS objectives. There is no fixed no-cut buffer; vegetation management must be designed to maintain or improve stream shade, protect stream temperature, and water quality. Road construction and other ground-disturbing activities are allowed only when necessary and must minimize impacts to riparian function.

In a recent status and trends assessment of the first 25 years of the Northwest Forest Plan, canopy cover in riparian management areas was assessed across different geographical provinces (https://www.fs.usda.gov/pnw/pubs/pnw_gtr1010.pdf). This analysis used field data and forest vegetation modeling in riparian management areas to derive canopy cover. These riparian management areas include all stream types including intermittent streams. Overall, observed trends indicated an average 3 percent gain in canopy cover in riparian management areas between 1993 to 2017. However, there was considerable variation in individual subwatersheds. Losses of canopy cover were most often associated with large scale disturbance such as wildfire. Gains were most often associated with recovery from disturbance or to expansions of forest conditions into areas that were not historically forested. This analysis shows that at the landscape level, current streamside management under the NWFP is adequate at protecting from shade loss from management actions.

As stated in the Miles Creeks Subbasin Temperature TMDL WQMP, a shade gap analysis is not needed for those streamside areas where DEQ has determined that streamside buffers are sufficient. It is the position of the USFS that the existing implementation plan, namely the NWFP, is sufficient at protecting stream shade across all stream and wetland categories. We are requesting that the WQMP for the Miles Creeks Subbasins be updated to remove the requirement for the USFS to conduct a shade gap analysis. The USFS fully intends to comply with all other stated requirements for the implementation plan in the WQMP including management strategies, streamside evaluation, timeline for implementation, and performance monitoring.

Thank you for providing guidance and support to the USFS as we work on developing Implementation Plans for the new Temp TMDls.

Best regards,

Forest Service

Mt. Hood National Forest

16400 Champion Way
Sandy, OR 97055-7248

Todd Reinwald

Soil & Water Program Manager
Mt Hood National Forest

Att: Letter dated June 15, 2026 from DEQ to USFS RE: Shade Gap Analysis

Oregon
Tina Kotek, Governor

Department of Environmental Quality
Water Quality
700 NE Multnomah Street
Portland, OR 97232
(503) 229-5696
FAX (503) 229-6124
TTY 711

June 15, 2026

Joe Blanchard
Watershed Program Manager
United States Forest Service
777 NW Garden Valley Blvd
Roseburg, OR 97471

RE: 2025 Willamette Subbasins and 2024 Lower Columbia-Sandy Water Quality Management Plans: Shade Gap Analysis

Dear Joe Blanchard,

The Environmental Quality Commission adopted the Willamette Subbasins and Lower Columbia-Sandy Temperature Total Maximum Daily Loads (TMDL) and Water Quality Management Plans (WQMP) as Oregon Administrative Rule 340-042-0090(3-4) on May 8, 2025, and Aug. 6, 2024. The Department of Environmental Quality (DEQ) identified the United States Forest Service (USFS) as a designated management agency requiring completion of a shade gap analysis outlined in section 5.3.4.2 of the WQMPs.

In an email submitted on March 26, 2026, the USFS explained that the buffer distance on intermittent streams is one site-potential tree in the Willamette and Sandy Subbasins, which is typically greater than 120 ft. Based on a literature review, DEQ identified that a slope distance buffer width of about 36 meters (120 ft) resulted in no increase in mean stream temperatures (TMDL TSD, Appendix I). The USFS also performs field verification of intermittent streams and wetlands to capture the flow status of streams. Based on this information, DEQ finds that the USFS current practices are adequate to meet the 120 ft streamside buffer. Therefore, USFS does not need to complete a shade gap analysis.

The USFS needs to submit TMDL implementation plans by Nov. 9, 2026, and streamside evaluations by May 8, 2028.

If you have any questions about the content of this letter, please feel free to contact the basin coordinators:

Priscilla Woolverton
Willamette Basin Coordinator
priscilla.woolverton@deq.oregon.gov
503-688-8801

Sarah Mattecheck DeLorenzo
Sandy, Clackamas, and Molalla Basin Coordinator
sarah.mattecheck@deq.oregon.gov
503.816.6923

Sincerely,

Steve Mrazik
Watershed Management Manager, DEQ Water Quality
steve.mrazik@deq.oregon.gov
971-563-8035

cc: Nick Grant, USFS
Todd Reinwald, USFS
Theresa Burcsu, DEQ
Stephanie Page, DEQ
Mia Pan, DEQ
Priscilla Woolverton, DEQ
Sarah DeLorenzo, DEQ

From:	Blanchard, Joseph - FS, OR
To:	MATTECHECK Sarah * DEQ; Grant, Nicholas - FS, OR; Reinwald, Todd - FS, OR; Brian Staab; Cissel, Morgan - FS, OR; Brazier, Joni - FS, OR
Cc:	WOOLVERTON Priscilla * DEQ; Bringolf, Nicole - FS, CA
Subject:	RE: Follow up: Willamette and Sandy Temperature TMDL Implementation Plans
Date:	Thursday, March 26, 2026 12:07:46 PM
Attachments:	image002.png

Hi Sarah and Priscilla,

I apologize for the delay in responding to your questions. I worked with my counterparts on the Willamette, Siuslaw, and Mt Hood National Forests to answer your questions.

