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#### Newsletter Credits:

Editors  
Robert Emmons  
Nena Lovinger  
Layout & Design  
Chris Berner

To contact LandWatch  
Phone: 541.844.6914  
Email: hopsbran@aol.com



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# LandWatch



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**R**estoration along the McKenzie River after the Holiday Farm Fire provides an opportunity to promote, establish and enforce measures that will protect and enhance the McKenzie and its riparian zones. Before the fire, houses in much of the burn corridor encroached on the river, altering its native ecosystem by outright removal of riparian vegetation and by replacement with tiled patios, lawns, English ivy and other alien invasions.

In response to questions about the county's role in the recovery effort, Land County Planning Supervisor Keir Miller offered the following:

*As we work with landowners [who live] along the McKenzie, we are encouraging them to relocate further away from the river. Staff has also been working with EWEB to permit a subsidy program to incentivize folks to move back from the river. I know MRT (McKenzie River Trust), MWC (McKenzie Watershed Council) and others are also working on programs to support native replanting.*

*As far as code enforcement goes, we will investigate violations as they arise, and we will also be developing an app for river guides and others to report violations on their phones in real time....*

Research by David Pillrod, an ecologist with the U.S. Geological Survey, shows that the loss of riparian vegetation can lead to higher water temperatures, increased erosion and sedimentation which negatively affect amphibian and insect larvae for several years and even decades after a high severity fire like the Holiday Farm Fire. Scientific studies have shown that the climate crisis has stressed fish that depend on cold water, such as our native salmon, further threatening their survival.

Restoring the McKenzie River, the source of Eugene's drinking water, and making sure the rebuilding efforts do not harm-- and actually improve-- the riparian areas and waterways are key if we want the river and the life it holds to survive and become more resilient. Debris, toxic ash and sediment from the fire and from rebuilding materials

and activities can impact the water quality for drinking, fish and other wildlife. Many miles of the river have suffered from harmful algae blooms induced by encroachment and runoffs of toxic materials in septic tanks and herbicides, long before the fire added to them.

EWEB's "Pure Water Partners" program is a group of organizations, including the McKenzie Watershed Council, McKenzie River Trust, Cascade Pacific Resource Conservation and Development, Metropolitan Waste Management, Soil and Water Conservation District and others, that "support and reward McKenzie landowners who protect high quality land along the river." Owners may contact EWEB for an assessment of their property and proposed erosion control and replanting with native vegetation. EWEB's Water Quality Supervisor, Karl Morgenstern, says the utility is working with almost 300 landowners impacted by the fire.

*(Recovery, Resilience and Relief, continued on page 2)*

*(Recovery, Resilience and Relief; continued from page 1)*

And the Bonneville Environmental Foundation has provided thousands of native plants for the restoration effort. To help pay for the recovery EWEB has assessed a residential and commercial "Watershed Recovery Fee" based on meter size, effective mid-2021.

Helping to ground the Holiday Farm recovery project, Northwest Youth Corps has been essential in the aftermath cleanup and in constructing measures to control the erosion of toxic sediments. The Corps is a non-profit modeled on the Conservation Civilian Corps that, says its Executive Director Jeff Parker, offers teens an opportunity to "learn, grow and experience success" while assisting in fire recovery, trail building and other hands-on projects.

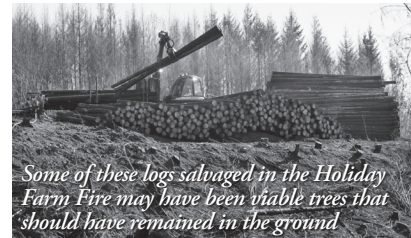
Instead of using commercial wattles—long tubular sediment catchers stretched along the riverbank—made from plastic netting and non-native plants, Corps workers have constructed ones made of jute and native willow twigs and branches—and installed them. They have also set up sediment fences and have been reseeded burned areas with native species. In the process Kris Stenshoel, an EWEB

environmental specialist, has tutored these young workers, already, she says, "environmentally conscious and education driven," about the function and importance of native plants and riparian and watershed ecosystems.

