

Military Orders Writ of Mandamus in Circuit Court

For some time now an application to construct an Armed Forces Reserve Center and Organizational Maintenance Shop across from Lane Community College has worked its way through the normal land use process. On October 16, 2001, hearings official Gary Darnielle affirmed the Lane County Planning Director's approval of the Oregon National Guard's request for a site review permit. This decision was appealed by the Russel Creek Neighbors.

Ordinarily the Lane County Board of Commissioners (BCC) would decide whether to remand Mr. Darnielle's decision back to him for reconsideration,

allow the decision to be reviewed by the full Board, as was done with the recent decision on the Eugene Sand and Gravel proposal, or allow the case to proceed to the Land Use Board of Appeals (LUBA). Russel Creek Neighbors preferred that the case remain in the venue best suited to hear it: LUBA or the State Court of Appeals.

On November 5, 2001, the BCC was set to decide what option they preferred when, on the same day, the State (Oregon Military Department) filed in the Circuit Court of the State of Oregon an Alternative Writ of Mandamus. In this Petition, the State asked the Court to sign a Writ directing the County to issue the Site Review Permit as filed for on February 28, 2001. The Petition stated that Lane County is required to take final action on all

applications for permits within 150 days, a process that occasionally takes much longer. Fortunately the Russel Creek Neighbors Association (RCNA) was also named as a defendant, which allowed for a Show Cause Hearing to be held.

On December 20 and 21, 2001, this matter came before the Circuit Court of the State of Oregon for Lane County, in front of Judge Lyle C. Velure. This was the RCNA's opportunity to show that approval of the Application would violate a substantive provision of the County comprehensive plan or land use regulations. After receiving evidence and hearing the arguments of counsel, the Court took the matter under advisement.

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With this, our fourth newsletter, LandWatch Lane County looks forward to another year of serving Lane County by promoting sustainable land use policies that will protect our farms, forests and open space from urban sprawl.

In 2001 we supported local groups and offered testimony opposing a gravel pit on prime River Road farm land; an armory on wetlands along Russel Creek across from Lane Community College; a 605 megawatt power plant with two 200' smokestacks on Coburg farm land; cell phone towers popping up without regulation all over Lane County.

To do so more effectively, in July we joined with 1000 Friends of Oregon and Friends of Eugene in an office staffed by LandWatch member, Lauri Segel. And, citing state statute, we asked that the Board of Commissioners recognize us as a community organization. This would require the Land Management Division (LMD) to send us notice of all proposed land use changes, and to waive certain appeal fees. Our request was denied, ostensibly because we failed to meet some commissioners' definition of community. We will reinstate our request.

What's past is prologue. Last year county commissioners recommended against the Eugene Sand and Gravel proposal to mine gravel adjacent to Thistledown Farm, but Commissioner Anna Morrison has recently reconsidered and wants a revote. Vowing to rule before attending the Fiesta Bowl, circuit court judge Lyle Velure decided in favor of the armory, leaving the Russel

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Creek neighbors to file another costly appeal. Despite Enron's departure, entrepreneur Gary Marcus says he's committed to building a power plant on farmland north of Coburg. And cell phone towers continue to pop up like thistle on prime farmland and school grounds across Lane County.

Under the cloak of national catastrophe and national security, environmental protections, as well as personal freedoms, are under siege from the regulatory agencies sworn to uphold them. Decimated by the loss or impending loss of employees as a result of insufficient developer fees to support them, and using the uncertain status of Measure 7 private property rights compensation as a shield, the LMD is threatening to further erode long range planning/environmental regulation. To help them do that the LMD director meets regularly with the same group of developer consultants, including former Lane County Commissioner Steve Cornacchia.

A watchdog's work is never done. Rest assured that LWLC will continue to provide impor-

tant information about critical land use issues; to testify against bad land use decisions and support land use groups and individuals similarly committed; and to monitor the LMD to assure that its regulations are enforced. Further, we intend to seek a seat at the same table with the developers' agents who have regularly had the ear of director Howe.

Nor shall we forget to keep our feet on the ground and our hands in the soil with native restoration projects like the white oak grove at Elijah Bristow Park, a joint effort with State Parks.

