

# Revenge Forestry

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## **A flare-up in the Elliott Forest raises questions about détente in Oregon's timber wars.**

When the Eugene-based timber company Seneca Jones made a \$1.8 million bid on land in southern Oregon's Elliott State Forest ([http://www.oregon.gov/odf/pages/state\\_forests/elliott.aspx](http://www.oregon.gov/odf/pages/state_forests/elliott.aspx)) earlier this year, it wasn't a business decision; it was personal. The 788-acre parcel (along with two other parcels in the

Elliott) had been put up for auction at the end of 2013.

Just before bidding was scheduled to end, the environmental group Cascadia Forest Defenders (<http://www.forestdefensenow.com>) sent a letter to Seneca Jones and other Oregon timber companies.

"Do not bid on this land," it read in part. "If you become the owner of the Elliott, you will have activists up your trees and lawsuits on your desk. We will be at your office and in your mills."

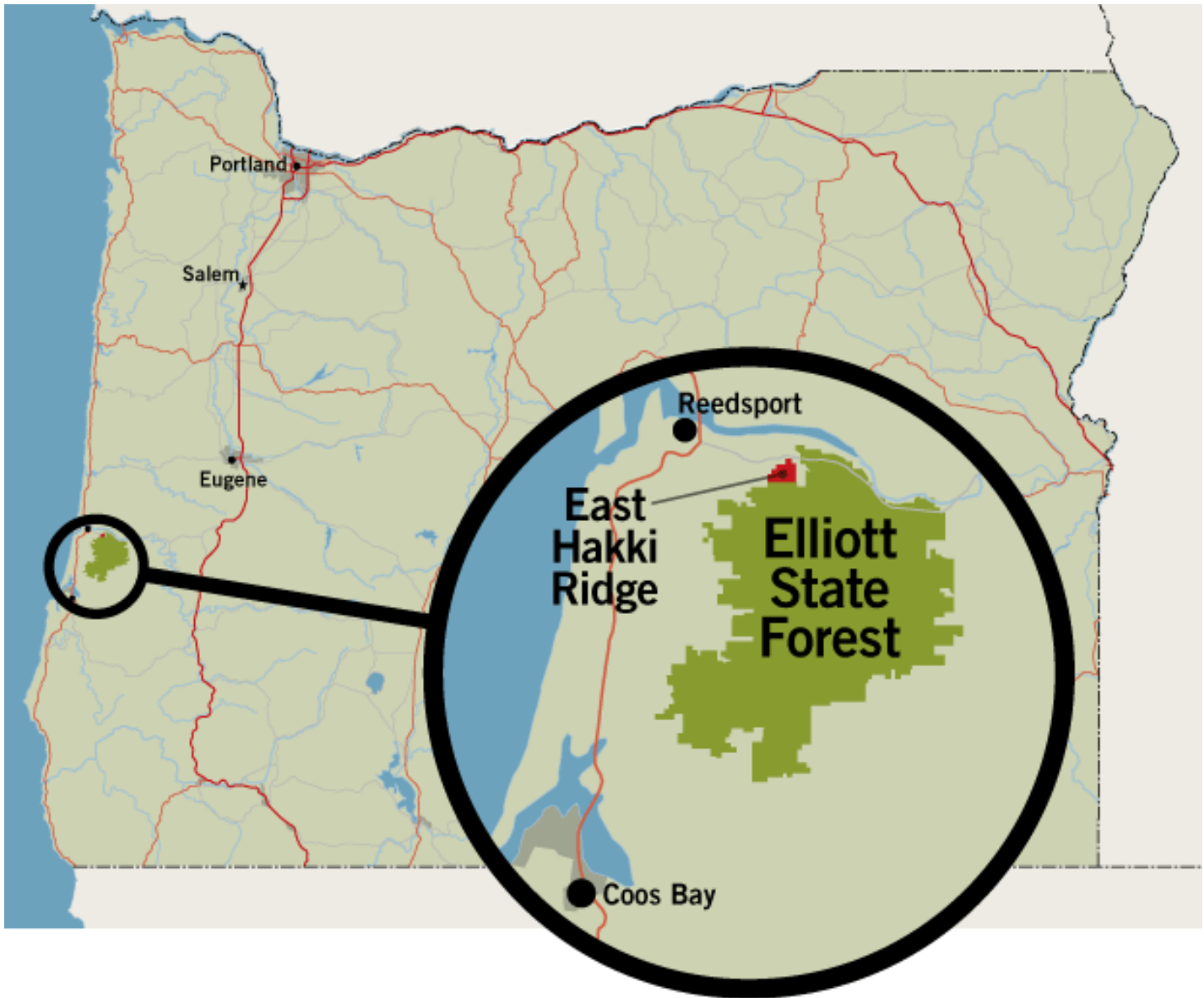
Kathy Jones, who co-owns Seneca Jones with her two sisters, was furious. Months later, her voice still quivers as she talks about the affront. "You are not going to threaten the very fabric and culture of this state," she says. "No. No. Seneca will never accept that kind of threat."



