

# Group, counties act to intervene in 'eastside screens' lawsuit

BY GEORGE PAVLEN  
Capital Press

PENDLETON — A timber industry group and coalition of Eastern Oregon counties is attempting to intervene in a lawsuit that, if successful, would reimpose a total ban on logging certain large trees in six national forests.

The case centers on a rule known as the “eastside screens,” adopted in 1995 to protect wildlife habitat and water quality on roughly 10 million acres in the Umatilla, Wallowa-Whitman, Malheur, Ochoco, Deschutes and Fremont-Winema national forests.

Part of the rule prohibited cutting down any trees larger than 21 inches in diameter.

However, the Forest Service under the Trump administration dropped the 21-inch standard on Jan. 15, 2021, five days before President Joe Biden was inaugurated.

In its place, the agency imposed a more flexible guideline that generally prioritizes protecting old and large trees, but allows land managers to make exceptions for projects to meet long-term forest restoration goals.

Under the amendment, “old” trees are defined as at least 150 years, and “large” trees are defined as 30 inches in diameter for grand fir and white fir, and 21 inches for other species.

Six environmental groups filed a lawsuit in June in the U.S. District Court in Pendleton contending the Forest Service’s decision was rushed and lacked a full environmental analysis, violating both the National Environmental Policy Act and National Forest Management Act.

Plaintiffs include the Greater Hells Canyon Council, Oregon Wild, Central Oregon LandWatch, Sierra Club, WildEarth Guardians and Great Old Broads for Wilderness.

The lawsuit names the Forest Service, along with Pacific Northwest Regional Forester Glenn Casamassa and Homer Wilkes, USDA undersec-



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Felled trees are moved in preparation for being cut into log lengths and loaded onto a truck.

*“By thinning trees up to 30 inches in diameter, this allows a fuel break and provides sunlight to come down to the forest floor to give a chance for new seedlings to grow and provide our future trees. There is virtually no new tree growth under our large trees as it is now, and that is due to the Eastside Screens rule.”*

— Barry Shullanberger, Lake County Commissioner

retary for natural resources and environment, as defendants.

Now, the American Forest Resource Council and Eastern Oregon Counties Association is asking the court to inter-

vene, seeking to uphold the Eastside Screens amendment.

A motion filed by the groups on Oct. 3 argues that vacating the amendment will reduce the volume of available timber, harming the region’s

economy, while simultaneously making overstocked forests more susceptible to insects, disease and wildfires.

Andy Geissler, federal timber program director for the AFRC, said the Forest Service’s more lenient guideline “allows land managers the flexibility to adapt to future unforeseen conditions, including those created by climate change, drought, insects and disease, and increasing, intense wildfires.”

The Eastern Oregon Counties Association includes 13 local governments in Baker, Crook, Deschutes, Grant,

virtually no new tree growth under our large trees as it is now, and that is due to the Eastside Screens rule.”

Reinstating the 21-inch harvest rule could halt several logging projects meant to reduce wildfire fuels on at least 209,000 acres of land, according to the AFRC.

Environmentalists argue the rule is needed to prevent losing more old-growth trees in the Eastside forests.

“Cutting down the remaining big trees harms salmon, steelhead and bull trout by removing shade and forest cover that keeps rivers and streams cool,” said Chris Krupp of WildEarth Guardians in a previous press release.

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