

## **Ruminations on the Northwest Forest Plan, The Northern Spotted Owl, & The 3 Conifer & Upper Boulder Timber Sales**

By Gradey Proctor

**Right under our noses, two egregious timber sales are logging some of the last acceptable land set aside for the threatened northern spotted owl on Mt. Hood National Forest. This land is known as “critical habitat,” and was designated as such by the US Fish and Wildlife Service. Such activity has been found to be illegal by the 9th Circuit Court of Appeals in a lawsuit that Bark along with many other groups participated in. The Forest Service, however, continues to allow the trees to fall. This fact inspired one of Bark’s stellar volunteers to go out and visit these areas, known as Upper Boulder and 3 Conifer Timber Sales. Together these sales destroy over a thousand acres of owl habitat and place a dozen pairs of owls at risk. They also border the Badger Creek Wilderness--one of those small parcels of land we humans set aside for other forms of life.**

### **First, What Is the Northwest Forest Plan?**

In 1992, the Northwest Forest Plan was designed to manage the forests of the Pacific Northwest and protect the northern spotted owl. Yet this was implemented under the notion that as long as habitat was available somewhere, anywhere really, then it was acceptable to log spotted owls right out of their homes. According to the Forest Service this is known as an “incidental take.” They operated under the notion that we need a certain number of spotted owls to maintain their listing as endangered. So for example, if Oregon needs 100 and each needs 100 acres of Old Growth, then all the Forest Service would need is 10,000 acres of suitable habitat. The problem with this is that it allows the Forest Service to log known habitat where owls are known to be-- knowing that they are likely to perish by such activity. Second, it does nothing to actually improve their recovery, which is a key component of the Endangered Species Act. Instead they are knowingly logging this species to extinction.

### **Ninth Circuit Comes to the Rescue!**

The new ruling by the Ninth Circuit Court of Appeals says that the Forest Service is not acting in concert with the Endangered Species Act by not actively trying to preserve the owl. The ruling states that one can’t use habitat availability as a guideline but needs to protect the actual owls and their actual homes to ensure the continuity of the owl. It seems like such common sense, but the Forest Service has actively denied this since the inception of the Northwest Forest Plan.

### **Into the Field: 3 Conifer**

With all this in mind I went to check out the 3 Conifer timber sale. When I began doing some research on the sale I learned that 7 owls were having a drastic cut in their available habitat, one pair of spotted owl unfortunately residing in 3 Conifer started out with 407 acres and with the implementation of this plan they are now going to have to try and get by on 288 acres. The chances are not good that this pair will be able to exist with the loss of 119 acres. Timber sale planners had informed us that 283 acres of Critical Habitat is still destined to be cut, so I went out with another Bark volunteer with the hopes of finding where this habitat is. After a day of driving and map deciphering, we reached the area known as Con 2. We met with the security guard who informed us that the road was too muddy for us to pass in our passenger car. At the end of this road is the Three Mile Trail which allows hikers access into the heart of the Badger Creek Wilderness. I wondered how many people were now unable to visit this beautiful area on account of the road conditions. With the recent rains and heavy machinery the road had 6 to 8 inch ruts. It made me wonder what is being done to the soil in the area on account of logging in the fall weather. We parked the car at the turnoff and walked the half-mile to where active logging was happening. It happened to be right at the turnaround for the three-mile trail. After spending the day looking at the effects of logging, we thought we'd hike some of the trail; yet where we began, we noticed that on one side of the trail there were signs informing me that it was a wilderness area, on the other side of the path were downed trees in piles. These are acres where known spotted owls reside, and part of a larger undisturbed landscape; yet the Forest Service still plans to cut this habitat though it is scientifically and now legally known that this could extirpate these critters, and is another step toward our loss of those majestic birds of the night.

### **Next, Off to Upper Boulder!**

The next weekend I went out to visit Upper Boulder, just west of the 3 Conifer sale. The maps the Forest Service released on this sale have no road numbers, so it is a difficult sale to investigate. I first traveled up Road 4860, hiking through sales where 60% of the trees had been removed, 2 to 3 inches of slash was piled upon the ground, and the deep ruts traversing the skid trails conducting new flows of water disrupting the watershed. I later traveled up Road 4870 to see similar stands of trees. There is still active logging in what I am nearly certain is Unit 32. The road was blocked on this day by a stretch of wire and logging ahead signs. All along the opposite side of the road were steep slopes above Boulder Creek and an old cut struggling to support trees. It seems strange that they are doing the same here on the other side of the road when their past activities are right there just across the road making no progress to

becoming a forest again. This unit is adjacent to the Late Successional Reserve and Boulder creek. This area is also considered “Critical Habitat” or at least was.

These two adjacent sales combined equate to a serious loss of habitat in the area of the Badger Creek Wilderness. There are still 283 acres of “critical habitat” left in 3 Conifer and we are still trying to wade through the vague Environmental Assessments of Upper Boulder to assess the losses there. It is known to the Forest Service that where they are logging is “critical habitat,” which is both scientifically and legally unacceptable. The stewards of our land are turning their back on their job and likely costing a dozen pairs of spotted owls their lives.

**See For Yourself! How to get there:**

Both of these sales are north of Forest Service Road 48, and just south of the Badger Creek Wilderness area. For Upper Boulder head up 4860. 4870, the first right will, follow the sale up the western side, or continue up 4860 to follow the eastern side of the units. 3 Conifer is an extensive sale, from just across 4860 and all the way east to Rock Creek Reservoir. Maps can be found at [www.Bark-out.org](http://www.Bark-out.org).