

Timber

Continued from Page 1A

tricts that receive revenue from state forests,” State Forests Division Chief Liz Dent said after the verdict was announced.

“We are disappointed that the jury did not agree, but we respect their time commitment and the disruption to their daily lives as they analyzed complex information and difficult legal questions,” Dent said.

Environmental groups said they were disappointed in the decision.

“The state did the right thing in arguing for balanced management of our public forests,” said Bob Van Dyk, Oregon and California policy director for the Wild Salmon Center. “Salmon are a forest product, just like trees.

Now the weak rules to protect salmon on private industrial forests could spread onto public forests.”

It’s uncertain where the money to pay the counties would come from.

“Today’s verdict was not an unexpected first step in what will be a lengthier legal process, and it would be premature at this point to make budget decisions based on the jury’s decision,” said Charles Boyle, a spokesman for Gov. Kate Brown.

The state is likely to appeal the case.

“We will be reviewing options and next steps with attorneys from the Oregon Department of Justice,” Dent said.

How did we get here?

The roots of the lawsuit go back more than 80

years, when counties began deeding the state forestland that timber companies had cut over and abandoned to foreclosure, or that had been burnt in major forest fires.

The state manages the forests, and the counties get a cut of the profits.

A 1941 agreement requires Oregon to manage the forests for “the greatest permanent value of those lands to the state.”

The jury was charged with deciding exactly what state lawmakers meant when they wrote those words in 1941.

In the late 1990s the Oregon Department of Forestry adopted rules defining what that phrase meant. Their management goals include recreation, clean air and drinking water, preserving habitat for native species, and more.

But the counties said



Behind Shellburg Falls in Santiam State Forest. ZACH URNESS/STATESMAN JOURNAL

the state should have been maximizing revenue by logging the forests the same as private timber companies do. Timber harvests on state forests have increased over the past two decades. But the counties argued that they should have been higher.

In its court filings, Oregon said the case is the first time in Oregon, and perhaps the nation, that a jury trial has been held in a statutory contract case.

Who is behind the lawsuit?

The first two phases of the lawsuit were funded by two timber companies, Hampton Tree Farms and Stimson Lumber; as well as the timber trade group Oregon Forest Industries Council, and The Sustainable Forests Fund, which was formed in 2016.

The counties’ law firm has taken on the rest on a 15% contingency. The firm, Davis Wright Tremaine, stands to get a fee of about \$160 million – about three times as much as Oregon spends managing the state forests each year.

Fourteen other coun-

ties with state forests joined Linn County in the class-action suit, as did dozens of local taxing districts.

Clatsop County, which has the most state forestland, opted out of the lawsuit, and Klamath County was eliminated.

What does the verdict mean?

Oregon’s state forests total 745,000 acres.

That’s a small area, compared with national forests, at about 16 million acres; and private forests which total about 7.3 million acres.

But the state forests include some of Oregon’s most popular recreation areas, are the source of drinking water for about 400,000 residents, and contain habitat for salmon and other native species.

Marion County has about 18,331 acres in the Santiam State Forest, which also spans Linn and Clackamas counties. It includes Shellburg Falls Recreation Area, Santiam Horse Camp, and Rock Creek Campsites.

There are about 6,048 acres of state forest in

Linn County.

Although the counties said they were asking only for a monetary award, state officials say the ultimate goal is a change in management priorities for the forests.

It’s unlikely that industry helped fund the lawsuit without expecting any economic benefit in return, the state’s lawyers said in court filings.

“That economic benefit could only come from a change in the state management policy regime providing for larger timber harvests across the state forest land base...” they wrote.

In court last week, the counties’ lawyers suggested that, by paying an award for future losses, the state could avoid increasing harvests.

But State Forester Peter Dougherty said if the jury found the law requires the state to manage the forests for the greatest timber revenue, it would have to do so. That would mean stepping up timber sales.

Contact the reporter at tloew@statesmanjournal.com, 503-399-6779 or follow at [Twitter.com/Tracy_Loew](https://twitter.com/Tracy_Loew)



CROWN

MEMORIAL CENTERS • CREMATION & BURIAL

Simplicity - Convenience - Low Cost

Simple Cremation \$695

Simple Direct Burial \$995

Traditional Funeral \$2965

<p>SALEM 275 Lancaster Drive SE (503) 581-6265</p> <p>PORTLAND 832 NE Broadway (503) 783-3393</p> <p>EASTSIDE 1433 SE 122nd Ave (503) 783-6865</p>	<p>TUALATIN 8970 SW Tualatin Sherwood Rd (503) 885-7800</p> <p>TIGARD 12995 SW Pacific Hwy (503) 783-6869</p> <p>MILWAUKIE 16475 SE McLoughlin Blvd (503) 653-7076</p>
---	---

Privately owned cremation facility. A Family Owned Oregon Business.

“Easy Online Arrangements”

www.CrownCremationBurial.com

OR-SAL0099174-02-04

PUBLIC NOTICE NOTICE OF SUPPLEMENTAL BUDGET HEARING

A public hearing on a proposed supplemental budget for Silverton Fire District, for the current fiscal year, will be held at 819 Rail Way NE, Silverton, OR 97381.

The hearing will take place on 12/10/2019 at 7:00 p.m. The purpose of the hearing is to discuss the supplemental budget with interested persons.

A copy of the supplemental budget document may be inspected or obtained on or after 11/27/2019 at 819 Rail Way NE, Silverton, OR 97381, between the hours of 8:00 a.m. and 5:00 p.m.

