**To:** State Land Board (Governor John Kitzhaber, Secretary Kate Brown and Treasurer Ted Wheeler)

**From:** Josh Laughlin, Cascadia Wildlands

**Re:** Problems with Proposed Elliott Forest Management Plan and a Suggested New Way Forward

**Date:** August 23, 2011

Dear State Land Board:

As reiterated over the past year to the State Land Board, Department of State Lands, Oregon Board of Forestry, Oregon Department of Forestry and interested stakeholders, Cascadia Wildlands believes the proposed Forest Management Plan (FMP) for the 93,000-acre Elliott State Forest is destined for increased conflict, legal gridlock and ultimately failure. We again urge you to take a different tack and not adopt the new plan at the end of 2011. Oregonians deserve better on the Elliott than what is being proposed.

Cascadia Wildlands believes there are ways for Oregon to meet its fiduciary mandate to the Common School Fund on the Elliott while avoiding clearcutting older rainforest rainforests on this increasingly popular state forest. In considering a new way forward on the Elliott, Cascadia Wildlands points to a 1992 opinion of Oregon’s Attorney General as reflected in the 1995 Elliott State Forest Habitat Conservation Plan:

According to a 1992 opinion of Oregon’s Attorney General, the “greatest benefit for the people” standard requires the State Land Board to use the lands for schools and the production of income for the Common School Fund. The resources of the lands are not limited to those such as timber that are currently recognized as revenue generators for the Common School Fund. The Land Board should consider other resources, such as minerals, water, and plant materials, that may offer revenue for the fund. **In addition, the Land Board may take management actions that reduce present income if these actions are intended to maximize income over the long term.** (1995 HCP, page I-2)

We have detailed below the problems with the proposed FMP, and have suggested a new course of action for the Elliott that is in line with the Oregon Attorney General’s 1992 interpretation of the “greatest benefit for the people” standard.

***Problems with the proposed Forest Management Plan and 10-year Implementation Plan***

1. New plan abandons promises made in the 1995 Elliott State Forest HCP

a. Long-rotation watersheds: The long-rotation watershed strategy (reserves) of the 1995 HCP is eliminated under the new FMP. The reserves strategy was mitigation for allowing the state to “take” 43 of the 69 northern spotted owls on the forest. Within the first 15 years of the 60-year HCP, Oregon already “took” those owls, and under the new plan, wants to abandon the strategy. Case in point: For the duration of the 1995 HCP, Oregon promised to not to log in the north and western part of the Elliott, known as long-rotation watersheds. Under the new plan, Oregon will clearcut some of the olderest forest in those reserves in the first 10 years. For instance, the recently released 10-year Implementation Plan says that Basin 5, the Big Creek watershed, is “high priority” for clearcutting in the first 10 years, as is once-protected Basin 12.

b. Spotted owl site protection: In 1995 Oregon promised to protect the 26 owls (13 pairs) that Oregon was not given permission to “take.” Regardless of the fate of those owls, the conservation areas around the nest sites would remain protected under the 1995 HCP. Under the new FMP, these forests will be clearcut if barred owls displace the spotted owls or if the historic site is unoccupied for a few years in a row. This new position appears in violation of US Fish and Wildlife Service’s Final 2011 Spotted Owl Recovery Plan, specifically recovery action 10, which recommends that historic sites on state lands remain protected from clearcutting.

c. Maintenance of older forest structure: Under the new plan, the state will be required to maintain only 30% of the Elliott in advanced structure (over 60 years), while the current 1995 HCP requires 64% advanced structure (over 80 years) when fully implemented.

2. New plan not supported by science

During summer 2010, at the request of Oregon, the Independent Multi-disciplinary Science Team (IMST) reviewed the 2008 draft HCP for the Elliott (previous new forest plan being considered for the Elliott). The review team found serious fault with that plan, specifically with the state’s riparian strategy. However, Oregon is pursuing the same strategy in the new plan as was proposed in the heavily critiqued ’08 plan. The National Marine Fisheries Service, the agency in charge of recovering federally listed coho salmon found on the Elliott, also found fault with this strategy and would not endorse it.

