

# Transitions June-July 1995

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# Forest Disaster: Clinton Flip-Flops

In the history of our nation, large corporations have gained access to public forests by such scandalous and fraudulent means as “dummy entrymen,” railroad land grants, misleading propaganda, and investing in politicians. In Congress the techniques haven’t changed much over the years: now as then companies invest heavily in politicians such as Senators Slade Gorton, Mark Hatfield, and Larry Craig. This year the corporations have been especially successful: The President of the United States flip-flopped and agreed to roll back this nation’s forest standards and eliminate citizen oversight of government decisions.

Forest historians will have a clear series of events documenting Clinton’s flip-flop. On April 2, 1993, at the Forest Conference in Portland, President Clinton committed himself in front of the nation (as recorded first-hand by nearly 700 reporters) to find solutions for Pacific Northwest forests and communities based on science and law.

Nearly two years later on June 7, 1995, Clinton vetoed the very first bill of his presidency partly because of a “very bad environmental provision”: a Slade Gorton-sponsored clause that would effectively suspend laws in our National Forests. Clinton stood tall for our National Forests for just 22 days — until June 29 when Clinton reversed himself and cut a deal with members of Congress. Clinton signed the bill into law on July 27, ushering in a new era of lawlessness in our public forests.

In American history has a President ever agreed to a sweeping suspension of laws managing our National Forests? No. Grover Cleveland, when faced with Congress’s Sundry Civil Service appropriations bill that revoked his proclamation of 21 million acres as National Forests, threw the measure on the floor saying, “I’ll be damned if I sign the bill.” And

he didn’t. Teddy Roosevelt, when attacked by Congress with an appropriations bill ham-stringing his ability to create new National Forests, signed the bill — just after proclaiming 16 million acres of new National Forests. Roosevelt’s justification? To keep these public forests from falling into the hands of timber syndicates.

Contrast Roosevelt with Clinton. Until July 27 citizens stood between the corporations and the National Forests. Clinton acquiesced and removed the citizens.

Lurking behind Clinton’s decision are the same corporate forces that have logged forests from Lake Superior to Puget Sound riding on the largess of Congress. On May 25, with President Clinton flip-flopping on forest policy, a book — **RAILROADS & CLEARCUTS** — was unveiled in news conferences held simultaneously in front of the old Weyerhaeuser and Hill mansions in St. Paul, and in front of train stations in Spokane and Seattle. **RAILROADS & CLEARCUTS** points out that however powerful and wealthy the Northern Pacific-based timber corporations may be, they ultimately derive from a violated contract with the American people.

You would think after 131 years of Northern Pacific’s history of fraud and corruption that we as a nation would finally learn the lessons and put an end to this corporate and governmental corruption. But the American people lead harried lives and corporations will stop at nothing to get at the trees still standing in the National Forests — especially since taxpayers foot the bill. The price of our forests, like democracy, is eternal vigilance. Clinton, by cutting down citizen oversight, clearcuts our forests and our democracy. In this era of corporate-driven lawlessness, the challenge facing people who care about our forests and our future is how to pass onto future generations this nation’s forest legacy.

- John Osborn, M.D.

# Forest Watch

## Logging Without Laws

### Clearcutting Democracy & Forests

*Contact us for information on how you can learn to monitor timber sales, organize a Forest Watch group, or involve yourself in Council activities. Exercise your right to participate in and protect your democracy and your forests with your vote, your pen, your voice.*

By Sara Folger

On July 19 urgent alerts came streaming into our office from all directions: The President is cutting a deal on rescissions!! Rally your troops!! Call the Senate and urge them to kill logging without laws!! It was a grim replay of the weeks before, concentrated into one afternoon. Forest conservationists will now remember July 20, 1995, as the day President Clinton capitulated to timber politics — Black Friday for our public forests.

In late June President Clinton exercised his veto for the first time ever to stop the 1995 Budget Rescissions Bill. He declared he would not sign a bill that harmed education, women and children, or the environment by cutting funding for certain programs. For weeks, Clinton had heard from tens of thousands of Americans who urged him to veto this bill specifically because of the provision attached that would mandate the Forest Service and Bureau of Land Management to accelerate logging, and do so without citizen reviews or environmental laws. When Clinton vetoed the bill and sent it back to the Senate for revisions, we hoped that Senator Slade Gorton's logging rider would not survive. But on July 20, after a backroom deal between Clinton and two Senators blocking compromise on other issues in this appropriations measure, the Senate passed a revised version of the bill and off it went to the White House, sleazy rider intact.

Implementing the logging mandate will bring about the most destructive chainsaw free-for-all our public forests have suffered for decades. Under a false concern

for "forest health", the most sensitive areas of our public lands — roadless areas, old growth habitat, stream zones, burned areas — will be invaded with saws, dozers, helicopters, and trucks. This program could cost taxpayers millions of dollars, as powerful corporations like Boise Cascade pressure the agencies to offer salvage sales at rock-bottom prices, then refuse to bid the sales until the price comes down even further.

Even greater are the potential environmental costs. The rescissions bill allows logging without laws, logging without citizen oversight, logging without regard to ecological or financial costs associated with the feeding frenzy about to commence. The bill is in force until December 1996, giving the Forest Service and BLM plenty of time to plan as many timber sales as their staffs can produce. Implementation of those timber sales is not limited by this time constraint, so the effects could be compounded for decades as cutting projects are completed.

The greatest irony is that logging without laws has been justified by phony assumptions, adroit use of propaganda, and outright deception: our forests are "sick" because they haven't been cut; fires will be bigger and worse if *all* the forests aren't thinned out to resemble city parks; and timber mills are starving for green, dead, or dying trees. The underlying truth is that land managers and weak politicians have been indoctrinated with the notion that corporate profits must be protected notwith-

standing any other costs to American citizens, to the land we own, and least of all to our children and the ecological mess they will inherit.

Conservationists have documented gross violations of laws, regulations, and environmental responsibility that follow revocation of citizens' rights to intervene in destructive timber sales through the appeals process. Timber sale monitoring projects implemented by groups like the Public Lands Council and the Idaho Sporting Congress have revealed hundreds of contract infractions and outright crimes in timber sales such as the Foothills Fire salvage in the Boise National Forest and the Fourth of July fire salvage in the Kootenai National Forest, both of which were exempted from citizen oversight. Out on the ground where the truth cannot be glossed over with platitudes and propaganda, millions of board feet of timber have been cut by timber poachers, by contractors "adjusting" the size of sale units, and by disregard for the paint that marks trees to be left for wildlife, stream bank stability, and natural re-seeding. This behavior has actually been sanctioned by state and federal regulators who suspended many regulations protecting streamside areas, lightened water quality regulations, and turned a blind eye to destruction of the forests and blatant disrespect of the law.

Without dissent, Americans are about to witness the biggest timber giveaway in decades. We will soon find that we are paying tax dollars we don't want wasted to accelerate environmental degradation we don't want, while big corporations we don't like build roads and clearcut landscapes in forests we don't want destroyed, exempted from laws we don't want to lose.

In the face of this greedy corporate reach, we must redouble our efforts to protect our democracy and our forests. **Contact your President, the Secretaries of Agriculture and Interior and your representatives, and demand a stop to logging without laws. Tell them to restore your democratic right of participation in public lands management decisions.**

## **IEPLC FOREST WATCH AFFILIATES**

### **WASHINGTON**

Kettle Range Conservation Group  
Pend Oreille Environmental Team  
Tonasket Forest Watch  
Methow Forest Watch  
Citizens for Responsible Logging

### **IDAHO**

Wallace Forest Watch  
Citizens for Environmental Equality  
Kootenai Environmental Alliance  
Sandpoint Forest Watch  
Boundry Backpackers  
INWARD  
Clearwater Forest Watch Coalition  
Bonners Ferry Forest Watch  
Selkirk-Priest Basin Association

### **WESTERN MONTANA**

Cabinet Resource Group  
Montana Wilderness Association

### **EASTERN OREGON**

Grand Ronde Resource Council  
Blue Mountain Native Forest Alliance  
Blue Mountain Diversity Project  
SANE (Society Advocating Natural Ecosystems)

### **REGIONAL FOREST WATCH**

Greater Yellowstone Coalition  
Alliance for the Wild Rockies  
Idaho Conservation League  
Idaho Wildlife Federation  
American Wildlands  
Ecology Center

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Patagonia  
Ruth Mott Fund  
Turner Foundation  
W. Alton Jones Foundation

# Dave Crandall bids Farewell to the Council



*Sending a forest conservation message to President Bill Clinton and Speaker Tom Foley prior to the President's Forest Conference in 1993.*

As the Council's first Executive Director I have had the great pleasure of working with so many fine people over the past four and a half years as we have made the Council into the leading forest conservation organization that it is today. These have been historic times we have shared in this journey.

I have many more memories than can be shared here. However, I will always remember the fun we had in doing the "Clearcut Shame" campaign: driving all over town to see the billboards, busboards, and yardsigns. Even today some yardsigns are still standing more than two years after the campaign. I will also remember meeting with Speaker Foley just five days before the election knowing he was the third most powerful political leader in the country and yet sensing that Foley's career would not survive the election. And then there were those telephone calls from all over the country with people wanting our new book, **RAILROADS & CLEARCUTS**, after Ralph Nader talked about the book and gave out our telephone number during an interview on National Public Radio.

I will always treasure our time together and want to thank the staff, board, volunteers, and members for

their help and support over the years. During the dark times one of the things that kept me going was a quote from Margaret Mead that I had posted on my wall in front of my desk. She said, "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has."

As I leave the Council to become the Campaign Coordinator for the Northern Rockies Forest Campaign I wish the Council all of the best in the upcoming years. I am confident that with the many, excellent people associated with

the organization that the Council will continue in its mission to help the greater Columbia River ecosystem and communities in the transition from exploitation to sustainability.

Thank you. Farewell.



*Dave Crandall, key organizer of the immensely successful "Clearcut Shame" campaign, 1992. Still today some yardsigns are standing.*

(IEPLC)

# Chapter 1

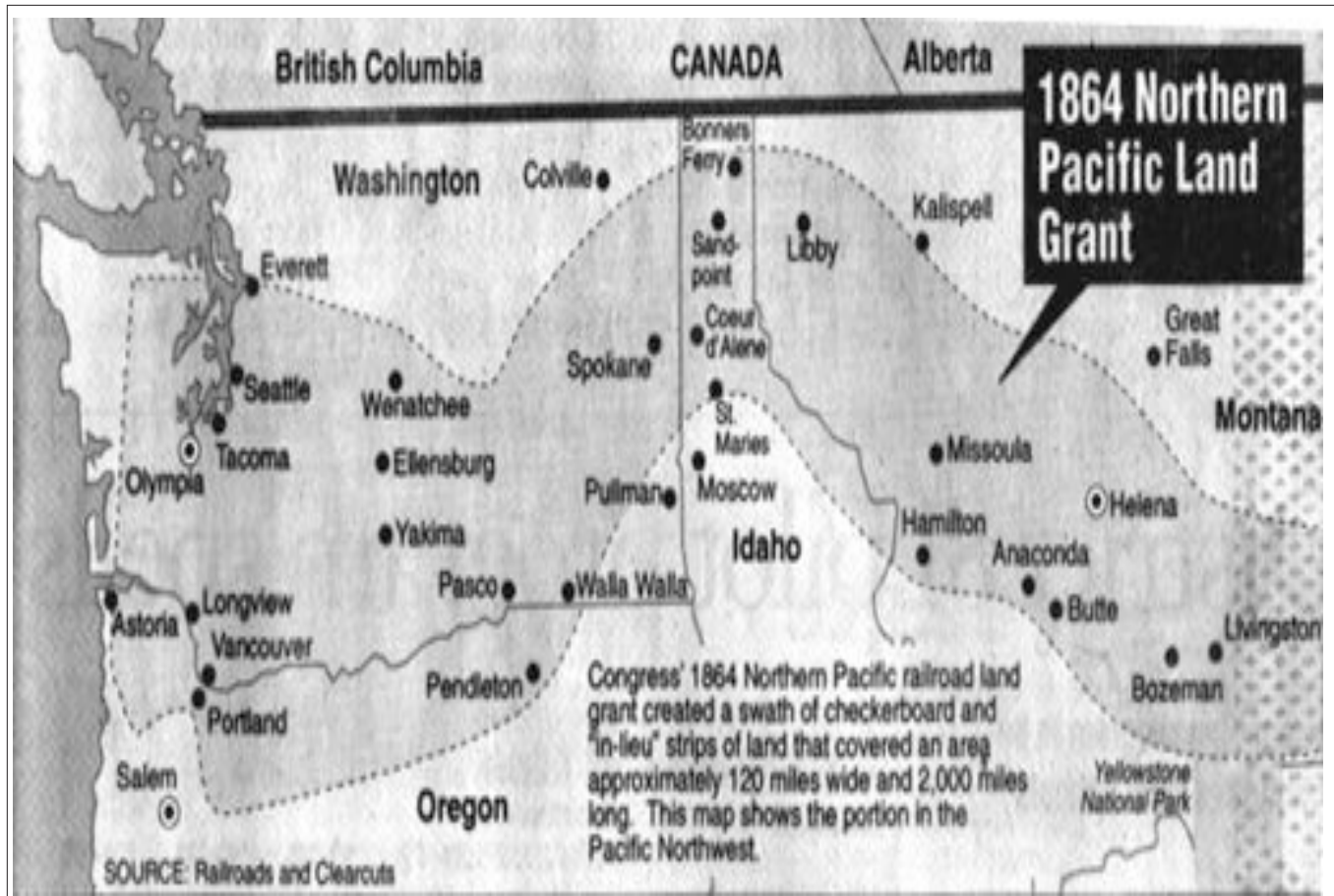
## Corporations & Northern Pacific

### In praise of *RAILROADS & CLEARCUTS*:

This book reveals "how the search for profit by such land grant companies as Plum Creek, Weyerhaeuser, Potlatch and Boise Cascade (companies that, under the terms of the Gorton Rider, would have access to public lands without public oversight) has hurried the disappearance of our forests. . . . With its historic background, company profiles, analysis of the effects of overcutting and of the practice of exporting wood, as well as suggestions for citizen action, this book is a worthy contribution to the continuing debate over use of public lands."

*Publishers Weekly*  
June 5, 1995

# Land giveaway, logging corruption linked



**By J. Todd Foster**  
Staff writer

A huge land giveaway during the Civil War led to the illegal creation of four timber giants and the ultimate destruction of Northwest forests and logging communities, a new book asserts.

President Lincoln and Congress signed the 1864 Northern Pacific Railroad land grant to open up the West.

It also opened and filled a lot of private pocket-books, says the book, "Railroads and Clearcuts,"

published by a Spokane environmental group.

Corporate interests got 40 million acres — a swath nearly the size of Washington state — to raise money for a railroad from Lake Superior to Puget Sound.

After the line was built, the lands were supposed to be sold to homesteaders at auction for \$2.50 an acre, but instead passed to Weyerhaeuser Co. and other firms.

Those industrial forest lands have been logged so extensively that the ecological effects have damaged

*continued on page 10*



(JEPLC)

*Checkerboard clearcuts, Colville National Forest north of Spokane, 1990. Huge timber corporations enriched by overcutting the forests they control directly through the violated contracts of Northern Pacific are now reaching for the National Forests.*



(Ray Fenner)

*A Forest Conservation message in the Great Lakes region. Here, only a century ago, the Weyerhaeuser syndicate and others massively overcut forests. Having overcut the Pacific Northwest, companies are moving to new "timber frontiers" including the second growth forests of the Great Lakes region. These large timber corporations are inherently migratory: they have overcut and moved across a continent, leaving behind stumps and communities facing a transition.*



# Railroad: Legacy of grant still influences Inland Northwest life

*continued from page 8*

neighboring national forests, the book alleges.

The 198-page paperback was published by the Inland Empire Public Lands Council through a small publishing house in Sandpoint.

The lands council contends a greedy faction that included financier J.P. Morgan and lumber magnate Frederick Weyerhaeuser manipulated corrupt politicians and cowardly journalists to subvert the land grant. The book builds its case based on historical accounts and documents.

The legacy of the grant continues to influence life in the Inland Northwest, said contributing author John Osborn, a Spokane physician who founded the lands council in the early 1980s.

"The timber companies have overcut forests they control and are now reaching for the national forests," Osborn-said. "This was one of the most fraud-filled, corrupt periods in U.S. history. It unleashed enormous corporate forces on the West. The whole fabric of Pacific Northwest forests and communities is unraveling."

The main authors, Spokane's Derrick Jensen and Seattle corporate researcher George Draffan, target Plum Creek Timber Co., Weyerhaeuser Co. and two of its spinoffs, Boise Cascade Corp. and Potlatch Corp.

