The Honorable Ron Wyden, Chair  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  

Re: Response to O&C Legislative Framework  

July 15, 2013  

Dear Chairman Wyden,  

On behalf of our millions of members and supporters in Oregon and across the nation, we write you in response to your recently released “O&C Legislative Framework.” As we have written previously, we appreciate your interest in the management of federal forests on O&C lands as expressed in your “Principles for an O&C Solution: A Roadmap for Federal Legislation to Navigate both the House and Senate.” While we believe the principles are a good starting point for a legislative draft, we are now very concerned with the direction these efforts may take under the Framework. We respectfully offer the following comments on the Framework to help shape a workable, balanced and realistic legislative proposal for public forests and resources that does not sacrifice conservation values that Oregonians, and all Americans, hold dear. 

Maintain Federal Environmental Laws  

Among the most troubling statements in the Framework are those identifying Oregon’s O&C lands as “truly unique among federal land holdings” that “deserve separate treatment within the confines of the O&C Act” and that proposed legislation “will modernize existing federal laws as they apply to O&C lands so that harvest can continue at a steady, sustainable, and uninterrupted rate once an initial review of all lands set aside for management is completed and as long as subsequent timber sales comply with the legislation.” While it remains unclear what this might entail, your comments and those of Ranking Member Murkowski at the Senate Committee on Energy and Natural Resources hearing on June 25, 2013, suggested changing or avoiding bedrock environmental laws that ensure environmental protection and public participation in resource management, such as the National Environmental Policy Act (NEPA).  

“Modernizing federal laws” could jeopardize clean water, wildlife habitat, and local communities. The public relies on the Clean Water Act, the Endangered Species Act, and NEPA to safeguard our natural heritage for ourselves and our children. We cannot support waiving, weakening, or exempting environmental laws or their implementing regulations on O&C lands, or “sufficiency” language that would summarily declare logging consistent with environmental protections and deny the public the right to participate in forest management.
Preserve At-Risk Mature and Old-Growth Forests
The Framework suggests that you would “create wilderness and other permanent land use
designations” to ecologically offset lands designated for logging. While we support protecting
more Wilderness in western Oregon, we cannot support quid pro quo wilderness for logging,
especially of older forests. Oregon has plenty of Wilderness-quality lands, but a shortage of
protected Wilderness. We encourage your continued support for Wilderness proposals already
progressing through the Senate and House of Representatives, without linking them to unpopular
logging legislation.

It is also important to note that, to adequately safeguard clean water, older forests (current and
future), and treasured recreation areas, more than half of the O&C landscape needs to be
protected or restored.\textsuperscript{1} Logging these forests would be deleterious to these goals.

In addition, the Northwest Forest Plan envisioned restoration of a functional and interconnected
old forest ecosystem by allowing mature forests to develop into old-growth forests within the
system of reserves it established. Legislatively defining old-growth forests as only the oldest
forest stands is inadequate to protect and restore current and future old-growth forests on O&C
lands. Mature forests, not just the oldest forests, are also critical to providing habitat for hundreds
of species dependent on late successional forests.

Support the Northwest Forest Plan
O&C lands are a critical component of the conservation context in the Northwest Forest Plan.
Developed by President Bill Clinton and adopted in 1994, this landmark document
revolutionized science-based management of public forests in the Pacific Northwest. The plan
protects and is designed to restore old-growth forests, clean water, and habitat for dependent
species, while allowing for commercially valuable timber production. Western Oregon BLM
lands are integral to the success of the Northwest Forest Plan and provide critical habitat for a
growing number of threatened and endangered species, including the northern spotted owl,
marbled murrelet and other wildlife.\textsuperscript{2} Any logging on these lands must be subjected to thorough
analysis to ensure the conservation of imperiled species, while also providing for other social,
economic, and ecological values.

Lastly, as these forests belong to all Americans and are a part of our nation’s rich heritage of
public lands, legislation that would alter their management could have important, negative
precedential implications for public forestlands, wildlife areas, deserts and grasslands, and waters
elsewhere in the United States.

Protect our Natural Heritage

\textsuperscript{1} See The Nature Conservancy and Wild Salmon Center. 2012. An Atlas of Conservation Values on Bureau of Land
Management Holdings in Western Oregon, Oregon Explorer http://oe.oregonexplorer.info/ExternalContent/TNC/.
\textsuperscript{2} Staus, N.L., J. R. Strittholt, and D. A. DellaSala. 2010. Evaluating areas of high conservation value in western
The Framework indicates that “a substantial portion of O&C lands will be set aside for sustainable economic activity with ultimate harvest levels governed by rules established in legislation,” and that this portion would be “roughly equivalent” to lands designated for conservation.

Western Oregon forests have already been divided again and again. More than half of the productive capacity of Oregon’s forests is controlled by private interests. More than half of O&C forests have been previously exploited for timber production. We do not support further subdividing of O&C lands to emphasize timber harvest in some areas, especially if it will require logging in ecologically critical areas such as older forests and streamside buffers.

The Framework continues by stating that “[s]ustainable harvest will be consistent with the most advanced forest management practices advocated by Northwest experts and demonstrated in pilot projects and collaborative efforts across the state, including the pioneering and successful efforts in the Siuslaw Forest and Medford BLM district.” “Sustainable harvest” is a yet undefined term, and is interpreted by different interests in very different ways; further, the science is far from settled on approaches being used on BLM pilots. Experts and stakeholders should continue to discuss and review the best available science, as well as the impact of various pilot projects’ harvest practices that have been deemed “sustainable,” before the concept is included in any legislation.

