

IT'S TIME TO CHANGE OREGON'S FORESTRY LAWS

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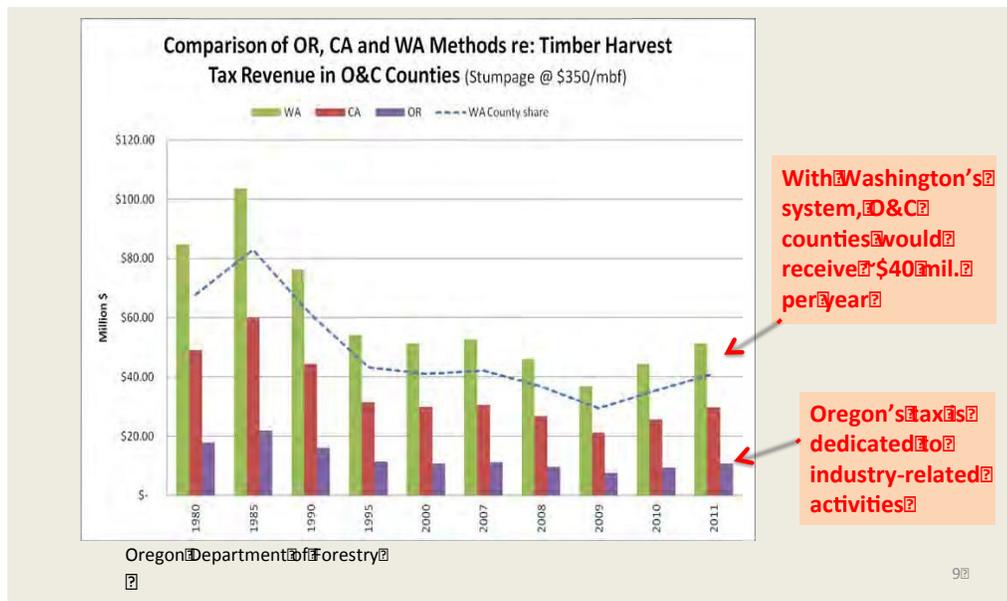
Recent events have put Oregon's regulation of forestry practices in the spotlight. It is being shown to be in total disarray - robbing local jurisdictions of millions of dollars of revenue every year; robbing us and our children by non-productive strip-mining of our forests. Poisoning citizens and communities with dangerously harmful chemicals, allowing corporations to poison our citizens while depriving us of our constitutional rights. Ignoring the vast financial risk of logging-activated landslides, losing most of our forests' value through short-term profiteering, and exposing local and state jurisdictions to immense potential for class-action lawsuits. Even EPA has disapproved Oregon practices.

Here's a short summary of the issues and action needed to deal with them:

1. RESTORE FORESTRY HARVEST TAXES TO LEVELS EQUAL TO OR ABOVE WASHINGTON, TO PROVIDE INCOME TO AFFECTED LOCAL JURISDICTIONS.

- Oregon's "forestry taxes" shortchange Oregon counties more than \$40 million/year compared to Washington. Here's a "no-brainer" alternative to counties' "strip-mining" our forests for immediate revenue needs:

IT'S TIME FOR LOGGING TO PAY ITS WAY



- ODF's "mismanagement" in the 1960's that allowed planting of "fast-growing" non-disease-resistant trees has resulted in huge losses of timber production in Tillamook and other counties. Those counties should receive a share of ODF revenues from other counties until replanting produces harvestable growth.

