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# **Challenging Critical Habitat Logging**

Northern Spotted Owl Pushed Closer to Brink of Extinction

by Josh Laughlin

The forecast is not good for the northern spotted owl. Over 15 years after it was listed on the Endangered Species Act, a number of high profile, region-wide reports have concluded the population is shrinking, quickly. In Washington alone, the bird continues to plummet at a rate of over 7% each year. Throughout its entire range (western Washington, Oregon and northern California), the owl's numbers are dropping at a rate over 4% each year. The spotted owl seems to be going the way of the dodo bird.

The reports cite a number of factors contributing the bird's dwindling population, including barred owl invasion, wildfire events, and habitat fragmentation, and cites new threats with unknown consequences, including West Nile virus, sudden oak death, and global climate change. With the data in front of us, why then does the government continue to auction off northern spotted owl habitat, towering mature and old-growth forests, to the highest bidder?

The Cascadia Wildlands Project is constantly asking that same question as we continue to see one old-growth logging proposal after another. There are currently thousands and thousands of acres up for grabs on the Medford BLM District alone. The Roseburg BLM is not far behind. These are our public lands. And lands the northern spotted

owl relies on to nest, roost and forage—critical elements for its survival.

This is why the Cascadia Wildlands Project, along with our conservation partners Klamath Siskiyou Wildlands Center, Umpqua Watersheds, Bark, and Oregon Wild, filed a lawsuit on August 23 challenging the approval of tens of thousands of acres of reckless logging projects throughout the region. We are being represented by powerhouse attorneys Susan Jane Brown and Stephanie Parent of the Pacific Environmental Advocacy Center.

The lawsuit is challenging four of the US Fish and Wildlife Service's (USFWS) "biological opinions" that rubber-stamp aggressive logging in designated "critical habitat" for the owl.

continued on page 3



Northern spotted owl populations continue to plummet across the Pacific Northwest.

#### THE CASCADIA

#### WILDLANDS PROJECT

is dedicated to defending the forests, waters, and wildlife of Cascadia by monitoring environmentally destructive activities and educating, organizing, and agitating for a more compassionate and responsible relationship with the ecosystems of our bioregion.



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## In the Trenches

## Ramblings from the Executive Director

Much of the conservation work we undertake is in the trenches—fighting off a timber sale in a favorite old-growth stand, standing up for 40% of Oregon's cougar population that has been targeted for removal, advocating for fish passage as the McKenzie River dams get re-authorized, rallying in the rain with worn-out signs. We see this work as part of a larger struggle to protect the Earth, the floating ball in space that provides us with clean air to breath and pure water to drink, and habitat for the suggested 1.4 million known species that reside here. It can get a little dark and overwhelming in the trenches, and it is always refreshing to see glimmers of hope. I had a number of epiphanies this summer that have given me optimism for a brighter ecological future in Cascadia.

In August, I had the opportunity to spend the day driving around Steamboat Creek drainage in the North Umpqua, a watershed that was hammered with roads and clearcuts during the heyday of the '50s-'80s. Its management emphasis since the onset of the 1994 Northwest Forest Plan is restoration, as the watershed contains one of the strongest runs of native summer steelhead that still exist, anywhere. After looking at potential roads to obliterate and tree farms to restore with the Forest Service and conservation partners, we made a stop off to a hidden bend on the creek. As expected, like year after year, the school was pooling up, 500 fish strong, idling and waiting for the fall rains to push them upstream to spawn.

Around this time, we received a court opinion that safeguarded nearly 1,000 acres of mature and old-growth forests in the Willamette and Mt. Hood National Forests that, even after years of court battles, the Forest Service was still trying to log. These are areas with names like Straw Devil, East Devil, Pryor, and Clark, located just upstream of Oakridge. They are all small but critical fragments of older forest standing in a sea of even-age fiber farms that many late-successional dependant species rely on to survive. Combined,

that many late-successional dependant species rely on to survive. Combined, the CWP lead over 40 organized hikes to these areas over the past seven years, encouraging you and interested community members to weigh in. On the day we received the decision, it finally felt like it was worth it.

Today in the Middle Fork Ranger District, where the four sales above were located, conversations are less about timber sale appeals and litigation and more about how to collaborate on restoration-driven landscape management. The CWP is currently working with a diversity of stakeholders in the upper Middle Fork Willamette River on how to best spend \$2 million earmarked

for restoration. Obliterating harmful roads to assist elk productivity, enhancing endangered bull trout habitat, and restoring complexity back into homogenous tree farms have been the subject of conversation.