The companies' reaction to excerpts from the book ranged from amusement to annoyance.

"It must be a slow news day," said Andy Drysdale, spokesman for Boise Cascade.

Weyerhaeuser spokeswoman Montye Male noted that the issue is old news, 131 years old.

The lands council is unveiling the book today during simultaneous news conferences in Spokane, Seattle and St. Paul, Minn.

J.P. Morgan and railroad promoter James J. Hill lived in neighboring mansions in the Minnesota capital city.

Plum Creek spokesman Bob Jirsa issued a six-page response to the book's allegations and said, "We . . . categorically reject its premise."

In addition, he said, Plum Creek has replanted millions of trees and is practicing a new, environmentally sound brand of forestry.

The 1864 land grant was so controversial that 60 years later, President Calvin Coolidge asked Congress to investigate the deal.

The government found the grant had been violated in several ways, including the fraudulent acquisition of 15 million acres of land in Washington state and on Indian reservations.

The railroad also was not built according to the mandated time schedule, stock was not sold to the public as required, and Northern Pacific illegally diverted money to build branch lines.

After the government's five-year investigation ended, President Herbert Hoover ordered Northern Pacific to be sued for the return of 2.8 million acres.

In a partial settlement in 1941 the railroad agreed to give back the 3 million acres and pay \$300,000. In exchange, the government closed its fraud investigation.

Consumer advocate Ralph Nader has reviewed "Railroads and Clearcuts" and said the industrial forest land should be returned to the American public.

"This is one of the biggest corporate welfare giveaways in history," Nader said from his Washington, D.C., office. "No one is asking they return their ill-gotten gains. Just return the land."

*Spokesman-Review* May 25, 1995

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# Railroading America

Timber companies reap tainted profits  
because of an 1864 railroad land grant, says a new book

By Ken Olsen

Ripped from the headlines of a century-old newspaper comes a blend of Michael Milken-style insider trading and the S&L scandal. A deal intended to build a railroad from Lake Superior to the Puget Sound opening the Pacific Northwest to homesteaders, instead fostered a corporate empire that continues to control and exploit a significant portion of the area 130 years later.

The Northern Pacific Railroad ended up with 40 square miles of federal land for every mile of track it built, giving it a 120-mile wide, 2,000 mile long swath of ground from the Great Lakes to the northwest tip of the Lower 48. The company and the empires it spawned profited handsomely time and again.

The returns to the taxpayers, on that 1860s and 1870s land-grant generosity, are ruined timber towns, environmental destruction and excessive pressure to log public lands. Now it's time for Congress to reclaim what is ours, argues a new book, *Railroads and Clearcuts: Legacy of Congress's 1864 Northern Pacific Railroad Land Grant* (Inland Empire Public Lands Council, 1995, \$15).

Inspired by Spokane physician John Osborn—and written by Derrick Jensen and George Draffan—*Railroads and Clearcuts* meticulously charts how the Northern Pacific repeatedly violated the terms of its land grant, taking acreage it wasn't entitled to, including millions from American Indian reservations.

The railroad wasn't built in the required time and, when it went bankrupt, didn't auction the land as the law stipulated. The Northern Pacific didn't follow obligations to sell much of its land to homesteaders, but instead sold to Frederick Weyerhaeuser and his associates, leading to the formation of three of the dominant logging forces in the Northwest—Weyerhaeuser, Potlatch and Boise Cascade—which have common founders and share some corporate directors to this day.

Through mergers, shenanigans and acquisitions the remainder of the Northern Pacific land largess led to what is today the Burlington Northern Railroad and its timber-harvesting dynamo Plum Creek Timber Co. Most of these companies have cleared their lands of the 300-year-old trees, often exporting logs and jobs instead of milling them at home.

Those lands, allocated in a checkerboard pattern across the Northwest, are so depleted that these companies are turning the heat up on the national forests to get more rounds through the mills before they move on—to Chile, Siberia and the southeastern United States, the book says.

The book explains how President Calvin Coolidge ordered an investigation into the Northern Pacific land grant in the 1920s, that eventually led to a \$300,000 fine and 2.9 million acres of land being returned to public ownership in 1941.

But while timber company spin doctors say the issue has been settled, the book's authors believe it's time to try again. They note over and over again that the original 1864 legislation allows Congress to step in and do just that. Consumer advocate Ralph Nader, quoted on the book's jacket, echoes the sentiment, saying it's time for the corporations in question to return the land.

Osborn, a founding member of the forefather to the Inland Empire Public Lands Council—the Spokane Resident Physicians Association—says the book is history people need in order to understand the current timber crisis. “I don't think the public understands the power these companies wield,” Osborn says. “They have overcut the corporate forests and are turning to the public lands.” These companies, he warns, grew from the fraud and corruption of the Northern Pacific Land Grant.

Understanding the root cause of the problem, he hopes, will prompt people to make the correct diagnosis and push Congress to cure the patient before it's too late. Co-author Jensen has just written *Listening to the Land: Nature, Culture and Eros* (Sierra Club Books, 1995). Draffan is a natural resource research librarian who was also a founding board member of the Greater Ecosystem Alliance.

The book is a quick read, with copious footnotes, charts, graphs and compelling photographs—it explains complex issues clearly. The simplicity makes this more useful to the general public than many forest policy books.

That same simplicity is one of the book's two relatively small weaknesses, the other being the way the theme is repeated time and again, in almost the same words.

Readers will finish the book unsatisfied, wanting to know much more. The book offers a route to that information with an extensive bibliography, but *Railroads and Clearcuts* would be nicely bolstered if more of that was drawn from the references into the text.

Readers will also gain a sense of how history plays a large role in today's forest crisis—important when disingenuous politicians blame environmental regulations for the legacy that railroads, greed and power-brokers have created.

The book leaves us with an important warning: Timber companies have always cut and run, beginning in New England, moving to the Great Lakes and then coming to the Pacific Northwest. They will leave us again, but there's a difference.

“Always before, there has been another great stand of forest on the other side of the ridge,” Osborn says. “Now what's on the other side of the ridge is the Pacific Ocean.”

*The Inlander*  
May 31, 1995

# Hill's land deals unlawful, environmentalists say

- Group charges acres sold to timber interests led to clearcut forests

**Charles Laszewski**  
Staff Writer

During the 1890s, James J. Hill used to walk out the door of his Summit Avenue mansion and stroll two doors down to the mansion of his friend Frederick Weyerhaeuser.

There, sitting by the fire, Hill regaled Weyerhaeuser with tales of huge forests in the Northwest and urged the timber baron to come West. Hill's Great Northern railroad sold Weyerhaeuser and his partners 900,000 acres of forest land in Washington in 1899.

Now, 100 years later, an environmental group is charging that those deals were illegal and have led to the devastating clearcuts of Montana, Idaho and Washington that continue today.

"The fraud and corruption is the basis of these corporations," said Dr. John Osborn of the Inland Empire Public Lands Council. "These corporate empires are once again reaching for our national forests by gutting environmental laws."

Osborn's organization spent 10 years researching a book, "Railroads and Clearcuts," which details the illegalities of Hill and others. The group summarized its findings at a news conference Thursday on the sidewalk outside the Weyerhaeuser mansion.

But Frank Mendizabal, a spokesman for Weyerhaeuser Co. in Tacoma, Wash., said the sales were legal.

"This has been thoroughly reviewed by the courts in the '20s, '40s and even in the '80s," Mendizabal said. "It has been thrashed and the company has been found not guilty."

Osborn said his group's research found otherwise. In 1864, Congress granted millions of acres of public land to the railroad, in an effort to get a rail line built from Minnesota to the Pacific Ocean. The land included millions of acres that could be used to finance the building and operation of the lines.

The law also required Hill's company, the Great Northern, to sell the lands at auction if the company failed financially, which it did twice, and to open the lands to homesteaders once the line was completed. But Osborn says the latter never happened.

Instead, Hill sold the land and timber to Weyerhaeuser and other businesses which later became Plum Creek Timber, Potlatch and Boise Cascade.

In the 1920s, President Calvin Coolidge asked Congress to investigate Great Northern's "numerous and flagrant" violations of the land grant. In the 1940s, the government took the company to court ending with a partial settlement of 2.8 million acres and \$300,000 to the government. But the case was never completely settled, he said.

"It's clear we can't go back," Osborn said. "We can't bring the logs back from Japan, we can't put the trees back on the stump."

Osborn said the lumber companies have not changed since the days they cut nearly all the forests in Minnesota and Wisconsin. So people need to oppose bills such as the ones in Congress proposing to allow timber companies to take more dead and downed trees without as much environmental review, he said.

Mendizabal said some of those bills are worthwhile because they allow loggers to remove some of the fuel that made the Yellowstone fires of 1988 burn so hot.

"I wouldn't want to comment on any particular bill, but we think there is a balance that can be reached," he said, to provide timber for the mills and leave some of the downed trees for animal habitat.

*St. Paul Pioneer Press*  
May 26, 1995

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## Correction

A *Pioneer Press* story Friday contained incorrect information on railroads. The Great Northern railroad never failed financially. Instead, it was the Northern Pacific that failed twice. After the last time in 1893, James J. Hill was able to purchase it and the forest lands it controlled.

*St. Paul Pioneer Press*  
May 27, 1995

# Author questions railroads' use of resources

**By Tom Meersman**  
**Staff Writer**

John Osborn, a physician from Spokane, Wash., had a special reason for standing in front of the James J. Hill House on Summit Av. in St. Paul Thursday: "Many key decisions were made in there a century ago," he said, "that have unleashed all these corporate empires onto the Pacific Northwest."

Osborn said that as railroads consolidated and their corporate structures changed, the land rights to millions of acres of coal and timber were spun off into private companies, which in the 1990s are rapidly depleting those resources by clearcutting.

He and other leaders of the Inland Empire Public Lands Council, an environmental group, have spent the past decade tracing the complex history of railroad, timber and mining companies that grew and expanded across the northern tier of the United States, from Lake Superior to the Pacific Ocean.

He said it seemed appropriate to officially release a book about the topic "Railroads and Clearcuts," in St. Paul, where turning points in history occurred.

Congress in the 1800s conditionally granted millions of acres of public land to railroad companies. The largest grant, signed by President Abraham Lincoln in 1864, gave Northern Pacific 40 million acres to raise capital needed to build and maintain the railroad. The land was given as alternate square miles, creating a checkerboard ownership pattern 20 miles wide

on both sides of the railroad, Osborn said.

Timber firms disagree with Osborn's contention that there is a forestry "crisis" in the Pacific Northwest today, but Osborn has aerial and satellite photos of clearcuts that illustrate the checkerboard ownership and which raise questions about long-term environmental effects, he says.

"I'm a physician, and when someone walks into my office I need to know their medical history," Osborn said. "In the same way, we need to know the history of the railroads if we're going to make a correct diagnosis about what's wrong with our forestry system today."

The legacy of Hill and his deals with Frederick Weyerhaeuser, J.P. Morgan and others lives on, Osborn said, and the public needs to take a fresh look at millions of acres of railroad grant lands that were subsequently sold to large timber companies, including Weyerhaeuser, Potlatch and Boise Cascade.

Based upon those original government grants, Osborn said, the timber firms have "extremely powerful lobby groups, seemingly endless public information campaigns, log exports to other countries, overcutting and \$20 billion in corporate assets that carry tremendous influence in state capitals and in Washington, D.C."

*Star Tribune*  
May 26, 1995

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the Star Tribune, Minneapolis - St. Paul

## The Legitimacy of Forest Land Ownership

**By Brad Knickerbocker**

THE roots of the debate over forest management in the northwest go back more than 130 years to when Abraham Lincoln signed into law the largest railroad land grant in United States history.

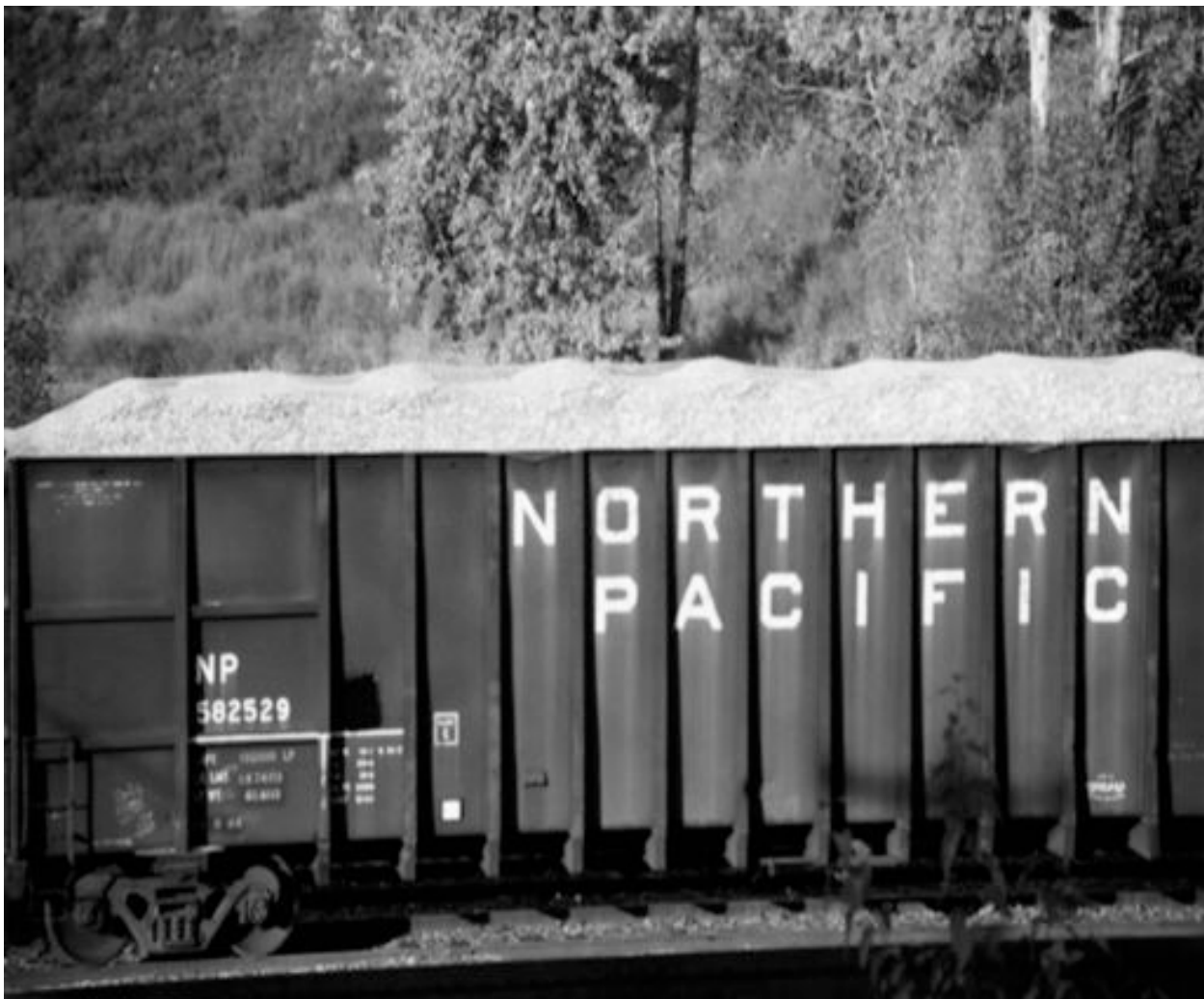
The Northern Pacific Railroad Company was created by Congress in 1864 to build a rail line from Lake Superior to Puget Sound. To help pay for construction and maintenance, Northern Pacific was granted 40 million acres of land laid out in one-square-mile checkerboard fashion in a band 40 miles wide through states and 80 miles wide through territories. Such financiers as Jay Cooke, J.P. Morgan, and James J. Hill helped create the economic descendants of Northern Pacific, which

today are major players in the timber industry: Weyerhaeuser, Potlatch, Boise Cascade, and Plum Creek.

But a new history of the era ("Railroads and Clearcuts" by Derrick Jensen and George Draffan) charges that "from the beginning, Northern Pacific failed to meet most of the conditions of the 1864 law." Rather than make those millions of acres available to industrial foresters, the authors assert, "all lands were to be opened to homesteaders within five years of completing the railroad."