On the question of points of contact, please include the Forest Service Program Managers at the Forest level for each basin. For the Willamette basin that includes Todd, Nick, Joe, and Morgan. Todd is the USFS POC for Sandy Basin. We can loop in Brian and Nicole at the Regional Office as needed.

Regarding the question of combining the Willamette and Sandy implementation plan documentation, tracking and reporting, we have a consensus to keep Willamette and Sandy Temp TMDL Implementation plans separate. The Forest Service units will be using the same implementation plan template, so plans for Willamette, Sandy, Umpqua, and Rouge will all look very similar. It makes more sense to keep these plans separate to better align with accomplishment tracking at the individual forest level. Separate plans also allow room to capture unique features of a given basin, the Bull Run watershed being one example.

Nick Grant on the Willamette National Forest agreed to take the lead on USFS Willamette Basin Mercury TMDL implementation plan. He will work with Nicole Bringolf, Assistant Regional Hydrologist, to pull data from BMP and Watershed Improvement Tracking (WIT) databases for reporting. Nick will call on watershed PMs from Umpqua, Siuslaw, and Mt Hood to fill in parts of the report. Nick can follow up with an anticipated timeline for a draft report.

Lastly, we worked together to provide updated justification for the adequacy of the Northwest Forest Plan in the Willamette and Sandy Subbasins to protect shade, therefore eliminating the requirement for the USFS to produce a shade gap analysis. I have included the justification statement below. If DEQ requires more formal correspondence please let me know and I can work with Forest Service Leadership to provide that.

Willamette and Sandy Subbasins Temp. TMDL sufficiency of existing plans:

The Northwest Forest Plan (NWFP) Aquatic Conservation Strategy (ACS) prescribes riparian buffer distance based on site potential tree height. For intermittent streams, the stated buffer distance in the NWFP is one-site potential tree, or 100 feet slope distance, whichever is greater. In the application of this buffer, the USFS in the Willamette and Sandy subbasins use

a buffer distance of one site-potential tree, which is greater than 120ft. In fact, site potential tree heights range from 180ft to 220 ft on the National Forests in the Willamette and Sandy Subbasins.

Additionally, field verification of intermittent streams and wetlands is a standard practice for the USFS in the Willamette and Sandy Subbasins for higher impact activities like commercial timber harvest. The USFS is required by Forest Plans to include stream course protection in timber sale maps. To properly protect these streams, field verification of stream type (perennial or intermittent) and location are necessary. This field verification typically occurs in the months of June through October to accurately capture the flow status of streams.

Vegetation treatments within riparian reserve management on USFS lands in the Willamette and Sandy Subbasins are dictated by the Northwest Forest Plan and are site specific for local conditions, resource objectives, and ecological function. Clearcutting in riparian reserves is prohibited. Tree removal or thinning may occur to improve riparian conditions, reduce fire or insect risk, or enhance habitat, but must be consistent with ACS objectives. There is no fixed no-cut buffer; vegetation management must be designed to maintain or improve stream shade, protect stream temperature, and water quality. Road construction and other ground-disturbing activities are allowed only when necessary and must minimize impacts to riparian function.

In a recent status and trends assessment of the first 25 years of the Northwest Forest Plan, canopy cover in riparian management areas was assessed across different geographical provinces (https://www.fs.usda.gov/pnw/pubs/pnw_gtr1010.pdf). This analysis used field data and forest vegetation modeling in riparian management areas to derive canopy cover. These riparian management areas include all stream types including intermittent streams. The Western Cascades province experienced an average 3 percent gain in canopy cover in riparian management areas between 1993 to 2017. However, there was considerable variation in individual subwatersheds. Losses of canopy cover were most often associated with large scale disturbance such as wildfire. Gains were most often associated with recovery from disturbance or to expansions of forest conditions into areas that were not historically forested. This analysis shows that at the landscape level, current streamside management under the NWFP is adequate at protecting from shade loss from management actions.

