

Groups file lawsuit to discontinue clear-cutting of old-growth timber

By Deborah Janes
Of the Emerald

In an effort to save a 62-acre stand of Oregon old-growth forest, environmental groups have filed a lawsuit to halt clear-cutting.

The Oregon Natural Resource Council is concerned, however, that the Bugaboo Timber Co. may make the lawsuit a moot point by logging the Devil's Ridge area 60 miles east of Salem before the issue has its day in court.

The ONRC's request for a temporary restraining order to prohibit logging was denied last week in the 9th District Court of Appeals, removing any obstacles from Bugaboo's path.

With this defeat, ONRC attorneys are gathering information for their lawsuit which they expect will enter proceedings in early January, according to ONRC member Mark Dietrich.

The ONRC lawsuit charges that the environmental impact statement for the area does not assess the cumulative effects the logging operation will have on the ecological balance of the region.

It also claims that the Forest Service has delayed the land-use planning procedure that would result in a new report, according to Wendell Wood of the ONRC. A new report, Wood believes, might suggest protecting the Devil's Ridge area.

Although Bugaboo finished the road, the impending winter weather has forced the company to wait until spring to clear-cut the old-growth stand, according to the Forest Service's timber-sale planner, John Fertig, and

ONRC's Wood.

This delay may give the ONRC the opportunity to push its lawsuit through court and possibly stall the logging operations until an updated Forest Service environmental impact statement is written, said James Monteith of ONRC.

The sale for the 7.6 million board feet of timber is final so no new discussion is possible until the upcoming land-use planning procedure begins, Fertig said.

"We can't manage everything through the court system," he said.

ONRC members, however, see the lawsuit as their only option.

The Forest Service "broke their promise to look at the area again before they allowed cutting. The Forest Service is supposed to be a steward of the land, but it is so embedded with the timber companies," Monteith said. "The Forest Service is making decisions with chain saws."

The controversy is based on how the opposing groups view the issue, Fertig said.

"We see it as a contract with the timber company — a legal issue to use our land-use plan. They (environmental groups) see it as an emotional issue," he said.

Friends of Breitenbush Old Growth have maintained an ongoing vigil and protest at the logging site.

The protest reached its peak Nov. 3 when the restraining order suit was to be decided in District Court. In an attempt to thwart the loggers from cutting

before the court decision had been made, 40 protesters chained the bridge leading to the area and built a bonfire on the bridge, according to Jes Richardson from FBOG.

In addition, that day three people who had spent the night in trees and refused to leave were arrested, and three others were arrested for trespassing. A total of 22 people have been arrested for civil disobedience actions at the site.

"I want my son and his sons and daughters to be able to walk through the old growth and see what it's like. Many reports have shown that within 10 to 14

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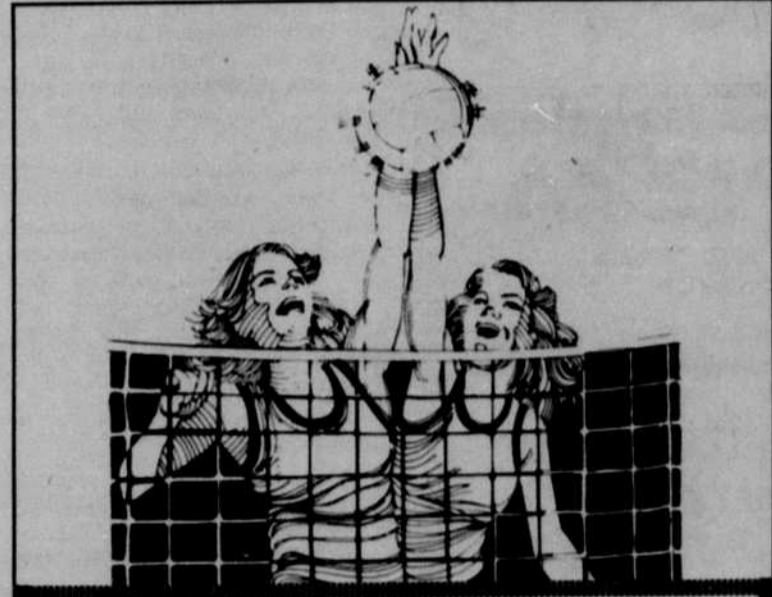
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