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Lawsuit filed to halt sale of timber

 Pamplin Media Group  Wednesday, September 19, 2018

Nature groups want to save owl habitat, mature trees, which are more 'fire resilient'



CONTRIBUTED PHOTO - Groups including Bark, Oregon Wild, Cascadia Wildlands and WildEarth Guardians argue that the Mt. Hood National Forest's 12,000-plus acre timber sale is illegal because of possible environmental impact.

(<https://pamplinmedia.com/images/artimg/00003620129360-0865.jpg>) Environmental advocacy groups filed a federal lawsuit Monday, Sept. 10, to challenge the proposed Crystal Clear Restoration timber sale in the Mt. Hood National Forest.

The proposed timber sale, the most extensive on Mt. Hood in more than a decade, would include 7,498 acres of commercial logging on the eastern shoulder of the forest near White River, including 3,494 acres of mature and old-growth forest.

Groups including Bark, Oregon Wild, Cascadia Wildlands, and WildEarth Guardians contend the 12,000-plus acre sale threatens endangered species habitat and increases fire hazards.

The lawsuit, filed in the Federal Court for the District of Oregon, notes that 36 miles of roads would be built, and old-growth trees that are resilient to fires would be cut.

"They're positioning this as a fuels-reduction project," Brenna Bell, legal representation for Bark told The Post in a previous interview. "Mature forest is the most resilient."

Bell argues that "fire can only justify so much logging," and that the Forest Service's proposed 12,000-acre sale is well over what is appropriate.

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The timber sale amounts to roughly double the recent annual amounts of timber-cutting in the forest.

Other points of contention for the advocacy groups include the potential impact of the project on the northern spotted owl.

"The entire project is located in critical habitat for the northern spotted owl," Bell noted in a recent statement. "Logging would remove 2,000 acres of currently functioning owl habitat."

In a prior interview, Casey Gatz, then Forest Service project leader on the restoration, said "We are maintaining as much of the owls' habitat as possible. The northern spotted owl is definitely a species we have to plan for."

Furthermore, the groups argue that the logging will adversely affect the flora and waterways in the area.

"Forest roads bleed sediment into rivers and streams, split apart wildlife habitat, create barriers to migration and invite invasive species. There is no way the agency needs all of the hundreds of miles of roads in the project area," said Marla Fox, attorney for WildEarth Guardians, in a prepared statement. "Removing and rehabilitating unneeded roads would improve watershed health and habitat connectivity, but the Forest Service did not prioritize this type of real restoration work."

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"The Forest Service has failed to explain why it is choosing to conduct extensive logging that will transfer thousands of tons of greenhouse gases from the forest to the atmosphere and make climate change worse, when sound forest conservation could actually be part of the solution," noted Doug Heiken of Oregon Wild.

In the past, Bell has also expressed concern over the preliminary process the Forest Service underwent for the CCR project.

She noted that officials had previously led a more "inclusive" process, but this time around "they didn't even give us the chance to go through the collaborative process."

In an earlier response to such claims by Bell, Gatz assured The Post that the Forest Service invited Bark to a field trip last fall to discuss concerns and ask questions about the project, but nobody showed up.

Ultimately, this perceived exclusivity and lack of transparency on the service's part are what Bark cites as reason to file.

"We had no chance to work out the kinks of the sale," Bell said. "The Forest Service is unwilling to collaborate. We tried really hard to avoid ending up back in court."

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Bell noted that she sees a disconnect between "the rhetoric driving this sale" and "what is happening on the ground."

"I think the issue is the sale is just illegal," she added. "The whole (area) is dedicated as habitat for the spotted owl. (Logging there is) just against the law."

She claims, possibly because of Forest Service staff turnover, that the required environmental analysis of the proposed area was not as thorough as it should have been.

"They basically skipped that," Bell noted. "It was an inadequate analysis for a project of that magnitude. The take home part for us is the Forest Service and the timber industry are really pushing fear of fire as a reason to log. They're taking it a step too far.

The Forest Service was contacted and declined to comment at the time of press because of the newly litigious nature of the project.



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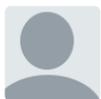
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[john thomas](#) • 2 years ago • edited

The opposition would be more relevant if it could be connected to abortion and a woman's right to free health care. I don't want to hear about affordable housing, because stopping public land timber sales ended up giving the "International Corporate Timber Stealers" a monopoly on the lumber market, to the point that they, too, oppose public timber sales.