2. PROHIBIT ALL ROUTINE USE OF HERBICIDES IN FORESTRY AND ALONG ROADWAYS.

- **Recent research shows that health impacts of forestry pesticide use are gigantic, extend to future generations, and are totally unjustifiable.**
 - New research shows that respiratory, neurological and endocrinological harm INCREASES at extremely small doses, affects future generations, and causes sexual changes, but are totally ignored in Oregon forestry regulation.
 - ["Five Myths of "Safe" Pesticides"](#) Sept 10, 2014.
 - ["A Generation in Jeopardy"](#) Excellent summary, reviewing dozens of recent scientific studies on pesticide impacts on children's health and intelligence.
 - ["Pesticide-Induced Diseases Database"](#) Beyond Pesticides. This database facilitates access to epidemiologic and laboratory studies based on real world exposure scenarios that link public health effects to pesticides. The scientific literature documents elevated rates of chronic diseases among people exposed to pesticides, with increasing numbers of studies associated with both specific illnesses and a range of illnesses. With some of these diseases at very high and, perhaps, epidemic proportions, there is an urgent need for public policy at all levels –local, state, and national—to end dependency on toxic pesticides.
 - [2014 Univ. of Oregon Herbicides and Health Conference - Tyrone Hayes](#)
 - ["Environmental Toxicants and Developmental Disabilities"](#)
 - [POISON SPRING](#), E. G. Vallianatos, 2014.
 - For more information, contact Dr. David and Meg Thompson, Oceanside: <rosedalerocker@mac.com> <megthompson@me.com> 971-270-9689
 - Salmon are already similarly affected:
 - “Pesticides have multiple effects on salmon,” explains Glen Spain, Northwest Regional Director of the Pacific Coast Federation of Fishermen’s Associations (PCFFA <<http://www.pcffa.org>>). Chemicals that run off of agricultural fields and end up in streams and rivers can harm salmon neurologically, disrupting the navigation and homing instincts crucial for migration to the ocean and return to home rivers years later to spawn. Pesticides also impair development and reproduction in ways that reduce their survival.
 - The Environmental Protection Agency (EPA) has announced new restrictions on pesticide use in California affecting salmon, and more restrictions are expected affecting Oregon.
<<http://yosemite.epa.gov/opa/admpress.nsf/d0cf6618525a9efb85257359003fb69d/fe046d2a2c205a7185257d96005a3273%21OpenDocument>>

- EPA has disapproved Oregon Forestry regulations and impacts on fish and water, and is withholding funding to the state:
<http://yosemite.epa.gov/opa/admpress.nsf/0/13F38EDEB91FB3F485257DE100090CFC>
- Oregon Forestry permits use of mixes of pesticides. Health impacts of **MIXES** of pesticides are far greater than individual chemicals, and have not been tested or addressed by OFPA.
- Multiple-chemical-sensitivity is now recognized as increasing in prevalence and an important impact of pesticide use.
- Oregon has by far the worst standards of neighboring states for protection of homes, schools, water systems and waterways, and permits use of herbicides banned in other states. It has eliminated spray setbacks from homes that once existed.
 - "Comparison of Pacific NW Protections for Drinking Water" - available from BEYOND TOXICS, (541) 465-8860 <larkin@beyondtoxics.org>

3. BAN SLASHBURNS, ENCOURAGE BIOMASS OPTIONS.

- **For eight years, toxic clouds from the Wheeler watershed slashburns have blanketed streams and nearby residents:**



- OFPA permits the burning of logging slash-debris. The effects of burning pesticide mixes, producing potentially even more toxic chemicals has not been addressed by OFPA. The state of Washington banned most slashburns in 1991, reducing its use to less than 5% of forestlands. Why has Oregon not acted? Wind requirements for slashburns send that contaminated smoke with mutagens, carcinogens, etc. causing respiratory illness, asthma, pneumonia, etc. to engulf our coastal communities and the air we breathe. EPA is acknowledging increased awareness of the hazards of small particulate matter in slashburn smoke.

- "CleanAirWashington Act, 1991" WA Dept of Ecology '98.
 - "Health Effects of Wood Smoke" WA Dept of Ecology '92/'04.
 - The use of fuel oil or bunker oil to initiate burns in slashpiles creates numerous other harmful allergenic substances.
 - ["High Washington County Wood-smoke Levels May Trigger Enforcement"](#), Oregonian, 1.13.15.
- Negative benefits of slashburns and related herbicide use were decisively analyzed way back in 1984 by Roger Hart in NCAP News - Fall and Winter 1984 issues:
 - Nitrogen loss from slashburns = 6% decrease in timber yield.
 - Trees in 7% organic soil grew 2 to 3 times faster than in burned soil.
 - After 15 years, Douglas Fir trees on slashburns = 2.2' high, .5" diameter. On unburned soil, 13.9' high, 4.4" diameter.
 - Sedimentation from clearcuts reduced salmon egg hatching in streams from 90% down to 40%.
 - In 1984, slashburns resulted in \$5 - \$30/acre reduction in replanting costs. But slashburning itself *cost* \$584/acre.
 - Pesticide concentration up the food chain is ignored.

