



Mateusz Perkowski/Capital Press

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.

Judge orders BLM to revise 100-acre Oregon logging project

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 reanalyzes 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. "I would hope the agency would be able to fix the fairly narrow issues identified in fairly short order," Fite said.

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 minimize 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.

'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.'

U.S. District Judge Michael McShane



Rich Pedroncelli/AP Photo

Vehicles crowd Highway 50 in Sacramento, Calif.

States sue Trump to keep California's auto emission rules

Oregon among the states

By ADAM BEAM
Associated Press

SACRAMENTO, Calif. — California sued Friday to stop the Trump administration from revoking its authority to set greenhouse gas emission and fuel economy standards for cars and trucks, enlisting help from 22 other states in a battle that will shape a key component of the nation's climate policy.

Federal law sets standards for how much pollution can come from cars and trucks. But since the 1970s, California has been permitted to set tougher rules because it has the most cars and struggles to meet air quality standards. On Thursday, the National Highway Traffic Safety Administration withdrew California's waiver.

The NHTSA action does not take effect for 60 days, but state leaders did not wait to file a lawsuit. Democratic Gov. Gavin Newsom, who has clashed with President Donald Trump on several fronts, vowed the state "will hold the line in court to defend our children's health, save consumers money at the pump and protect our environment."

The Trump administration's decision does not just affect California. Thirteen other states, plus the District of Columbia, have adopted California's standards.

A spokesman for the National Highway Traffic Safety Administration declined to comment on the lawsuit. But Thursday, Transportation Secretary Elaine Chao said the rules "were making cars more expen-

sive and impeding safety because consumers were being priced out of newer, safer vehicles."

"We will not let political agendas in a single state be forced upon the other 49," Chao said.

The National Highway Traffic Safety Administration said its authority to set nationwide fuel economy standards preempts state and local programs.

California Attorney General Xavier Becerra cited a 2007 U.S. Supreme Court decision that rejected the NTSB's argument that greenhouse gas emission standards under the Clean Air Act interfered with its ability to set fuel economy standards.

"The Oval Office is really not a place for on-the-job training. President Trump should have at least read the instruction manual he inherited when he assumed the presidency, in particular the chapter on respecting the rule of law," Becerra said in a statement.

Federal regulators said the regulation would not impact California's programs to address "harmful smog-forming vehicle emissions."

Joining California in the lawsuit are attorneys general from Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Massachusetts, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington state and Wisconsin.

The cities of New York and Los Angeles and the District of Columbia also joined the lawsuit.

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SEVEN-DAY FORECAST FOR ASTORIA

TODAY	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
68 56 Becoming cloudy	66 52 A bit of rain	65 55 Partly sunny	66 52 Low clouds may break	64 51 Partly sunny	61 49 Turning cloudy	59 48 Cloudy

ALMANAC

Astoria through Thursday

Temperatures

High/low 66/48
Normal high/low 67/49
Record high 85 in 1939
Record low 36 in 1983

Precipitation

Thursday Trace
Month to date 5.36"
Normal month to date 1.19"
Year to date 31.02"
Normal year to date 39.29"

UNDER THE SKY

Tonight's Sky: The Milky Way arcs high across the east as darkness falls, and directly overhead later on.

Source: Jim Todd, OMSI

SUN AND MOON

Sunrise today 7:01 a.m.
Sunset tonight 7:16 p.m.
Moonrise today 11:35 p.m.
Moonset today 2:33 p.m.

Last	New	First	Full
Sep 21	Sep 28	Oct 5	Oct 13

TODAY'S TIDES

Astoria / Port Docks	Time	High (ft.)	Time	Low (ft.)
	7:11 a.m.	5.3	12:31 a.m.	0.6
	6:12 p.m.	7.3	12:19 p.m.	2.9
Cape Disappointment	6:41 a.m.	5.0	11:35 a.m.	3.0
	6:07 p.m.	6.6	none	
Hammond	7:48 a.m.	5.5	12:15 a.m.	0.4
	6:13 p.m.	7.2	11:59 a.m.	3.0
Warrenton	7:06 a.m.	5.7	12:15 a.m.	0.7
	6:07 p.m.	7.7	12:03 p.m.	3.0
Knappa	7:48 a.m.	5.7	1:32 a.m.	0.5
	6:49 p.m.	7.6	1:20 p.m.	2.5
Depoe Bay	6:02 a.m.	5.7	11:03 a.m.	3.6
	5:15 p.m.	7.4	none	

NATIONAL CITIES

City	Today Hi/Lo/W	Sun. Hi/Lo/W
Atlanta	86/64/pc	88/65/s
Boston	80/64/s	86/69/pc
Chicago	79/67/t	70/56/t
Dallas	91/74/c	92/73/pc
Denver	74/45/pc	77/50/s
Honolulu	88/76/sh	88/78/pc
Houston	88/76/pc	87/73/t
Los Angeles	88/68/s	91/65/s
Miami	87/77/t	85/78/t
New York City	84/66/s	85/69/s
Phoenix	96/73/s	98/72/s
San Francisco	81/58/s	75/58/pc
Wash., DC	88/69/s	92/70/s

Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sn-snow, l-ice.

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REGIONAL FORECAST