However, in order to continue supporting selfless individuals and groups and enlightened public agencies in their efforts to conserve and restore the landscapes that define our sense of place, we depend upon the support of you, our readers and members at large.

What we can't do alone we can do together.

Thanks,
Robert Emmons
President

Reserve Center is permitted to occupy thanks to a quick change to the State Land Use Laws by the Legislature. In the County's decision the proposed use was deemed permitted on C-2 land because the portion of the building on C-2 contained those uses similar to permitted C-2 uses. In essence the county reasoned that because there is a kitchen the Reserve Center is similar to a restaurant, and because there is a loading dock the Reserve Center is similar to a department store. A restaurant and a department store are permitted uses in the

C-2 zone. The specific use of the building does not seem to matter. Furthermore, the Lane Code for the Neighborhood Commercial Zone states, "uses permitted or conditionally permitted in other commercial or industrial districts within this Chapter are not allowable." Following the same logic as Lane County's decision, there are parts of the proposed Reserve Center that are uses permitted in other commercial or industrial districts, like a maintenance shop, or a storage facility. Apparently it is OK to divide up the building for the purpose of approving the use in the C-2 Zone, but not OK to divide up the building to determine if it is a use that would be allowed in commercial or industrial zones.

On December 27, 2001, as per Judge Velure's promise to issue a decision before leaving to watch the Oregon Ducks play in the Fiesta Bowl, the Court found that the proposed use is compatible with the surrounding vicinity, and that there has been no unnecessary destruction of healthy trees or other major vegetation—despite our video evidence of a large bulldozer, contracted by the project's architect, removing vegetation and trees. This work was commenced prior to the completion of a wetland delineation report or of an Environmental Impact Statement.

The attorneys for the Military Department will now draft a Writ and Judgment for the Court to review and sign. The Writ will be delivered to Lane County ordering the County to issue a site review

permit. RCNA will raise objections, allowing us to file a notice of appeal with the State Court of Appeals.

Our attorneys believe that there are numerous appealable issues. The question is can Russel Creek Neighbors afford to continue. Going to court is an expensive process. Whereas we required the assistance of two attorneys that we paid for ourselves, your tax dollars supported four attorneys for the military. This despite a \$900 million shortfall in the State's budget.

The current decision is bad for Lane County and bad for the State of Oregon. The military has viable alternative sites. Russel Creek Neighbors need your help to continue the quest to keep the armory out of wetlands adjacent to our neighborhood.

Contributions to cover attorney fees can be made to:
Russel Creek Neighbors
c/o PO Box 50304
Eugene, OR 97405

Craig Shelby
President
Russel Creek Neighbors
Association

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Attorneys for RCNA, Dan Stotter and Doug DuPriest, raised a number of issues, including the incompatibility of the facility with surrounding uses; failure to give due regard to natural features; and that the proposed use is not permitted on the portion of the property zoned C-2, Neighborhood Commercial. Part of the property is zoned Exclusive Farm Use, which the

Campaign for Responsible Placement of Cell Phone Towers Digs In

We are celebrating the first year of our advocacy for responsible placement of cell phone (PCS) transmission towers. By educating ourselves on the issues and organizing communities, we were able to encourage a small tower company to leave not only our neighborhood but others as well. We are still opposing the inappropriate placement of transmission towers site by site. However, we are also working towards establishing a meaningful ordinance at the county level.

Inappropriate placement of cell phone transmission towers threatens the health and livability of Lane County.



The Federal Communications Act of 1996 makes all this very difficult, because it stipulates that local jurisdictions may not use health concerns as criteria in denying permit applications by tower companies/service providers. Potential health risks are our major concern. We want towers situated away from homes and schools. In her new book *Cell Towers: Wireless Convenience? Or Environmental Hazard?*, B. Blake Levitt states that siting towers "is one of the most contentious areas of land-use law in America." Until Federal law is changed, we oppose sites using the criteria local jurisdictions have established—if they have established any.

Cricket Wireless targets metropolitan areas and establishes the infrastructure needed to handle the demand for their

product—unlimited local calls for a flat monthly fee, prepaid, no contract. In the Eugene/Springfield area that will necessitate at least an additional twenty-nine Radio Frequency emitting sites. Log on to www.emrnetwork.org for relevant information regarding our concerns about low-intensity, non-thermal, non-ionizing radio frequency radiation.

