

Judge blocks 100-acre BLM project



Mateusz Perkowski/Capital Press file photo

A federal judge has ordered the U.S. Bureau of Land Management to reconsider a 100-acre logging project near Springfield because existing plans violated environmental laws.

By Mateusz Perkowski
Capital Press

A federal judge has overturned a 100-acre Oregon logging project because the U.S. Bureau of Land Management didn't establish buffers around recreational trails or sufficiently evaluate fire risks.

U.S. District Judge Michael McShane has determined that BLM violated federal land management and environmental policy statutes by approving the timber sale near Springfield.

Preliminary work on the logging project was expected to begin in October, but will now be postponed until the agency re-analyzes the timber sale to comply with the judge's orders.

"We're excited about getting it through the last hoops. We are disappointed about yet another round of analysis," said Lawson Fite, attorney for the Seneca Sawmill Co., which plans to log the site and intervened in the case.

While the judge has ordered the BLM to reconsider aspects of the project, the ruling affirms that timber harvest is compatible with logging in this area, he said.

The timeline for restarting the project remains unclear at this point, Fite said. "I would hope the agency would be able to fix the fairly narrow issues identified in

fairly short order."

Nick Cady, attorney for the environmental plaintiffs, said the project will actually have to be substantially revised because logging can't occur directly over recreational trails, effectively reducing the timber harvest area by at least one-third.

Cascadia Wildlands and Oregon Wild, the plaintiffs, don't want to stop logging in the area entirely but would prefer the agency relied on thinning rather than forcing recreational users to walk and bike through clearcuts, he said.

"We think there are ways for BLM to get a win-win," Cady said.

The project is within a 1,000-acre "extensive recreation management area" next to property in the Thurston Hills owned by the Willamalane Parks and Recreation District.

Although BLM provided for 8.5 miles of trails and 15% tree retention within the project boundary, environmental groups sued earlier this year over the alleged negative impacts of logging on scenic and recreational values.

McShane has now agreed with some of their arguments, finding that BLM improperly failed to set aside a "recreation management zone" to spare trees around trails from harvest contrary

to its own framework for the area.

The judge said the BLM effectively planned to "cut the trees first, zone the buffer later" due to economic and operational considerations with "no basis or explanation for this argument."

"In essence, they argue that it is simply easier to paint on a blank canvas," McShane said. "But allowing logging and then establishing a Recreation Management Zone at some unspecified later date — if at all — seems to defeat the Zone's very purpose."

The judge also faulted BLM for not analyzing the project's fire hazard effects in detail at the local scale after the agency concluded that it sufficiently looked at wildfire issues under an earlier "resource management plan" for 1.3 million acres of its property in the region.

Since the timber sale amounted to less than 1% of the total forested watershed — the vast majority of which is owned by private timber companies — the BLM decided that it has minimal influence over "landscape-level" fire risks.

McShane has ruled that BLM "improperly diluted the proposed action's effects" to understate the "effects of regeneration logging" and "deprived the public of meaningful participation."

"An agency cannot mini-

mize an activity's environmental impact by adopting a broad scale analysis and marginalizing the activity's site-specific impact," the judge said.

McShane has ordered the agency to reconsider its plans for the project to "adequately" disclose and analyze fire hazards, and to designate harvest buffers for trails before logging begins.

While the judge held that BLM violated the Federal Land Policy and Management Act and the National Environmental Policy Act in these respects, he rejected some of the arguments made by Cascadia Wildlands and Oregon Wild.

Specifically, McShane determined that BLM wasn't required to preserve the area's forested characteristics for recreational users, such as mountain bikers who may not be concerned about scenery.

"The framework does not prioritize forest canopy or naturalness, and there is no evidence in the record that such values are universal," he said.

The agency did take a "hard look" at the effects logging would have on recreational experiences but it's "not responsible for meeting plaintiffs' subjective expectations of what any given visitor's recreational experience should resemble," McShane said.

Oregon initiative aims to fight automation, save grocery jobs

By Eric Tegethoff
Oregon News Service

PORTLAND — A potential Oregon ballot initiative, if approved, would slow the roll of automation — starting at grocery store checkout lines.

The Oregon AFL-CIO, which represents the state's unions, has submitted a measure for approval that would limit the number of self-checkout machines in stores to two.

Oregon AFL-CIO President Tom Chamberlain called self-checkout machines a "deliberate corporate strategy" to reduce labor costs and eliminate jobs. He said the speed of automation being introduced in the workplace is out of control and Oregonians are the ones hurt by this process.

