

Plan to protect threatened and endangered species in forests could face new delay

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A long-delayed plan to protect threatened and endangered species from logging in Western state forests could face another setback, this time brought by the chair of the state Board of Forestry.

Jim Kelly proposed Tuesday a resolution to revise the draft Western Oregon State Forest Habitat Conservation Plan, allowing logging in some areas currently earmarked for conservation. If the resolution is passed, it could further stall years of planning and negotiation among state and federal agencies, environmentalists, and timber companies and industry groups. The seven-member, governor-appointed board will vote on Kelly's resolution Sept. 7.

Kelly said he's proposing changes after the Department of Forestry projected greater than expected cuts to timber harvest revenues due to the plan, which would protect 17 vulnerable fish and animal species for the next 70 years. Those revenue projections split the board, which is made up of several members with close ties to timber companies.

Kelly said revising the plan to allow for a bit more logging would preserve the best interests of all sides and get the plan over the finish line after decades of attempts.

“This has been tried more than once and failed in the last 20 years,” he said, “and we’re trying to be dedicated to having this be successful.”

Those relying heavily on Oregon’s Western state forests for timber said they were relieved by the potential delay of a plan they find restrictive and that some have fought for decades.

Tyler Ernst, a lawyer for the trade association Oregon Forest & Industries Council, said the group is not opposed to a plan that would protect threatened and endangered species, but that the current plan takes too much state forest area out of production.

“We’re glad that they are expressing a commitment through this resolution to look at how they might be able to increase harvest without blowing everything up,” he said.

Environmentalists expressed frustration that a plan they see as critical to the survival of threatened and endangered species, and one they’ve advocated for decades, would continue to be stalled to preserve logging revenues for timber companies and the counties that depend on them.

Michael Lang, policy manager for the nonprofit Wild Salmon Center, said the resolution could endanger all of the work that’s been done on the plan.

“State forests have already been over-harvested,” he said. “The Board of Forestry is required by law to base decisions on the best available science, not politics.”

A final decision on the plan was originally slated for the fall of 2022. Now, the board is unlikely to decide anything before spring 2024. If Kelly’s resolution to make changes to the plan is passed, it would likely not be finalized until summer or beyond. Once finalized, the plan must be approved by the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service.

Thousands of acres at stake

The plan is an outgrowth of an existing plan – the Northwest Oregon State Forests Management Plan. That protects about half of the more than 630,000 acres of Western state forests managed by the Oregon Department of Forestry, but it allows the state forester to change conservation areas without agency and public input – something the new plan would change. The new plan would also make some previously logged areas off limits to logging for at least 70 years.

If approved, the new plan would protect the state from lawsuits over 17 species that are protected, or expected soon to be protected, under the Endangered Species Act. Among them are Northern spotted owls, marbled murrelets, salmon and steelhead, martens, red tree voles and torrent salamanders.

The development of the plan was accelerated following a settlement between the Oregon Department of Forestry and several conservation groups over a lawsuit alleging logging was further threatening endangered

coastal coho salmon. Part of that settlement agreement included the forestry department's assurance that the Western Oregon State Forest Habitat Conservation Plan would be passed.

Counties weigh in

The bulk of Western state forests are in northwest Oregon's Tillamook and Clatsop counties, which rely on timber harvest revenues to fund portions of public services such as schools and police departments. Leaders in both counties have fought the new habitat conservation plan as drafted, saying it would gut their budgets. Timber revenues also fund a large portion of the budget for the Oregon Department of Forestry, which would need to find new revenue to support its work.

State leaders considered a proposal during the most recent Legislative session that would have created a task force to figure out how to untwine county and agency funding from timber revenue. Senate Bill 90 ultimately died in the Senate Natural Resources Committee.

Two possible outcomes

If the Board of Forestry votes down Kelly's resolution Sept. 7, the timeline for passing the habitat conservation plan by spring won't be affected. Its last step would be consideration by the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service, which would need to decide whether the plan protects the threatened and endangered species.

If so, the agencies would issue "incidental take permits" shielding the state and private companies from lawsuits under the Endangered Species Act.

If the board votes in favor of Kelly's resolution, it would send the plan back to the state forestry department for revisions, boosting the amount of logging that can be done in some conservation areas and delaying a final vote on the plan by several months, Kelly said.

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