

**Audubon Society of Portland • Cascadia Wildlands • Center for Biological Diversity  
Oregon Wild • Sierra Club, Oregon Chapter**

November 10, 2013

**To:** Governor John Kitzhaber  
Honorable Ted Wheeler  
Honorable Kate Brown

Dear members of the State Land Board,

We, the undersigned conservation organizations representing over 70,000 Oregonians, are writing to express our strong opposition to a proposal currently in front of the State Land Board that could result in privatizing portions, and eventually all, of the much beloved 93,000-acre Elliott State Forest. Specifically, we urge you to reject the proposal to sell three parcels — representing 2,714-acres of public land — in the Elliott State Forest. If enacted, this proposal would place critical natural resource values in jeopardy, likely not generate the revenue the State hopes to raise, and violate the will of Oregonians. Instead, we urge you to show leadership and seek a sustainable, legally defensible management strategy in the Elliott State Forest that will protect natural resource and recreational values, provide a stable source of funding for the Common School Fund through restoration-based forest management activities, recreational opportunities and other forward-thinking revenue generating mechanisms, and retain this unique forest in public ownership. In the event the land is sold, the Land Board should abide by its 2012 Real Estate Asset Management Plan (REAMP) and only sell to conservation groups or public agencies.

The Department of State Lands has stated that it is investigating the potential sale of portions of the Elliott State Forest as a result of litigation brought by Cascadia Wildlands, Center for Biological Diversity and Audubon Society of Portland alleging that clearcutting activity on the Elliott is resulting in the illegal “take” of marbled murrelets in violation of the federal Endangered Species Act. We believe that the preliminary injunction that resulted from the case sends a strong message to the State of Oregon regarding the degree to which current logging practices on the Elliott are at odds with federal law and out of touch with responsible stewardship of our public lands. Nevertheless, the State is now forcing the public to choose between illegal logging activity and divestment of public lands. This is a false tradeoff.

The proposed disposal includes lands that contain significant natural resources and recreational values. These include older forest habitat with known occupancy of marbled murrelets<sup>1</sup>, habitat in close proximity to spotted owl nesting areas, and in a waterway with the highest Coho production on the Oregon Coast, according to the Oregon Department of Fish and Wildlife.<sup>2</sup> Selling these lands to private

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<sup>1</sup> See summer 2013 marbled murrelet survey data submitted into the record by Coast Range Forest Watch.

<sup>2</sup> See DSL's [Endangered Animal Assessment](#).

interests is fundamentally at odds with the State's commitment to restore these listed species. The revenue generated by such sales represents at best a very short-term fix for the Common School Fund. Furthermore, while trees currently harvested on the Elliott must be processed within Oregon, selling portions, or eventually all of the Elliott, to private interests will allow logs to be processed overseas potentially reducing revenue generating opportunities, tax rolls, and jobs for local communities. Liquidating critical wildlife habitat in the Elliott State Forest may result in a one-time input into the Common School Fund, but the loss of natural resource values and violation of public trust will be permanent and irrevocable.

Indeed, because of the significant presence of species listed as threatened and endangered under the federal and state Endangered Species Acts, the proposed sale is unlikely to generate the revenue the State Land Board hopes to generate. Any private entity who purchases these lands would need to obtain federal permits before logging or developing them. The permitting process takes time and requires implementation of conservation measures for listed species and those that may be listed in the future. The need for such permits, therefore, may reduce the value of these lands to certain private interests.

Since our organizations first became aware of the State's proposal to explore selling these lands, the Department of State Lands and the Land Board have received no fewer than 1,100 comment letters urging the Land Board to protect the Elliott State Forest for its unique fish and wildlife habitat and recreational values, and pursue other revenue-generating opportunities on the forest. The Land Board must heed the will of Oregonians and recognize the critical importance these lands have to them and the role they play over the long-term for the Common School Fund.

We urge the State Land Board to reject this short-sighted proposal and instead instruct the Department of State Lands to seek a sustainable solution that is consistent with federal law, protective of public trust resources and provides ongoing sources of revenue for the Common School Fund. Specifically, we encourage the State to focus on restorative thinning of commercially viable, even-age tree plantations on the forest, which can generate revenue for the Fund and provide local logging and milling jobs. Additionally, the State should consider financial opportunities related to the Elliott State Forest's capacity for carbon sequestration and storage. Markets continue to emerge for carbon with California's recent enactment of its cap and trade law, and the state must better position itself to capitalize on this opportunity.

Alternatively, if the State does move forward with selling off portions of the Elliott, it is important to note that the REAMP anticipates "balancing revenue enhancement and resource stewardship" by "selling or exchanging resource stewardship land to *conservation groups or public agencies* that would ensure the land's long-term protection."<sup>3</sup> We support the State meeting this anticipation of the REAMP by selling the 2,714 acres to land trusts or public agencies that would ensure the land's long-term protection. Other conservation opportunities for the Elliott abound, too, like the State appropriating money to acquire the Elliott into conservation with proceeds supporting the

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<sup>3</sup> Real Estate Asset Management Plan. 2012. p 17.

Common School Fund. An approach like this would provide for the continued public benefits the Elliott offers such as clean water, carbon storage to mitigate climate change, and salmon and wildlife habitat.

We again urge the State Land Board to reject any proposals to privatize the Elliott State Forest. The Land Board must recognize the unique values of the Elliott's forestlands and waterways both for the Common School Fund and for the services they provide at no cost to Oregonians, including purifying our air and water, safeguarding habitat for fish and wildlife, and providing unique recreational opportunities. Moreover, as prominent leaders of the state, the Land Board must chart a cutting-edge way forward that delinks school funding with clearcutting Oregon's heritage forests. We stand ready to work with the State to find ecologically and socially responsible strategies that will comply with federal wildlife laws, meet the mandate of raising revenue for the Common School Fund, and protect these lands for future generations of Oregonians.

Sincerely,



Josh Laughlin, Campaign Director  
Cascadia Wildlands

Bob Sallinger, Conservation Director  
Audubon Society of Portland

Noah Greenwald, Endangered Species Program Director  
Center for Biological Diversity

Steve Pedery, Conservation Director  
Oregon Wild

Brian Pasko, Director  
Sierra Club, Oregon Chapter

cc:

Mary Abrams, Department of State Lands  
Tom Imeson, Oregon Board of Forestry  
Doug Decker, Oregon Department of Forestry  
Roy Elicker, Oregon Department of Fish and Wildlife  
Richard Whitman, Governor's Natural Resources Advisor