Most would agree they want a healthy river that supports wildlife and provides clean drinking water, but many don't understand the role riparian areas with native trees, shrubs and ground covers play in a river's health. Educating people who live along the river about how to be a partner in a healthy restoration effort is essential, especially as hotter and drier springs and summers increase wildfire intensity and frequency and threaten farms, forests and wildlife. The good news is there are tools, organizations and funding that can help restore the McKenzie and its banks in harmony with the river's needs. Landowners and other interested parties can take advantage of that windfall, restore properties damaged by bad practices, weak regulation and fire and begin to heal the McKenzie River.

**Pam Driscoll and Robert Emmons**

## Getting the Cut Out in the Wake of Catastrophe



### Editor's note:

*Our lead article in this issue extols the virtues of a combined effort by groups and agencies post Holiday Farm Fire to build back better. It also hints at the forces and foibles that threaten to undermine the recovery, not least lax oversight of weak land use regulation and the absence of enforcement. Since the so-called "hazard tree" removal process has accelerated, local landowners and land use watchdogs have reacted with anguish and anger at what they see as a scam by ODOT, BLM, the Forest Service and others, using out of state arborists unfamiliar with Oregon forests to validate the removal of trees in alarming numbers-- including old growth well away from frequently traveled roads-- that are still alive and/or are not hazardous. After months of hearing such concerns the Oregon Office of Emergency Management recently hired a Pacific Northwest-based, independent arborist to review hazard and dead tree assessments. Yet 140,000 trees have been targeted for the mills and Governor Brown has not paused the process for a salutary reassessment. The consequences for the watershed and its inhabitants are profound.*

*Following is a letter to BLM by a perturbed resident calling out the agency's weak and non-existent oversight and suggesting how it can provide more responsible and enlightened management.*



*Hazmat crew working to keep ash and other toxic debris from further fouling the river*

To The BLM,

I am responding to your article in the Register Guard on April 29, 2021 seeking public input on the Holiday Farm Fire salvage harvest within the Harvest Land Basin.

I live on the east side of the Thurston Hills, up in the hills and close to the McKenzie River. Very fortunately, my home escaped the Holiday Farm fire after two weeks of being on an Evacuation notice. I am very concerned about your post-fire logging project and the effect it is having on the whole area.

I urgently request that you stop the post-fire logging project until a full and complete scientific environmental impact statement is done. You stated that dead and dying trees would be harvested. But you do not provide any information or proof that every arborist you've hired to assess which trees are a threat have the five years of post-fire experience in the Pacific Northwest as required by the state of Oregon. Please send me that proof and publish it in the Register Guard before May 11th, so the public can respond with reassurance that trees are being carefully assessed for threat by fully qualified arborists.

What safeguards do you have in place to be sure only those trees that are a threat are removed and how will you account to the public for that?

What are the names of the timber companies being considered for the four to six timber sales over one to three years, as stated in your article? Who will receive the "roughly \$10 million in economic activity?"

You write that the project also "may include road work, retention of live and dead trees, wildfire fuel reduction treatments and reforestation using native tree species." The word "may" is the problem. How do you expect the public to agree with a project that is based on the word "may?" What exactly is the project going to include? Please also reply to me by stating the actual specifics of your project.

I'm concerned that the Bureau of Land Management is intending to log 900 acres, just to meet arbitrary timber targets lingering from the Trump administration. The agency needs to fully inform the public about the devastating impacts of post-fire logging on wildlife and habitats, streams, water quality, and carbon storage and should not move forward with this project until it has completed a full review. Please send me a copy of that document.

In particular, I am concerned that the agency has decided to proceed under the recent Trump Categorical Exclusion for post-fire logging projects under 3,000 acres. This is an environmentally devastating proposal.

I worry that known Northern spotted owl habitat in the forest may be destroyed by extensive post-fire logging. Spotted owls rely on burned forests. And certain insect and bird species are known to live in burned forests almost exclusively. I am also concerned that the impacts of logging will worsen stream conditions for fish and other wildlife in the McKenzie watershed, already vulnerable after the fire.