4. SEPARATE ENFORCEMENT OF OREGON FORESTRY LAWS FROM STATE AGENCIES THAT ADMINISTER THEM.

- More than forty people were poisoned in 2013 by multiple illegal sprayings of their homes - not forest lands - with aerial forestry herbicides in Curry County, Oregon. One is dead, one in intensive treatment, the rest with serious ongoing health issues. It took seven months to get any Oregon government agency to even release what poisons they were sprayed with.
 - Oregonians and our communities are being poisoned, with total failure of agency oversight and response across the board. Agencies claim they're doing everything "right":
 - [Video interview of 45 people poisoned in Curry County, 2013.](#)
 - [High Country News - Nov 10, 2014 - Forestry Herbicide Spraying Sickens a Community](#)
 - [Oregonian Oct 21, 2014: Gold Beach: Oregon Agencies Blew Off Complaints](#)
 - [Oregonian Oct. 23, 2014: Oregon Sprays Weed Killers Near People under West Coast's Weakest Protections](#)
 - [Oregonian Oct. 27, 2014: 8 Things You Should Know About Helicopter Spraying of Weed Killers on Oregon Timberlands](#)
 - [OPB Tony Schick coverage](#)
 - For more information, contact Lisa Arkins, BEYOND TOXICS, (541) 465-8860 <larkin@beyondtoxics.org>

- Current proposed legislative action to "notify people of spraying" is but a first step, and the legislature turned even that down. There is NO way that aerial forestry herbicide spraying can be managed safely:
 - Harmful drift outside application areas happens - period. Microclimate air movement in hilly terrain is unavoidable, and shifts without warning.
 - Particle and vapor drift from both spray and volatilization cannot be ignored.
 - Interactive health impacts of carriers, "inerts", interaction of components, multiple spray chemicals, cannot be predicted.
 - Health impacts of compounds created and volatilized from spray chemicals in slash burn cannot be ignored.
 - Slashburns send smoke contaminated with mutagens, carcinogens, etc. causing respiratory illness, asthma, pneumonia, etc. directly through our coastal communities.
 - There can be NO margin of error for "when things don't go as planned".
 - Impacts on health-impaired individuals and at-risk populations - chemically-sensitive, respiratory-impaired, aged, children, infants, and pregnant women are too great to permit *any* use.

5. REPEAL PORTIONS OF RIGHT TO FARM AND FOREST ACT THAT PREVENT LEGAL ACTION AGAINST CORPORATE FORESTRY.

- **Oregon's "Right To Farm And Forest Act" unconstitutionally gives forestry corporations the freedom to poison our communities, friends, and water with no rights to redress.**
 - A year later in Curry County, no fines collected, sprayer still operating, no financial assistance for medical costs or inability to work, and local doctors refusing to treat the injured. Oregon's "Right to Farm and Forest" law deprives Oregonians of our constitutional right to any legal action against timber companies in such situations. This was not just one single event. Other spraying issues have occurred at Triangle Lake, above the city of Wheeler, Douglas County, and poisoning of waterways and public water supplies in many locations. Local communities have been forced into hugely expensive water treatment systems *just* to deal with the results of turbidity from soil erosion into streams from clearcuts.
 - [Beyond Toxics Aug. 13, 2014: Gold Beach Residents File Lawsuit](#)
 - [Fox Business Aug. 13, 2014: Curry County Victims Challenge Constitutionality of Right to Farm Act](#)

- For more information, contact Chris Winter, CRAG Law Center, 503-525-2724.

