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# Opinion

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## Our View

# Site at Oregon port should remain high-value farmland

A dispute between farmers and county commissioners in Oregon's Columbia County over the rezoning of 837 acres of high-value farmland adjacent to the Port Westward Industrial Park presents land use officials a case of conflicting priorities.

It is a complicated case, but we side with farmers and conservationists who are concerned that further development won't be compatible with local agriculture, fish and wildlife.

The property in question was purchased by the Port of Columbia County in 2010. It is adjacent to the Port Westward Industrial Park along the Columbia River. The land was zoned as "exclusive farm use," or EFU, a designation intended to protect and preserve Oregon's agriculture.

Port and county officials have made repeated attempts to rezone the land to attract new tenants that can utilize the port's deepwater dock,



Columbia Riverkeeper  
**Port Westward property along the Columbia River.**

which provides 4,000 feet of waterfront access for large cargo ships. Earlier this month the commissioners approved rezoning the land.

It is the third time since 2014 commissioners have approved the rezone. The decision was previously remanded twice by the Oregon Land Use Board of Appeals.

At the heart of the issue is a port with an undeniably attractive location for a variety of industries. Because of its location on the Columbia River, the port is self-scouring, meaning it

never has to be dredged.

Portland General Electric already operates three gas-fired power plants at Port Westward. Global Partners Inc., a Massachusetts-based energy company, also manages a transloading facility to ship ethanol and bio-diesel across the Pacific Ocean.

Further development at the port could provide hundreds of jobs to the area.

Port officials say they have no particular potential industrial customer in mind, and are first trying to get the land rezoned before seeking out potential tenants.

However, Northwest Innovation Works, the company behind a rejected methanol refinery in Kalama, Wash., has a lease option that was approved by the port in 2019 to build a facility within part of the rezoned land at Port Westward, which has raised worries about the site becoming a hub for fossil fuels.

Opponents fear new fossil fuel developments may pollute the air and water, harming endangered salmon

and contaminating farms within a vulnerable, low-lying area.

Farmers in the area depend on surface water for irrigation, and many worry a spill at the site would contaminate that source. Not all farmers in the area oppose the rezoning. But while they are confident development at the port won't hurt their operations, it would in no way enhance them.

Port officials say they have answered LUBA's questions about the proposal's compatibility with surrounding farms and habitat. Opponents have promised another challenge.

We recognize that the site is supremely suited to development. Nonetheless, it should remain farmland.

High-value farmland is more than just a patch of ground with stuff planted on it. Once paved over and developed, it cannot be replaced. Columbia County should keep it producing food.

## Our View



Two marbled murrelets.

File photo

# The magical marbled murrelet merry-go-round

For some reason — politics maybe? — Oregon's Fish and Wildlife Commission can't make up its mind about the marbled murrelet. First the commissioners said the bird was endangered, then they decided it wasn't. Then earlier this month the commissioners decided it's endangered again.

What changed? The winds of politics, apparently, because the state Department of Fish and Wildlife says the only thing that's happened to the bird is its population has increased 2.2% a year for the past 19 years.

It's hardly a species requiring heroic efforts to rescue.

The department even recommended that the commission not list the bird as endangered — so much for "following the science." Apparently, that only applies if the science agrees with the politics.

Among the concerns cited by the commission for increasing protections for the marbled murrelet were climate change, changes in the Pacific Ocean and oil spills. One wonders if a comet hitting Oregon shouldn't have been added to the list of factors over which the commission has no control.

All of this would be little more than coffee shop chatter if it didn't hurt real people.

More than 3 million acres of state and federal forestland have been taken out of timber production and designated protected habitat for such birds as the marbled murrelet and the northern spotted owl. That translates into lost

jobs and depressed local economies.

In other words, the birds are doing fine, but the people are struggling.

It's ironic that some of the same politicians who promote more protections for birds such as the marbled murrelet and the northern spotted owl by shutting out the timber industry do so at the expense of Oregon families.

Then they circle back and talk about "treating" publicly owned forests to reduce the severity of wildfires and "creating jobs."