Some of these Cricket sites are/will be near schools. Eugene's District 4J has issued a precautionary statement concerning the placement of towers on or near schools: err on the side of safety. Children could be especially susceptible to RF radiation because of their still developing bodies. If that is true for towers, then we should be alarmed by a cell phone company that seems to be targeting pre-teens and teens.

The Eugene/Springfield area has existing coverage from a variety of service providers. Does our area need another new provider? No. Can local jurisdictions mandate that Eugene/Springfield has enough service providers? No. Can the consuming public say that ENOUGH is ENOUGH? YES! As a community we can NOT create the demand for Cricket Wireless.

Neighborhoods are suffering the consequences of the American public's insatiable appetite for convenience. Cricket Wireless is just the new kid on the block, and we do not need this particular kid.

The hearing for the proposed Lane County ordinance on the siting of cell phone (PCS) transmission towers is to be scheduled for late February or

even March. Early on commissioners denied a moratorium because it was said that the county could have an ordinance in place faster than a moratorium. We are still waiting.

We are also encouraging Eugene to revisit its ordinance and the County to reach an intergovernmental agency agreement with the City so that the urban reserve area outside the Urban Growth Boundary does not become Eugene's tower farm. Apparently, one can live in the urban reserve area (most notably in the River Road area) and, depending on whether property is annexed or not, fall under the City's tower ordinance (towers to be no closer than 2000 feet apart) or the archaic Lane Code for Urbanized Areas. This means there is a tower slated to be built on annexed property off River Road (decision to be appealed) with a new one being proposed just down the street.

Cell phone tower siting is an epidemic that must be controlled.

Mona Linstromberg
Member: Citizens for Responsible Placement of Cell Phone Transmission Towers
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The Pacific Northwest Population Explosion

From *Misplaced Blame*
by Alan Thein Durning,
Executive Director
Northwest Environment Watch
www.northwestwatch.org



- The population of the Pacific Northwest is increasing almost 50 percent faster than global population
- 83 percent of American teen mothers come from poor families
- 62 percent of teen mothers have been raped or molested as children
- 36 percent of babies born in the Northwest are conceived by accident
- Long-distance moving is subsidized by taxpayers
- Excessively high national immigration quotas hurt both the North American poor and immigrants' home countries

If there were box scores for population growth, the Northwest's pace since 1990 (1.9 percent annually) would put the region in the middle of the Third World, leading India, neck and neck with Egypt, and gaining on Ecuador.

Rich Fairbanks

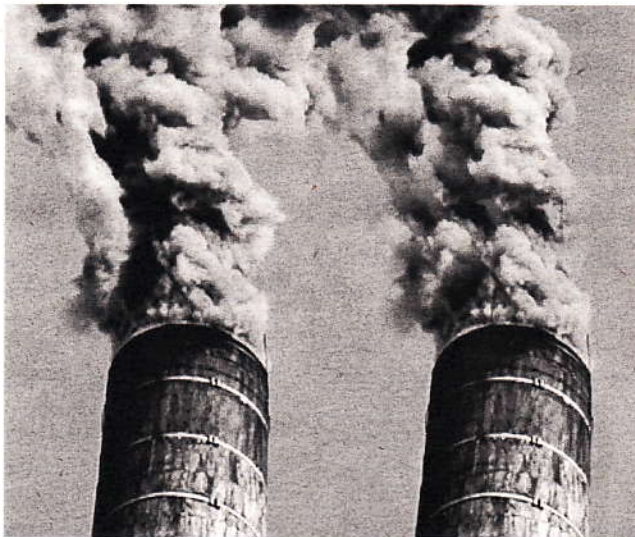
Enron Folds, Threat of Coburg Power Continues

Local entrepreneur Gary Marcus is still pushing ahead with his plans for the Coburg Power Project even though his original financial backer, energy giant Enron, is no longer in the picture. Just last month Marcus was knocking on neighbors' doors for permission to conduct sound tests near the proposed site. He is definitely moving ahead with the project, in spite of substantial public opposition.