The legality of Northern Pacific's actions was debated in the courts and in Congress well into this century. "Railroads and Clearcuts" (published by the Inland Empire Public Lands Council, an environmental group) argues that the ownership of

*continued on next page*



(IEPLC)

*NORTHERN PACIFIC. Congress and Abraham Lincoln created Northern Pacific and granted the company 40 million acres. The contractual agreements were repeatedly and flagrantly violated. Vast tracts of lands intended by Congress and Lincoln for homesteaders instead fell into the hands of Weyerhaeuser and other syndicates. Northern Pacific was joined with Great Northern in 1894 by J.P. Morgan and James J. Hill, forming a great monopoly that is the foundation of Burlington Northern Railroad.*

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*Continued from page 13*

railroad land-grant acreage by the timber companies “remains in doubt.”

In any case, they write, serious environmental damage has been the result. “It is unknown whether Plum Creek’s use of New Forestry will succeed in reducing environmental degradation or overcutting,” they warn. “It is possible that it will do no more than allow current trends to continue.”

In a rebuttal, Plum Creek Timber Company officials reject the book’s premise and conclusions about the legitimacy of

land ownership. And, they argue, “To not report the latest three years of history ignores the best examples of integrating environmental protections with forest management.”

*Christian Science Monitor*

June 20, 1995

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## Letters to the Editor

# Readers address Great Northern rail history

Thank you for your May 26 article on the forest crisis and the violated contracts of Northern Pacific. Although excellent journalism, the article confused Northern Pacific with a closely related railroad, Great Northern.

James J. Hill completed Great Northern in 1893, linking St. Paul and Everett, Wash. Great Northern wasn't built with land-grant subsidies, although Hill did benefit from 5.9 million acres from two land grants.

Northern Pacific was the railroad subsidized with massive land grants. Congress and President Lincoln created Northern Pacific to build and maintain a railroad from Lake Superior to the Pacific. They intended its subsidy of 40 million acres for homesteaders - not Weyerhaeuser and other syndicates.

Northern Pacific and Great Northern were combined in 1894 as a huge railroad monopoly by J.P. Morgan and Hill. The two "northern" railroads formed the foundation for Burlington Northern.

Hill sold to his St. Paul neighbor, Frederick Weyerhaeuser, millions of acres from Northern Pacific's violated contracts.

Prompted by massive forest destruction, "Railroads & Clearcuts" isn't intended to defame Weyerhaeuser, Morgan and Hill. As Northern Pacific-based timber corporations reach for our national forests, "Railroad & Clearcuts" intends to restore to the national debate over forests the central importance of Northern Pacific.

John Osborn  
Spokane, Wash.

• The writer speaks for the Inland Empire Lands Council, a forest conservation organization.

Responding to James Walker's June 6 letter, "No Land Grants to Sell":

Here is a brief outline of land grants involving Great Northern and predecessor companies (from "The Railroaders, Lines West" by Charles R. Wood and "The History of the Burlington Northern by Bill Yenne: From 1866 to 1878, James J. Hill worked as agent for the St. Paul and Pacific. In 1878, Hill and associates purchased property (including land grants of 2,811,142 acres) of the bankrupt St. Paul and Pacific and formed the St. Paul, Minneapolis and Manitoba, with Hill as general manager. Most of the grant land was sold to give them firm financial footing.

In 1881, for \$30,000, Hill acquired the charter of the Minneapolis and St. Cloud Railway. In 1889, its name was changed to the Great Northern Railway Co. In 1890, the GN took over the St. PM&M. Because grants of the St. PM&M had not been taken up, the U.S. Land Office opened the land to settlers. After an appeal by Hill, the Supreme Court reinstated the grants in 1891.

In a swap arranged by Congress, GN accepted 65,000 acres of prime timberland in the Northwest, rather than evicting the settlers.

This is meant only to clear the record, not to detract from accomplishments of James Hill.

Dorothy Gibson  
St. Paul

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*St. Paul Pioneer Press*  
June 15, 1995

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**1897**

## **Object to the Land Grant**

### **The Washington Legislature on the Northern Pacific Road**

OLYMPIA, Washington March 1. - In the State Legislature an inquiry was instituted today touching the validity of the Northern Pacific's grant of over 8,000,000 acres of valuable land in the State of Washington. The House passed a joint resolution calling for the appointment of a committee of legislators, who, with the Attorney General, are directed to take legal steps for the purpose of having the transfer of the lands to the reorganized company declared null and void.

The resolution was introduced and advocated by Frank Wilkeson, formerly a well-known newspaper man in the East and at one time high in the engineering service of the Northern Pacific in the West. The

resolution attacks the legality of the Northern Pacific Railway Company's title to the lands in Washington. It is asserted that Congress never authorized the issuance of mortgage bonds after the failure of the company in 1875, and the acquisition of property under the foreclosure of this mortgage is void.

Provisions of State legislation are cited by the resolution as forbidding a company like the Wisconsin corporation from doing business in the State. The Legislative Committee and Attorney General are directed to at once begin legal proceedings and restore the land grant in Washington to the public domain.

*New York Times*  
March 2, 1897

**1995**

## **Rail merger clears final hurdle**

### **BN, Santa Fe deal to create nation's largest rail network**

Associated Press

WASHINGTON — Burlington Northern Inc. and Santa Fe Pacific Corp. won federal approval Thursday to merge into the nation's largest rail network, stretching from the Midwest to the Pacific, and Mexico to Canada.

The companies and analysts foresee benefits for carmakers, farmers and other shippers, although some critics worry about harm to competition.

Burlington Northern is one of two major railways in the Pacific Northwest, sharing the long-haul market with Union Pacific Railroad. BN's Spokane division employs about 700 people and operates 500 miles of track, moving lumber products, cement, grain and other goods through the area.

The 4-0 vote by the Interstate Commerce Commission on the \$4 billion deal continues the consolidation of the railroad industry. The agency has approved five other mergers among major railways since 1980, including Union Pacific-Chicago & North Western earlier this year.

"There's a lot of concern, I think, out there about whether there's going to be additional discussion of future mergers,"

said the ICC's chairman, Linda J. Morgan. "Interestingly enough, you may see more combinations among smaller railroads."

But Congress is moving to kill the 108-year-old agency, possibly by year's end, and the Justice Department could get authority over mergers.

The ICC will put the decision in writing by Aug. 23, and the companies could complete the merger by the end of September, said Rob Krebs, Santa Fe's chairman.

The new rail network would stretch from Canada to Mexico, with 33,000 miles of track in the Midwest, West and Southeast. It would have about \$7 billion in annual revenue and dominate rail cargo in the West.

The railroads plan to eliminate 2,750 jobs and save \$450 million while speeding the flow of goods across the country.

Network operations probably will be in Fort Worth, Texas, where Burlington Northern has its headquarters, Krebs said. The companies have not decided on their corporate base. Santa Fe's home is the Chicago suburb of Schaumburg.

*Spokesman-Review* July 21, 1995

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# BN rail may put brakes on 350 jobs in St. Paul

**Doug Iverson**  
Staff Writer

Despite record first-quarter profits and a pending merger that could create the nation's dominant rail system, Burlington Northern appears poised to carve more jobs from its downtown St. Paul general office.

Tension is high in the dark, brooding brick building at Fifth and Jackson streets in downtown St. Paul, where downsizing has been the norm since the company began moving its headquarters south to Fort Worth, Texas, in the early 1980s.

The company is reviewing about 500 nonunion jobs in St. Paul — 2,800 systemwide — in an effort to restructure the company's administrative and system support operations.

Workers fear as many as 40 percent of the St. Paul jobs could be eliminated as early as July. The company calls that "premature," but that was the outcome of a similar review of jobs in the company's intermodal department earlier this year.

Combined with another 150 union clerk jobs previously slated to be cut as part of a separate restructuring, downtown St. Paul could lose 350 of its remaining 1,400 rail jobs that typically pay \$30,000 or more.

"It's tense in the office as people wait to see what happens," said Tom Truhler, local chairman of the Transportation Communications Union.

It's unclear how this restructuring effort fits with the combining of operations with the Santa Fe railroad under a proposed merger of the two companies, which is expected to receive federal approval in September.

Burlington Northern estimated in its merger proposal last year that it would move or eliminate about 400 St. Paul-based jobs during the first three years of combined operations with Santa Fe.

"This is completely unrelated to the merger," BN spokesman Jim Sabourin said. "We have critical growth and performance goals to achieve with or without the merger."

It does appear that the brunt of those cuts will happen much more quickly than BN estimated.

Sources say workers had understood that major cuts in middle management jobs would be announced next week. But the company spokesman said no decisions are expected until sometime in July.

"The purpose is to eliminate work that does not add value to either Burlington Northern or its customers," Sabourin said.

"At this time it's impossible to predict the outcome of it other than to say our work force will be sized to accommodate the tasks that are considered to be (of) high value."

Asked about how deep the cuts could go in St. Paul, Sabourin noted that predictions of 40 percent appear based on the outcome of a similar restructuring effort in BN's intermodal department. Intermodal operations involve the movement of trailers on flatbed rail cars.

"I'm not denying it will end up being 40 percent," Sabourin said. "There have been no guidelines or no numbers said. Until we get through the process, we don't know what that's going to be."

Burlington Northern launched its systems review — called AVA within the company for Activity, Value, Analysis — in May. All workers whose jobs are under review have been interviewed about what they do and who it helps. Now, they wait to see if their answers will pass muster.

The company posted a record profit for the three-month period ended March, with a net income of \$127 million, up 46 percent from the previous year. However, analysts say traffic began to slow in March and an economic slowdown may squeeze profits.

Burlington Northern's proposed merger with the Santa Fe is expected to be approved by the Interstate Commerce Commission in September, creating a system that will dwarf its nearest competitor with an improved foothold in the west and Mexico.

A wave of rail mergers that will reshape the industry is widely expected and that consolidation likely will eliminate thousands of good-paying rail jobs.

Truhler noted that nonunion workers whose jobs may be eliminated may have retained their union seniority rights established when they held contract positions. If so, they could opt back into the bargaining unit.

But the outlook could be grim for other middle managers, many of whom are over 50 years old facing a market that is creating few comparable jobs.

"It's not like if you were 40 years old and you could go out on the street and find a job that pays like the railroad pays," said a company source, who asked not to be named. "It's bleak."

*St. Paul Pioneer Press*  
June 10, 1995

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*The Spokesman-Review*

February 6, 1995

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*The violated contracts of Northern Pacific formed the foundation of the Weyerhaeuser syndicate in the Pacific Northwest from which emerged the interlocking corporate structures of Weyerhaeuser, Potlatch, and Boise Cascade. [Reprinted from RAILROADS & CLEARCUTS, copyright 1995 IEPLC.]*

# Appeal filed to halt proposed road

• Proposed 5.3-mile long road in Walton Creek area is the bone of contention in appeal filed by coalition

Associated Press

MOSCOW — A proposed U.S. Forest Service road project will further damage a stream in the Lochsa River drainage popular with area residents, the Idaho Conservation League said.

The league and the Clearwater Forest Watch Coalition on Monday filed an appeal, saying the agency should not allow construction of the Goat Roost Road in the Walton Creek area without more study.

The 5.3-mile project would give Plum Creek Timber Co. access to 385 acres of timber.

The road would be built with taxpayer and Plum Creek money. About two miles of road crosses the Sneakfoot Meadows roadless area, “irredeemably altering the wilderness characteristics,” league members said.

The rest runs across Plum Creek land.

The project violates several laws and the terms of a lawsuit settled in 1993, the appellants say. It will dump more sediment in Walton Creek, said Larry McLaud of the conservation league.

That creek enters the Lochsa River where a fish hatchery is located and the silt could harm the fish, he said.

That stream already violates Idaho water quality standards, with 47 percent more sediment than allowed by guidelines, the appeal says.

That goes against the settlement of a federal lawsuit by The Wilderness Society which banned new projects on degraded streams in the Clearwater National Forest.

Idaho is under federal court order to write a schedule to clean up hundreds of polluted streams like Walton Creek.

The appeal also takes issue with whether the project has given enough consideration to endangered grizzly bears, gray wolves and fall chinook salmon.

Forest Watch and the conservation league want written concurrence from the U.S. Fish and Wildlife Service the road won't hurt those species.

*Lewiston Morning Tribune*  
June 7, 1995



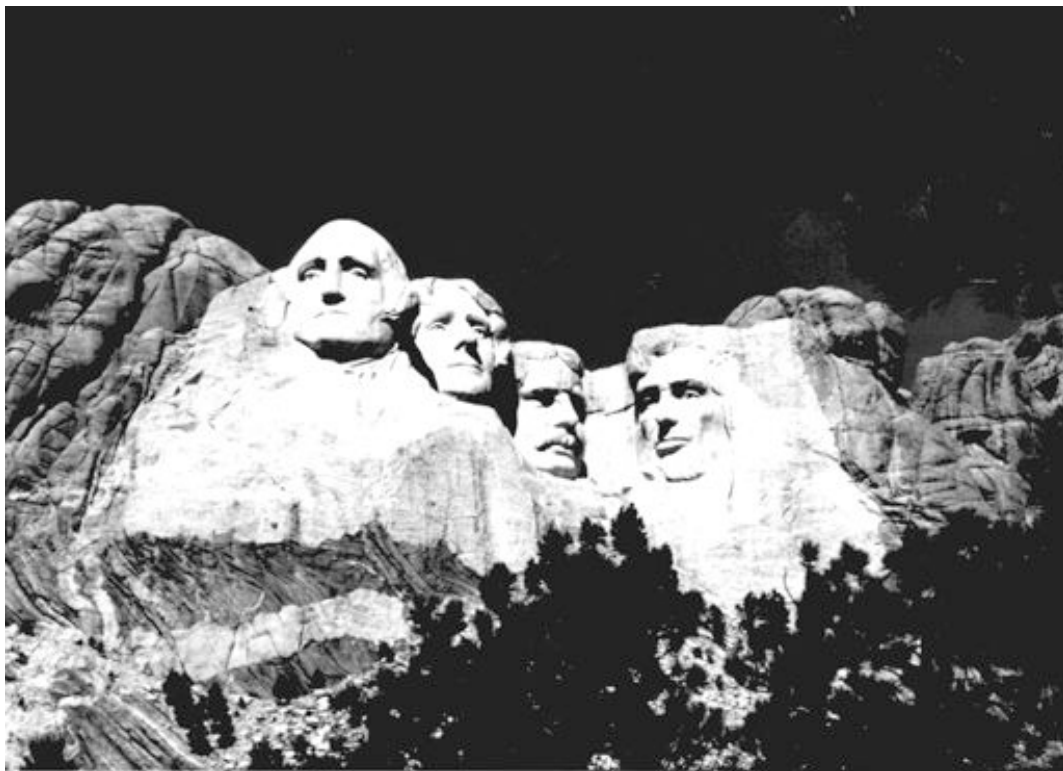
*Checkerboard forests, Clearwater National Forest in Idaho. Burlington Northern/Plum Creek has massively overcut forests here in an area important to wildlife and fish, including salmon.*

# Chapter 2

## Clinton Flip-Flops

### Mt. Rushmore, Presidents, and the West

Thomas Jefferson dispatched the Lewis and Clark expedition. Abraham Lincoln signed the now-violated 1864 Northern Pacific railroad land grant. Teddy Roosevelt established National Forests to keep public lands out of the hands of timber syndicates. President Clinton?



(J. Bart Rayniak/ Spokesman-Review)

1993

## Clinton promises quick solution



(Tim Jewett/The Oregonian)

*President Clinton, with round table member Diana Wales of Roseburg at his side, urges loggers and environmentalists to move beyond confrontation in seeking a solution to the forest impasse.*

## Hope offered in forest fray

**Promising action within 60 days, the president urges all parties at the Northwest Forest Conference to continue talking and to take the dispute out of the courtroom**

**By Don Hamilton, Kathie Durbin,  
Brian T. Meehan and Joan Laatz  
of the Oregonian staff**

After an extraordinary day of testimony about the fear gripping timber towns and the priceless legacy stored in the Northwest's old-growth forests, President Clinton buoyed all sides in the grinding timber conflict by ordering the federal government to draft a solution within 60 days.

"I tell you, I'll never forget what I've heard today — the stories, the pictures, the passions from all of you," Clinton said in his closing remarks after eight hours of often-stirring testimony Friday in the Oregon Convention Center.

The conference, eagerly anticipated by timber groups, brought Clinton, Vice President Al Gore and four Cabinet officials together under one Oregon roof, the first such assemblage in the state's history. They heard testimony covering nearly every aspect of the debate, from raw-log exports to unemployment rates in rural mill towns, from the plight of threatened salmon to the legacy the Northwest will leave its children's children.

Clinton trained the optimism that has marked his young administration on one of the nation's most daunting environmental stalemates—but provided only a sketchy outline of a likely solution.

He said he would ask his Cabinet for a plan that's grounded in the best science, that provides a sustainable level of timber

*continued on next page*

## Clinton backs environmental laws

*continued from page 21*

sales, that preserves forests and streams and that brings federal policies into harmony.