3. New plan ramps up clearcutting of older forest

The FMP will increase annual clearcutting of older complex rainforest by nearly 40% to close to 1,000 acres each year. These older forests are critical to the survival of a host of species teetering on the brink of extinction found on the Elliott, including the marbled murrelet and northern spotted owl.

4.New plan lacks monitoring

The new FMP says the 10-year Implementation Plan will have a scientific-based monitoring plan, but the Implementation Plan does not. Instead, the Implementation Plan suggests a collaborative monitoring group of interested stakeholders (not science based). It is unclear what funding has been earmarked for this type of monitoring.

5. New plan lacks carbon emission accounting

The Implementation Plan and Forest Management Plan fail to describe how the Oregon Department of Forestry would manage carbon resources on the Elliott (monitor, measure loss and gain, etc.). This oversight is counter to Oregon’s commitment to reducing greenhouse gasses from the atmosphere and the state’s 2004 Oregon Strategy for Greenhouse Gas Reduction.

6. New plan would log critically important “scattered tract” parcels

Cascadia Wildlands has encouraged the South Slough tract on the Coos District to be incorporated into the South Slough National Estuarine Reserve and be managed under its upland forest management plan. Under the FMP, this critical area would be logged. Additionally, Cascadia Wildlands has advocated the Winchester Bay tract sold to the adjoining Umpqua Lighthouse State Park to be managed for quiet recreation. Under the FMP, this forested area would be logged.

***A new way forward for the Elliott State Forest***

Cascadia Wildlands believes there is a better way forward that can satisfy the mandate to generate revenue for the Common School Fund, but still safeguard these irreplaceable older rainforests on the Elliott.

For the past 15 years, Cascadia Wildlands has been at the forefront of transforming federal forest management out of a mature and old-growth forest liquidation program into one that focuses on restoration of degraded landscapes. Agencies like the Bureau of Land Management and Forest Service now primarily focus on restoration-driven management: thinning in younger plantations, stabilizing and decommissioning the failing road system, and enhancing terrestrial and aquatic habitat through restorative measures. This approach has led to widespread buy-in from stakeholders, kept forest management planning out of legal gridlock, and has delivered a consistent supply of logs to local mills. We see it as an approach that is working and one that can be used as a blueprint for the Elliott.

1. A hybrid-type solution for the Elliott

Cascadia Wildlands believe the best way forward on the Elliott is raising revenue through a hybrid approach, including, but not limited to the following ways:

a. Receipts from thinning young stands: According to the Oregon Department of Forestry, there are approximately 24,000 acres on the Elliott in the 30-60 year age class that could be restoratively thinned. Rough ODF estimates suggest that thinning 2,400 acres of plantations for the next 10 years could net $1 million/year to the Common School Fund. Currently, only controversial clearcutting of older rainforest on the Elliott is taking place.

b. Carbon sequestration transactions: Oregon should be at the forefront of trying to leverage the Elliott’s ability to store carbon for dollars in a climate change mitigation scheme. The state should immediately appoint a carbon task force for the Elliott to further explore these options. Groups like Ecotrust have the expertise and could be hired to help broker transactions with willing carbon purchasers.

c. Conservation acquisitions of critical lands: Oregon should rigorously explore conservation acquisition of critical Elliott lands with land trust organizations like Western Rivers Conservancy, Trust for Public Land, Nature Conservancy and others. The Elliott State Forests has the habitat attributes and federally listed species that makes acquisitions of key areas intriguing.

d. Land exchanges of critical Elliott lands for nearby federal plantations in the Matrix allocation: This approach could offer protection for areas on the Elliott that are identified as critical in exhanbe for nearby plantations on federal lands (Coos Bay BLM). The identified lands on the Elliott would end up in reserve, while the acquired federal lands would be managed in short rotations for the benefit of the Common School Fund.

Casacadia Wildlands believes clearcutting older rainforest, spraying chemicals and converting complex forests into homogenous plantations is out of touch with 21st century forest management practices on public lands and does not reflect the social values held by the majority. The new FMP for the Elliott will increase these practices for the long-term, and it appears Oregon is running afoul of the law with its practices on the Elliott. Cascadia Wildlands believes that with enough commitment, a workable solution for the Elliott can be found which fulfills the fiduciary obligations of the forest while protects its irreplaceable older rainforests.

Sincerely,

Josh Laughlin

Cascadia Wildlands