6. ENSURE RESTITUTION TO PEOPLE POISONED IN CURRY COUNTY (AND ELSEWHERE) BY FORESTRY PESTICIDE SPRAYING.

- Community outrage at being exposed to these poisons is building throughout the state:
 - Arch Cape to Netarts - North Coast Basin Coalition - Michael Manzulli <manzulli@gmail.com> (503) 436-1981
 - Wheeler - Coastal Concerns - Maia Holliday - <maiadegaia@gmail.com> (503) 801-8573
 - Rockaway - Rockaway Beach Citizens for Watershed Protection - Nancy Webster - <nancywebster@gtcinternet.com> (503) 355-2516
 - Gold Beach - John Burns - johnbarb1@frontier.com (541) 247-6452
 - Triangle Lake - contact Lisa Arkins, Beyond Toxics (541)465-8860 - <larkin@beyondtoxics.org>
- **Even more interestingly, NO NEED has ever been shown for routine herbicide use.**
 - Aerial herbicide spraying is **BANNED in national forests** because of high numbers of miscarriages in surrounding areas, and does not impact forestry sales or ability to regenerate after cutting.
 - Alternatives such as manual release, selective cutting, and cut-squirt are available and workable. Oregon has a number of sustainable timber harvest companies that use NO herbicides.
 - Increased rotation length from current 40 years up to 300 years reduces both the frequency of replanting and the cumulative cost of alternatives. Even if pesticide use was to be continued, such longer rotations reduce their use by 75% to almost 90%.
- Growth *reduction* of newly planted trees through herbicide application is ignored, as well as the *value* of the nitrogen-producing "competing" alders and scotch broom. Similarly, impacts on mycological function of forests/soil, on other forest products and on other life forms are ignored.

7. INCREASE REQUIRED OREGON MINIMUM FORESTRY ROTATIONS TO 300 YEARS.

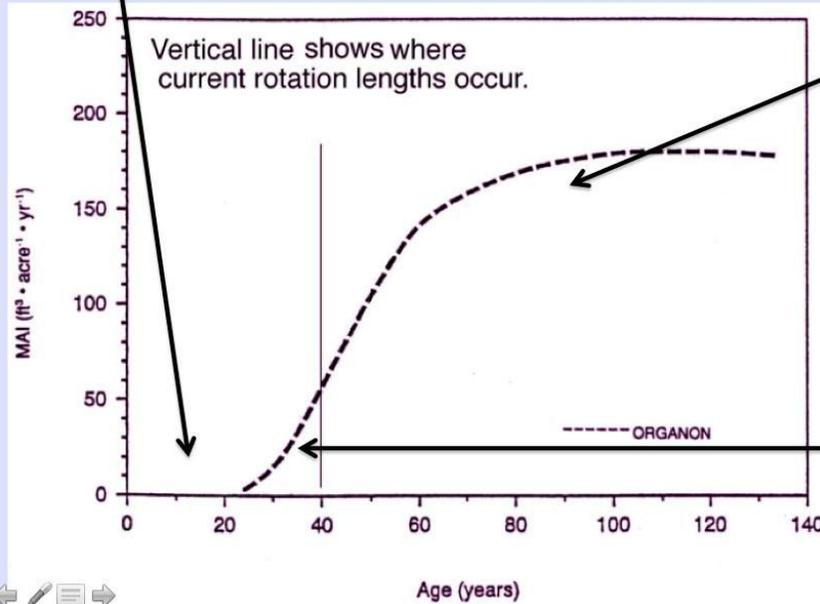
- **The economics of current 40-year rotations are a smoke-screen for bad practices.** They ignore the hugely greater productivity of long rotations, externalized costs; examine revenue but ignore costs, and fail to evaluate alternatives. They lose Oregonians 80-90% of the value of our forests. Timber companies have no problem making a profit in other states. They just rake in big extra profit from Oregon's outdated laws.

- **Longer forestry rotations result in substantially greater benefits:**
 - * Three- to five-fold reduction in clearcuts
 - * More timber *volume* produced per year
 - * Higher *quality* and higher *value* timber
 - * Reduced operating *costs*
 - * Increased annual revenues on a long term basis
 - * Increased value for recreation
 - * More profitable secondary forest products
 - * Increased salmon and fisheries productivity
 - * Reduced need for herbicides and slash burning
 - * Improved variability of age distributions and ecological diversity
 - * Greater carbon sequestering
 - * Improved habitat for fish and wildlife
 - * Freeing people, and funds to pay them, for more meaningful work
 - * Avoiding damage to soil fungal mats that harms forest productivity.
 - * Hydrological and long-term site productivity benefits.
 - * Reduction in regulation when practices align with ecological and social benefit

- Longer 300-year rotations can INCREASE value received from our forest lands by 20 to 30 times present value.
 - ["Fixing Failed Forests", Tom Bender, 2002.](#)

- Merely *tripling* of rotation length from 60 to 180 years has been shown to increase net income *per year* per acre from \$220,000 to \$2,015,000. **TEN TIMES THE NET INCOME!**
 - See "The Economics of Sustainable Forestry", Mark Wigg, Society of American Foresters, 1989 for that detailed analysis.
 - With Oregon's 30 million acres of forests, just going to 100-year rotations increases wood productivity 3.6 times, producing 390,000,000 MORE cubic feet of lumber PER YEAR.
 - And with Oregon having 30 million acres of forests, longer timber rotations (even just 180 years) could produce an INCREASED income of (roughly) \$53 TRILLION per year (that's \$53,850,000,000,000).