As stated in both Willamette and Sandy Subbasin Temperature TMDL WQMP, a shade gap analysis is not needed for those streamside areas where DEQ has determined that streamside buffers are sufficient. It is the position of the USFS that the existing implementation plan, namely the NWFP, is sufficient at protecting stream shade across all stream and wetland categories. We are requesting that the WQMP for both the Willamette and Sandy Subbasins be updated to remove the requirement for the USFS to conduct a shade gap analysis. The USFS fully intends to comply with all other stated requirements for the implementation plan in the WQMP including management strategies, streamside evaluation, timeline for implementation, and performance monitoring.

Thank you for providing guidance and support to the USFS as we work on developing Implementation Plans for the new Temp TMDls.

Best regards,

Joe

Joe Blanchard
Watershed Program Manager
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777 NW Garden Valley Blvd..
Roseburg OR, 97471

From: MATTECHECK Sarah * DEQ <Sarah.MATTECHECK@deq.oregon.gov>
Sent: Thursday, February 19, 2026 1:41 PM
To: Grant, Nicholas - FS, OR <nicholas.grant@usda.gov>; Reinwald, Todd - FS, OR <todd.reinwald@usda.gov>; Staab, Brian - FS, OR <brian.staab@usda.gov>; Cissel, Morgan - FS, OR <richard.cissel@usda.gov>; Blanchard, Joseph - FS, OR <joseph.blanchard@usda.gov>; Brazier, Joni - FS, OR <joni.brazier@usda.gov>
Cc: WOOLVERTON Priscilla * DEQ <Priscilla.WOOLVERTON@deq.oregon.gov>
Subject: Follow up: Willamette and Sandy Temperature TMDL Implementation Plans

Good afternoon- thanks again for meeting with us via Teams yesterday. Attached and below is follow up information and a couple questions.

Attached:

- Excerpt (PDF, Sect. 5.3.2) from 2025 Subbasins Temp. TMDL (this same information is also in the 2024 Sandy Temp. TMDL) that outlines the requirements for a Streamside Evaluation. A completed evaluation is due May 9, 2028.
- Excerpt (PDF, Sec. 5.3.4) from 2025 Subbasins Temp. TMDL (this same information is also in the 2024 Sandy Temp. TMDL) that outlines the requirements for a Shade Gap Analysis. The methodology for the Shade Gap Analysis is due Nov. 9, 2026. A completed Shade Gap Analysis is due by Nov. 9, 2030.

- An example (Word) of the information that needs to be added to the current USFS Willamette implementation plan. This information could also be submitted in a separate document that is specific to the Temp. TMDL, or two documents that address the Willamette and Sandy Temp. TMDLs separately. This information, captured in an implementation plan(s), needs to be submitted to DEQ by Nov. 9, 2026. In addition to the information in the attached table, a brief intro. describing the Temp. TMDL and USFS management of riparian areas is requested.
- A copy (PDF) of the current USFS Willamette Basin Mercury TMDL implementation plan.

Willamette and Sandy Basins Temp. TMDL Shade Gap Analysis:

- Based on recent discussions between the DEQ Umpqua Basin Coordinator and USFS staff, it was determined that USFS management under the Northwest Forest Plan in the Umpqua Basin is adequate to meet shade targets and therefore will not be required to meet the shade gap analysis requirement. It was confirmed with the Umpqua National Forest watershed manager (Joe Blanchard), that site-potential tree height in the Umpqua National Forest generally ranges from 150 to 200 feet. DEQ recommends a 120-foot buffer to protect stream shade. Because USFS Riparian Reserves for these stream types are defined as one site-potential tree or 100 feet, whichever is greater—and one site-potential tree in the Umpqua Basin typically exceeds 120 feet—it appears that USFS management practices meet or exceed the buffer width needed to achieve shade-based load allocations.
    - Please consider this in context of the management of USFS lands in the Willamette and Sandy, and let us know if you think this holds for these basins as well.

Questions:

- Is there a primary point of contact that you would like us to communicate with regarding the Willamette and/or Sandy Basins?
- Do you want to move forward with an effort to combine the Willamette and Sandy implementation plan documentation, tracking and reporting?

Willamette Basin Mercury TMDL:

- Please let us know when USFS will be able to submit the 2025 annual report for the reporting period of Oct. 2024- Sept. 2025. The annual report due date is scheduled for Dec. 31 every year. The annual report provides a status update on the "Milestones" presented in the table in Appendix C of the implementation plan.

Thanks,

Priscilla and Sarah

Priscilla Woolverton | Willamette Basin Coordinator
DEQ Western Region |165 E. 7th Ave., Ste. 100, Eugene, OR 97401-3049
priscilla.woolverton@deq.oregon.gov | 503.688.8801
pronouns: she/her

Sarah Mattecheck (she/her)
Sandy, Clackamas, and Molalla Basin Coordinator
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