Resisting Logging Without Laws

Alliance Staffer Jailed at Oregon Logging Protest

As part of AWR's ongoing opposition to the salvage logging rider, Alliance staff member Tom Platt recently travelled to Southern Oregon to protest the Sugarloaf Timber Sale. Three hundred people from around the region gathered for a rally and direct action protest against logging in this remnant stand of ancient Douglas-fir. Arrested for civil disobedience were representatives of several major environmental groups, including Brock Evans (vice president of the National Audubon Society), Jim Jontz (former U.S. Congressman from Indiana and director of the Endangered Species Coalition), Charlie Ogle (staff attorney for the Sierra Club in Oregon), and Mike Roselle (long-time grassroots organizer and a founder of the Earth First! movement). In all, 90 protesters were arrested by Forest Service police and local sherrifs when they stepped onto a closed F.S. road.

This sale has been hotly contested by local and regional activists, ever since the salvage rider released it from protection under the President's plan for Northwest forests. This forest is an old-growth habitat block originally sold under Oregon Senator Mark Hatfield's infamous section 318 rider, which mandated massive logging in old-growth reserves and exempted the logging from environmental law. The spotted owl injunctions and subsequent Option 9 plan to protect northwest forests prevented logging in the Sugarloaf area, but a little known provision of the salvage rider specifically released Sugarloaf and dozens of other healthy ancient forest stands to loggers.

Organized by the Siskiyou Regional Education Project in Takilma, Oregon, the protest was designed to increase pressure on the Forest Service and galvanize opposition to the salvage rider. AWR will continue to aid efforts to halt logging under the salvage rider, and will work toward a complete repeal of the rider's provisions. Anyone interested in efforts to resist logging under the salvage rider should contact Jennifer Ferenstein or Tom Platt at the AWR Ecosystem Defense office (406-542-0050).

Groups Document Abuse of Salvage Rider

Swan View Coalition (SVC) and Friends of the Wild Swan (FOWS), two of the appellants of the Flathead National Forest's Middle Fork Ecosystem Management Project, recently denounced Forest Supervisor Joel Holtrop's decision to re-designate the timber sale as "salvage" and exempt from appeals. Holtrop's decision would dismiss pending appeals of the timber sale — once touted as a model "Ecosystem Management" project — and put the sale above the law.

Although the Record of Decision now under appeal was issued August 21, about one month after the salvage logging rider became law, the Forest Service had never before argued that the sale was salvage. That is, until Regional Forester Hal Salwasser sent a memo to Hoeltrop directing him to take advantage of the opportunity to reclassify the sale and exempt it from appeals and environmental laws.

Keith Hammer, SVC Chairman called the move "unmitigated cowardice on the part of the Forest Service." He said the

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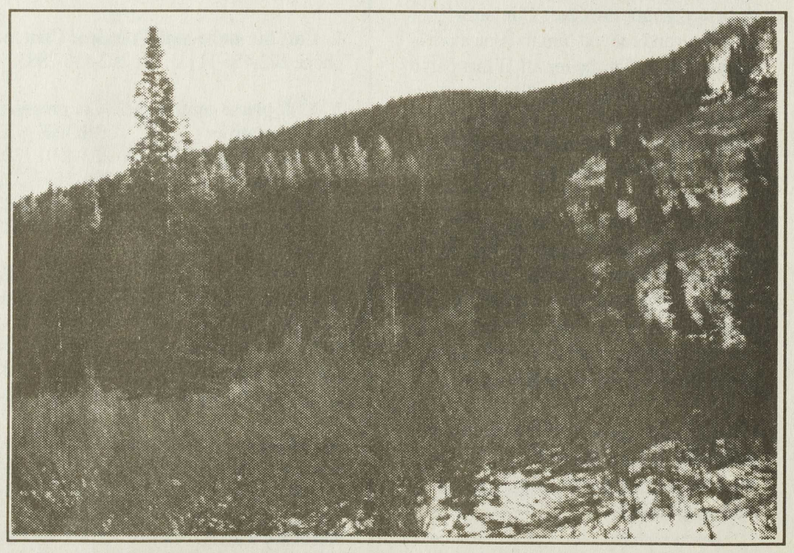


Middle Fork project area, looking at Cutting Unit 15. Does this look like a sick forest to you? Arlene Montgomery photo.