Photo: Adam Wickham

The company bid on the land and won. Jones called Cascadia Forest Defenders' threats "cowardly" in *The Oregonian*, and told Oregon Public Broadcasting "if . . . we maintain [the land] as we do all of our private timberlands, we will be clear-cutting and replanting Douglas fir." Within months, environmentalists were locking themselves to equipment at Seneca Jones' biomass plant in protest.

If you want the story of Oregon timber, drive Oregon Route 38 to the Elliott State Forest. Branching off from Interstate 5 south of Eugene, the road runs alongside forest logged in the telltale checkerboard pattern of "O&C" lands (named after the Oregon & California Railroad that once owned them).



Logging receipts from these tracts once provided 18 western Oregon counties revenue for law enforcement and other services, until environmental concerns caused harvesting to be largely halted in the 1990s.

Timber-dependent communities such as Drain, (<http://www.drainoregon.org>) which the highway passes through before crossing Hardscrabble Creek, saw their economies cut to a stump. Some — like Elkton, farther down 38 — have managed to reinvent themselves as tourist destinations, trading big rigs for B&Bs and lumberyards for vineyards. But many ex-timber towns remain mired in economic depression and civic stagnation, and resentment toward environmental groups in these places is widespread.





Not long before reaching its terminus in Reedsport, (<http://www.cityofreedsport.org>) Route 38 arrives at the Elliott. These approximately 93,000 acres of forestland extend south from the Umpqua River over dramatically mountainous terrain, rising and falling across miles of fir-blanketed ridges and salmon-bearing streams. It's a forest with a history as old as Oregon's. Upon the state's admission to the Union in 1859, the federal government granted it pieces of land scattered throughout the state, on the condition that they be used to generate revenue for schools.

In 1930 Oregon's first state forester, Francis Elliott, ([http://www.oregon.gov/dsl/LW/docs/elliott\\_one\\_pager.pdf](http://www.oregon.gov/dsl/LW/docs/elliott_one_pager.pdf)) used land exchanges to create a more manageable block of these so-called Common School Fund trust lands; (<http://www.oregon.gov/dsl/DO/Pages/aboutcsf.aspx>) the new tract was named after him. Roughly half the Elliott was logged in the decades that followed, with timber profits going toward K-12 education statewide.

Environmentalists didn't pay much attention to state forestlands such as the Elliott until after the Northwest Forest Plan was implemented in 1994, sharply curtailing clear-cutting on federal land in Oregon. Heads swiveled, however, when in 2011 the State Land Board ([http://www.oregon.gov/dsl/DO/Pages/about\\_us.aspx](http://www.oregon.gov/dsl/DO/Pages/about_us.aspx))— currently made up of Governor John Kitzhaber, Secretary of State Kate Brown and State Treasurer Ted Wheeler — voted to increase the annual timber harvest from the Elliott by 60%.

The state forest is home to numerous federally protected endangered species, most notably the marbled murrelet, an obscure seabird that nests in coastal mature forest. Arguing that upping logging so much would result in the destruction of marbled murrelet habitat, a trio of environmental organizations —

Cascadia Wildlands, the Center for Biological Diversity and the [Audubon Society of Portland \(http://audubonportland.org\)](http://audubonportland.org) — sued. After years in court, the state canceled dozens of timber sales.

The problem was that the State Land Board is constitutionally obligated to maximize revenue from Common School Fund trust lands, and last year, with harvesting more or less on hold, the fund actually lost \$3 million. Pleading fiduciary responsibility, the board put three parcels of land in the Elliott up for sale.

Thus the latest clash in the fight over Oregon's forests was sparked. As clashes go, the conflict over the Elliott is relatively obscure, centering on a little-known forest and a wonky school-funding issue. But beyond the arcana is a story that spotlights a major Oregon timber player's entry into the political arena and raises doubts about the alleged détente in the state's timber wars.

The discourse around natural resources in Oregon seemed to become less antagonistic after the '90s; collaboration and compromise were the watchwords, or at least the buzzwords, of tree hewers and tree huggers both. But the Elliott flare-up throws into question whether one of the state's deepest divides ever really narrowed.