Plans for the power generator have been transmogrifying for months as Marcus scrambles to do damage control after losing the support of Enron. The original plans outlined in the Notice of Intent and presented to the Energy Facilities Siting Council and Lane Regional Air Pollution Authority are but a shadow of the plans Marcus has been considering in the meantime. However, because he is not required to file any amendments to the original plans outlined in the notice until the official application is filed, none of the changes he is rumored to be considering are yet available for public scrutiny.

What are some of the changes Marcus is considering? He proposes:

- An increase of as much as 400% in diesel use as back-up fuel for the power plant.
- Switching from a water-cooled generator to an air-cooled generator that may have even greater toxic emissions.



Coburg Power developer scrambles for damage control after Enron withdrawal.

- Trying to buy land from Willamette Industries that is already zoned industrial and therefore bypassing most of the land use issue scrutiny.
- An end-run around the Lane County Commissioners by requesting the Energy Facility Siting Council be the final authority on the land use questions, thereby cutting out any public input by citizens of Lane County

The Save Our Valley citizens committee focused attention on several key issues which Marcus has since back-peddled on. Questions were raised about what Marcus was offering the City of Coburg in exchange for its support of the project. His offer to build the city a new sewer system has since been rescinded. Marcus claimed that using 4.4 million gallons of water a day (the equivalent water use for a town of 8,000 people) would have no negative effect on the water table. Now he is proposing switching to air-cooled technology. What other components of Marcus' plans

would crumble under public examination?

Acid rain and new emissions equal to one seventh of all the vehicles in Lane County parked in one place and running 24-hours a day, seven days a week, should be of concern to all residents of the Southern Willamette Valley. Inversion patterns typical in the 'boot' of our valley exacerbate these toxic emissions by concentrating them, and two 200-foot smokestacks will do nothing to 'disperse' the particulates when the stagnant air is blocked by the 1,800 to 3,000 foot surrounding hills.

Choked up about it all? Check out what you can do about it at: www.SaveOurValley.com or call 541/345-8033.

Lisa Kaye

Fire Road Defense League Victorious

Oregon's Court of Appeals has found in favor of the Fire Road Defense League in the case of Maxwell vs. Lane County & Gorham. Judges Wolheim, Linder and presiding Judge Haselton examined the first of seven issues in this case and unanimously concluded that Lane County's own land use code dictates that all lots used in mathematical computations to break zoning must be legal in nature. The ad hoc lots created by Lane County's Land Management Division (LMD)/developer alliance solely for the purpose of changing the zoning at the end of Fire Road will not be allowed to stand.

The three appellate judges concluded that the invalidation of the first element of the case served to reverse the entire legal house of cards put forward by the LMD/developer in Maxwell and saw no reason

to address the remaining creative issues perpetrated and rubber stamped by the alliance.

While this is a mighty victory for all the little people in Lane County and the State of Oregon, it would have been better yet if the appellate judges had ruled on all the issues as there are other cases in progress at this writing that would be resolved if the Lane County land use policies used to create them were examined and struck down by the judges.

The LMD/developer's favorite tool to pack more houses on the same amount of land is the "migrating tax lot." Oregon land use law defines a lot line adjustment as "the movement of a boundary line between two tax lots." In Lane County, a "lot line adjustment" is used to shrink and move an existing lot of record to any specification a developer might need to throw down the maximum number of building sites for maximum profit. There are several of these migrating tax lots involved in Maxwell vs. Lane

County & Gorham. It is not likely that Lane County policy used to create these nomadic lots would survive contact with the Court of Appeals judges.

Tax lots in the county are routinely moved so that no part of their new, improved position touches any part of their former location. The LMD/developer shields this shifty business by claiming that the migrating tax lot is "preliminary" and therefore cannot be challenged. Of course, the next step after "preliminary" is "too late."

Normally this tactic is successful because little people rarely are willing to put their money where their mouths are when something like this happens next door. If they do, the rigged Lane County system absorbs their money and time until they burn out and go away. In the case of Maxwell, after I was fleeced through the county system, at Oregon's Land Use Board of Appeals the developer hired a former LUBA "referee" to represent his interests while Lane County supplied its own lawyer, with predictable results. The alliance ran out of influence at the Court of Appeals.

LMD/developer's main defense for its actions throughout the case was that I hadn't caught them quickly enough at various actions they had pulled. Often there was no notification of what was going on, and no process to challenge it when discovered (preliminary—too late). Apparently it is my job to follow these people around and catch them before they do anything illegal. When LMD

personnel or developers come to the woods to help me inspect pre-commercial tree thinning, I'll consider wearing out another pair of boots to help them out.