I would like to see the agency take an active role in America's climate future, by adopting a scientifically-sound, forward-thinking plan in the wake of the Holiday Farm Fire. Burned forests, when left to recover naturally, can act as great carbon sinks. And, if left unmanaged, they will develop into mature and old-growth forest twice as fast as a "salvage-logged" forest, providing wonderful habitat and carbon storage as they grow.

Removing those trees releases their stored carbon into our environment, contributing to the change in our climate.

Please stop this hasty plan and fully evaluate how the Bureau of Land Management could contribute to healthy habitat and climate goals before moving forward with this quota-driven timber strategy.

I look forward to your reply to all of my questions.

**Ronna Lynn Frank**  
Springfield

## S.B. 745: Blue River Recovery or Stimulus for Growth?

At least a decade ago long-time resident and community and environmental activist Jim Baker, prospective developer Chris LaVoie, former Lane County Commissioner Faye Stewart and I met to discuss the prospects for a sanitary district and funding for a wastewater treatment system in Blue River. Nothing came of that effort except an agreement that some sort of community treatment system was necessary to stop the pollution of groundwater and the McKenzie River from failed septs.

Recently, in the aftermath of the Holiday Farm Fire, the State legislature passed SB 745, which permits the establishment of a sanitary district in Blue River by a vote of its residents. A vote in favor will allow the raising of funds for a purification/filtration system that, Baker says, will serve only the community of Blue River from the western boundary of the school to the east entrance.

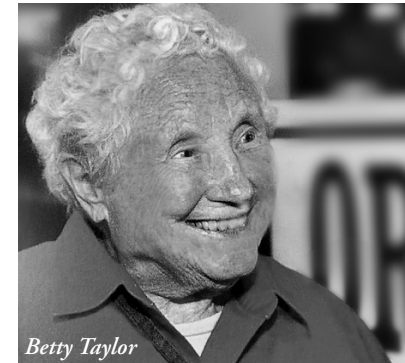
In the event of a favorable vote, Orenco appears to be the likely choice for a sewage system provider. Most of Blue River's core lots are too small for septic drain fields. The Orenco installation would treat effluents in a filtration facility before release into a communal drain field. In addition to rebuilding on residential lots, says Baker, a community wastewater facility would allow other public institutions, such as the library and clinic, and private businesses, such as restaurants, motels and gift shops to rebuild, expand and grow.

The potential installation also allows for speculation. Testimony regarding SB 745 included a resident's caution about a buyer of seven of the burned lots, who presumably is anticipating a considerable increase in their value if a new wastewater treatment system becomes a reality. Baker is concerned, as well, about the large percentage of burned residences that were the low rate rentals of absentee owners, who may choose to rebuild and rent at a rate no longer affordable to former tenants.

Orenco has received high marks for its experienced, environmentally responsible business, and Blue River's groundwater and the McKenzie will surely benefit from a sound sewage system. But unless the facility is limited in its capacity to serving a restricted and enforced number of residences and business—there's been much talk of economic development that will attract tourists—the cure could be worse than the disease.

As noted in the lead article in this issue, beneficial results can come from a coalition of public interest groups, public agencies and individuals whose focus is on recovery rather than redevelopment. Though history and human nature are not encouraging, this time, if watershed health instead of economic development is a priority, perhaps a humbler, gentler phoenix may rise from the ashes.

**Robert Emmons**  
Fall Creek



## Interview with Betty Taylor

*For much of her life Betty Taylor has worked for civil rights (including fair housing), civil liberties, women's rights (including reproductive rights) and political campaigns (including school bonds, school board, mayoral, and presidential candidates). She has served on boards of the League of Women Voters, ACLU, Unitarian Church, Springfield, IL chapter of United World Federalists (including a term as president), Sangamon Conservation Council (founder and president) in Springfield, Illinois and Lord Leebrick Theatre Company in Eugene*

*With a Doctorate in English from University of Oregon, Betty taught in high school in Illinois, community college at LCC and Southwest Oregon Community College (SWOC) and at Oregon State University.*

*She was a Eugene city councilor for 24 years, while also serving on boards of McKenzie Watershed Council, Human Services Commission and Lane Regional Air Protection Agency.*

**LW:** *In your many years on the Eugene City Council you proved yourself a strong and reliable voice for environmental protection and social justice. Was there a seminal event, epiphany or evolving consciousness that may account for your awareness and orientation?*

**BT:** I think that my attendance at a World Population Conference in

Chicago in June, 1970 made me aware of the limits of expansion and consumption, thus the need to protect the environment.