HALF of a 40-year timber rotation doesn't even capture full sunlight, and produces NO merchantable timber



- Current 40-year rotations DO NOT EVEN CAPTURE FULL SOLAR INPUT for HALF of that time, or half of the MAI growth.

Longer rotations continue to produce FAR MORE timber

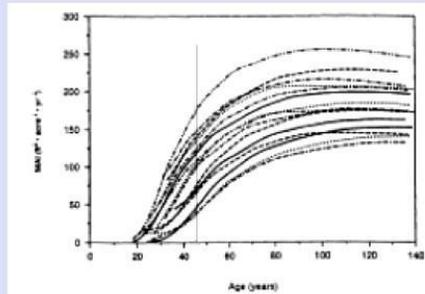
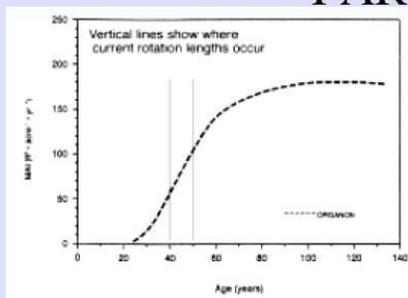


Fig. 2: Similarity of growth curves for different site indexes and stocking, showing their virtually level slope over long periods near CMAI. Vertical line shows current commercial rotation lengths. (after Curtis, 1994)

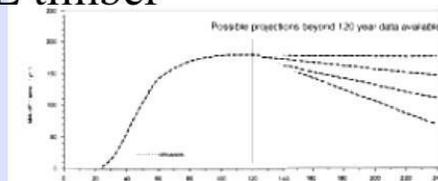
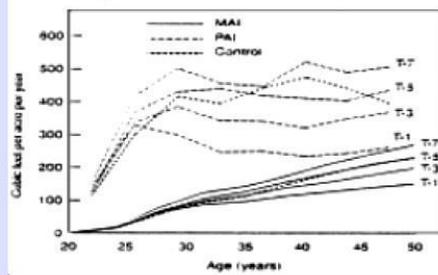


Fig. 3: Projection of MAI growth curve beyond existing data is unlikely to deviate radically from trends at end of the data set for substantial periods.

* Different management practices – particularly thinning regimes – can extend the CMAI point far beyond where we have any data. (Fig 6, Curtis, 1994)



- Recurrent EXPENSES of logging are large, are ignored in current forestry economics, and are greatly reduced in longer rotations.
 - Long rotations eliminate roughly 80% of the costs of scoping, bidding, limbing, site-prep, slashburn, herbicides, planting, release, fertilizing, thinning and administrative oversight.
- "View Corridors" are unworkable, and best replaced by long rotations that reduce potential cuts along scenic roads by 80%.
 - [Daily Astorian: "Scenic Buffer Strips Harm Highways"](#) See also Daily Astorian, Feb. 9, 2009.
- *ALL forestry benefits* need to be addressed, not just logging. **Timber harvest is only a small fraction of the productive value of our forests:**
 - **TIMBER:** Sustainable yields possible with long rotations can DOUBLE current yields, while providing an amazing **TEN-FOLD increase** in net economic returns from timber production.
 - **FISHERIES:** Restoration possible with long rotation harvesting can produce annual revenues in the order of **seven to twenty times** current timber revenues.
 - **RECREATION:** Development possible with long rotation harvesting can produce annual revenues in the order of **five to ten times** current timber revenues.
- **TOURISM HAS REPLACED FORESTRY IN CONTRIBUTION TO ECONOMICS AND EMPLOYMENT.** The outdoor recreation industry is a larger engine of growth:

Existing Jobs	
Timber Industry	25-30,000
Outdoor Recreation Industry	140,000
Oregon	1,700,000
New Jobs	
Timber Industry (Wyden Bill)	1,600 (?) Total
Outdoor Recreation Industry	7,000/Year
Oregon, Total	4,000/Month