The reality is summed up in the Kalmiopsis Wilderness in the Rogue/Siskiyou Natl Forest: 1987 the Silver Fire burns over 100,000 acres. In 2002 the Biscuit Fire burns over 500,000 acres, including the area of the prior Silver Fire. In 2017 the Chetco Bar fire burned over 235,000 acres, including land burned in the Silver and Biscuit fires. This year, the Taylor and Klondike fires became one, the Klondike fire, and again burned over areas of the Silver, Biscuit, and Chetco Bar fires. My question: Of the species of concern in the 1970s that fomented the creation of the Kalmiopsis Wilderness, how many of those species of plants, insects and animals still exist on the land burned over 4 times in 31 years? Can Oregon Wild, Center for Biological Diversity, the USFS, the USFWS, any of those public land management agencies, show me a pre Wilderness census of species, their locations, and then show me those species today? Do Brewers Spruce trees grow back? I read the fire reports this year for the Klondike Fire. It ran into last years fires and essentially slowed to a crawl. When it got to the Biscuit Fire scar, it ran with the wind covering tens of square miles a day in high brush and dried out dead trees and previously burned coarse woody debris.

As Wilderness, there are no roads, few ways to suppress fire. The collateral damage of private land burned is dismissed in law, with Federal tort protections for government land managers and fire starts. But if the fire starts on private land, the US Attorney can and will sue to get damages for public loss of timber that can never be logged, plants that are never inventoried, "the grandeur of the landscape", and monies spent to suppress the fire. Like the teenager with the \$36 million damage determination for the 2017 fire in the Gorge. No valid chance, however, to collect a dime from Federal negligence, the setting of backfires on private land by Federal contractors, and the fire destroying private assets in an attempt to slow public land origin fire from burning more public land. Just more government arrogance.

It's a one way street, all favoring Government, and not protecting the landscape, the old growth trees, the inferred habitats, from wildland fire. If the Feds try to do fuels management, the same cast of NGOs, the Congress' parallel Quisling 5th Column of the environment, are there to stop it in the name of arcane procedural missteps. Meanwhile, the 5 million acres of industrial timberland has few fires, little damage, and provides 70% of the timber for milling in Oregon. Small woodlands operators will cut to pay taxes, gain money to buy or build something, and only when the market is favorable. The industrial owners cut every day on a schedule, every year, sustainable and dependable. So out of 28 million acres of timberlands in Oregon, about 6 million of them are the lumber industry. The rest are a dependency sucking hundreds of millions, perhaps billions, a year in fire suppression costs, management costs, to produce smoke and not sequester carbon, but release it. Socialism runs its railroad that way, and has the lawyers to make sure even what's for lunch is litigated.

3 ^ | v • Share ›



oregonn8tive • 2 years ago

These people against the logging in a controlled environment are advocates of pillaging the third world forest, pure and simple. Yes, they all use forest products but so long as it is NIMBY (Not In My Back Yard), they could care less.

1 ^ | v • Share ›



G Daniels • 2 years ago



The Forest service should partner with the State, Counties, and Cities, and develop work crews to help with the forest thinning, instead of selling off our forests to private interests. Back in the day the forest service would hire work crews off the street if you were able to pass the "step test" then bus you into the woods in a school bus, feed you a bag lunch, give you some forest clothes and then train you to dig fire line or other forest jobs, all you needed was a good pair of boots and a positive attitude. The workers who showed promise were promoted to crew captains, and would supervise the others while reporting to the Forest Service crew boss. This would be a good source of work for some of our homeless citizens that are down on their luck and need some motivation and inspiration. Just giving them housing won't help much, they need a way to make some income besides drugs, theft and prostitution, and to be able to do something positive that will help them get healthy and back on track. They could team up with Street Roots, a lot of those guys selling papers on the corners seem like they are pretty responsible, plus Street Roots provides outreach to the down and almost out population that could benefit from a social workforce program, letting them know where to show up at 5:30 AM, sober, ready to pass the step test and get on the bus for an honest day of work and a healthy lunch, snack and water. If I was a politician this is something I would look into promoting to help address the homeless problem.

1 ^ | v 1 • Share ›



David Silbernagel → G Daniels • 2 years ago

You live in a dream world !!! Most homeless people now days really do not want to work or are unable to because of drug use !!!

2 ^ | v • Share ›



G Daniels → David Silbernagel • 2 years ago

Well not all of the homeless are beyond hope drug addicts, the guys and gals selling Street Roots seem pretty together. There just needs to be more to help employ the currently unemployable. And I know in the past the Forest Service had that sort of simple manual labor in abundance, digging trail, planting trees, Polaski work. Just housing them without any meaningful healthy work won't work, look at the Bud Clark Commons.

2 ^ | v 1 • Share ›



Paul Gardner Allen • 2 years ago • edited

The Forest Cutting Service is a lackey for International Corporate Timber Stealers and always has been. Using "fire" as an excuse to ruin public lands is thievery. Why are the conservancies apologizing about taking this to court. Everybody who cares about Mt. Hood should know about this.

2 ^ | v 5 • Share ›



John Boggs • 2 years ago

The government already prefers to let the trees burn as factually trees have no value either alive or salvaged. They can't be harvested either way.

Additionally, the government has no consideration for the people who are affected by the smoke.

As I see it, the sole benefit in letting the forests burn is that the endangered species are consumed

and the excuses to harvest trees disappears.

In the meantime, Canadian and east of the Mississippi lumber mills profit. Good for them.

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