Lane County's Land Management Division is motivated by the generation of building permit fees. A developer will do anything the LMD tells him he can get away with—and has.

Fire Road is like the Battle of Gettysburg. It wasn't planned to be a crucial turning point; it just turned out that way. The LMD/developer may have reached a little further than usual, but it was accustomed to not being successfully challenged and saw no reason to think it would be this time.

Lane County's lawyer has requested that the Court of Appeals judges reconsider the seven elements that they rendered no opinion on. He recognizes that these issues need to be ruled on before Maxwell can be successfully resolved by Lane County—not to mention the other cases waiting in the wings that are composed of the same old stuff. My lawyer seconded the motion. I think everybody realizes that I am not going away.

And the developer may not go away either without some of your tax money; thanks to promises the LMD could not deliver. Surely it's time for the Land Management Division to be under new management.

Norm Maxwell



Healthy Riparian Helps All of Us

The banks of Lane County's natural watercourses attract a wide variety of creatures, from dragonflies and spotted sandpipers to beavers and human beings. Like an edge or "ecotone," the riparian zone that separates the aquatic environment from the terrestrial environment is biologically richer than either of the areas it separates. For example, animals that are largely aquatic, such as beaver, depend on healthy riparian areas for food; terrestrial animals, too, such as deer, depend on the same areas to provide cover as well as food.

Another reason for the richness of riparian areas is their dynamic nature. As creeks and rivers rise and fall with the seasons, and occasionally leave their banks to flood nearby lowlands, individual trees and sometimes entire stands are carried downstream, and new sand and gravel bars are created that are then colonized by young willows, alders, and cottonwoods. At the same time, stream banks sometimes collapse and that soil is carried away, perhaps to be redistributed downstream along a flood plain.

At any given time a healthy riparian zone consists of a complex mosaic of plant and animal communities, from gravel bars covered with seedling cottonwoods to areas dominated by 50-year-old trees, and from willow- or alder-dominated sites closest to the water to areas dominated by conifers farther away from the water's edge.

This constant disturbance of the riparian zone is essential to its vitality. For a variety of reasons, however, the quality of riparian areas in some parts of Lane County is declining. Interestingly, the problems are due in some cases to excessive disturbance, particularly from the terrestrial side, and in other cases to insufficient disturbance from the aquatic side.

Because of the age-old attraction of waterside sites, population growth, and the existence of large, flood-control dams upstream, some riparian areas that were once unbuildable due to flooding are now being developed. From Eugene's Valley River Village to the proposed PeaceHealth site in Springfield, large tracts of fertile, bottomland soil are disappearing beneath buildings and pavement in Lane County's urban areas. In rural areas, too, home sites continue to be developed adjacent to watercourses and in ways that are, more often than not, insensitive to the critical riparian zone.

Such development affects wildlife in a variety of ways. By our very presence in riparian zones, we humans prevent some creatures from using what was once critical habitat. And in order to improve our view of the water next to which we have built, we often remove much of the riparian vegetation. We also reduce riparian zone vitality when we replace the native plants that once clothed the stream banks with exotic plants such as lawns, Japanese pteris, and Norway maple.

At the same time that disturbance due to development is occurring, with its many negative consequences, the natural disturbance that is so important in maintaining a healthy

mosaic of plant communities along stream banks has also diminished. One reason is the large dams that now prevent the major, periodic floods that at one time scoured away stream banks and trees in some places and provided new seedbeds elsewhere.

In addition, we have become perhaps overly protective of riparian zones in some areas. The banks of the Willamette River in the Eugene-Springfield area are largely intact as a result of protective measures taken during the past few decades. But partly because of those measures, and partly due to the lack of major flooding, there are virtually no young natural plant communities within the urban area. Most of the riverside cottonwoods are now maturing and are slowly being replaced by Oregon ash. Because of the lack of natural riverbank disturbance, it is possible that, in another few decades, there will no longer be any cottonwoods along this section of the Willamette River, for the first time in many thousands of years. The effects of such a loss would likely be deleterious at many levels in the riparian ecosystem.

