

Magistrate reverses ruling; Warner Creek may still be logged

Lori Bettineski
Oregon Daily Emerald

Efforts to prevent salvage logging on an arson-burned area near Oakridge suffered a major setback last week after a federal magistrate in Eugene rescinded his original opinion to protect the land.

U.S. Magistrate Tom Coffin has dropped his March 27 findings in which he said logging Warner Creek should be blocked because the U.S. Forest Service had failed to consider whether harvesting the burned area could prompt other arsons.

Coffin has asked the U.S. Forest Service and the Western Environmental Law Center, which is representing the Sierra Club and Oregon Natural Resources Council, to re-submit briefs on the case. He will then issue new findings and recommendations.

"It's extremely disappointing because Coffin's decision wasn't based on law but strictly politics," said Tim Ingalsbee, co-director of Cascadia Fire Ecology Education Project. "It has really thrown the whole case back to square one."

Coffin's latest findings and recommendations are only advisory and will be passed on to U.S. District Judge Michael Hogan who will make the final decision on whether the burned area can be logged.

Marianne Dugan, a Eugene lawyer representing the Western Environmental Law Center, said Coffin rescinded his original ruling because of a brief filed on April 14 by the Associated Oregon Loggers.

In the brief, the group argued that Coffin's original ruling implied that all loggers were arsonists — a message that Dugan says Coffin will refute in his new findings and recommendations to Hogan.

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— MARIANNE DUGAN
lawyer

is reached," Dugan said.

It is unclear when Hogan will announce a final ruling on Warner Creek, but the U.S. Forest Service has announced it will put the land up for sale beginning May 1.

Robin Smith, a second-year University law student who is working on the Warner Creek case as a legal clerk for the Western Environmental Law Center, said she believes Coffin's decision last Tuesday is "bad news" in terms of protecting the area from being logged.

"It's very discouraging because it probably means that he (Coffin) is going to write an opinion that reaches the opposite conclusion," Smith said. "It is hard to say, but when the original decision was announced we were optimistic."

"Regardless of what decision comes back, we will appeal this," she said.

Warner Creek became a target of controversy after the U.S. Forest Service decided that 9 million board feet of timber burned in the 1991 arson-caused fire should be logged. Conservationists, however, argue that allowing salvage logging in the 9,000-acre fire area will encourage arsonists to set more fires as a way of getting more timber to area mills.

The 1991 fire occurred in an old-growth and spotted owl reserve, which under President Bill Clinton's Northwest forest plan is off-limits to logging except in the case of major fires.



NATALIE MONTGOMERY/Emerald

Every Saturday homeless families and children gather at First Christian Church to eat breakfast.

Church offers breakfast to homeless

Ben Moebius
Oregon Daily Emerald

It is a sunny, warm Saturday afternoon and the basement of The First Christian Church, 1166 Oak St., is filled with the smell of pancakes, bacon and coffee.

E.J., a 19-year-old homeless teenager, sits at a round formica table with some of his friends gulping down mouthfuls of milk between bits of food. While packing away a large breakfast burrito, E.J. is also able to talk about his latest adventure.

He discusses a trip he made to California with some friends.

As he moves on to a plate of pancakes smothered in Country Kitchen syrup E.J. tries to explain just how much he loves this Saturday morning breakfast.

"Let's just put it this way," he says. "One thing we decided before we even left Eugene was that we have to make it back for this breakfast."

The mood is undeniably cheery in the makeshift kitchen. About 20 people sit and chat, smiling between sips

of hot coffee. E.J. begins to scribble a poem on a piece of paper about his trip to California and his return home.

This is exactly the sort of atmosphere that Mike Langley, organizer of the Saturday breakfast, hoped to create when he began the operation a little over a month ago.

Langley noticed that the homeless breakfast that had been going on for more than two years at the church did not attract many children or families.

"There are mostly older guys that go to the first breakfast," he said.

Langley helped organize a second breakfast, which would start at 10:30 a.m., one hour after the first breakfast, and would be exclusively for families and children.

"As you can see," Langley says, gesturing to the families grouped at round tables in the large room, "it looks like it's going to be a success."

According to Langley, the breakfast this Saturday has attracted the largest number of people so far. "I see a lot of new

faces today," he said. "This kind of thing takes a while to catch on. It usually passes by word-of-mouth."

Langley says he hopes that as the breakfast grows more popular with the kids some will become involved with organizing it. "Of course we are here to feed these kids," he says. "But we are also here to show them we think they are okay, that they have something to contribute."

The kitchen is run by volunteers from the church and is funded by church donations and Food For Lane County, a nonprofit organization dedicated to feeding homeless and poor Lane County residents.

As E.J. digs into his third plate of food his friend, "Crumb," comes into the kitchen. Crumb, at 11 years old, is the youngest of the "Mall Rats," a group of homeless kids who live near the downtown mall.

E.J. explains that he has taken Crumb under his wing. "I've kind of adopted him," he says. "I look out for him, watch over him."

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