Our question: Why not come up with timber sales that would reduce the threat of wildfires and still maintain adequate habitat for birds that are threatened or endangered?

Then the forests wouldn't need to be "treated" at the expense of taxpayers.

Our suspicion is too many state and federal political leaders are bowing to the environmental lobby at the expense of Oregonians and the state economy. Environmentalists routinely use the state and federal endangered species acts as a blunt instrument and to drag agencies and citizens into court to stop logging and other economic activities.

The result is real damage to real people.

"The only conclusion one can draw about a decision to designate a species whose population is increasing as 'endangered' is that it had everything to do with politics and absolutely nothing to do with science," said Sara Duncan, a spokeswoman for the Oregon Forest and Industries Council.

Or you can just call it another ride on the magical marbled murrelet merry-go-round.

# Oregon 'Wild & Scenic' expansion raises land management concerns

Anyone who works the land should be wary of proposed legislation that applies federal Wild & Scenic River designations to 4,700 miles of Oregon rivers, streams, creeks, gulches, draws and unnamed tributaries. The bill, proposed by Sens. Ron Wyden and Jeff Merkley and promoted by environmental groups, has already received a committee hearing in the U.S. Senate, the first step toward passage.

S. 192, also known as the "River Democracy Act," would apply half-mile buffer restrictions to proposed segments. If approved, it could impact public access, water resource management, forest and vegetation management, ranching and grazing, mining and other uses on an estimated 3 million acres of public lands — a land mass nearly twice the size of the state of Delaware.

Currently there are over 2,000 miles of Oregon rivers designated as Wild & Scenic. The Wild & Scenic Rivers Act of 1968 was intended to protect rivers with "outstanding natural, cultural and recreational values in a free-flowing condition."

Yet S. 192 only classifies 15% of the proposed segments as rivers. The bill identifies hundreds of streams, creeks, draws, gulches and unnamed tributaries for Wild & Scenic designations, even though many do not even carry water year-round.

S. 192 violates the spirit of the 1968 law because it bypasses a mechanism for robust study and review of proposed waterways to immediately add an additional 4,700 miles to the Wild & Scenic Rivers system. If such studies were conducted, many areas included in S. 192 would likely be found ineligible or unsuitable for designation.

Considering past use and litigation of the Wild & Scenic Rivers Act, the bill raises a lot of questions about how it will impact future access, private property and water rights and other traditional uses of both public and private land.

Arbitrary land designations can have a chilling effect on actions taken by federal land management agencies, including actions intended to improve the land. For example, a Wild & Scenic designation could discourage efforts to stabilize riverbanks to avoid losing farm and range land to erosion. That's because federal courts have

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consistently upheld legal challenges by environmentalist groups against land management activities based on these designations.

For those of us concerned about severe wildfires, we are especially troubled with how S. 192 would affect fuels reduction efforts on federal lands. Nearly half a million acres of federally managed forest land burned in western Oregon in 2020. Approximately 280,000 acres burned at moderate and high severity, meaning at least 60% of a stand's live trees were killed in a fire.

We are already frustrated with the slow pace of forest management and fuels reduction work on federal lands. Adding new restrictions and bureaucracy on 3 million acres of these lands will not repair an already-broken system. Despite claims made by proponents, S. 192 does not support wildfire mitigation.

Nothing in the bill directs or authorizes federal agencies to utilize all available land management tools — including mechanical treatments — to reduce the risk of severe wildfires, nor does it explicitly permit post-fire restoration work, such as the removal of dead and dying trees, to maintain public access. Rather, the bill only allows agencies to consider prescribed fire, even though fire alone will not address heavy and unnatural fuel loads on already fire-prone landscapes.

As Oregon experiences another devastating wildfire season, this is the wrong time to add more layers of restrictions and bureaucracy on the management of public lands. Anyone with private lands near these proposed Wild & Scenic segments should also take a close look at this bill to see how it affects them.

Nick Smith is director of public affairs for the American Forest Resource Council, a regional trade association representing the forest products sector. He is also executive director of Healthy Forests, Healthy Communities, a non-partisan grassroots coalition that advocates for active management of America's federally owned forests.