Times are changing. And these glimmers of hope give us reason to continue our work in the trenches; we know there is a healthier Cascadia bioregion out there. Thanks for your ongoing support of the CWP. It means a lot.

Josh

#### In Memory of McKenzie River Gathering Co-founder Charles Gray

Charles Gray lived 18 of his 81 years on a budget of less \$100/month—the World Equity Budget he called it. He lived lightly while drawing attention to the uneven distribution of the world's wealth, racism, nuclear proliferation, war, and environmental collapse. He, along with Leslie Brockelbank, cofounded of the McKenzie River Gathering Foundation, which has assisted the Cascadia Wildlands Project's conservation work year after year since our inception. Charles passed away on July 8 after a life full of accomplishment. He was a man responsible for sowing the seeds of resistance early on. Charles Gray was a true pioneer.

## **News in Cascadia**

#### **Wolves Have Returned**

For three years, the Cascadia Wildlands Project worked with agencies and stakeholders to create an Oregon wolf recovery plan. After a 50-year absence from the state, wolves have returned to Oregon. At least one wolf has taken up residence in eastern Oregon's Wallowa mountains. We will continue working to protect these predators as they resume their place in wild ecosystems.



**NEST Success** 

Armed with crossbows and fishing line, the volunteers of Northwest Ecosystem Survey Team (NEST) spent the summer discovering red tree vole nests at three mature and old-growth forest timber sales on the Medford BLM. The results: 37 nests at the Anderson West timber sale; 27 nests at the East Fork Illinois timber sale and five nests at the Tennessee Lime timber sale. We are working to ensure the BLM establishes the required 10-acre buffer around each of these nests. We are also working with red tree vole experts Eric Forsman and James Swingle of Oregon State University effort to further study and protect this forest canopy critter.

#### Victory on the Willamette

The forests adjacent to the popular Cone Peak and Iron Mountain hiking areas on the Willamette National Forest are once again safe and sound. In response to our joint legal appeal with Oregon Wild, the Sweet Home Ranger District withdrew plans to log 189 acres of wild, mature forests as part of the South Pyramid timber sale. The project would have logged through the heart of designated "critical habitat" for the endangered northern spotted owl.

#### Saved from the Saw

After years of legal work, we have emerged victorious in saving over one thousand acres of old-growth forests from logging in the Willamette and Mt. Hood National Forests. Successful NEST surveys, the Forest Service's lack of environmental analysis, and severe

implications to the Northern spotted owl compelled this favorable court ruling. Many thanks to attorney Pete Frost of the Western Environmental Law Center, Doug Heiken of Oregon Wild, and all of you who helped with surveys and wrote letters in favor of protecting these wild forests.

#### GAO Says Biscuit Loses \$2 million Although a federal judge recently reinstated the Roadless Rule, southern Oregon roadless forests continue to be cut. The judge's decision did not stop current logging operations from pro-

cut. The judge's decision did not stop current logging operations from proceeding in the Mike's Gulch and Blackberry projects of the Biscuit fire area.

A recent report issued by the U.S. Senate's Government Accountability Office reveals that post-fire clearcutting projects at Biscuit have lost \$2 million in taxpayer dollars. According to Senator Jeff Bingaman (D-NM), Energy and Natural Resources Committee member, "taxpayers are going to have to spend millions more just cleaning up the damage from the logging than the government made from the timber sales. Meanwhile, as another recent study concluded, the logging killed 70 percent of the natural tree regeneration and elevated wildfire fuel loads. At the same time, promises of community fire protection, habitat restoration and scientific analyses remain unscheduled and unfulfilled."

#### Owls continued from page 1

Once a species is listed as endangered, USFWS must designate critical habitat to assist with its recovery. In this case, the agency designated the species' habitat, but then sanctioned logging of it. The opinions also give the BLM and US Forest Service permission to "incidentally take" (i.e. kill) dozens of owls in the process. If successful, this could be the granddaddy legal challenge that once and for all stops mature and old-growth logging in the region. It could also define the make-it-or-breakit threshold for the owl's persistence.

The owl-killing timber sales being challenged in this action include ones we have been contesting for years, with names like: Trapper, South Pyramid, WhataGas, Green Thunder, Can-Can, Cotton Snake, and Dickerson Heights. There are dozens of other sales at issue as well. These forests all contain uneven-age canopies with dense mature and old-growth forest components, large downed logs and mixed species—"suitable habitat" for the bird the federal agencies say.