Clinton urged all sides to bring their differences to the conference room and to avoid more of the courtroom battles that have marked the forest debate. And he asked environmentalists and industry leaders alike to sustain the dialogue that marked this extraordinary day of testimony.

"You don't have to fight in a court of law anymore," Clinton said. "You can work with us to try to have a long-term solution. If you feel frustrated . . . I ask you to stay at the table and keep talking and keep trying to find common ground. I don't want this situation to go back to the posturing, to positioning, to the politics of division that had characterized this difficult issue in the past."

At a news conference after the marathon symposium, however, Clinton said he had no plans to propose changes in the nation's environmental laws, under which conservation groups have brought federal timber sales in three states to a virtual halt.

"I'd like to have a chance to make the laws work as they are," Clinton said.

Responding to a question, Gore added that restricting the right of environmentalists to sue over federal timber sales would constitute such a "change in the law."

Friday's conference in the brightly lit ballroom of the Oregon Convention Center was an intriguing blend of state ceremony and college teach-in, of debate and town-hall meeting. Cabinet members sat among loggers' wives and salmon fishermen, breaking in to ask questions on issues ranging from silviculture to job retraining. Outspoken adversaries in the conflict were on their best behavior.

Security was tight under the center's twin glass towers. Bomb-detecting dogs patrolled the cavernous Convention Center as more than 700 journalists flooded the building.

Portland historian Kimbark MacColl led off the day with a brief lecture, describing how railroads acquired vast Northwest timber holdings in the 19th century and sold them to timber barons, who set about liquidating what seemed like a limitless resource. Settlers regarded the natural bounty that blanketed the region not as a source of wonder but as an economic birthright, he said.

"The historical record is not a pretty one, and all parties must share some of the blame," MacColl said.

Combatants in the timber argument at last found common ground in their reaction to the day's events. Both sides praised Clinton's aggressive call for a solution within 60 days.

"I am generally encouraged," said Andy Kerr, an outspoken environmentalist and conservation director of the Oregon Natural Resources Council. "Of course, my reference point is George Bush and Ronald Reagan. This guy is sharp."

"This is the most encouraging thing to happen on this very divisive issue in 30 years," Washington Gov. Mike Lowry said.

The day's testimony was divided into three round-table discussions: The impact on people's lives; ecological and economic consequences; and possible solutions. The first round-table session generated some of the most wrenching testimony. Mayor Phyllis Strauger said the conference was too late for her city of Hoquiam, Wash., where mill closures have sent unemployment past 19 percent.

"We're too tired to diversify," Strauger said, "All we have to market is an empty log truck and a rusty spar pole."

Nadine Bailey of Hayfork, Calif., talked about the wallop the timber stalemate has delivered to rural families, and other panelists testified about a disappearing way of life.

"I cut trees for a living just like my father before me and my grandfather," said Buzz Eades, a sixth-generation logger.

"I'm scared for the future of my family," Eades said, "These people have hopes and dreams just like all of us."

Clinton appeared moved by the testimony that revealed the human impact of the forest crisis. He talked about experiences in his home state of Arkansas, where rural poverty has driven people from the state they loved.

"We must never forget the human and the economic dimensions of these problems," he said at the conclusion of the conference. "Where sound management policies can preserve the health of forest lands, sales should go forward. Where this requirement cannot be met, we'll do our best to offer new economic opportunities for year-round, high-wage, high-skill jobs."

But Vic Sher of the Sierra Club Legal Defense Fund urged the president not to assume that environmental restrictions were the sole cause of the timber industry's woes. He noted that a Weyerhaeuser Co. official had predicted today's timber shortages in 1986—long before the spotted owl was listed as an endangered species.

"You must bring to your government agencies the same rigor in economic analysis that scientists have brought to the ecological issues," Sher said.

Just about everyone acknowledged that the forest issue was much larger than the northern spotted owl and the marbled murrelet, two forest-nesting birds that have been a fulcrum for discussion over the fate of old-growth stands.

In a private meeting after the conference, Northwest governors told Clinton and Gore that they would like affected states to have a role in federal endangered- and threatened-species listings. Clinton said Oregon Gov. Barbara Roberts had suggested that salvage of insect-ravaged trees east of the Cascades might provide a "bridge" over the current timber shortage.

*The Oregonian*  
April 3, 1993

1995

The White House  
Office of the Vice President

For Immediate Release  
Thursday, May 11, 1995

Contact:202-456-7035

Statement by Vice President Al Gore

Today the House of Representatives is debating legislation that threatens to roll back 25 years of bi-partisan progress in protecting public health and cleaning up this nation's rivers, lakes, and streams. This extreme legislation would protect wealthy special interests and corporate polluters at the expense of average Americans.

Currently the Clean Water Act removes more than one billion pounds per year of toxic pollutants from our nation's waters, and 900 million tons per year of sewage are no longer discharged. Water is the first line of defense in protecting public health. I don't think Americans want more pollution in our nation's waters.

There is a right way and a wrong way to reform environmental policy. The Clinton Administration supports common-sense, cost-effective reform that maintains strong water quality standards for our communities today and for our children tomorrow. We will not tolerate a rollback of environmental and public health protection.

I also want to comment on the timber salvage provision in the rescission conference. Increasing timber salvage — that is, harvesting dead and dying trees — and improving forest health are goals we share with the Congress. In fact, we have already put in motion reforms to speed timber salvage without compromising environmental standards. That's the right way towards reform.

Based on what I understand is going on, and I have not seen the language, the timber salvage provision attached to the rescissions package tells the federal government that it doesn't have to obey environmental laws. That's bad policy. The timber salvage provision should be taken out, and we should move forward to expedite timber salvage in a responsible manner.

Dear Colleague Letter  
U.S. House of Representatives

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Congress of the United States  
House of Representatives  
Washington, DC 20515-2304

May 3, 1995

“We should not sit on the sidelines and watch the work that has been done by Republicans and Democrats together for 25 years to protect the environment of America, to be wiped out with some ill-advised laws overnight.”

— President Clinton, April 8, 1995

**VETO THE RESCISSIONS BILL!!!**

Dear Colleague:

Join us in encouraging President Clinton to keep true to his work on environmental policy. Please agree to add your name to the letter which appears on the back of this page asking President Clinton to veto the 1995 Rescission bill because of the timber salvage provision. Contact Laura Hessburg of my staff at xx56631. Deadline is Monday, May 8.

Sincerely,  
Bruce Vento

## **Dear Mr. President:**

The undersigned members of Congress urge you to veto H.R. 1158, the FY 1995 rescissions bill, because it has been saddled with many amendments that threaten environmental protection and public health legislation. These amendments also threaten to increase the costs to taxpayers rather than save taxpayer dollars.

The amendments to the House and Senate versions of the bill require a massive, broadly-defined "salvage" logging program on public lands that is exempt from complying with environmental law and insulated from judicial review and citizens appeals for a two year period, impacting three fiscal years. The Senate version would specifically undermine your Northwest Forest Plan for the ancient forests of the Pacific Northwest.

As you recently told a group of supporters in California, "We should not sit on the sidelines and watch the work that has been done by Republicans and Democrats together for 25 years to protect the environment of America, to be wiped out with some ill-advised laws overnight."

Your administration has worked diligently to secure environmental protection and economic security by supporting natural resource management that, in your words, is "scientifically credible" and "legally defensible". Following your 1992 Northwest Forest Conference in Portland, Oregon, convened to address the long-standing and contentious Northwest forest issue, you said, "I'd like to have a chance to make the laws work as they are."

These ill-considered and ill-advised amendments would undermine the thousands of hours of agency planning, scientific study and public comment on your Northwest Forest Plan and other ecosystem management initiatives nationwide and render irrelevant the efforts undertaken by your Administration to seek long term solutions to issues that require balancing of environmental protection and economic security.

The salvage amendment provisions pretend to embrace forest health policy and reduction of forest fire potential. Both arguments ring hollow when held up to the light of day. Sound forest health is at the foundation of the "Northwest Plan" with watershed restoration, multi-species re-forestation, thinning and selective harvest. Forest Service Chief Jack Ward Thomas has in fact initiated sound policy to facilitate appropriate salvage sale activities.

This rescissions language is simply a throwback to a denial of the facts and severe problems affecting the forest ecosystem. Such an approach sacrifices long term common sense resource management for instant gratification — savaging, not salvaging our national forests and costing precious taxpayer dollars, a resource based economy such as fisheries and the legacy of future generations.

By attaching these unacceptable amendments to the rescissions bill, some of our colleagues are using legislative extortion to lard a supposed budget cutting bill with budget busting programs.

These covert assaults on environmental protection have been a wake up call to citizens across the country who may have voted for change but did not vote for the exploitation and giveaway of their public lands and roll back of environmental protection and public health legislation.

You have our support in fighting this rollback of our Nation's environmental and public health safeguards, a fight that begins here with your veto of H.R. 1158, the FY 1995 rescissions bill!

Sincerely,



## Guest Column

# President should veto 'logging without laws' bill

**By John Osborn**  
**Special to Roundtable**

Congress spent the "First 100 Days" systematically gutting our environmental laws.

One outrageous example is what I call the "logging without laws" amendment both the House and Senate have passed in similar form. The amendment would suspend our environmental protection laws for public forests and require federal agencies to sell enormous numbers of trees.

If President Clinton signs this into law, tremendous harm will befall forests here in the Columbia River region.

Congress boldly cuts programs for children, the elderly and other vulnerable people in our communities. But cut corporate welfare on our public lands? Not when corporate lobbyists are writing our laws.

The amendment will cost taxpayers more than \$200 million, the Congressional Research Service estimates.

Boise Cascade, Plum Creek, Potlatch and other companies are funding an adroit propaganda campaign that is peddling a "forest health" emergency. Having overcut their industrial forests—leaving what Champion International's regional planning manager Jim Runyan called a "hellacious hole or gap"—companies are reaching for our national forests. Companies advertise they are "striving to protect the environment"; meanwhile, they are scheming to cut down our national forests.

The companies are trying to manipulate naturally occurring forest events into a "national emergency" to justify massive logging programs—and this isn't the first time. Paul Hirt, a Washington State University history professor, describes in "A Conspiracy of Optimism: Management of the National Forests since World War II" how the U.S. Forest Service vigorously attacked perceived threats to "timber abundance" during the early 1950s.

Responding to a naturally occurring spruce bark beetle outbreak in the West, the Forest Service secured from Congress millions in road-building money, launched massive salvage logging operations and undertook a large-scale pesticide spraying program that included DDT mixed with fuel oil. Forest Service researchers would later discredit logging for controlling spruce bark beetle as "both ineffective and destructive."

Yes, specific areas of our forests have fire, insect and disease outbreaks that are integral to functioning forest ecosystems. But according to the Forest Service's own figures, annual

**Congress boldly cuts programs for children, the elderly and other vulnerable people in our communities. But cut corporate welfare on our public lands? Not when corporate lobbyists are writing our laws.**

tree mortality amounts to less than 1 percent of total stock. The data do not support the radical treatments now being steamrolled by corporations and Congress.

Salvage logging—an option that may be appropriate if done with care—would be used aggressively across landscapes. As with burned patients, burned forests require a higher level of care, not less. Salvage logging has as its goal cutting trees for someone's financial gain, not the ecological recovery of forests.

Careful use of the saw and prescribed fire are options for managing forests. But the logging without laws amendment does not promote forest health, it accelerates forest death. This amendment directs the federal government—in addition to the existing timber program—to "salvage log" the maximum amount (in the Senate version) or 6.2 billion board feet (in the House version) on our public forests over the next 18 months.

To put this in perspective, 6.2 billion board feet is enough trees to fill 1.2 million logging trucks. Much of the massive cutting would occur in already-damaged forests of Eastern Washington, Idaho, and Western Montana.

No, this is not a thoughtful, scientific approach to restoring forests. This is corporate plunder and meat-axe forestry at work inside Congress.

Just look at how Congress defines "salvage." Congress includes any trees "susceptible to fire or insect attack" and all "associated trees." If this becomes law, we can expect the Forest Service to label all related future sales "salvage." In 1992, when the Forest Service exempted salvage timber sales from the citizen appeals process, virtually every sale offered was a "salvage" timber sale. Surprise. Virtually every tree in our national forests, unless protected in a wilderness area, would be vulnerable if the logging without laws amendment is enacted.

To open the national forests to the corporations, both House and Senate versions of the legislation suspend such laws as the

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## Chopping Block

It isn't just spending that would be cut by the bills the House and Senate passed a month ago rescinding appropriations for the current fiscal year. A fair amount of timber would likely be cut, too—cut down, that is. Each version of the bill includes a rider aimed at sharply increasing the timber harvest this year and next in the federal forests.

If the riders did no more than urge an increase in the harvest or order that the harvest be as large as possible under the law, that would be fair enough. There's always a great dispute about the amount of timber that can best be taken from the national forests and other public lands. The total the past few years has been well below the level to which the industry became accustomed in the 1970s and 1980s. The timber lobby says the cut should be increased - it argues among much else that there is currently an enormous amount of dead and dying timber in the forest that will otherwise go to waste - and the new majority in Congress agrees.

But the riders don't stop there. To make sure that no obstacles in the form of conservation laws, environmental groups and courts can stand in the way, they also take the extraordinary step of suspending for the purpose of this "salvage timber sale" the entire array of federal forest management and environmental statutes that might otherwise apply. Timbering undertaken under terms of the riders "shall be deemed to satisfy" such laws no matter what their requirements, the riders say. The House version also seeks to overcome any existing court orders that might interfere with the sale; it says the sale can be conducted despite them.

The industry says the reason for all this is not just that it wants to increase the cut and has a receptive Congress but that an emergency exists in the forests. Because they are so overgrown, there's a greatly increased danger of fire, and their health has declined in other ways that a stepped-up salvage operation

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National Forest Management Act, the Clean Water Act and the Endangered Species Act—the only real impediments to unfettered corporate cutting in our nation forests. These laws allow citizen participation: and environmental protection.

Congress took the reckless and irresponsible step of endorsing lawlessness in the forests. Now the real emergency in our forests is logging without laws and stripping the power that makes real public participation in public land decisions possible.

This is not the first time a president has faced ill-conceived attacks on the national forests: President Grover Cleveland vetoed Congress's Sundry Civil Appropriations bill in 1897 to save national forests.

When President Clinton convened the 1993 forest summit in the Pacific Northwest, he said his administration would obey the law when it comes to our national forests. He also committed himself to help us find a way to protect and restore our

forests and help our communities through this difficult and historic transition. And in a recent Earth Day address, he vowed to veto laws that would unravel the last 25 years of environmental legislation.

It is time for Clinton honor these pledges. Clinton should take the reasonable and prudent course: veto "logging without laws."

• *John Osborn, a Spokane physician, is coordinator of the Inland Empire Public Lands Council.*

*Spokesman-Review*  
May 14, 1995

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# Clinton vetoes Gorton plan

## Amendment to education bill would have allowed salvage logging

From staff and wire reports

WASHINGTON — President Clinton said he vetoed his first bill Wednesday partly because it included a “very bad environmental provision” that exempted some national forest logging from laws protecting fish and wildlife.

“Nobody’s worked any harder than I have to start logging again in our country’s forests in an appropriate way. Suspending all of the environmental laws of the country for three years is not the appropriate way,” Clinton said. The logging provision was an amendment to the vetoed bill, which called for \$16.4 billion in spending cuts for education and other social programs.

Conservationists, many of whom have criticized Clinton for failing to take a tougher stand on the environment, praised the veto.

“This is a great day for the American people and a bad day for the big timber companies that profit from environmental destruction,” said Robbie Cox, president of the Sierra Club.

On the other side, Republican lawmakers and timber industry leaders denounced Clinton’s decision.

“Destructive wildfires will now pose a renewed threat to our forests, forest workers won’t have jobs and a once valuable resource will lie rotting on the ground — all in the mistaken belief that emergency harvesting measures

threaten the environment,” said W. Henson Moore, president of the American Forest & Paper Association.

The logging proposal, sponsored in the Senate by Washington Republican Slade Gorton, would have exempted salvage logging of dead and dying timber on national forests from environmental laws. It was billed as an effort to reduce the threat of catastrophic fires.

The measure called for doubling the amount of burned and diseased federal trees available for harvest, and the bulk would have come from the Pacific Northwest.

The provision also would have insulated from lawsuits all the logging outlined in Clinton’s Northwest forest plan.

Rep. George Nethercutt said Clinton “has turned his back on the people of the Pacific Northwest by costing our communities the estimated thousands of jobs which would have been created by passing this legislation.”

Gorton said the measure would generate \$84 million in federal profits from timber sales and would not cost taxpayers money.