So what can homeowners and public agencies do to help conserve and, in places, re-create the rich mosaic of healthy plant and animal communities that deserve to prosper along Lane County watercourses? First, we need to consider curbing development in riparian areas and even, over time, remove some existing development from the most sensitive riparian areas. What is more important, after all, the view of our beautiful rivers and streams from the decks of our houses and restaurants, or healthy riparian areas that provide a variety of benefits for a host of creatures?

Second, if development does occur, we need to protect the existing riparian zone (provided it is intact) to the maximum extent possible. That may require wider setbacks and smaller footprints for houses, and a limit on how much riparian vegetation (if any) may be removed. Instead of cutting most of the trees and undercanopy shrubs to provide a "full view" of the water, consider the selective removal of some vegetation to provide just a filtered view of the stream or river. Such views are far more interesting because they encourage us to wonder what lies just around the corner that cannot quite be seen.

Third, we need to make every effort to preserve or re-create native plant communities instead of displacing them with exotic ornamentals. Where stream- and riverbanks have been taken over by blackberry or other exotics, consider removing them and replanting with site-appropriate plants such as alder, willow, and cottonwood. Use nearby natural areas as the "instruction manual" for what to plant on a particular site.

Nature is incredibly resilient and even the most severely degraded riparian areas can be rehabilitated with relatively little effort. Actions that benefit all other creatures who depend on the healthy riparian zone will also benefit humans. After all, their habitat is our habitat, too.

Whitey Lueck
Consulting Naturalist,
Ecologist and
Lane Community College
Instructor

Gravel Pit or Farmland: Bar Run Rerun

On December 4, 2001, a majority of the Lane County Commissioners voted to protect prime farm soils from gravel pit mining. While commissioners Green and Weeldreyer voted in favor of digging up farmland for gravel, commissioners Dwyer, Morrison, and Sorenson turned down the Eugene Sand and Gravel proposal to rezone 575 acres of farmland alongside the Willamette River for aggregate mining. Their vote was based on their determination that the gravel company failed to demonstrate that there was a "significant aggregate resource" as defined by Oregon state law. Eugene Sand and Gravel has made it clear that they will appeal any denial of their application to the state Land Use Board of Appeals.

It was widely anticipated that the majority of the County Commissioners would rubber-stamp the gravel industry's push for expansion under the guise of "saving jobs." Yet the majority found that ESG had not demonstrated evidence for their claim that a large enough source of high quality gravel existed on the site. The application was deficient in three areas required by law: 1) the thickness of the gravel is not 60 feet; 2) ESG had averaged their samples of gravel thereby creating a misleading picture of the quality of gravel available at the site; 3) Class I farm soil, the best soil for productive farming, covered 52% of the proposed mining areas, exceeding the legal limit of 35%. However, we will need to hold our breaths before claiming victo-

ry. The County Commissioner vote on December 4 is considered "preliminary" and will not be finalized until early February. According to an article in the Register-Guard on January 8, Eugene Sand and Gravel is heavily lobbying the County Commissioners to reconsider their vote. They have admitted inviting Commissioner Anna Morrison, considered the swing vote, out to their business office since the County Commissioners 3-2 vote in early December. Morrison is seriously considering switching her vote on January 30th, and *The Register-Guard*, in an editorial on January 9, encouraged her to do just that. If she changes her vote, the entire ES&G application will be reopened for full consideration.

Randy Henderson, owner of Thistledown Farm and leader of a coalition of River Road farms who oppose the pit, has reported that the State Farm Bureau is preparing a challenge to the current land use laws that direct elected officials in making decisions about the conversion of farmland to mining use. Farmers from around the state have joined together to lobby for changes to the Goal 5 Aggregate Mining Rules. Goal 5 Rules govern the process of making land use changes to allow for exclusive mining use. The Rules were originally written and promoted by the gravel industry and set forth only minimal requirements by which gravel companies can claim prime farm soils for mining purposes. Surely a coalition of farmers and citizen activists can help loosen the grip of an industry-controlled process by helping create laws that better protect the irreplaceable treasure of prime farmland.

Lisa C. Arkin

Envisioning a Regional Parks and Open Space System

When you hear the words "open space," what images, thoughts and feelings come to mind? Where do you go when you need to see and experience open space?