It is clear that there are many ongoing threats to the owl, but only one that humans can really control. And that is habitat fragmentation. Just like you and I need a roof over our head and food on a plate to exist, so does the owl. The Cascadia Wildlands Project is making sure this special critter doesn't just become another face on a postage stamp. Stay tuned.



If successful, our lawsuit will stop logging of thousands of acres of designated "critical habitat" for the northern spotted owl, including this forest in the Sweet Home District of the Willamette National Forest.

## Dancin' up a Storm 5th Annual Hoedown Benefits Ancient Forests

What better way to spend a cool autumn evening than square dancing to foot-stompin' live music and eating chilli and mac n' cheese? This year's Hoedown for Cascadia's Ancient Forests attracted nearly 300 people who were dressed to impress, old-west syle. The Conjugal Visitors kept the crowds movin' with their banjo-pluckin', washboard strummin' tunes while caller Rich Goss asked folks to hoot and holler for the old growth!

The event raised over \$3,000 that will go directly to protecting ancient forests and wildlife. Thank you for coming out to support our work and making the event a great annual tradition. Y'all come back now!



Supporters kick up their heels at the 5th Annual Hoedown for Cascadia's Ancient Forests.

## A Round of Thanks...

First and foremost, huge thanks to Janine Nilsen and the Ava**lon Stables** for hosting this event!

Thank you to Paul's Bicycle Way of Life for generously donating a bike that was raffled off!

We owe huge thanks to the **Conjugal Visitors** for donating their time and musical talent.

Thank you to all of the local businesses that donated food and beverages to the event: The Bread Stop, Echo Hollow Hearth Breads, Cafe' Mam, Cafeto, Capella Market, Edible Improv, Emerald Valley Kitchen, Eugene City Bakery, Friendly Street Market, Growers Market, Hayhurst Farm, Hey Bales Farm, Holy Cow Vegetarian Foods, Megan Kemple, Organically Grown Coop, Springfield Creamery, Ruby and Amber's Farm, Rusty's Handbuilt Bars, Tofu Palace Products, Tsunami Sushi, Sundance Natural Foods, Red Barn Natural Grocery, Rock Bottom Brewery, Nankasi Brewery, Lucky Labrador Brewery, and Laurelwood Brewery.

## **Endangered Species in our Backyard**

Cascadia Wildlands Files Notice to Protect the Endangered Oregon Chub

by Dan Kruse

We are pleased to introduce you to the Oregon Chub (Oregonichthys crameri), a small minnow that has been on the federal endangered species list since 1993. The Oregon Chub is a true Oregonian if ever there was one - it is found only in the Willamette River and its tributaries such as the Santiam, Long Tom, and McKenzie Rivers. This fish lives primarily in off-channel habitat like beaver ponds, flooded marshes, oxbows, and stable backwater sloughs.

The Oregon Chub was once distributed throughout the entire Willamette River Valley. However, due to development, off-channel habitat in the Willamette has almost completely disappeared over the past hundred years, and most of the chub's habitat has been destroyed. The major factors that have contributed to this loss of habitat include dam construction, drainage of wetlands, channelization of rivers,

agricultural practices, sedimentation caused by logging and road construction, roadside herbicide application, and the introduction of nonnative fish species such as largemouth bass, crappies, sunfishes, bullheads, and western mosquitofish.

Like most minnows, the Oregon Chub has not received very much attention over the years. Despite its endangered status, the United States Fish and Wildlife Service has failed to designate Critical Habitat (areas that are "essential to the conservation of the species") for the chub, and has never conducted a status review to determine how the species is doing. But the Cascadia Wildlands Project is seeing to it that the slippery aquatic creature gets the attention it deserves and that it is not inadvertently or whimsically wiped off the face of the planet.

Cascadia Wildlands has teamed up with the Institute for Wildlife Protection to challenge the Fish and Wildlife Service's failure to designate Critical Habitat and conduct status reviews for the Oregon Chub, both of which are required by the Endangered Species Act. Conducting surveys, collecting data, and compiling this information into a status review is crucial to our understanding of the Oregon Chub and its needs, and it is the first step towards reversing the Chub's negative population trends. The designation of Critical Habitat is needed to prevent further loss of off-channel habitat and to allow the Oregon Chub to recover fully and repopulate its historic range.

Though the Oregon Chub is definitely not the biggest fish in the sea, it has been a part of our ecology for thousands of years. It is a local underdog, and we are committed not only to preventing its extinction, but also to helping it recover throughout the waters of the Willamette Valley.