SUMMARY OF PROPOSED BUDGET CHANGES AMOUNT SHOWN ARE REVISED TOTAL IN THOSE FUNDS BEING MODIFIED

Resource	Amount	Expenditure-indicate Org. unit/Prog. & Activity, and Object class.	Amount
PERSONNEL RESERVE	\$100,000.00	RETIREMENT EXPENSE	\$100,000.00
Revised Total Fund Resources:	\$100,000.00	Revised Total Fund Requirements:	\$100,000.00

Explanation of changes:
APPROPRIATE FUNDS FROM PERSONNEL RESERVE TO RETIREMENT EXPENSE IN ORDER TO PARTICIPATE IN THE EMPLOYER INCENTIVE FUND (EIF) WHERE PERS WILL MATCH 25% OF AMOUNT CONTRIBUTED INTO THE EMPLOYERS UNFUNDED ACTUARIAL LIABILITY.

Silverton Appeal November 27, 2019

Trail

Continued from Page 1B

fern-filled forest. Salamanders, newts and frogs call this park home and birds soar overhead. We also found bright red mushrooms, fly agaric, that look straight out of Alice in Wonderland.

The trail here gets fairly steep, and sometimes muddy, as it climbs up a ridge. Luckily, there are a bunch of benches to rest. Another highlight, closer to the top, is a giant toppled spruce with a root ball the size of an SUV.

The trail drops down toward a marsh and younger, brighter, forest. You’ll pass the junction with the new Emery Trail, which runs 0.3 miles down toward Oregon Coast Community College.

Near the bottom, you’ll cross another boardwalk across a pond, often packed with birds such as heron and osprey before reaching the end of the loop.

The entire hike feels longer than it actually is. We made numerous stops as the kids explored this enchanted forest.

The Mike Miller Trail probably isn’t worth a trip to Newport in and of itself. But on a trip to the beach or the lighthouses, it’s a spot you have to visit.

Zach Urness has been an outdoors reporter, photographer and videographer in Oregon for 11 years. To support his work, subscribe to the *Statesman Journal*. Urness is the author of “Best Hikes with Kids: Oregon” and “Hiking Southern Oregon.” He can be reached at zurness@statesmanjournal.com or (503) 399-6801. Find him on Twitter at @ZachsORoutdoors.

PUBLIC NOTICE Notice of Preliminary Determination for Water Right Transfer T-12976

T-12976 filed by Leroy and Lesli Kaufman, 10276 Hazelgreen Rd NE, Silverton, OR 97381, proposes a change in point of appropriation and a change in place of use under Certificate 92057. The right allows the use of 0.25 cubic foot per second from a well in Sec. 31, T6S, R1W, WM for irrigation in Sec. 31, T6S, R1W, WM. The applicant proposes to move the point of appropriation within Sec. 31, T6S, R1W, WM and to change the place of use within Sec. 31, T6S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 12/04/2019. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Silverton Appeal
November 27 & December 4, 2019

PUBLIC NOTICE IN THE CIRCUIT COURT FOR THE STATE OF OREGON FOR THE COUNTY OF MARION Department of Probate CASE #19PB08709 NOTICE TO INTERESTED PERSONS IN THE Matter of the ESTATE of Monte Jay Beam, Deceased, NOTICE IS HEREBY GIVEN that on November 8, 2019, Shawn Beam was appointed and deemed qualified to act as the personal representative of the above estate. All persons having claims against the estate are hereby required to present these claims, with proper vouchers, within four months after the date of the first publication of this notice, as stated below to the personal representative, at PO Box 514, Kent, OR 97033, or sent to the personal representative's attorney, Phillip M. Williams, 541 Willamette Street, Ste. 214, Eugene, OR 97401, (541) 521-4266, or they may be barred. All persons whose rights may be affected by the proceeding in this estate may obtain additional information from the records of the attorney for the personal representative. DATED AND FIRST PUBLISHED: Silverton Appeal Nov. 27, Dec. 4, 11, 2019

Public Notices are published by the Statesman Journal and available online at www.StatesmanJournal.com. The Statesman Journal lobby is open Monday - Friday from 8 a.m. to 5 p.m. You can reach them by phone at 503-399-6789. In order to receive a quote for a public notice you must e-mail your copy to SJLegals@StatesmanJournal.com, and our Legal Clerk will return a proposal with cost, publication date(s), and a preview of the ad.

LEGAL/PUBLIC NOTICE DEADLINES

All Legals Deadline @ 1:00 p.m. on all days listed below:
***All Deadlines are subject to change when there is a Holiday.

The Silverton Appeal Tribune is a one day a week (Wednesday) only publication

- Wednesday publication deadlines the Wednesday prior

LEGAL/PUBLIC NOTICE RATES

Silverton Appeal Tribune:

- Wednesdays only - \$12.15/per inch/per time
- Online Fee - \$21.00 per time

- Affidavit Fee - \$10.00 per Affidavit requested

PUBLIC NOTICES

Public Notices are published by the Statesman Journal and available online at www.StatesmanJournal.com. The Statesman Journal lobby is open Monday - Friday from 8 a.m. to 5 p.m. You can reach them by phone at 503-399-6789. In order to receive a quote for a public notice you must e-mail your copy to SJLegals@StatesmanJournal.com, and our Legal Clerk will return a proposal with cost, publication date(s), and a preview of the ad.

LEGAL/PUBLIC NOTICE DEADLINES

All Legals Deadline @ 1:00 p.m. on all days listed below:
***All Deadlines are subject to change when there is a Holiday.

The Silverton Appeal Tribune is a one day a week (Wednesday) only publication

- Wednesday publication deadlines the Wednesday prior

LEGAL/PUBLIC NOTICE RATES

Silverton Appeal Tribune:

- Wednesdays only - \$12.15/per inch/per time
- Online Fee - \$21.00 per time

- Affidavit Fee - \$10.00 per Affidavit requested

Silverton Appeal
November 27 & December 4, 2019