For those of us who dwell within the urban environment, open space is hard to come by. The quest to find it often involves getting into a car (or plane), navigating through the sprawling city, and heading for the hills or beach.

What if we had the determination and savvy to create a living fabric of open space to infuse and embrace the community where we live and work? What would it be like to live within a vibrant pattern of interconnected pocket parks, urban gardens and forests, an emerald necklace of diverse parks, woodlands, trails and river landings; a landscape where you could roam for days, or at least imagine being able to do so?

Other communities have thoughtfully and wisely established greenbelts and open space networks around and through their cities. In Oregon, where the land use planning program helps to contain urban growth, we have not accomplished much in the way of open space protection. Park and open space planning has only occurred within cities. In the Eugene-Springfield metro area, no regional approach to parks and open space planning has been taken. Until now.

On December 3, 2001, members of LandWatch organized and met with leaders of local,

regional, state and national organizations involved in land conservation, preservation and restoration efforts. The purpose of this meeting was to determine how LandWatch, together with 1000 Friends of Oregon, could support a regional open space initiative process. The consensus of that gathering was that we should all lend support for the planning process initiated in November of 2000: a collaborative effort sponsored by the cities of Eugene and Springfield, Lane County, and Willamalane Park and Recreation District to develop a regional parks and open space vision.

At the meeting, Larry Schaffner from LCOG gave an update on the Metropolitan Open Space project. So far, LCOG has received funding from the project partners to develop a working vision. This includes identifying short and long-range strategies and actions; mapping existing resources already acquired or with potential for acquisition; researching acquisition funding opportunities and strategies; and holding a public forum to introduce the project to the community and generate interest. The Metropolitan Parks and Open Space Policy Committee provides advisory oversight.

On January 9, the LandWatch Board voted to support and participate in the regional parks and open space visioning and planning process.

Rivers to Ridges: A Community Forum on Metropolitan Regional Parks and Open Space will be held on Wednesday, January 23, from 7-9 pm, at EWEB Training Center.

Questions about the project or January forum can be addressed to Jeff Krueger, project manager, Lane Council of Governments, at 682-4122 or by email atjkrueger@lane.cog.or.us.

Linda Pauly

Bargaining with Beelzebub: Old Growth for Second Growth on Your National Forest

Residents of Lane County are lucky to live with one of the world's most remarkable living legacies right in their own backyard. The magnificent old growth Douglas fir forests of the Cascades and Coast Range are a temperate rain forest with more biomass per acre than any other terrestrial ecosystem. These cathedral forests feature trees more than nine feet in diameter, three hundred feet tall and almost a thousand years old. Almost all of the remaining old growth in Lane County is found on national forest land—land that you own.

Most Lane County residents would be shocked to learn that the US Forest Service is still logging some of the largest

trees left in Oregon. Old growth timber sales in eastern Lane County—the Middle Fork Ranger District of the Willamette National Forest—will log thousands of acres of classic old growth forest in the next five years. In western Oregon and Washington more than a half million acres of old growth will be logged in the next twenty-five years.

Many of the largest old growth timber sales in eastern Lane County are “alternative volume” sales. In 1995 a number of timber sales on the Siuslaw National Forest on the coast were canceled when the marbled murrelet was listed as an endangered species. The Forest Service is required to replace these sales with new

sales of “like kind and value.” The canceled sales were composed almost entirely of second-growth forest stands from 100-140 years old.

The Forest Service has chosen to replace the second-growth Coast Range sales with old growth in eastern Lane County. The new sales, including the North Winberry, Slap and East Devil timber sales, are composed of trees from 200-500 years old. Some trees are more than 800 years old, nine feet in diameter and 200 feet tall. Independent experts estimate that timber companies will receive replacement volume that is worth more than three times as much as they are owed.

Old growth giveaways in Lane County are a spectacular boondoggle for the taxpayers. Last year the Willamette National Forest was the biggest money loser in the entire national forest system, costing the taxpayers more than \$30 million. In contrast, the Siuslaw National Forest, which emphasizes restoration of logged-over landscapes, made more money than any other Forest—more than \$10 million.

To find out more, visit www.cascwild.org, or contact the Cascadia Wildlands Project at 541.434.1463 or cascwild@efn.org.

James Johnston



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