Clearcutting Across Alaska's Lost Coast 20,000 Acres of Old Growth Leveled

bu Gabe Scott

The last old-growth trees will soon fall on the Lost Coast, bringing an end to what has been Alaska's biggest, most destructive public land timber sale. We will be close behind doing restoration, doing a little to heal this ravaged landscape.

Ringed by the world's tallest coastal mountain range, a mass of ice bigger than Rhode Island, and the open Pacific Ocean, the Lost Coast is as wild a place as exists on this planet. The nearest village is over 100 miles away. This patch of state-owned land is hidden between the giant Tongass and Chugach National Forests, and Wrangell St. Elias National Park. Those areas are collectively part of the biggest contiguous protected Wilderness area



A 40-mile stretch of clearcuts has caused local mountain goat populations to plummet by 80%.

in the world. The Lost Coast is the sacrifice zone in the center.

The Lost Coast is America's biggest (un)natural disaster you've never heard of. Over 20,000 acres of pristine old-growth have been leveled. It is one long clearcut from Icy Bay, all the way to the edge of the Duktoth River-a distance of over forty miles. The local mountain goat population has plummeted by 80%, reflecting lost winter habitat. All for benefit of low-grade export markets.

#### **Crisis = Opportunity**

That is why we have joined the call of local artist, and former Lost Coast resident Jen-Ann Kirchmeier, to write and implement a restoration plan for the Lost Coast. This will be a major, multi-year project, based in old-fashioned pick and shovel stewardship. We look forward to excellent opportunities for cooperation with government agencies, tribes, and the local population of sketchy old prospectors.

The heart and inspiration of the campaign is the large painting "Solstice," by Jen-Ann Kirchmeier. Currently on display at Orca Adventure Lodge in Cordova, "Solstice" is a metaphor piece for the current lowpoint for the Lost Coast forests. "The trees in this big canvas are now backed up by giant clearcuts," she says. "The



Pristine old-growth forests have been reduced to low-grade export timber.

purpose of this painting is to present the compelling information that our coastal temperate rainforest here, on the central coast of Alaska, is threatened by current business and political convention."

A logger's daughter, she believes the forest deserves stewardship, not abandonment, and is using her art to spread awareness and raise money to do just that. "It is my dream that someday we will learn to keep these forests intact and, when we harvest trees that they be removed with care and regard for the forest as a complete complex system," she says. "I truly wish that a master forester, such as my own father, were steward of these magnificent cathedrals of trees."

Check our new Alaska field office webpage: http://web.mac.com/cascadiawildlands for more information.



Over 20,000 acres of Alaska's pristine old-growth forest have been leveled along the Lost Coast.

## Clinton-era Roadless Rule Reinstated!

Enormous Legal Victory for Wild Forests

by Dan Kruse

On September 20, a federal judge in California quashed one of the Bush administration's most sweeping environmental rollbacks and reinstated the Roadless Area Conservation Rule, a landmark decision that has taken over 49 million acres of America's last undeveloped forests back off the chopping block. The Roadless Area Conservation Rule (called the "Roadless Rule") was enacted during the Clinton administration and prohibited commercial activities in the largest



The Cascadia Wildlands Project worked closely with Oregon's governor to protect our last wild, undeveloped forests.

unroaded and undeveloped National Forest lands across the country. These roadless areas are not only havens for backcountry adventurers, but they are the last islands of habitat for wildlife species that need large undisturbed tracts of land to survive.

Immediately after President Bush took office, the Forest Service repealed the Roadless Rule and reopened roadless areas to logging, mining, and road construction. The governors of Oregon, Washington, California, and New Mexico teamed up with environmental

> groups to challenge the legality of the rollback, arguing that it violated the **Endangered Species** Act and the National Environmental Policy Act. Judge Elizabeth Laporte of the Northern District of California agreed, holding that the Forest Service had failed to conduct environmental analysis, publish an

Environmental Impact Statement, take public comment, or consult with the US Fish and Wildlife Service to determine what impacts would be suffered by threatened and endangered species.

The Forest Service defended the repeal of the Roadless Rule by arguing that it was "on paper only," "merely procedural in nature and scope," and that it "has no direct, indirect, or cumulative effect on the environment." Point by point, Judge Laporte rejected each of these arguments, reinstated the Roadless Rule, and prohibited the Forest Service "from taking any further action contrary to the Roadless Rule without undertaking environmental analysis consistent with this opinion."