Environmentalists say the net result would be a loss to taxpayers, that salvage-timber sales rarely are profitable.

Fishing groups also opposed the proposal, saying erosion from the accelerated logging would clog streams that are key habitat for threatened salmon species.

*Spokesman-Review*

June 8, 1995

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*continued from page 27*

will help to cure - so say the supporters. They add that without suspension of the laws, environmental groups will go to court and block the necessary actions.

Opponents of the riders, including the administration, say the necessary salvage cutting can go on without suspension of the laws - a lot of salvage cutting occurs every year already - and that suspension would only be a license to log where otherwise the companies could not, in ways that would leave the forests less healthy, not more.

The opponents make the more plausible case. This is grabby legislation. If there is a genuine need

to increase salvage and other such operations in the forests, even to increase them rapidly, surely that can be done without abandoning the entire framework of supporting law. Likewise, if Congress wants to change the law with regard to management of the forests, it ought to do so in the normal way, not tack a decision of such importance on the back of a supplemental appropriations bill. The measure is shortly to go to conference; the conferees should cut the budget, not the trees.

*The Washington Post*

May 3, 1995

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## **Editorial**

*The Los Angeles Times*

# **The Logger's Ax: No Wild Swings**

## **Clinton should hold firm against amendment that threatens forests**

In the early days of his presidency, Bill Clinton productively approached the volatile issue of forest management by breaking with the tired “jobs versus owls” rhetoric of past years. Through his 1993 Forest Summit he showed he understood both the need to preserve dwindling federal forests and the painful dislocations that new limits on logging would cause. He led by talking with all sides and instituting programs to retrain displaced workers. But now, locked in battle with congressional Republicans, Clinton seems to be in danger of abandoning that principled approach.

Last month he rightly vetoed a congressional recisions bill that was loaded with special-interest riders. One of them, the deceptive “Emergency Two-Year Salvage Timber Sale Program,” in essence would have ordered the U.S. Forest Service to sell as much as 3.2 billion board feet of “salvage” timber from national forests. It would have allowed logging of trees killed by windstorms, fire, insects or disease and permitted selective thinning of forests to control forest fires. The legislation, pushed hard by timber

companies, also would have forced the Forest Service to sell twice as many trees as it felt appropriate. Further, these sales would have been exempt from environmental review and public comment. Worst of all, the language was so vague that virtually any tree, living or dead, standing or fallen, could have been defined as “salvage,” even the dwindling stands of old-growth redwoods in California’s national forests. For these reasons Clinton should stick to his guns as Republicans seek to include this nasty amendment in a compromise recisions package. The President reportedly is considering accepting it.

Even the staid *Sunset Magazine* highlights a special report entitled “The Crisis in Our Forests” in its current issue. *Sunset* doubts that stepped-up salvage operations would markedly improve forest health or prevent the spread of wildfires.

The salvage amendment had nothing to do with cutting wasteful government spending but everything to do with wasteful cutting. The President must hold firm—the amendment must go.

*Los Angeles Times*  
June 22, 1995

# Clinton, GOP agree on salvage logging

## Deal lets president implement plan according to his best judgment

### From staff and wire reports

WASHINGTON — Assured the Clinton administration has dropped its opposition, the House approved a salvage logging plan Thursday night over the fierce objections of environmentalists.

President Clinton said in a statement released by the White House that he still doesn't like the timber measure but would be willing to sign the comprehensive spending cuts bill which waives several environmental laws to allow the logging.

Clinton said that Sen. Mark Hatfield, R-Ore., chairman of the Senate Appropriations Committee, had promised to allow the administration "to implement these provisions according to our best judgment."

The president said he would direct the U.S. Forest Service and other agencies "to carry out timber salvage activities consistent with the spirit and interest of our forest plans and all existing environmental laws."

Inland Northwest lumber producers are counting on salvage logging operations to supply mills with timber.

In a letter to Clinton earlier this week, Idaho sawmill owner Dick Bennett said earlier failures to allow salvage logging had put his family's Shearer Lumber Co. in Elk City on the brink of collapse.

"The federal agencies that used to work together as stewards of our federal forests have been devoured by the paralysis of analysis," Bennett's letter stated.

However, Democratic Sen. Patrick Leahy of Vermont says timber industry doomsayers predicting widespread unemployment and fiery forests are making bogus claims. He had asked lawmakers to reject proposals to suspend environmental laws and allow logging of burned and diseased trees.

Despite industry projections of 85,000 lost timber jobs, Leahy said state employment offices in Washington, Idaho, Oregon and Colorado show a net increase of 6,000 jobs since Clinton took office.

Clinton's agreement to accelerate the logging, insulated from legal challenges and normal environmental analysis if he so chooses, drew sharp criticism from conservation leaders and other Democrats.

"If the president signs this, it won't be a compromise, it will be a cave-in," said Kevin Kirchner, a lawyer for the Sierra Club Legal Defense Fund.

"Suspending environmental laws to mow down the forests is indefensible. If he does it, he will be alienating a huge constituency," he said.

At the climax of the raucous House debate Thursday night, Rep. Peter DeFazio, D-Ore., erupted into a shouting match with

GOP leaders, demanding to see details of the controversial measure intended to ease fire threats and speed the flow of dead and dying timber to sawmills in the West.

"We are being asked to accept a pig in a poke," DeFazio screamed. "We are being told the Democratic administration has entered into a secret agreement not available in writing with the Republican majority.

"It waives about 10 major environmental procedural laws, as well as administrative and legal appeals," he said.

Clinton earlier vetoed a similar bill, singling out the logging language as a "very bad environmental provision.

"Nobody's worked any harder than I have to start logging again in our country's forests in an appropriate way. Suspending all of the environmental laws of the country for three years is not the appropriate way," Clinton said June 7.

The new measure includes practically the same timber harvest language as the vetoed bill. It would waive the Endangered Species Act and other laws protecting wildlife and would insulate the logging from legal challenges.

Rep. Don Young, R-Alaska, chairman of the Resources Committee, said the only difference was to move the salvage program expiration date from September 1997 to December 1996.

The only potential hitch could come in the Senate, where sources said some Democrats were considering opposition.

Sen. Patty Murray, D-Wash., was among those who urged Clinton to veto the original bill. She was considering her options Thursday night, an aide said.

Rep. Elizabeth Furse, D-Ore., also spoke against the measure, worried that the accelerated logging could further damage stream habitat critical to declining salmon stocks in the Pacific Northwest.

Rep. Norm Dicks, D-Wash., defended the agreement. A member of the appropriations committee, he was a key negotiator with Clinton administration officials even as the bill was being debated on the House floor Thursday night.

"I think this is a fair compromise," said Dicks, who represents the heavily timber-dependent Olympic Peninsula.

Agriculture Secretary Dan Glickman signed a letter to House Speaker Newt Gingrich, R-Ga., Thursday night outlining the administration's intention to accelerate the salvage logging program on the condition that enough Forest Service personnel be budgeted to do the job, Dicks said.

"I think the changes that were made in the timber legislation were those sought by the administration . . . changing the dates," Dicks said.

He said the agreement called for the Forest Service to "do

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# Clinton accused of environmental sellout

## Activists call support for bill allowing salvage logging 'evil betrayal'

**By J. Todd Foster**  
Staff writer

Stunned environmentalists Friday accused President Clinton of the ultimate sellout by agreeing to a budget-cutting bill that suspends logging laws.

"President Clinton ... is responsible for the most evil betrayal in our country's conservation history," said John Osborn, president of the Spokane-based Inland Empire Public Lands Council.

"We warned him there would be holy hell to pay if he did it and we plan to deliver," Osborn said.

The salvage logging bill is not a done a deal. It hit a snag late Friday when Majority Leader Bob Dole pulled the bill off the Senate floor in a dispute with liberal Democrats over GOP-backed spending cuts.

Dole, R-Kan., yanked the bill off the floor and questioned whether it ever again would come up for a vote.

Nevertheless, conservationists continued their assault on Clinton's credibility saying he had prom-

ised to reject any legislation with environmental exemptions. They said they can't trust the administration to remain in compliance with the laws.

The timber provision would give the U.S. Forest Service 18 months to sell enough burned and diseased timber, mostly in the West, to build 300,000 new homes. Citizen challenges of sales would not be allowed.

Sen. Slade Gorton, R-Wash., and Reps. Charles Taylor, R-N.C., and Norm Dicks, D-Wash., pushed the salvage program.

"We think President Clinton has sunk to the level of Slade Gorton," said Julie Reitan of the Sierra Club in Seattle. "This is one of the biggest assaults ever on our forests."

Gorton could not be reached for comment.

Timber lobbyist Doug Crandall in Washington, D.C., said the legislation is the first ever to address

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the very best job they can over the two-year period" to log 1.5 billion board feet more timber than the 3 billion board feet originally planned.

"There were some on the other side of the aisle who wanted a much higher number. The administration told them this is the best we can do," Dicks said.

"They are going to do these sales properly, in a way that won't hurt the fish," he said.

Backers of the logging say it is necessary to ease fuel buildups that raise the threat of catastrophic fires in national forests, especially in the West. They also want to salvage dead,

dying and burned trees to provide wood for timber-starved mills.

Rep. David Obey of Wisconsin, ranking Democrat on the committee, said the GOP was abusing the appropriations process "to bulldoze through the Congress major changes in environmental laws."

Rep. Bruce Vento, D-Minn., said the bill would "repeal decades of laws that (do) and have worked."

*Spokesman-Review*

*June 30, 1995*

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# Wrong Time to Compromise

By Jessica Mathews

The apparent demise of the \$16 billion budget rescission bill last week did not get the attention it deserved. I say “apparent,” because Senate Majority Leader Bob Dole left the bill on the Senate calendar, though the July 1 deadline has passed. Some package of cuts to this year’s budget may be resuscitated. But one thing that is certain already is the self-inflicted damage to President Clinton from this episode.

The White House agonized for weeks over whether the benefits of a compromise (proving that the president could work with the Republican-controlled Congress and providing funds for various administration priorities) outweighed having to swallow what is arguably the worst piece of public lands legislation ever.

At the last minute, the president made the wrong decision—in favor of the bill that was eventually to be killed by the resistance of a couple of Senate holdouts anyway—and thus ended up further alienating House Democrats caught unawares, and enraging environmentalists, especially in California, Washington and Oregon.

The provision that caused all the trouble requires a “salvage” sale of timber from the national forests and other public lands. For this purpose, all relevant environmental laws are suspended—the National Forest Management Act, the Clean Water Act, the Wild and Scenic Rivers Act, the Endangered Species Act and the basic prior assessment protections of the National Environmental Policy Act.

To ensure that this extraordinary about-face from decades of public lands management is not promptly thrown out by the courts, due process is also suspended. The public is largely barred from recourse to judicial review. Existing court orders that might get in the way are also supervened.

True salvage logging can be, and is, carried out under existing law. The clue to the real purpose of this measure comes in the definition of the dead and “dying” trees that are to be salvaged. They are those that are “imminently susceptible to fire or insect attack”—in other words, all those made of wood and—to make sure that none are off limits—any “associated” trees.

This is not merely a giveaway of public assets; in addition the taxpayer is to pay for the privilege of being raped. Many of these sales will be money-losing transac-

tions; the costs to the Forest Service (in building access roads etc.) will exceed the revenues.

And the direct costs, which could be as high as \$300 million, are just the beginning. Much of the \$200 million being spent to save endangered salmon could be nullified by the erosion-caused damage to their habitat. After the bonanza is over, the public will be stuck with the bill for what can be repaired: cleanup of damaged streams and rivers, the removal of silt behind hydroelectric dams, the protection of newly endangered fish, plants and birds. The public will also pay, directly and indirectly, for the damages that can’t be restored like the loss of old growth forests and the decline in soil productivity.

This measure completes the picture of the cartoon Republican politician rushing to feed corporate greed at public expense. It makes no pretense of environmental reform or of restoring balance to environmental management. It is publicly sanctioned pillage, deserving of a veto not only for the harm it would do the forests but for a number of other reasons as well:

- Because the practice of attaching sweeping legislation to an appropriations bill is a discredited and reprehensible one. At a time when so much policy must be made through budget choices, the practice is an open door to legislative abuse.
- Because of its budgetary impact, now and in the future. Subsidized timber sales have always been bad policy. When the public is being asked to make increasingly painful sacrifices in order to balance the budget they are wholly unacceptable.
- Because its closing of public recourse to judicial review is dangerous to a democracy and unworthy of a nation of laws.
- Because setting the precedent of suspending environmental laws for short-term commercial profit invites every private interest to belly up to the trough for similar treatment. The line has already formed. It’s “come and get it” time in Washington.

In failing to say any of this, Clinton not only agreed to an appalling piece of legislation but forfeited his ability to sharply distinguish his own and his party’s values from those the salvage provision represents.

The White House got the politics of the West wrong,

*Continued on next page*

# Salvage: Both sides agree market is already glutted with wood

*continued from page 31*

the forest health crisis. In addition to aiding forests sickened by disease and insects, the measure also would resume the flow of logs through the federal timber pipeline clogged for three years by environmental challenges.

Conservationists charge the timber measure is so broadly written that healthy trees in pristine roadless areas would be lost.

"Timber companies just took over the White House today," Osborn said.

The industry predicts that salvage logging will generate up to \$1 billion in revenues.

But former Congressional Research Service executive Bob Wolf of St. Leonard, Md., forecasts a \$1 billion loss to taxpayers. Salvage timber sales generally cost more money than they bring in because of expensive helicopter logging requirements and cheap prices for deteriorating wood.

Wolf also said the timber market would be flooded with so much wood, the Forest Service would be forced to give it away.

"It's going to be a financial and silvicultural disaster," said Wolf, who has tracked federal timber sales for four decades.

Crandall of the American Forest & Paper Association agreed the market is glutted and that prices have bottomed out. But he blames Canadian producers for flooding the U.S. market and slow housing starts.

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too. The region is now an urban and suburban region with diversified economies, less rural than the country as a whole, where the great majority of voters feels passionately about the natural resources that define the place. For the rest, the timber provision won't buy the president the votes of many miners, ranchers or loggers.

Opportunities in public life to take a stand where merits, politics and principle are all lined up on the same side don't

Ken Kohli, a spokesman for the Coeur d'Alene-based Intermountain Forest Industry Association, said the Forest Service has grossly inflated the value of diseased and burned timber.

But he said Clinton's blessing of the salvage measure will "provide needed relief" to timber communities in the northern Rockies.

"The current federal timber bureaucracy is completely bound up the glue of partisan political agendas," Kohli said.

Clinton, in a Thursday letter to House Speaker Newt Gingrich, pledged his full support to ensure up to \$4.5 billion board feet of trees are logged by December 1996.

"I want to make it clear that my administration will carry out this program with its full resources and a strong commitment," Clinton wrote.

The president won back the support of conservationists last month when his first veto blocked spending cuts for education and the timber provision.

The veto was the first time that Clinton had acted and not just talked about safeguarding the environment, several environmentalists said.

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come along very often. Usually, defining choices are close calls. This one wasn't—and now it won't go away. Having gotten the president's agreement once, Congress will send the salvage bill back again. Among Clinton's many zigzags, few raise more serious questions about his capacity to know when it's time to stop compromising.

The writer is a senior fellow at the Council on Foreign Relations

*The Washington Post*

July 4, 1995

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# Timber salvage bill still deserves veto

By Peter DeFazio

Forests across the West are in the grip of an ecological crisis. An ecologically sound forest-health program would benefit Western forests that have been ravaged by years of insect infestation and wildfire. It could also provide more wood fiber to the Northwest's lumber, plywood and paper mills.

However, the prevailing sense of crisis should not be used to justify a sneak attack on the environmental values Oregonians hold dear.

During my time in Congress I have tried to work with both the timber industry and the region's environmental groups to find creative compromises that served the interests of both. I have criticized partisans from both camps when their views became excessively narrow and uncompromising. Unfortunately, extreme views and actions often generate a backlash. On forest management, the political pendulum has clearly swung from one extreme to the other.

The House of Representatives recently approved a controversial bill to accelerate salvage and other logging in our national forests. The bill is virtually identical to the one vetoed by the president just four weeks ago. Despite his earlier opposition, President Clinton has indicated he will support the so-called "salvage rider," which is included in a larger budget rescissions bill making deep cuts in a variety of federal programs.

I voted against the bill for a number of reasons. The rescissions bill includes unacceptable cuts in veterans' health care, job training, low-income heating assistance and other important programs. These cuts are particularly outrageous since they are being used not to balance the budget, but to finance increased military spending and a host of tax breaks for profitable corporations and wealthy taxpayers. Moreover, readers may be surprised to learn, no written copy of the timber-salvage provision was available prior to the vote.