**LW:** *You have a Doctorate in English and taught for many years. How important has your education been in founding and framing your environmental and social perspectives? In that regard how would you define "education"?*

**BT:** My study of literature (and philosophy) and my students' reactions to literature and to each other have made me more aware of social issues. I learned a lot from teenagers. My definition of education? That is a big question. Certainly it is more than formal schooling—living, reading, traveling, trying and failing, trying and succeeding, listening and watching. I remember a student who said, "You can learn from a bad teacher". With an open mind, everything is educational. My father did not finish high school, but he read all the time, and he was interested in all kinds of people. I think he was better educated than many people with degrees.

**LW:** *During your time as a city councilor, you encountered issues of densification, affordable housing, urban growth boundary expansions and other symptoms and consequences of growth. Can growth be accommodated?*

**BT:** Our biggest problem is growth in population. It is a problem which exacerbates all other significant problems. The city can accommodate some growth by focusing on multi-unit housing in the core area, but we need to limit growth to protect the quality of life for current residents. Most of us know about watersheds, but many are not aware of the need to protect the airshed.

**LW:** *As you know, LandWatch works to protect farms, forests, natural areas and open space outside urban growth boundaries. Many, including those who consider themselves liberal or progressive,*

*have argued that to protect rural land we must increase urban density. How's that working out?*

**BT:** Unfortunately, city staff are working to comply with House Bill 2001, which will create density in the wrong places, as well as lead to the destruction of affordable housing and the creation of more impervious surfaces and reduction of solar access.

**LW:** *From your experience as a city official and as a long-time Eugene resident, how effective do you think Oregon's land use program has been in meeting its rural land protection objectives? In curbing climate change?*

**BT:** Oregon was successful in implementing land use law while the rest of the country was destroying natural resources. In recent years the people who want to profit from destruction, with no Governor McCall and few strong environmental groups, have been successful in some of their endeavors, in spite of the valiant efforts of LandWatch.

**LW:** *What do you think of the City of Eugene's latest initiative to curb global warming?*

**BT:** The city has admirable goals, but not enough action. So far we have not banned the expansion of natural gas infrastructure, have not required inspection of automobile exhaust systems, have not even banned leaf blowers.

**LW:** *In your opinion what is the root cause of global warming and environmental degradation? Will what we do in Eugene, in Lane County, in Oregon, in the U.S. and worldwide be too little, too late to avoid total systems collapse?*

**BT:** The root cause is overpopulation, accompanied by refusal to act until the consequences of inaction become impossible to ignore.



Blue River in 1966. A reborn Blue River will require a new community sewage treatment system.



Lauri Segel

## Lane County Forestland Dwelling Approvals Most of any Oregon County

County development decisions statewide must be reported to the Department of Land Conservation and Development (DLCD), and its commission (LCDC) has to submit a report every two years to the Legislature “analyzing applications approved and denied” for certain land uses in exclusive farm use (EFU) and forest zones and “such other matters pertaining to protection of agricultural or forest land as the commission deems appropriate.” Zone changes, Measure 49 (M49) approvals, and Urban Growth Boundary expansions are reported separately. The focus here is on forestland data in the 2018-2019 report, which demonstrate why so much of our work concerns forestland dwellings.

Readers of my previous articles will recall that Lane County has a prolific history of dwelling approvals on forestland. LandWatch began reviewing

and challenging these “template dwelling” decisions in the early 2000s. However, our concern grew in 2013-2014 when we realized that the Planning Director reviews were merely summaries of “findings of fact” provided by the applicants.

Not only has Lane County approved 1,378 dwellings on forestland between 1994 and 2019, most of those approvals have been on substandard sized parcels.