"Not only do we need to pass this ballot measure to get on top of automation, we need to establish in this state a task force to look at automation as it relates to job loss and the quality of life for Oregonians" he stated.

The Northwest Grocery Association, a group that represents the grocery industry, said the measure is misguided and that cus-

tomers increasingly prefer self-checkout lines for their speed and convenience. The association also contested the fact that self-checkout machines replace jobs.

Chamberlain predicted eliminating jobs in grocery stores will disproportionately affect women and people of color, noting that, for instance, 63% of such workers are women.

While the grocery industry contended that positions are being created elsewhere, Chamberlain isn't convinced those additions can make up for the number of jobs lost each time a set of machines goes in.

"One checker overseeing two lines of machines that are sometimes eight checkouts each — those are jobs," he pointed out. "Not only an eight-hour job, but multi-shifts because those checkouts aren't staffed for just eight hours. They're staffed for a number of different shifts."

The Grocery Store Service and Community Protection Act would need a little more than 112,000 signatures to qualify for the November 2020 ballot. The process of collecting signatures will begin once approval is received.

Hazelnut price jumps

By Mateusz Perkowski
Capital Press

While hazelnuts remain mired in a broader trade conflict, Oregon farmers will receive a substantially higher minimum price for the crop this year.

The crop still faces steep tariffs in China — a major export destination for Oregon hazelnuts — but the industry has become more accustomed to operating during the ongoing trade dispute with that country, experts say.

"Now that we've been through the tariff situation, we know how to prepare for it," said Terry Ross, executive director of the Hazelnut Growers Bargaining Association, which negotiates prices.

Growers will receive at least 83 cents per pound of hazelnuts for the 2019, regardless of variety, up from the 62 cent floor established last year. Though it's an improvement, the minimum price is still less than half the record \$1.70 per pound set in 2014.

"We want to pay more to the grower but the market

can only accept so much product with an 81.5% tariff and tax," said Larry George, president of the George Packing Co., a processor based in Newberg.

Last year, the Oregon hazelnut industry also had to contend with the plunging value of currency in Turkey, which is the major global producer of the crop.

As the value of the Turkish lira dropped, its hazelnuts effectively became less expensive than those grown in the U.S.

"Last year was a perfect storm. We had the lira collapse and we had a trade war. This year, everything is about the same as last year, but we survived," said Michael Severeid, vice president of sales and marketing for Willamette Hazelnut Growers, a processor in Newberg.

Though the Turkish currency is still cheap, it's no longer in free fall. Since last September, the lira has been trading in the range of about 16-19 cents. The previous year, its value had dropped from about 28 cents to 16 cents.

Workplace safety, health training grants available

Oregon OSHA

SALEM — The Oregon Occupational Safety and Health Administration is accepting grant applications for the creation of innovative on-the-job safety and health training programs. Applications are due Oct. 4. Oregon OSHA encourages unique projects such as mobile apps, videos, or online educational games to engage workers.

The training grants will focus on programs that target a high-hazard Oregon industry, such as construction or agriculture, or a specific work process to reduce or eliminate hazards. Any employer, labor group, school affiliated with a labor group, or nonprofit organization may apply. Applicants may request up to \$40,000 per grant project.

Employers are not allowed to use

grants to pay for training for their employees. Materials produced by grant recipients become the property of Oregon OSHA. Many of the materials are housed in the Oregon OSHA Resource Center and are available for use by the public. Some materials are available electronically.

Some examples of past grant projects include:

- Spanish-language flip charts designed to help prevent heat-related illness among forest workers
- the creation of safe design guidelines for anchoring systems used as part of logging operations
- an educational program for nurses to prevent ergonomic-related injuries

The Oregon Legislature launched the Occupational Safety and Health Education and Training Grant Program in 1990. Award recommenda-

tions are made by Oregon OSHA's Safe Employment Education and Training Advisory Committee, a group with members from business, labor and government.

Grant application information is available at <http://osha.oregon.gov/edu/grants>. For more information, contact Teri Watson at 503-947-7406 or teri.a.watson@oregon.gov.

Oregon OSHA, a division of the Department of Consumer and Business Services, enforces the state's workplace safety and health rules and works to improve workplace safety and health for all Oregon workers. For more information, visit www.osha.oregon.gov.

The Department of Consumer and Business Services is Oregon's largest business regulatory and consumer protection agency. For more information, go to www.dcbcs.oregon.gov.

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