House members were assured that the president had agreed to something; we were not told what that something included. As a matter of principle, I don't vote for legislation I have not had the opportunity to read.

The day after the vote, I finally obtained a copy of the timber agreement between congressional Republicans and the White House. As it turned out, my opposition to the bill was justified.

The salvage rider temporarily frees the Forest Service and

Bureau of Land Management from any responsibility to comply with environmental laws or laws providing public input into agency decision-making. It would allow logging along wild and scenic rivers and in sensitive riparian and roadless areas, with no restrictions based on slope or soil conditions. Its definition of salvage is so broad that it opens the door to wholesale logging in the region's remaining old-growth forests and roadless areas.

The Clinton administration says, "Trust us." But I don't trust any federal agency with the kind of unlimited power granted by this salvage amendment.

In a provision that has been little noticed by the media, the bill will also ban any appeals or legal challenges to future Forest Service and BLM timber sales on the federal lands covered by option nine, the president's forest plan for Western Oregon, Washington and Northern California. This blanket ban on appeals or judicial review will apply to all new, green and salvage-timber sales west of the Cascade crest, whether they are consistent with the president's forest plan or not, through the end of the current presidential term.

Ironically, a compromise that would have expedited a salvage and forest-health program while better protecting core environmental values was within reach. Instead, the House passed an extreme proposal that could very well provoke a backlash.

In addition to hurting the very industry it was meant to help, the salvage rider could set back efforts to improve forest health on millions of acres throughout the West.

President Clinton desperately needs to find a political and moral compass that doesn't change direction from one week to the next. He should return to his earlier principled opposition to this radical timber provision and insist on one that better protects environmental values, while providing the funding and flexibility needed to meet the forest-health challenge in the West.

U.S. Rep. Peter DeFazio is a Democrat from Oregon's 4th Congressional District. His offices are at 2134 Rayburn House Office Bldg., Washington, DC 20515.

*The Oregonian*  
July 10, 1995

# Williams: Can't log the wild

**By Sherry Devlin**  
of the Missoulian

Rep. Pat Williams promised Friday to protect Montana's wild places from salvage logging, even if he must sue the U.S. Forest Service.

First, though, Williams will try to convince the Clinton administration to forbid any timber harvest on 1.1 million acres of roadless national forest land included in a statewide wilderness bill that passed the House last year.

That acreage is now — “tragically,” Williams said — threatened by a salvage logging provision that passed the House late Thursday night and will be signed into law as part of the budget rescission bill by President Clinton.

The bill orders the Forest Service to cut dead and dying timber, associated green timber and all back-logged timber sales on national forests.

Open to logging will be 700,000 acres proposed as wilderness under Williams' last statewide bill and 400,000 acres included as new national recreation areas. His bill passed with more than 300 votes in the House, but was stymied in the Senate.

“I must try now to encourage and argue and persuade the administration not to harvest in any of those 1.1 million acres,” Williams said Friday. “Failing that, I will sue the Forest Service on the basis that as a Montanan, I am aggrieved by the destruction of land that has not been legally released for those purposes.”

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Pat Williams: “I will sue the Forest Service on the basis that as a Montanan, I am aggrieved by the destruction of land that has not been legally released for those purposes.”

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“I would encourage, if we reach that point where the Forest Service decided to go in and road build and harvest, other Montanans to join me in suing.”

Williams said he also might sue as a member of the House, trying to protect the House's prerogative to pass a statewide wilderness bill.

“The last Congress said overwhelmingly that we wanted these 1.1 million acres protected,” he said. “The new Congress spoke out of the other side of the mouth and said the Forest Service is free to go in and harvest this. The prerogative of Congress to protect the areas with a wilderness designation is being lost.”

It may also be necessary to re-introduce the wilderness bill to “strengthen the administration's resolve not to enter these areas for logging,” the congressman said. The bill would have no chance of passing the Republican Congress, he added.

Not at risk of logging are 800,000 acres of roadless forest land recommended by the Forest Service for eventual wilderness designation.

*Missoulian*  
July 1, 1995

# Clinton flip-flop has Democrats seeing red

By Larry Swisher

WASHINGTON—President Clinton has changed political traffic lanes in recent weeks so swiftly and with so little warning that he gave core Democratic constituents whiplash.

And these groups, the most recent victims being the environmental groups, are mad enough to hire a good ambulance chasing attorney and sue for damages.

First, congressional Democrats felt betrayed when Clinton unexpectedly switched from his game plan of criticizing Republican budget cuts in Medicare and other programs and issued his own 10-year balanced-budget plan.

Then getting tough with Japan and nearly starting a trade war and being criticized during his recent all-day conference in Portland, he struck a modest deal with the Japanese, averting sanctions on luxury car imports.

This guy drives without using his turn signals.

Environmentalists have never trusted Clinton, while counting on Vice President Al Gore as a true believer. Last week, the president broke faith with them by reversing his stand against suspending laws governing salvage logging on federal forests, one of Northwest Republicans' highest legislative priorities this year.

After having vetoed the \$16.3 billion rescissions bill containing such a measure, Clinton reached a compromise with Republican leaders, and the revised legislation has passed the House and is awaiting a Senate vote.

The flip-flop raised an outcry from environmentalists and some Democrats.

The White House claimed Republicans made several concessions on the timber issue, but the major one only shortened the duration of the suspension of environmental laws, from two years to about one and a half.

All but one Northwest Democrat, Rep. Norm Dicks, D-Wash., oppose the measure, because it

gives federal agencies immunity from court review of the broadly defined emergency timber salvage program.

The only standard for a legal challenge of a badly planned or environmentally damaging timber sale or logging road project is if officials acted in an "arbitrary and capricious manner." But since the laws are waived, no one knows what action would qualify.

In addition, Clinton's action, which is aimed at improving his 1996 election chances, especially in the resource-dependent West, is a betrayal of his own Northwest forest plan and the scientists, government lawyers and agency officials who crafted it.

Northwest members have been highly critical of the Clinton administration's handling of the old-growth logging conflict and failure to make good on promises of resuming federal timber production.

The president's performance on the rescissions bill may foretell the outcome of other major spending, environmental and other legislation this year. Some believe Congress and Clinton are headed for a big showdown in the fall, with Republicans pushing through their agenda in one big omnibus bill and challenging him to veto it.

The package could well include the rewrite of the Endangered Species Act, repeal of laws benefiting labor unions and other dramatic changes.

It's hard to see what Clinton gains in the long run from zig-zags, saying "me too" and appearing to cave in. It does show that he now reads the 1994 GOP election sweep as a judgment by voters in favor of smaller government and less spending and regulation, and that he wants to remain politically relevant for 1996.

Clinton's style of leadership is to score points by taking a strong stand, then later to back down with some face-saving move. In doing so, he appears to many to be an unreliable leader.

In the first year, Clinton retreated from sweeping

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# Clinton timber flip-flop maddens Democrats

## Northwest lawmakers reeling over president's signing off on logging plan

### Associated Press

WASHINGTON—President Clinton, the man both loggers and environmentalists love to hate, continues to give several Northwest Democrats heartburn with his handling of the region's forest policy.

The political consternation usually hidden behind closed doors boiled over onto the House floor last week when Rep. Peter DeFazio, D-Ore., erupted with word the White House had cut a deal on a controversial logging plan.

Clinton's flip-flop hit hardest on DeFazio; Sen. Patty Murray, D-Wash.; and Rep. Elizabeth Furse, D-Ore., who had taken plenty of heat from timber folks back home for standing with Clinton in opposition to the logging.

The House approved a comprehensive appropriations bill last Thursday containing language providing for salvage logging. But Senate Majority Leader Bob Dole, R-Kan., pulled the bill off the floor Friday in a dispute with liberal Democrats over GOP-backed spending cuts.

Last month, the president went out of his way to single out logging language as a "very bad environmental provision" when he explained to reporters why he was vetoing a spending bill that included it—his first veto ever.

The fact that he changed his mind over the course of three weeks probably didn't bother the liberal Democrats as much as that they had been left out of the loop.

DeFazio took to the House floor in an angry diatribe late Thursday night about the "secret agreement" between Clinton and GOP leaders as the House debated the appropriations bill.

"This is an outrage; this is an extraordinary outrage," he shouted.

"I am being asked to accept on good faith that this is something that will both protect the environment and do what we need for forest health and salvage in the western United States, but it is not available in writing," DeFazio said.

Rep. Bob Livingston, R-La., chairman of the House Appropriations Committee, responded that it was DeFazio's own fault that he'd been left out of the negotiations.

"We have heard a lot of ranting and raving from the gentleman without a sense of humor about the fact that he has not had a chance to read this," Livingston said. "If he has not had an opportunity to see what is going on, I would suggest to him that he is not doing his homework. He did not pick up the telephone and call the president of the United States to ask him what is going on."

Clinton started causing political problems for Northwest Democrats shortly after his election when his administration adopted his forest policy, "Option 9," dropping federal logging levels to one-fourth or one-fifth the annual averages of the 1980s.

All along, Democrats had walked a thin line between the interests of environmentalists and timber workers but had managed to portray themselves as middle-of-the-road types advocating harvest levels much greater than the 1 billion board feet the president was projecting.

In exchange for their promise not to sue, the president promised leaders of a dozen of the largest conservation groups he would order all the logging done within the confines of existing laws. He would reject what had become annual attempts in Congress to insulate the logging from legal challenges.

Clinton repeated that pledge a month ago when he vetoed the comprehensive spending cuts bill. But last week, in a preview of partisan budget battles to come, he said he would accept a new version of the comprehensive legislation including the logging language.

Clinton explained that he still thinks it is a bad idea but that there have been some changes that make the logging plans more acceptable.

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proposals to tax energy consumption and reform mining, timber and grazing on public lands, and burned Western members of Congress.

Environmentalists' mistake was to put their faith

in him again when he said he meant business this time.

*Swisher is a syndicated columnist who writes on Northwest issues.*

*Lewiston Morning Tribune*

July 9, 1995

# Glickman vows to keep timber moving if he gets confirmation

• The secretary of agriculture nominee says he would pay close attention to issues involving the Forest Service

By Robert Greene

The Associated Press

WASHINGTON—Dan Glickman promised Tuesday he would make sure the national forests keep timber moving to the mills if he is confirmed as secretary of agriculture.

The promise seemed to please members of the Senate Energy and Natural Resources Committee. Its Republican chairman, Sen. Frank Murkowski of Alaska, said he would support Glickman's confirmation even though the former Kansas representative supported a bill that reduced harvesting the Tongass National Forest and recommended closing a pulp mill there.

"I would rather talk about the future than dwell on the past," said Murkowski.

Glickman, an 18-year-veteran of the House before losing re-election last year, was appointed Dec. 28 to succeed Mike Espy, who resigned while under investigation by an independent counsel for receiving gratuities from corporations.

At his confirmation hearing last week before the Senate Agriculture Committee, Glickman pledged he would pay close attention to the Forest Service, an Agriculture Department agency that has largely operated on its own.

The service has more than 40,000 employees overseeing 190 million acres of publicly owned forests and grazing land, mostly in the West.

At Tuesday's hearing, Glickman made several promises to the committee, including creation of a task force that would examine conflicting laws and regulations that tie the agency up in lawsuits or deadlock its bureaucrats.

"I think we do need to go back and see how they relate to each other," he said. He noted that the administration was working with Sen. Larry Craig, R-Idaho, on measures to speed the salvage harvesting of diseased and damaged timber.

Glickman also promised a look at grazing permit renewals, which have been tied up in environmental reviews.

"I commit to be a force to try to get this resolved in a sensible way," he said.

Concerning Tongass, where the department last year ended a 50-year timber contract with the Alaska Pulp Corp., Glickman said the Forest Service would help anyone interested in converting the Sitka pulp plant to one producing medium density fiberboard.

The process is viewed as less damaging to the environment.

He also said he would work to avoid having the Interior Department's Fish and Wildlife Service list the Alexander Archipelago wolf and the Queen Charlotte goshawk as threatened or endangered.

He promised an effort to maintain a "sustainable timber flow to Ketchikan Pulp Co. in accordance with the terms of the Tongass Timber Reform Act, or relevant statutes, and KPC's contract."

Ketchikan holds a long-term timber harvest contract on the Tongass in southeastern Alaska.

Glickman helped write the Tongass Timber Reform Act in 1989, which raised the cost of timber harvesting.

The authors said the measure was needed to curb the environmentally harmful and money-losing monopoly held by the two companies.

*Oregonian*  
March 29, 1995

# Forest Service boss pledges active salvage effort

Failure to pursue program isn't good leadership,

Jack Ward Thomas says

By J. Todd Foster  
Staff writer

The U.S. Forest Service broke its long silence Monday in the firestorm over salvage logging of dead and dying timber.

Agency Chief Jack Ward Thomas told a Minneapolis wildlife conference "we will pursue an active and aggressive salvage program."

But Thomas stopped far short of specifying timber targets, such as a House mandate that would cut 6 billion board feet over the next two years.

Thomas also indicated salvage would be confined to thinning operations of understory fir trees and not old, healthy pine trees now open to harvesting under congressional proposals.

"I do not believe that failure to salvage, with appropriate care, some significant portions of the billions of board feet of dead and dying timber while there are willing workers without work, a demand for the wood, and increasing social stress in the timber regions is either good leadership or good management," Thomas said.

A wildlife biologist, Thomas spoke to the 60th North American Wildlife and Natural Resources Conference.

Last year, 52,000 fires burned 2.2 million acres of federal, state and private land, Thomas told the group. Total firefighting costs in national forests alone exceeded \$700 million. He said the costs in human life were even higher; 28 firefighters died.

Prolonged drought and a species change in national forests make them more vulnerable to catastrophic wildfires, scientists say.

Flammable firs now dominate fire-resistant pines, most of which were cut down throughout this century

for their value. Grazing, better firefighting techniques and elimination of fire as a silvicultural tool also have created unhealthy forests, Thomas said.

Low-intensity fires can remove dangerous woody debris from the ground and inferior trees that feed monster fires.

"As chief of the Forest Service, I can no longer abide the agency being mired in a quagmire of controversy and suffering a paralysis born out of a fear of this controversy," he said.

Thomas' remarks were unwelcome news to environmentalists fighting to stop a "timber grab" they say is fueled by greed and the conservative lawmakers.

The timber industry pointed to Thomas' speech as proof that chain saws, in some instances are the prescription for sick forests.

But some industry leaders adopted an "I'll-believe-it-when-I-see-it" attitude.

Call it "guarded optimism," said Bob Dick, Washington manager of the Northwest Forestry Association.

Liz Sedler, a Sandpoint environmentalist, said her Forest Watch group has no objection to salvage logging as long as other resources are protected.

But she said the forest health crisis is an "overblown" guise to reopen national forests to wholesale clearcutting and road building.

Timber spokesman Dick said logging has evolved over the years from a system based entirely on economics to one that now coexists with fish and wildlife.

"We have ways of harvesting today that leave a comparatively light footprint on the land," he said.

*Spokesman-Review*

March 28, 1995

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# Chapter 3 Forest Disaster

## 'They didn't leave anything'

By Jonathan Brinckman  
The Idaho Statesman

Cindy Haggenmiller stood on a ridge of state land beside Boise National Forest Friday and gazed over an area scorched by last summer's Star Gulch fire.

It was a depressing view.

Loggers have removed almost all the dead trees, leaving the ground unprotected by shade. A few ponderosa pine seedlings poke through the ashes, but foresters say they will likely wither in the summer sun.

"They didn't leave anything," Haggenmiller said. "I feel really sad that this area might never recover."

Haggenmiller and other residents of Valley of the Pines, a subdivision of 22 homes about four miles down Thorn Creek, say they aren't opposed to salvage logging of trees killed by forest fires, as long as the work is done carefully.

They believe, however, that salvage logging of more than 7,000 acres of state endowment land burned by the fire is being poorly done.

Now they've formed a neighborhood group, the Thorn Creek Property Owners Association, to monitor salvage logging in the area.

"When all this is as close to us as it is, you can't just sit back," said Valerie Weighall, a leader of the effort. "You've got to say, 'Hey, do the best job possible for the future of the forest.'"

So far, that hasn't happened.

The state Department of Land, which manages endowment land to raise money for state schools, has cited Boise Cascade Corp. for three violations of Idaho's Forest Practices Act. State inspections found Boise Cascade Corp. piled logs too close to Thorn Creek in one location and diverted the creek in another location. No state or federal laws were violated by Boise-Cascade's almost complete removal of dead trees. But salvage loggers normally leave enough dead trees, or snags, to provide wildlife habitat and shade needed for regrowth.