For 2018, the DLCD report shows Lane County (LC) approved 25 dwellings, with the closest number of approvals, 22, in Coos and Washington counties. In 2019, LC again reported the highest number of total dwelling approvals, 58, with the closest number of approvals being 25 in Jackson County. For the two-year period, 2018-2019, LC approved 18% of all dwellings approved on forestland in Oregon.

With regard to dwelling types, LC led the field in 2018 and 2019 in both replacement dwellings (8 approvals in 2018, tied with Coos County, 14 approvals in 2019) and template dwellings (16 approvals in 2018, 42 approvals in 2019.) In 2019, the statewide total for template dwelling approvals was 137, so that LC approvals accounted for 31% statewide.

For the 2019 reporting period, LC also had the highest number of template dwelling approvals on substandard sized parcels statewide: Ten on parcels with 0-5 acres, sixteen on parcels with 6-10 acres, nine on parcels with 11-20 acres, seven on parcels with 21-40 acres, none on parcels with 41-79

acres, and one on parcels with 80+ acres. 80 acres is the minimum parcel size in Lane County’s F2 Impacted forest) zone, but the county has no minimum size for development purposes.

It is worth noting that for all “nonresidential use approvals” reported statewide in 2019, the only category where LC had the most approvals was “communication facilities,” i.e., cell towers.

The 1994-2019 aggregated dwelling approval data reveal that LC had 14.8% of all approvals statewide. The next highest percentage of dwelling approvals during this time period was 10.6% in Clackamas county. Every template approval in Lane County’s forested areas replaces trees and other vegetation with dwellings, driveways, utilities and other imports that increase the risk of fire and the number of properties, often on steep terrain, that must be insured and protected from it.

Fortunately, thanks to the astute work of Mckenzie Bowerman and 1000 Friends attorney Andrew Mulkey, in January of 2020 a revision to the 1993 template dwelling statute adopted by the state legislature in 2019 went into effect. The impact of the new law has not yet been reflected in reporting data; however, the new provisions should result in fewer template dwelling approvals for Lane County developers.

**Lauri Segel**

## In Memoriam: Jerome Garger and John Sundquist

In May and now July, in the midst of a prolonged drought and some of the hottest days in Oregon’s recorded history, two strong voices for conservation and environmental and social justice have been silenced by death. Both were teachers by nature, by word and by example.

Jerome taught writing and literature in St Louis and Salt Lake and, from 1971 until his retirement in 1998, at Lane Community College in Eugene. In 1989 he introduced a new class at Lane called, “Trends in Peace,” that covered such issues as poverty, racism and environmental destruction. His thoughtful, passionate and articulate letters on those and other concerns appeared over many years in the Register Guard and other publications.

John was a persistent, outspoken opponent of the use of herbicides. For years he made his voice heard on Lane County’s Vegetation Management Advisory Committee and was instrumental in achieving a ban on the spraying of herbicides along the county’s roadsides. He was a frequent contributor of letters to the editor and op-eds eschewing the use of pesticides, the advantages of working in and with the earth instead of against it and of producing and consuming less.

John was a hands-on guy and passed on his knowledge and experience of organic farming and the importance of microbes to the health of the soil by teaching his insights and methods to classes of young students who came to his Rivers Turn Farm north of Coburg for many years. (See our interview with him in the Winter 2012 edition of the LandWatch newsletter at [landwatch.net](http://landwatch.net).) His farm also served as a working classroom for those who lived on it as interns.

John’s personal legacy as a conscientious organic farming practitioner and teacher is assured. And in 2017 he and his wife, Marsha, ensured the perpetual protection of their 32 acre farm/classroom by taking out a conservation easement with Northwest Land Conservation Trust. To be their successor, John and Marsha established “Parker Learning Gardens” in 2019 as a non-profit dedicated to “reconnecting children to the world of plants.” They saw what they in part could offer as a remedy for “nature deficit disorder.”

To stop that pandemic, far more dangerous and deadly than Covid-19, we could all use a return to the outdoor classroom.

**Robert Emmons**