As you know, in recent years, the BLM in Western Oregon has largely met the logging volume targets set by Congress, and it has done so within the science-based framework of the Northwest Forest Plan and critical habitat requirements of federally threatened or endangered species. While there may be additional volume that could be provided from these public forests, any possible increase must avoid potential harm to clean water, threatened or endangered species, and the ability of these public forestlands to help mitigate the pollution that causes climate change.

**Manage Public Lands for Economic Prosperity**

The O&C lands were grossly overharvested in decades past, and these lands were included in the Northwest Forest Plan in order to meet public needs and legal requirements for healthy watersheds and clean water, and forest ecosystems capable of supporting self-sustaining populations of fish and wildlife. Oregon’s economy can be strengthened through the ecological and recreational value of our public lands, by investing in watershed restoration and quality of life, rather than relying on re-linking local economies to the timber-based boom-bust cycles of the past.

The most recent 2012 report from the Outdoor Industry Association confirms that the outdoor recreation industry directly supports 6.1 million jobs and contributes over $646 billion annually to the U.S. economy. In Oregon alone, outdoor recreation generates $12.8 billion in consumer spending, $4.0 billion in wages and salaries, $955 million in state and local tax revenue, and

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141,000 direct Oregon jobs. Similarly, the U.S. Forest Service’s most recent annual visitor survey showed that Forest Service lands attracted 166 million visitors in 2011, and that visitor spending in nearby communities sustained more than 200,000 full- and part-time jobs. At the local level, according to the Bureau of Land Management, in 2010 there were a total of 6,811 jobs on Oregon BLM lands associated with recreation, accounting for a total of $662 million in output. Also, the most recent data from 2011 shows about 5.5 million visits were recorded on Western Oregon BLM associated with recreation.

Exchange and Consolidate Lands for the Public Interest
The Framework states that “[v]oluntary land exchanges between Federal and private landowners should be encouraged” to support conservation, reduce federal costs of forest management and reduce impacts from federal forest management on adjacent private landowners.

We believe that strategic land exchanges may be valuable in Northwest forests, particularly where they put highly valued conservation lands in public ownership, but strict parameters must be established to ensure exchanges are a net benefit to the public. History has demonstrated that proposals to consolidate land management through transfer of America’s public lands to private logging interests often resulted in both environmental and fiscal losses to the American public.

Any federal legislation should also consider consolidating BLM-managed O&C lands with the National Forest System, as doing so could result in reduced bureaucracy, more consistent management, and a savings to taxpayers.

Secure Alternative Funding for Counties
Legislative proposals to fund county budgets through quasi-privatization of America’s public lands have been offered in the House of Representatives. These measures would weaken or eliminate safeguards for clean water and imperiled wildlife and drastically increase unsustainable logging, grazing, mining, and drilling on the public domain. Cashing in our country’s most valuable and enduring assets—our public lands—is a short-term and short-sighted approach to solving county budget shortfalls. We appreciate your opposition to establishing “trusts” on public lands.

We are therefore concerned that the Framework seeks to re-couple O&C timber receipts with county payments. Re-coupling would result in a huge decrease in county revenue given historic county revenues were dependent upon the unsustainable liquidation of older forests that is no longer socially acceptable or legally permissible. The analysis supporting BLM’s Western Oregon Plan Revision demonstrated that re-coupling would result in a huge increase in controversial logging and still result in a significant reduction in county revenue compared to the SRS payments the counties have received from Congress. Furthermore, re-coupling would expose the counties to unpredictable revenue streams, as logging levels tend to boom and bust with economic cycles and the housing market.

The solution to county budget shortfalls requires shared responsibility among federal, state, and local governments. We support the concept of providing “a permanent and stable source of funding for O&C counties encompassing existing county payments and other federal payments.” We also agree that counties and local taxpayers must be a part of the solution to county budget problems.

Finally, we sincerely appreciate your efforts to enact a one-year extension of Secure Rural Schools legislation. Our organizations stand ready to work with your office to continue this vital program, and to identify alternate funding sources for an appropriate federal contribution to county funding that does not impair the clean water, wildlife, and public lands.

**Moving Forward**

As you know, the management of public lands in Western Oregon is of regional and national importance. The 2.6 million acres of Western Oregon forest lands managed by the BLM contain rivers and streams that provide clean drinking water to over 1.5 million Oregonians, habitat for imperiled fish and wildlife, and scenic values that help drive Oregon’s tourism and outdoor recreation industries. These values must be preserved in legislation to manage O&C lands.

In the months ahead, we look forward to working with your staff to discuss legislative options that solve some of the challenges Oregon is facing. We understand your concerns with ensuring security for local communities, but urge you to consider solutions that do not sacrifice clean drinking water, critical wildlife habitat, or bedrock environmental laws, regulations and values.

Sincerely,

Steve Holmer, Senior Policy Advisor
American Bird Conservancy &
Director, Bird Conservation Alliance

Russ Plaeger, Program Director
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6 Of the 2.6 million acres of Western Oregon BLM lands, ~2.1 million are Oregon and California (O&C) lands, ~0.1 million are Coos Bay Wagon Road (CBWR), and ~0.4 million are on public domain (PD) lands. There is also ~0.5 million acres of “controverted” O&C lands that are within the National Forest System on six Oregon national forests. We are equally concerned about the disposition of all of these federal public forestlands.

7 Seventy-three percent of the BLM lands in Western Oregon are located in areas identified by the Oregon Department of Environmental Quality as drinking water protection areas. The Nature Conservancy and Wild Salmon Center. 2012. An Atlas of Conservation Values on Bureau of Land Management Holdings in Western Oregon. Available at Oregon Explorer, [http://oe.oregonexplorer.info/ExternalContent/TNC/](http://oe.oregonexplorer.info/ExternalContent/TNC/).

8 [www.geosinstitute.org](http://www.geosinstitute.org) and Oregon DEQ Land Ownership Summary by PWS. Table available upon request.
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