"Logging Without Laws" Goes To Court
Groups Challenge Kootenai Salvage Sales

Charging the U.S. Forest Service with violating what few legal protections remain for the nation's forests, the Inland Empire Public Lands Council (IEPLC), The Ecology Center (TEC), and Alliance for the Wild Rockies (AWR) filed suit on November 3, 1995 to block two massive salvage logging projects on the Kootenai National Forest. The North Fork Big Creek and the South Fork Yaak Fire Salvage decisions are being expedited by the Forest Service under the "logging without laws" rider attached to this year's budget rescissions bill and signed into law by President Clinton in late July.

These two decisions, the first in a series of "logging without laws" projects slated for the Kootenai over the next several months, will allow the cutting of 57 million board feet of timber across thousands of acres of national forest land — much of it within inventoried roadless areas and all of it within grizzly bear recovery habitat. Under the Kootenai National Forest Plan, this area is supposed to receive heightened environmental protection and reduced commodity extraction. Instead, the Forest Service has planned a jigsaw puzzle of roads and clearcuts, many of them hundreds of acres in size, that will perpetuate the already degraded and substandard condition of the area into the next century.

"Simply put, the Forest Service has ignored a host of long-standing and carefully crafted management criteria," said Liz Sedler, AWR President and local property owner in the Yaak River area. "Those criteria are designed to protect not only the small, struggling grizzly bear population that clings to survival in the Cabinet-Yaak Ecosystem, but also a variety of big game species, such as elk, deer and moose. These projects, and the other ones lined up right behind them, pose grave risks to wildlife populations of all kinds on the Kootenai."

According to plaintiffs, the Kootenai salvage sales demonstrate blatant disregard for established conservation standards and strategies, and fly in the face of the Administration's promise to conform all salvage activities to existing environmental laws. The lawsuit challenges the sale decisions on the grounds that the Forest Service arbitrarily ignored the overwhelming scientific evidence and is proceeding without the required approval of the Secretary of Agriculture. The complaint also maintains that the actions of the U.S. Fish and Wildlife Service in concurring with these proposals were arbitrary and capricious.

"This case is a perfect example of what happens in the face of unrelenting political pressure from the timber industry and its congressional allies," said Deborah Sivas, attorney for plaintiffs. "Whatever the President's intentions back in Washington, D.C., lower level Forest Service decisionmakers in the trenches are willing to distort the facts and bend the law in any way necessary to appease the timber corporations. Even the agency charged with responsibility for protecting fish and wildlife bowed to the pressure."

IEPLC, TEC and AWR are being represented in the lawsuit by the Inland Empire Public Lands Council Legal Program and the Sierra Club Legal Defense Fund.

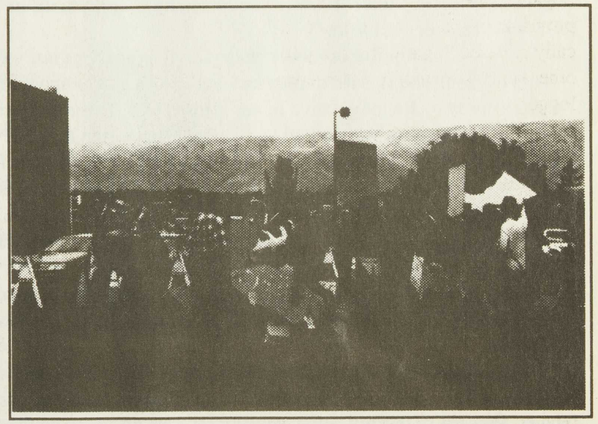
— Middle Fork sale, continued —

Forest Service knows the appeals have merit in challenging the logging of old growth, which by definition contains dead and dying trees, and accused the agency of circumventing laws in re-designating the sale to exempt it from appeals.

Hammer called the Forest Service's use of the existence of root rot and other pathogens a "sorry excuse" to get the cut out, noting that a regional Forest Service plant pathologist found that logging would "almost certainly result in even higher root pathogen ... levels." He noted that an independent review of the harvest units by Dr. Art Partridge showed root rot mortality in only four to eight trees per thousand.

Hammer charged the Forest Service of hiding behind Congress and challenged its employees to "look in the mirror and ask if they think their entire family should be terminated every time someone gets the sniffles."

Special thanks to SVC and FOWS for this report.



Activists demonstrate outside of an October 6th Lewiston, Idaho oversight hearing on the salvage logging rider. Dan Funsch photo.