### Logging criticism

Critics say the salvage operation shows that forests on state endowment lands are managed more for short-term gains than long-term benefits. Further they say the violations illustrate that logging companies need close oversight.

"This would have gone unnoticed if it weren't for homeowners up there sounding the alarm," said Don Smith,

Idaho Director of the Alliance for the Northern Rockies.

"The operation's been efficient if you think of it as industrial forestry. But if you think of following the laws of the state of Idaho and maintaining ecological integrity, it's not efficient."

The Forest Service plans to salvage log 77,500 acres of Boise National Forest Land burned by the Star Gulch fire and other enormous wildfires last summer. It will require that at least six large trees are left on each acre, including with diameters over 30 inches.

Boise Cascade officials say they acknowledge and regret the problems in logging it has completed on the state land. Company officials say that some of the problems are being corrected and others were unavoidable.

Lynn House, logging manager for the company's southwest district, said areas where the logs were piled too close to the creek are recovering naturally. The company has rebuilt the bank where the creek was diverted and is preparing to plant willows.

Virtually all trees were removed in the "Easter Creek" sale, House said, because of "contractual conflicts."

The logging contract, issued before the forest fire, was for an "overstory" sale, House said, which would have allowed the company to remove the largest trees while leaving many smaller trees on the land. The company paid \$794,858.11 to log 834 acres offered in the Easter Creek sale.

After the fire, he said, the only way for Boise Cascade to make money on the operation was to remove almost all the remaining trees.

House said Boise Cascade elected to helicopter log in order to minimize damage. This method uses helicopters rather heavy machinery to take logs out of the forest.

Still, he conceded that both the company and the state might have been able to find ways to leave more trees behind.

"In hindsight, we may have all done somethings differently," he said. "But everyone was under the gun to produce."

### 'Not ashamed'

John Roberts, forest resource manager for the state department of lands, agrees that the company and the state didn't do everything they could to leave more dead trees on logged land.

But he maintains that because there was a contract, the state could not require that Boise Cascade leave the trees.

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(Tom Shanahan/The Idaho Statesman)

*Cindy Haggemiller walks along the Easter Creek sale on state land, which burned last year. Before the fire, the sale was made for some trees to be logged; after the burn, almost all of the trees were harvested.*



# Growing Argument Over Best Treatment for 'Sick' Forests

By John H. Cushman Jr.

WASHINGTON, March 9 — To hear the United States Forest Service tell it, the extensive logging it allowed in the Boise National Forest in the past two years was just what the doctor ordered for an unhealthy forest scarred by a catastrophic fire in 1992.

But environmentalists say what happened in those rugged Idaho woods was malpractice, a costly and careless operation that skirted some environmental laws, broke others and did more ecological harm than good.

The dispute has far-reaching implications, because the project has become the prototype for proposals moving briskly through Congress that would greatly increase logging in public forests and make the timber sales largely immune to challenges under environmental laws. One such proposal is scheduled for a vote in the House of Representatives next week.

The proposals, which supporters call "forest health" initiatives, are based on the premise that forests throughout the West are overgrown and increasingly susceptible to fire, drought and pestilence. Opponents counter that the forests' problems are due to mismanagement and that nature should be allowed to run its course, especially within roadless areas and along ecologically fragile streams.

The Idaho logging operation, the Foothills Wildfire Recovery Project, was one of the biggest sales of timber on record in the northern Rocky Mountains. It authorized harvesting about 130 million board feet of timber, enough to load down 25,000 logging trucks or build about 12,000 three-bedroom houses.

Citing the need for quick action to help restore an ailing forest, the Forest Service approved the project without issuing a full-fledged environmental impact statement. Instead, it conducted a less comprehensive assessment that predicted no significant environmental harm. In addition, the agency exempted itself from the kind of administrative appeals that environmentalists often rely on to challenge timber harvests.

Now that the treatment is complete, environmentalists say the terrain carries lasting scars, an accusation the Forest Service denies.

"We've done an excellent job, quality work on the ground," said Cathy Barbouletos, the local forest supervisor. "We are real proud of our efforts."

But Ron Mitchell, executive director of the Idaho Sporting Congress, a local conservation group, said the Forest Service and loggers should have left the damaged forest alone. "Had they just let the area heal," he said, "it would have bounced back within a year and been fully recovered in two years. Now its recovery has been set back decades."

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He said the department has taken steps to protect the burned area including spending \$108,000 to prevent erosion.

"We don't feel it's the disaster that some people are making it out to be," Roberts said. "I'm not ashamed of what we're doing."

John McCarthy, conservation director for the Idaho Conservation League, said Boise Cascade and the state should have found a way to go forward with the sale while leaving more trees.

"The idea that the timber sale couldn't be altered after it burned is absurd," he said.

"Ripping the landscape to make a buck doesn't cut it anymore. If they couldn't make money and still protect the land, they shouldn't have proceeded."

Two other contracts have been issued for logging of the

burned endowment land. Boise Cascade has agreed to pay \$2.8 million to salvage log 2,816 acres offered in the "Easter Bunny Sale." Chroman Corp. will pay \$2.4 million to salvage log 3,969 acres offered in the "Minneha Star Sale."

Logging of both operations, which will mostly be done by helicopter, is beginning. The state is requiring that four trees per acre be left standing.

McCarthy said Thorn Creek residents should continue their vigilance.

"People who live there, just folks, think it's lousy forestry.

"They just think that the state's mistreating their neighborhood. They have very good reason to be suspicious about what's happening next."

*The Idaho Statesman*  
June 19, 1995

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To the dismay of environmental groups and the delight of the timber industry, there is much more timber harvesting to come on recently burned forests — a process the Forest Service calls “salvage logging” — as well as on land that has not yet caught fire but is in danger of doing so.

After last summer’s fires in Idaho and elsewhere, for example, the Forest Service proposed to salvage another 275 million board feet from the Boise National Forest, including four proposed wilderness areas and along the North Fork of the Boise River, a candidate for Federal protection as a wild river.

The agency is planning hundreds of similar projects and is working on expanding the list.

Some in Congress are demanding that the Forest Service double the amount of timber salvaged from dead and dying forests to more than six billion board feet in each of the next two years. The House Appropriations Committee has approved that target in a spending bill scheduled to go to the House floor next week.

Still, environmental groups remain deeply suspicious of anyone who says that the best prescription for a frail forest is surgery with a chain saw. Much of what ‘salvage logging’ would remove, they contend, is growth that is essential to the forest ecosystem.

For them, the Foothills project is a case in point. The Idaho Sporting Congress and Save America’s Forests, another environmental group, have just completed an extensive investigation that they say found many illegal actions deep in the woods east of Boise.

For several months last year, Mr. Mitchell said, the investigators inspected the logged areas, examined Forest Service records and documented logging practices that violated the terms of the sale, Idaho laws and Federal water protection laws.

Mr. Mitchell said that the industry built dozens of helicopter landing pads not authorized by the Forest Service’s initial plans, sometimes adjacent to sensitive streams; that hundreds of trees were cut within off-limits zones; that healthy trees were improperly cut, and that damaged lands were not properly replanted. Two creeks that contain imperiled bull trout were especially hard hit,” he said.

Forest Service officials disputed many of the findings, and while they conceded that there had been some technical violations during the project, they characterized them as relatively minor relative to the project’s overall scale. The agency said that additional helicopter landing pads and logging near the streams were usually approved by qualified biologists, and that

the damage had been properly repaired.

The environmental groups, armed with photographs, disputed that the damage had been repaired and predicted that if the Forest Service expanded its logging program, its mistakes would multiply.

“The Foothills involved about 100,000 acres,” Mr. Mitchell said. “Now they would apply this same debacle to 20 million acres. It would exponentially magnify the mayhem.”

The timber industry’s allies in Congress have vowed to move quickly to expand the use of projects like the one in Idaho.

Senator Slade Gorton, a Washington Republican on the Senate Appropriations Committee, said he would try to duplicate the House Appropriations Committee’s action, which attached the logging expansion to a comprehensive spending bill that cuts \$17 billion from the current year’s budget and appropriates \$5.4 billion for disaster relief and other purposes.

“I am going to fight with everything I have to get similar language passed in the Senate,” Mr. Gorton said. “These radical environmental organizations literally don’t want any harvest at all under any circumstances, even of trees that are dead and turning into kindling for forest fires.”

Clinton Administration forestry officials opposed the proposal that is before the House. The Interior Department’s chief of staff, Tom Collier, called it “an irresponsible end run that flies in the face of science, tradition and common sense.”

But those same officials have not strongly opposed another forest health bill offered by Senator Larry E. Craig, Republican of Idaho. James Lyons, the Agriculture Department under secretary in charge of the Forest Service, said the Administration supported “the intent and many of the underlying principles” of Senator Craig’s bill, while differing on some details.

At the same time, the timber industry has complained that the Forest Service has not done enough to expand the amount of timber made available.

“In the last five years alone, 21 billion board feet of dead timber has accumulated on Forest Service lands,” said W. Henson Moore, president of the American Forest and Paper Association. “This represents a potential valuable resource that can be reclaimed, as well as a serious wildfire hazard that poses a threat to forest health and forest communities.”

*New York Times*  
March 10, 1995

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# "Salvage" timber sale turns out to be only live trees

## Associated Press

BURNS, Ore. — One of 10 timber salvage sales withdrawn last week by the U.S. Forest Service contains only live trees, KOIN-TV reported Wednesday.

The Boundary Salvage Timber Sale was among the sales withdrawn after conservationists threatened legal action to protect old-growth ponderosa pine. The sales will be reviewed until June 4 when the regional forester is expected to make a final decision.

"It violates any concept of what salvage is," Rick Brown, of the National Wildlife Federation in Portland, said of the Boundary sale. Brown, a former Forest Service biologist, visited six units listed in the sale.

"There is no logic here," Brown said. "It discredits the agency."

A Forest Service document obtained by KOIN said "no dead trees were included in the harvest marking for Boundary," and "less than 1 percent of the total trees to be harvested would die in the next 5 years."

However, Snow Mountain District Ranger Jim Keniston said the sale was approved on new criteria that allows such trees to be sold if they are in imminent danger of insect or disease attack.

"If you just go after the ones that are that are already dead what you're doing is treating the symptoms and not the underlying causes," Keniston said.

But Tonia Wolf of the Ochoco Resource and Recreation Association told KOIN "the only imminent danger these trees face are from the Forest Service and the chainsaws."

Wolf, who toured the sale last weekend, said "it's like shooting senior citizens before they die of a fatal disease."

Keniston defended listing Boundary as a salvage sale.

"I would compare it to going into a garden and thinning out your carrots ...rather than letting them all stunt," Keniston said. "It's like preventive medicine."

Don Graves of Snow Mountain Pine, a company that would like to bid on the Boundary sale, said the environmental concerns are "foolish."

"If they delay the sales of timber long enough ... the mills run out of timber and that's the end of the mills," Graves said.

A recent report by the Forest Service estimated that there are about 3 million acres in Eastern Oregon and Washington that have sustained "severe ecological damage" because of insect infestations and lack of natural fire.

*Lewiston Tribune*  
May 27, 1993

# March ends; Boise Cascade still plans to log

## Associated Press

MEDFORD, Ore. — Environmentalists hoping to prevent logging on the Sugarloaf timber sale on the Siskiyou National Forest finished their four-day march Monday, but Boise Cascade Corp. said it still plans to log the timber.

About 50 people, including one dressed in a wolf costume, walked to the Boise Cascade sawmill in Medford to ask the company to trade old growth timber on the Sugarloaf sale for younger trees somewhere else in the forest.

Company officials met for an hour with Agness Pilgrim, an elder of the Siletz tribe who represented the marchers.

Boise Cascade spokesman Bob Smith said the company can't trade for other timber, because it will invalidate their contract with the Forest Service.

The Sugarloaf timber sale is located in an area that has never been logged and is now reserved for spotted owl habitat under the Northwest Forest Plan.

*Lewiston Tribune*  
July 18, 1995

# Environmentalists fight Colville plan to log scorched trees

By J. Todd Foster  
Staff writer

Nine environmental groups are fighting a Colville National Forest plan to sell fire-scarred timber at nearly break-even prices.

Federal tax revenues aside, conservationists claim logging 6.5 million board feet of timber—enough to frame 433 homes—would damage a roadless area.

The wood would help feed Vaagen Bros.' starving Republic, Wash., mill, where 57 workers have been laid off since 1993 because of declining federal timber sales, plant manager Jon Newman said.

Unlike many of last summer's devastating wildfires, the Copper Butte blaze helped the environment, the U.S. Forest Service says.

Ignited by a July lightning strike, the fire raced through 7,300 acres of federal timber. Along the way, it thinned dense, unhealthy fir stands that were stifling larger pine trees.

So, why harvest?

"One of the main purposes of the national forests is to provide commodities for the country's use. We cut trees to provide lumber to build houses," said Republic District ranger Pat Egan.

The scorched trees are appraised at nearly \$900,000. The public's profit would be about \$15,000 after agency costs to administer the sale, she said.

Many fire salvage sales nationwide result in net losses for the Forest Service, particularly if expensive roads must be built or if helicopters are required because of fragile ecosystems. Helicopters double or triple logging costs over tractor or cable methods.

The Forest Service would turn a small profit on the Copper Butte salvage sale because it requires no new roads, Egan said.

About half of the proposed timber sale site is in the Profanity Roadless Area. But that area is designated for such public uses as timber harvesting, the ranger said.

However, the Spokane-based Inland Empire Public Lands Council said the sale would shave rare old trees from pristine hillsides while enriching industry profits, what conservationist Sara Folger calls corporate welfare.

Added biologist Evan Frost of the Bellingham-based Greater Ecosystem Alliance: "It makes no difference to the Forest Service that this fire was a natural and beneficial ecological event; its prime directive is still the same—cut it down."

While mill manager Newman said the Forest Service could offer more timber than proposed, the agency did a good job protecting streams and staying out of a nearby wilderness area.

The Copper Butte sale is vital, Newman said, because Colville forest timber sales last year were only half of 1993's total.

Federal foresters are reviewing public comments about the salvage sale and will decide later this spring whether to proceed or scale it down.

"No decision has been made on this yet," Egan said.

*Spokesman-Review*

March 24, 1995

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## Letter to the Editor

# Clinton selling out once too often

President Clinton began his career by backing down from a decision. The bill he vetoed in May—the “logging without laws” rider tacked on to the budget bill — he now intends to pass.

He will be chasing yet again and forever the big business interests that are never going to support him, no matter how much he rolls over for them, and no matter how many of the public’s treasures, and future, he delivers to them.

I used to be a Clinton voter. I had hope. I live in the wildest valley in the lower 48, Montana’s Yaak, in which various big timber companies have stopped any and all wilderness protection for the better part of three decades. Clinton sells out the Yaak, I am through with him. I’ll sit out four years of Republican looting, then campaign.

I never, until now, believed the jokes about Clinton selling out his supporters to appease his enemies. What it’s doing to this magical land — the grizzlies, elk, trout and people — is sad. I can’t believe he’s considering selling out the Yaak and the rest of the national forests he is responsible for. Forests we are all responsible for.

Pat Williams, Montana’s sole representative, and Washington’s senator, Patty Murray are the only ones west of the divide who have any real guts or vision.

All the wild things are leaving us.

Rick Bass  
Troy, Mont.

