

The Oregonian

Budget cuts could mean the end of Oregon's forest protection rules

By Matthew Preusch, The Oregonian

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Doug Beghtel/The Oregonian Logs are yarded on private timberland in the Coast Range in 2006.

The Oregon Department of Forestry is warning that budget could cause them to stop enforcing state environmental protection rules for private lands logging. For three decades, a landmark Oregon law has helped protect clean water and wildlife habitat on private forest lands. It was the first of its kind, serving as a model for other states' forestry rules.

Now, Oregon's budget problems are putting the [Forest Practices Act](#) at risk.

State forestry officials warned this month that more staff cuts will force Oregon to abandon enforcement of the law. What are now rules would become voluntary guidelines.

"It's about as radical as what happened in 1971, when Oregon adopted the nation's first forest practice rules," said Hal Salwasser, dean of Oregon State University's [College of Forestry](#).

The Legislature has asked the department to explain the consequences if lawmakers cut the agency's budget further next year, a possibility especially if two tax measures on the ballot fail.

Many state agencies will be going into a special session of the Legislature early next year looking to preserve programs, so the warning about the loss the forest law could be considered a gambit by the

agency to ensure it retains funding.

But "we're not crying wolf," said Jim Paul, head of the agency's private forest division.

The agency is also forecasting a 22 percent cut to the fire engines and crews posted throughout the state to respond to wildfires before they grow.

"This would inevitably result in larger fires that cost more to put out," said Rod Nichols, an agency spokesman.

As for the Forest Practices Act, the agency said it has no desire to stop enforcing its cornerstone law governing logging on private lands.

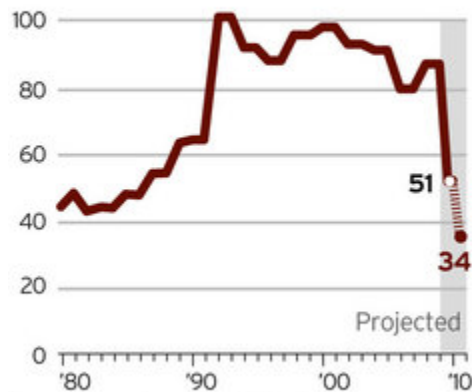
On these lands, the act requires reforestation of logged areas, buffers of non-logged strips beside fish-bearing streams, careful construction of roads, and that loggers leave some trees and snags standing for habitat.

The law is enforced by a small cadre of Oregon Department of Forestry employees called stewardship foresters.

In the 1990's, about 70 such foresters worked throughout the state. Because of budget cuts related to the recession and a drop in timber revenue, that number is down to 30. If its general fund budget is cut by another 10 percent, on top of this year's 12 percent, the agency will have to fire another 17 stewardship foresters.

Enforcing forest rules

Oregon Forest Practices Act administrative and forestry staff.



Source: Oregon Department of Forestry
MICHAEL MODE/THE OREGONIAN

"At such a level, the program would be unable to administer the Forest Practices Act in its current form, requiring changes to both Oregon Administrative Rules and Oregon Revised Statutes," Paul and other department leaders said in an e-mail to employees last week. "These changes would result in shifting the Act to primarily a voluntary best management practices program."

These state foresters perform many tasks, from offering advice on timber management to small woodland owners to acting as cops cracking down on rule-breakers.

"We ask them to be an enforcement officer, we ask them to be firefighters, and sometimes we ask them to be a mediator," said Kevin Weeks, a department spokesman. "We really ask them to be a jack of all trades."

Those wanting to log private forests, which cover 10.7 million acres in the state and account for about 80 percent of Oregon's timber harvest, file their work plans with the foresters, who assure loggers comply with the law. They also follow up on tips of possible violations.

The foresters can issue citations from \$100 to many thousands of dollars, and they average about 56 citations a year, Weeks said.

"Enforcement staff have been cut to the bone," said Bob Van Dyk, forest policy adviser at Portland's [Wild](#)

[Salmon Center](#), who criticizes the forestry rules as already too weak. "Voluntary will mean optional."

A voluntary system might mean no one is checking compliance, but it won't necessarily mean more violations, said Ray Wilkeson, president of the [Oregon Forest Industries Council](#), an industry group.

Perhaps counterintuitively, the regulations are supported by groups like Wilkeson's. The industry promoted the law in 1971 and now fund 40 percent of the program through timber harvest taxes.

Even if the act become voluntary, other pressures will keep logging standards high on private lands, such as environmentally minded certification programs.

"It's important to maintain public confidence that private forests are being managed in a way that's not harmful to our environment," Wilkeson said. "It's been in our culture a long time."

-- [Matthew Preusch](#)