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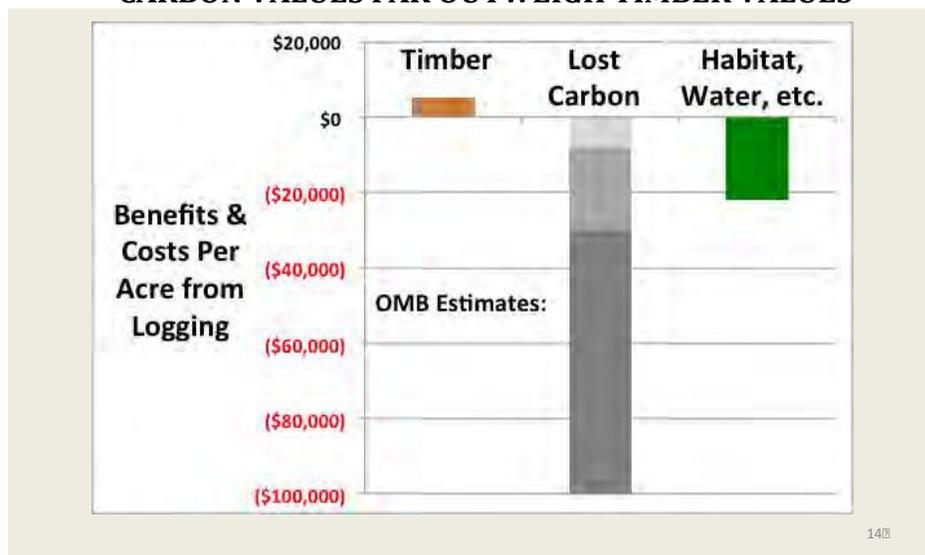
- **SPECIAL FOREST PRODUCTS:** Mushrooms and medicinals harvest possible with long rotations can produce significant annual revenues.

- **TOTAL net economic value** of long rotation forest management thus appears to be roughly **TWENTY to THIRTY TIMES** that of present management practices! Details:
 - Forest Service studies in 1989 and 1990 showed tourism, hunting, and recreation producing \$122 billion vs. logging revenues of \$13 billion - **TEN TIMES AS GREAT!**
 - A 1990 Forest Service study showed that recreation fees could be **three times as great** as revenues from timber.
 - Salmon from the Smith River in California, even heavily damaged by logging, produced \$7.8 million/year - **more than the entire logging revenues** from the basin.
 - A Forest Service study on the Salmon River in Idaho showed that a \$14 million logging operation resulted in a \$100 million salmon revenue loss.

For details and citations: [THE ECONOMICS OF TRUE SUSTAINABILITY, Tom Bender 2013.](#)

- And more, carbon sequestering value far exceeds all other economic dimensions. It alone amounts to 20 times the income from logging:

CARBON VALUES FAR OUTWEIGH TIMBER VALUES

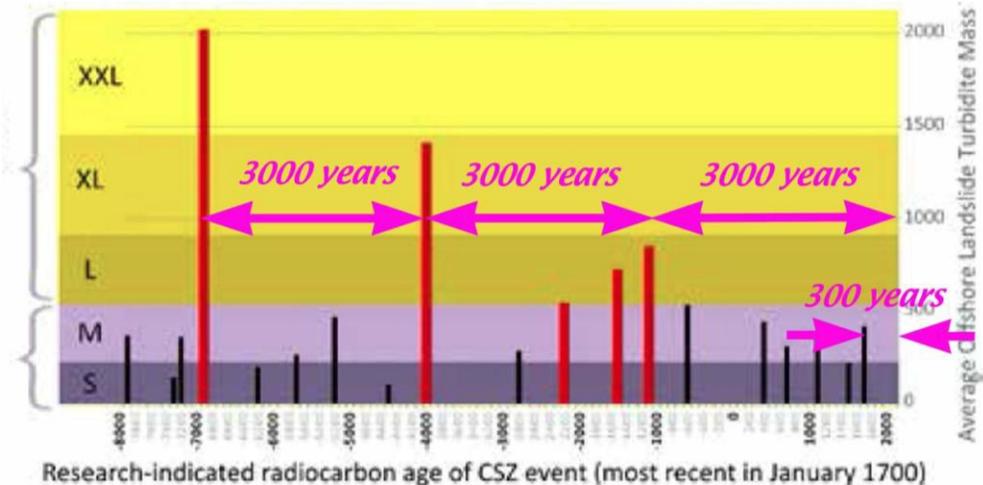


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- Soil loss, and subsequent costs of siltation of estuaries and hydroelectric reservoirs is not evaluated. 116,000 TONS of silt flow into just the Nehalem River estuary EVERY YEAR, virtually all from clearcuts. Communities are having huge costs of expensive water treatment facilities just to deal with siltation issues.

