

**C**ut a forest in half and nobody is happy — not the timber beasts, nor the treehuggers.

You know why they teach sharing in kindergarten? Because it sucks to give something away without a promise you'll get something better in return. Studies of little kids show that as they get older and develop their cognitive skills, they share more because they understand reciprocity better.

Then those kids grow up to be loggers, environmentalists, politicians and policy wonks, and the sharing and compromise thing gets all messed up again.

Congressman Peter DeFazio says the plan for Oregon's O&C forestlands (named for the Oregon and California Railroad) that he has devised with fellow Democrat Rep. Kurt Schrader and Republican Greg Walden solves 30 years of gridlock over logging in Oregon's federal forests. The forest will be shared between saving trees and logging for profit.

Conservationists say the congressman's O&C Trust, Conservation, and Jobs Act is going to hurt the forests more than it will help anyone.

At the heart of the issue is what to do with more than 2.5 million acres of public forests in Oregon. DeFazio's plan would essentially give half the forest — 1.5 million acres — to a "timber trust" to log and generate money for the counties. The other half would be managed for "conservation values" by the Forest Service, and according to DeFazio, protect Oregon's old growth once and for all. But so far no conservation group seems to have endorsed the plan. Instead, enviros have expressed concerns over the effects the logging will have on Eugene's water supply, wildlife and the future of Western Oregon's remaining native forests — without fixing county budget woes.

DeFazio has a reputation for being a bit irascible and for being an equal-opportunity offender, just as he recently referred to Republicans as "bozos," he also calls some environmentalist critiques of his plan "bullshit."

But the enviros, long supporters of DeFazio, are firing back. They say the congressman's plan is a "turd," noting that the nods to wilderness protections it contains are "lipstick on a pig."

So why did DeFazio put this plan out there?

## THE PLAN

The O&C lands are a complicated mess. It's a lot of land, with a lot of different values — beauty, water, wildlife and timber, to name a few. And it's acreage

that's locked into a complex system of federal lands and politics.

The O&C lands are a legacy of a railroad deal gone awry. Like most Bureau of Land Management (BLM) lands, they create a visual checkerboard on a map: little one-mile squares of public land, mixed with squares of private.

"It's a nightmare; it's a jigsaw puzzle; it's a crazy quilt," Randi Spivak of the Geos Institute says of the O&C lands map and DeFazio's proposal. "It's a total industrial management paradigm that shows a lack of understanding of ecology," she adds.

The "DeFazio plan" was originally the "Andy Stahl plan." Stahl is the executive director of Forest Service Employees for Environmental Ethics and currently a candidate for Lane County commissioner.

DeFazio is not all that fond of calling the proposal the DeFazio plan; he says it's the DeFazio-Walden-Schrader plan, and "if it was the DeFazio plan, it would be different." It's not what Republican Greg Walden would have written either, he says dryly.

Stahl says he devised his plan five years ago based on an approach to the logging vs. native-forest-preservation controversy in New Zealand, where many acres of forest had been cut down and replanted with tree farms of exotic species. The New Zealand model, which involved preserving native forests and leasing out and selling off the tree farms, "paid down the national debt and ended the timber wars for good," he says.

But Stahl says that although his proposal kicked things off, he was not involved in drafting the current DeFazio plan. "There are things that need to be corrected and improved if it will go forward," he says.

## SPLITTING THE BABY

"It's a radical proposal," says longtime environmentalist Andy Kerr of The Larch Company.

Steve Pedery of Oregon Wild, which also opposes the plan, calls it "splitting the baby."

Pedery says that rather than administering the "bitter medicine" of

raising taxes, DeFazio would prefer to tell people: "Don't worry, be happy; we can log our way out of this."

In her analysis of the proposal, Randi Spivak writes that it will privatize 1.5 million acres of publicly owned O&C land — this would include some lands in the national forest system — and clearcut them.

The 1.5 million acres of timber-trust lands include forests that are 125 years old and younger. Some of those lands are native forests, never logged and on their way to becoming old growth, environmentalists say. The timber trust would be managed by a board of trustees appointed by the governor and focused on maximizing revenues from logging to benefit Western Oregon's 18 O&C counties.

Spivak points out that some of the native 125-year-old and younger forests contain patches of old-growth trees, and that those ancient trees would also be cut. Some of the timber-trust lands would be cut every 120 years and some as frequently as every 40 years.

About 800,000 acres of forest older than 125 years would get transferred to the Forest Service and managed under the Northwest Forest Plan (NWFP), and some of those trees would be designated old growth and therefore protected. Another 50,000 or so acres of public forests would be logged by Coos County to generate money for both Coos and Douglas counties.

Currently, if a conservation group has reservations about a federal timber sale or a clearcut, it can appeal the sale and take the matter to court. Under DeFazio's plan, that option for saving these public forests would be gone. "They can litigate the legislation," DeFazio says, but there would no longer be a federal process for each timber sale. As long as the logging on the timber-trust lands followed the rules, a lawsuit wouldn't go anywhere, DeFazio says.

Kerr calls the plan "poorly conceived and poorly drafted" and says trust members would have to "clearcut the shit" or violate the fiduciary obligation. "There is no discretion to do good," Kerr says.

# 'THEY'RE CALLING ME A TIMBER BEAST.'

— CONGRESSMAN PETER DEFAZIO



## TIMBER AND TAXES

Since the 1930s, county finances have been tied to logging on the O&C lands. The idea was that having 50 percent of the logging receipts going to the counties would make up for large swathes of the counties' lands being nontaxable. It might have seemed like a great idea at the time, but the O&C lands have been at the center of disputes and lawsuits for years.

After Oregon timber harvests began to slow in the late 1980s, the money stopped coming. Congress then stepped in with the Secure Rural Schools and Community Self-Determination Act, which has provided direct federal payments to counties. The act was renewed several times, but the last payment to the counties was in 2011, leaving county funding again uncertain.

DeFazio's plan is an effort to give the Oregon counties the money they need, while at the same time implementing the first protections for old-growth trees on O&C lands, he says. He sweetens the pot by adding in some wilderness protection, too — DeFazio says his proposal would protect 90,000 acres of Oregon forests as wilderness, and adds 150 miles of Oregon rivers to the Wild and Scenic Rivers Act.

Most of the wilderness is in his district, according to DeFazio, though he adds that Walden, the Republican, is taking heat for participating in wilderness protection. "They're calling me a timber beast, and he's being called an environmental radical," DeFazio notes.

A companion bill in the Senate might fix some of the issues people have with the proposed legislation, the congressman says.

Courtney Warner Crowell from Sen. Jeff Merkley's office says that the "DeFazio-Walden-Schrader concept is one that Sen. Merkley has been interested in for a long time." She says the senator will be watching to see what they can get through the House and "will work closely with Sen. Wyden to build consensus in the Senate around creating sustainable timber harvests while protecting Oregon's forests for future generations."