*Spokesman-Review*

July 17, 1995

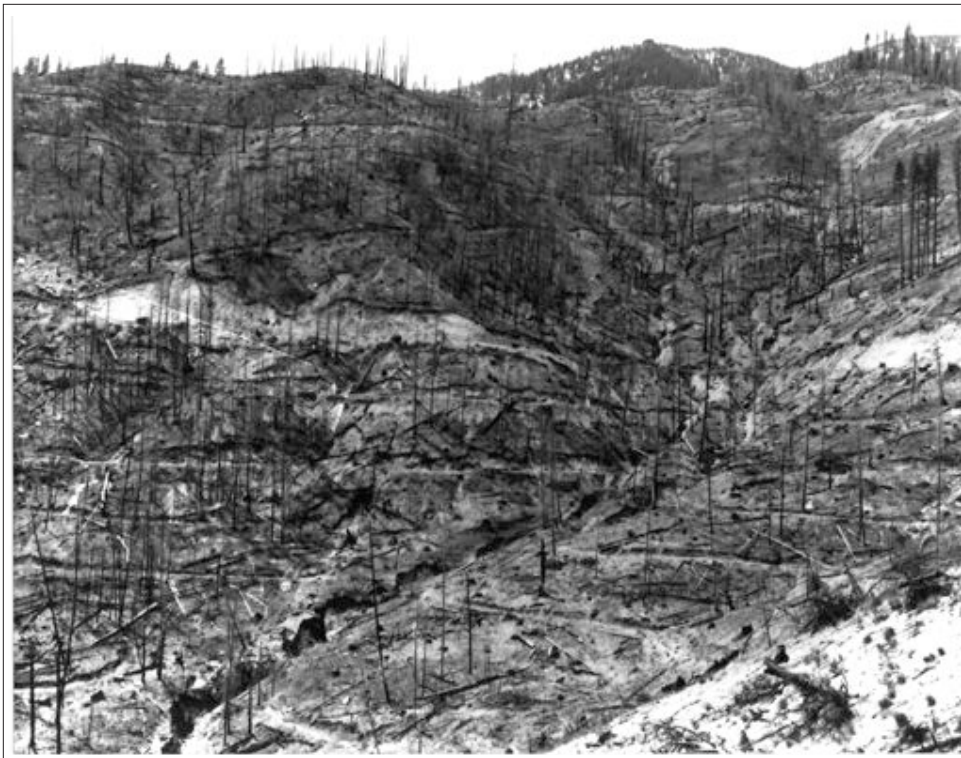
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(JEPLC)

*Timber politics conspires to massively "salvage" log the wild Yaak river valley, Kootenai National Forest in northwestern Montana. This photo was taken in September, 1992.*



(USFS photo, 1965)

*Payette National Forest. "Salvage" logging on fragile soils of rugged central Idaho contributed to one of our nation's worst wildlife disasters. Disturbed forested mountainsides dumped sediment into the South Fork Salmon River in 1965, smothering the richest Chinook salmon spawning river in the Columbia River region.*



*Once spawning beds for salmon, transformed by the Forest Service into underwater sand dunes in Idaho. South Fork Salmon River, 1967.*

# Healing forests with chainsaws

Last summer's fires have sparked a new challenge to the protected status of federal timber stands

By Ken Olsen

During the summer of 1994, a blitzkrieg of forest fires ravaged the West. This smoky crescendo to a succession of record dry years sparked an estimated 67,000 fires that burned more than 4 million acres of forest and rangeland, according to some estimates.

The one thing to sweep the West faster than the flames is the almost religious fervor behind getting the hand of man to fix the forests so such fires don't happen again. After 50 years of Smokey the Bear fire suppression and with the angst over the 1988 charring of Yellowstone National Park still fresh in many minds, politicians have the fodder they need to argue for timber companies' removal of dead, dying and sick trees—fuel for wildfires—from the forests.

What's strange about this debate is that it has seemingly made card-carrying environmentalists out of politicians who aren't known for any shade of green. Spokane's U.S. Rep. George Nethercutt, Idaho's U.S. Rep. Helen Chenoweth, and Idaho's senior U.S. Senator Larry Craig are fervently talking about saving endangered salmon, restoring fire-, insect- and disease-ravaged forests, and protecting watersheds with an elixir sold under the label of "forest health."

Their ingredients: Legislation to increase timber harvests dramatically, reducing or eliminating citizen appeals of timber sales, suspending environmental laws and opening some if not all 9 million acres of Idaho's federal roadless country to road building and logging. For those concessions, there's not only healthier, happier trees, there are logs for timber-starved mills, a way to put Pacific Northwest timber workers back on the job and boost timber-sale revenues for the federal treasury, they say.

Considering the "crisis" in the forest, they say, we cannot allow nature to take its course.

"Last year's fires left behind dense stands of dead, dry wood," Chenoweth says. "Our forests are now sporting the ideal conditions for still more catastrophic fires."

Environmentalists opposing these measures agree there's a catastrophe in the making—one that will turn back the clock on environmentalism 20 years, and ravage taxpayers, dump more silt and fire ash in streams, give the Forest Service carte blanche to invade roadless areas and leave the intermountain West with its last healthy trees nothing more than a figure on a corporate balance sheet.

"You can't log your way to forest health," says John

**"In 1972-74, in the entire Northwest, we were losing 12 percent of all standing trees to disease and insects, this year it was less than one percent. It was high in the 1970s and there was no emergency; it's low now and there's an emergency."**

**— Art Partridge, U. of Idaho  
Forestry Professor**

Osborn, a Spokane physician and founder of the Inland Empire Public Lands Council (IEPLC). "We won't have healthy forests, we will have forest malpractice."

Osborn fears that what is in the making are more clearcuts in the Spokane-Coeur d'Alene watershed that will reduce the forests' ability to absorb rain and snow. That will mean more serious floods, and more forceful waters washing the toxic metals from the mine-tailing contaminated Coeur d'Alene River toward the cities.

"This will be an apocalypse for our National Forests," warns Barry Rosenberg, director of the IEPLC, who has followed forestry issues in the Inland Northwest for 14 years.

Cries about a "forest health" crisis started before the 1994 fire season. Larry LaRocco, who lost his seat to Chenoweth in November, was pushing the need for massive new logging in the name of "forest health" the minute he hit the campaign trail.

LaRocco touched a nerve and the tree health-care debate has been a headline hog ever since. The problem, several scientists say, is that there's not any evidence for this terminal prognosis.

"No research data shows any forest health emergency," says Art Partridge, a University of Idaho professor of forest diseases and insect problems. "One-half of one percent of the timber in the state of Idaho was affected by the fires last year—and that doesn't mean it all burned," Partridge says.

Not exactly catastrophic. Stories that insect and diseases have left the forest full of dead and down trees, ripe for fire, are equally suspect.

"In 1972-74, in the entire Northwest, we were losing 12



**Dr. John Osborn, founder of the Inland Empire Lands Council: “You can’t log your way to forest health.”**

percent of all standing trees to disease and insects,” Partridge said. “This year it was less than one percent.

“It was high in the 1970s and there was no emergency; it’s low now and there’s an emergency.”

What gives? “Politics,” Partridge says.

Idaho State University professor Wayne Minshall and others who study forest health are equally skeptical of the crisis.

“There is no urgent nor universal, ecologically based need for post-fire salvage,” Minshall wrote in a report, recently issued by the Pacific Rivers Council. “We need to leave the wood in the forests to restore the watersheds.”

One environmentalist likens it to Monty Python’s Holy Grail movie, where old people are loaded up on the hearse wagon and hauled toward the cemetery. “We’re not dead yet,” they cry. The perpetrators reply: “But you’re going to die.”

Congress, meanwhile, is working feverishly to put the chainsaw to work on the “problem.” One forest-health measure, sponsored by Idaho’s Craig, directs the secretary of agriculture to identify timber areas at high risk for insect infestations and fire. Then the Forest Service is supposed to do whatever is necessary to repair the situation. Cost is no object.

“No forest health management activity shall be precluded because the costs thereof are likely to exceed the revenue,” the Craig bill reads.

The price could be substantial. Last fall Ross W. Gorte of the Congressional Research Service estimated that if forest health/salvage-logging were implemented on just 10 percent of the national forests, it would cost taxpayers \$3.5 billion—roughly equivalent to the Forest Service’s annual budget.

The industry says the expenditure means careful replanting

of damaged watersheds and restoration of unhealthy forests, a wise, long-term investment. Conversely, environmentalists say taxpayers need to see the reality of Craig’s proposal—massive, subsidized logging.

“It is going back to rampant, below-cost logging,” says Erik Ryberg, of the Ecology Center’s McCall, Idaho, office. “It’s going back to the tradition that brought us our real forest health problems.”

More controversial is the rider added to the House’s recently passed \$17 billion rescission bill, which was introduced by Rep. Charles Taylor (R-N.C.) and heartily sponsored by Nethercutt and Chenoweth. It requires the Forest Service to harvest 6.2 billion board feet of timber, beyond existing logging targets, during the next two years. And an appropriations amendment filed by Sen. Slade Gorton (R-Wash.) that passed a Senate committee last week is similar to the Taylor rider but not as specific on the amount to be cut. Both aim to exempt salvage logging from environmental regulations like the Endangered Species Act, the National Environmental Policy Act and the National Forest Management Act—the three major environmental laws that regulate logging. The House rescission package, including the Taylor rider, is expected to be voted on by the Senate today.

“For quick profits, the Congress is poised to clearcut democracy,” says Rosenberg.

Timber-sale appeals would not be allowed for these salvage sales, despite a 1992 Office of Technology Assessment report concluding that appeals have not significantly affected timber sale volume.

Internal negotiations resulted in the exemption of the Forest Service’s roadless areas in Montana and Colorado. Idaho’s 9 million acres are not.

“Thank you [Montana Democratic U.S. Rep.] Pat Williams; thank you [Colorado Democratic U.S. Rep.] Pat Schroeder,” says Lisa Lombardi, of the Clearwater Forest Watch Coalition. “In Idaho, we know who NOT to thank.”

Nethercutt spokesman Ken Lisaius says the Taylor rider will bring \$750 million to \$1 billion a year to the federal treasury. Chenoweth says it also has the potential to save taxpayers the nearly \$1 billion spent fighting forest fires last year. Other politicians are saying this will save lives, referring to the firefighters killed in Colorado last year. But such rhetoric rings hollow to some of those on the front lines.

Joe Fox, a veteran smokejumper and UI law student, fought that deadly Colorado fire. Something like eight of the hottest summers of the century bore down on the West during the last decade. That makes wood so dry, “it’s simply going to burn,” says Fox, who also has a doctorate in entomology. Using the Colorado tragedy to push this legislation, he says, is “an outrageous use of these lives for the purposes of making a

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timber grab.”

Logging produces slash—the limbs and other wood waste left behind—and the Forest Service, bound to log as rapidly as possible under the proposed legislation, will not have the money or time to make sure it’s cleaned up. That means more fuel on the ground, hotter fires and sterilized soil.

Fox, Osborn and others don’t totally reject the idea of some intervention. Clearing away trees where the suburbs are bleeding into timber lands—called the urban-forest interface in the Craig proposal—draws their praise. So does limited forest work in selected areas.

Osborn calls for prescribed burning, thinning and reforestation. Fox calls for employing several small companies to go in and take out the dense, small trees and controlled burns. In general, he says, “I don’t see [forest health] involving logging at all.”

Years of fire suppression and Smokey the Bear-talk have created some of the problems, others say. “We need to quit demonizing forest fires,” says the Ecology Center’s Ryberg.

Try humility, adds Charles Pezeshki of the Clearwater Biodiversity Project. The forests of the Intermountain West were green, healthy and flourishing long before man showed up. More of the same management of the past four or five decades will not help, he says.

Logging severely burned watersheds is a mistake, other scientists say. That causes ash to be washed into creeks. And where insects and diseases are present, logging can increase the susceptibility to disease among the trees left standing, UI’s Partridge says.

Much of the forest health argument centers around what the 6.2 billion board feet of harvest called for in the Taylor rider will do to national forests and the timber market. And area conservationists fear that much of the “salvage” logging will focus on Montana and Idaho.

“They are talking about, primarily, any tree affected by fire, susceptible to fire or insects or lacking the characteristics of a

healthy ecosystem,” says Larry McLaud, of the Idaho Conservation League. “That could be about any tree in the state, depending on how you define these things.”

McLaud and others say the 6 billion board feet of new timber sales will flood the market and drive down the price of lumber. Small mills, sensitive to price fluctuations, will be squeezed out. Ultimately large corporations will benefit from the elimination of the competition.

“That is perhaps the most irrational thing I’ve ever heard,” says Mike Sullivan, communications manager for Potlatch Corp. The market is starving. The Forest Service is selling almost zip.”

Small operators who have no timberland of their own must have federal trees. “This will save them from total collapse,” Sullivan says.

Potlatch relies on small mills for 70 percent of the wood chips and waste material that go into pulp and paper. Such raw material already is more difficult to come by.

Potlatch officials believe that it makes good environmental sense to go into burned and diseased areas, take the trees and replant more vigorous stands. Sullivan says he doesn’t believe it will be a money loser for taxpayers, but even if it costs more than it brings in, it’s worth it for the long-term health of the forest.

The bottom line, critics say, is that forest health is being trotted out as an excuse to log more trees and do it without following pesky environmental laws. All to the detriment of the stated goal—forest health.

“They are obviously assuming no fires are going to burn because they are going to fireproof the forest, which is absolute nonsense,” says Pezeshki, of the Clearwater Biodiversity Project.

“The Forest Service broke the laws, local citizens such as myself enforced the law, so they ran out of trees,” he said. “So now the big corporations want the laws changed. In the end, the greatest threat to forest health is the chainsaw.”

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## **Editorial**

*The New York Times*

# **The Endangered West**

A sample of recent bulletins from the Old West: Montana rewrites some of the country's strongest water pollution laws as a favor to the mining industry, Idaho lawmakers award potential polluters a major voice in setting clean water standards, Utah's Governor rebuffs the stated wishes of Utah's citizens to set aside 5.7 million acres of state land as protected wilderness, Washington State's Legislature passes the nation's most far-reaching "taking" law, weakening essential land-use controls, Wyoming's Legislature authorizes a bounty on wolves - recently re-introduced into Yellowstone National Park and protected under the Federal Endangered Species Act.

Clearly, the United States congress is not the only place where laws protecting the environment are under siege. Throughout the West, particularly in the Rocky Mountains, state legislators and governors, egged on by commercial interests and by small but noisy groups of property-rights advocates, are negated in full-scale mutiny against Federal and state regulations meant to protect what is left of America's natural resources.

What we are seeing is an updated but more ominous version of the Sagebrush Rebellion of the early Reagan years. That revolt was dominated by ranching interests protesting Federal regulation of public lands. The present explosion embraces not only those familiar despoilers but mining companies, timber barons, developers, bit commercial farmers and virtually anyone else who stands to profit from relaxation of environmental controls.

The war in the West and the war in Congress on basic environmental protection have much in common. First, both are being driven and in some cases underwritten by big business. Second, both are being waged to save the "little guy" from Federal tyranny. Third, this alleged little guy is nowhere to be found when the time come to draft crippling legislation. Indeed, his wishes have been largely ignored. Poll after poll suggests that what ordinary citizens want is more environmental protection. It if means a cleaner environment and a healthier society. But that is not what this Congress and its Western allies want to give them.

Montana and Idaho are particularly sad cases. Despite citizen complaints, and virtually unanimous editorial opposition, two bills whistled through the Montana Legislature that would in effect permit higher levels of toxic wastes to reach the state's streams and lakes. They were signed, with some reluctance, by the Governor. Mining lobbyists were conspicuous during the parliamentary maneuvering - including representatives from Crown Butte and its Canadian parent, Noranda Inc. These companies are working relentlessly for permission to build in geologically precarious terrain a gold mine that would leave a permanent reservoir of pollutants in the watershed of one of Montana's most important wilderness streams.

Idaho's people - not to mention its endangered Snake River salmon - face a double threat. Under a new statute, acceptable water quality levels will be set by watershed advisory groups. These groups will be well stocked with large landowners and representatives from timber, mining, and agribusiness companies, who are virtually certain to write new and more permissive regulations. Meanwhile, back in Washington, an Idaho Republican, Dirk Kempthorne succeeds in transferring protection of endangered species from Washington to Boise, it will be goodbye salmon, with grizzlies and wolves to follow.

There are, of course, honorable exceptions. In Colorado, for example, ranchers, environmentalists and state officials were able to agree on less destructive grazing practices - although it took a half-dozen or so exhausting visits from Interior Secretary Bruce Babbitt to get the agreement. But nearly everywhere one turns the anti-Washington Ideologues seem to have the upper hand.

The most conspicuous example is Nevada, where officials in Nye County passed a series of ordinances claiming ownership of Federal lands and then set about physically intimidating employees from the Forest Service and the Bureau of Land Management. The Justice Department has now sued to reaffirm Federal jurisdiction, but Nye County's rebels have inspired imitators: More than 70 rural Western counties have passed or proposed laws to "take back" the public lands.

Lost in all the rhetoric about individualism and states' rights is one basic legal fact: At no time have the Western public lands belonged to the states. They were acquired by treaty, conquest or purchase by the Federal Government acting on behalf of all the citizens of the United States. Lost, too, is a colossal irony, Western ranchers have traditionally fed well at the trough of Federal beneficence. In their war against Washington, they are biting the hand that has fed them lavish subsidies and protected them against the disasters of nature and the vagaries of the marketplace.

But all of this escapes the Sons-of-Sagebrushers. The fact that there might be an overriding national interest in preserving the public lands and forests from exploitation is not something that quickly pops to their minds. Nor does this fact seem to register with the newer breed of rebels in the state houses and state legislatures who would nullify more than two decades of struggle to clean America's waterways, preserve its wetlands and otherwise protect its dwindling natural heritage.

There can be no satisfaction in any of this - except perhaps to the enemies of the environment in a Congress that is well on its way to abandoning any pretense to national stewardship.

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