8. PROHIBIT CLEARCUTS WHERE POTENTIAL EXISTS FOR LANDSLIDES AFFECTING OUR HOMES, COMMUNITIES, HIGHWAYS.

- The massive costs of clearcut-caused landslides impacting our communities and transportation systems are ignored in Oregon forestry and land-use planning practices.
 - Class-action lawsuits related to the Washington Oso landslide are showing the financial risks of ignoring such issues.
 - [Oct. 27, 2014 Seattle Times Oso Landslide Lawsuit](#)
 - ["Landslide in Oso - Don't Blame Nature"](#)
 - New mega-quake R9.5 landslides with *five times the lateral movement* of R-9 earthquakes are now expected, with far greater risk and need for change in practices:

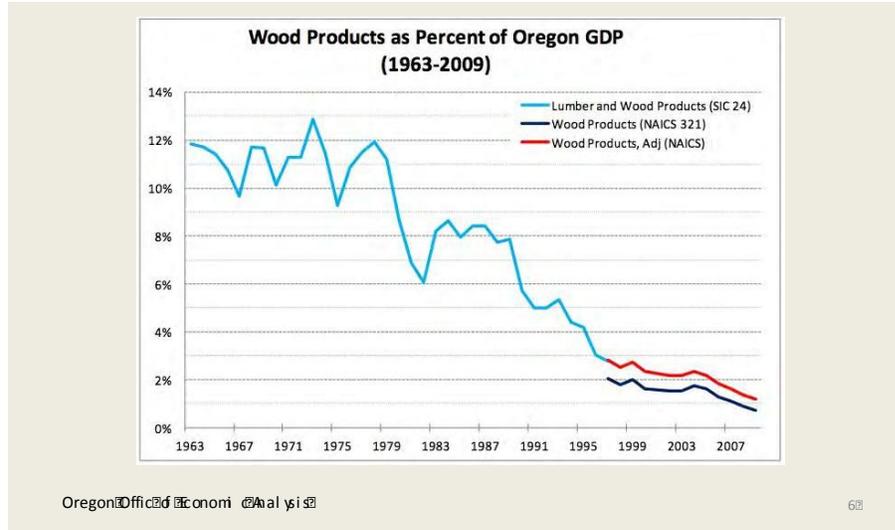


- There has been no update of data, zoning restrictions, or development of policies informing communities, residents, or property purchasers of potential impacts and risks. Even existing geological hazard maps show the ubiquity of hazards tied with Oregon's geology.
 - Wheeler Citizens for Responsible Development's reports on logging, landslides, and community development are valuable:
 - "Ross Report and Wheeler Landslides" 5/17/14
 - "Oso Landslide, Logging, and Geer Report" 8/19/14
 - "Wheeler Landslides Photo Essay" 10/29/14
 - "Supplement to October 2014 Newsletter" (GeoReports) 10/29/14

Their *Oso Report* is an outstanding summary of a long technical report showing the long-term issues with groundwater and landslides lasting 20+ years after logging. With 40 year rotations, that's half of our forestlands. Scary, and well worth reading.

- For copies and more information, contact: Ralph Thomas <wheelercitizens@comcast.net>
- Even the traditional income and employment benefits from logging have dwindled to near-zero. Its value compared to other uses of forests is hardly worth consideration. Forest industry automation and wage reductions have reduced timber benefits to less than 1% of Oregon GDP:

TIMBER'S ECONOMIC ROLE DECLINES AS OTHER SECTORS GROW



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It's time NOW for major reform, and bringing our state into the 21st century with a positive legacy for our children. The magnitude and clarity of "new" science regarding these issues is already bringing strong class-action risk to all of our jurisdictions and agencies if we fail to act. The benefit to all Oregon of making major improvements in management of our forests is huge, and these changes need to be applied to all forests in Oregon - public and private.