This ruling is an enormous victory for lovers of wild places throughout the Northwest (there are almost two million acres of roadless areas in Oregon alone) and across the United States. It is an even bigger victory for all the fish and wildlife species that are struggling to keep away from the bulldozers and chainsaws. Please call Governor Kulongoski's office at 503.986.6543 and congratulate them!

## Saved from the Saw: 107 Acres on the Klamath's Salmon River

The Forest Service has cancelled its plans to aggressively log over one hundred acres of old growth as part of the Knob timber sale in the Klamath National Forest of Northern California. The logging, which was to take place in areas designated as "critical habitat" for the northern spotted owl, was dropped from the plans after the Cascadia Wildlands Project threatened a lawsuit. The Forest Service is still proposing to log the other areas of the timber sale, located in the Salmon River watershed, that do not fall within the critical habitat designation.

### **CWP In Focus: Samantha Chirillo**

Samatha Chirillo sets the bar high. Aside from the 170 consecutive push-ups she recorded in high school, Samantha has increased the CWP's membership significantly through our door-to-door canvass. If you live in Eugene, Samantha likely stopped by to talk about things like Biscuit logging, threatened old-growth forests, imperiled cougars, and Bush administration policies. Or maybe you talked with her while tabling at one of our outreach events. She's come a long way from home to find her passion.

After growing up on 10 rural acres in Pennsylvania and receiving a degree in microbiology at Penn St., Samantha headed west and earned a Master's in biology at the UO. When not working on forest issues, she can be found feeding her pet corn snake or dancing to salsa music. Samantha recently left the CWP canvass to earn a Master's degree in the public administration and non-profit certificate programs at the UO. Thanks for all your work Samantha!

-Josh Laughlin





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Thank you to all of our new and continuing members and the many volunteers who help us protect wild places! Huge thanks to the foundations, businesses, and groups who have recently supported our work:

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Imagine... all the gifts you buy this year could help protect ancient forests and endangered wildlife.

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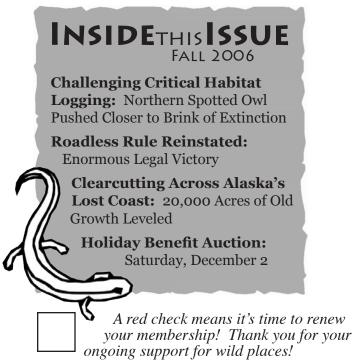


## Leave a Legacy for Cascadia

The Cascadia Wildlands Project has a combined vision of protection and restoration for Cascadia's public lands. We invite you to leave a legacy for Cascadia's wild places by including the Cascadia Wildlands Project in your estate plans. We can help you plan a bequest or other deferred gift. To learn more, please call or write Kate at 541.434.1463, kritley@cascwild.org, or PO Box 10455 Eugene, OR 97440. We look forward to working with you to create a lasting environmental legacy!



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## **Activist Toolbox**

The Cascadia Wildlands Project works to empower people and communities to advocate for their public lands. Each quarter we will offer useful information and tips you can use to help protect and restore the landscapes of the Pacific Northwest!

Letters to the Editor are one of the most effective ways of voicing your opinion on matters of ancient forests and endangered wildlife. Letters should be short (many newspapers have word limits of 150 or 200 words), personal, and related to a current issue. Send your letters to local Oregon and Washington newspapers at these addresses:

The Oregonian (Portland) Letters to the Editor 1320 S.W. Broadway Portland, OR 97201 letters@news.oregonian.com The Register-Guard (Eugene) Register Guard Mailbag P.O. Box 10188 Eugene, OR 97440-2188 rgletters@guardnet.com The Seattle Times Letters Editor P.O. Box 70 Seattle, WA 98111 opinion@seattletimes.com



#### Join us for a Fall Hike!

**November 12:** Few people know that there is a wilderness in the lush Oregon Coast Range, but Drift Creek is a gem to be discovered. The area is home to beautiful, pristine creeks, northern spotted owls, hardwood forests and ancient Douglas firs. We'll take in the autumn spectacle of the old-growth forests along the Horse Creek Trail and discuss management of the surrounding public and private lands. Hike is about 6 miles with moderate difficulty.

Carpools leave from behind Kinkos on 13th and Willamette St. in Eugene at 9:30 am. Bring warm clothes, rain gear, good hiking shoes, lunch, water, and a good attitude. The hike will be back around 5 pm. RSVP required at 434-1463 or jlong@cascwild.org. For information on other hikes and events, visit www.cascwild.org.