"I don't think the conversation [about forest resources] has changed substantially; I think the rhetoric has," says Jimmy Kagan, with the independent, state university system–affiliated [Institute for Natural Resources \(http://oregonstate.edu/inr/\)](http://oregonstate.edu/inr/). "The fact is that there is no trust, and that lack of trust makes addressing any issue problematic."

With 450 workers and a yearly yield of 575 million board feet, Seneca Jones is one of Oregon's largest independent timber companies. Until recently, it was best known as a milling innovator, pioneering the use of laser scanners and razor-thin saws in processing logs.

But since founder Aaron Jones — who died in September — [bequeathed the timber empire to his three daughters in 2012, Seneca has gained notoriety as a visible, vocal political player in a typically publicity-shy industry. The Seneca sisters' provocative purchase of Elliott forestland is their boldest move yet, securing their positions as standard bearers of Oregon's anti-environmental movement.](http://registerguard.com/rg/news/local/32195231-75/lumberman-aaron-jones-dies-at-92.html.csp)

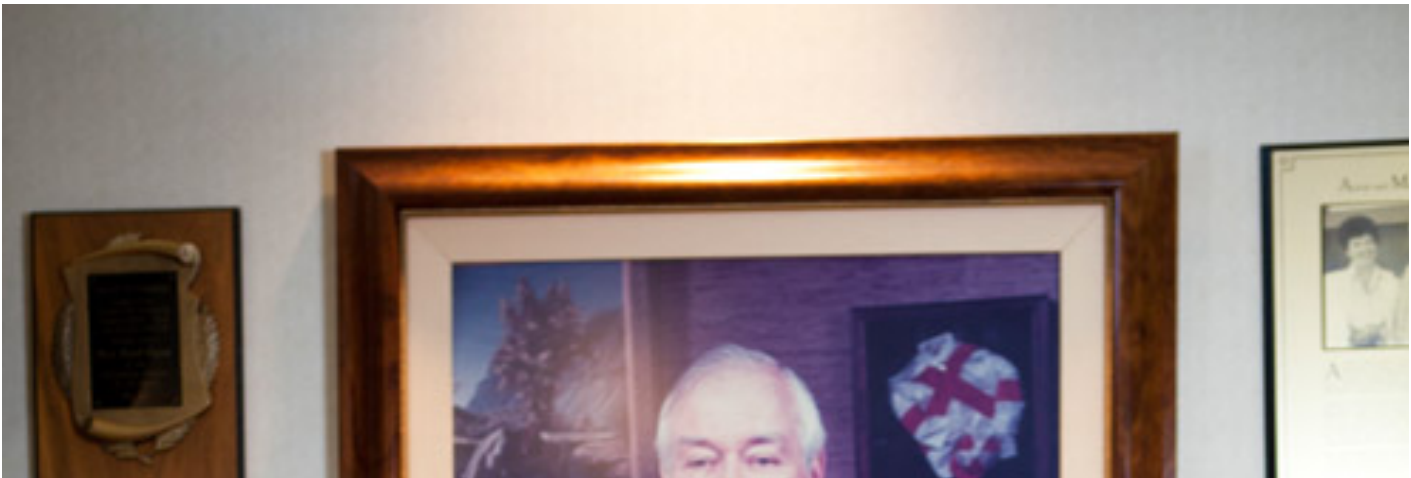
"They have chosen to speak out when they've been threatened," says Bob Ragon, executive director of the Southwest Oregon trade association [Douglas Timber Operators \(http://www.dougstimmer.org\)](http://www.dougstimmer.org) (of which Seneca Jones is a member). "It's a little unusual, but to some of my members it's good news."

Sitting in the office that used to belong to her father, surrounded by his hunting trophies and family photos, Kathy Jones explains that it was never the plan for her and her sisters to inherit Seneca.



Photo: Adam Wickham

"Dad had that patriarchal kind of Texan mentality that you put women on a pedestal and you take care of them," says the lanky 62-year-old, who has dark hair that hangs to below her shoulders. She and her sisters, Becky and Jody, spent their childhoods playing hide-and-seek and riding horses on the family's 20-acre property outside Eugene. Though the three of them grew up around the mill — Jones laughingly remembers games of tag around heavy machinery — their father, she says, "didn't really see his daughters as strong business leaders."







Regardless, an advancing case of Alzheimer's forced the patriarch to entrust the company to the "Seneca Girls." Jones — who by then had a real estate career, four kids and a home in California — notes that she and her sisters didn't need to play an active role in overseeing Seneca. "You can take your money and

head to the Bahamas," she says. "The mills are not going to quit running." But for her, the "studious, political" one of the triumvirate, returning to Oregon was inexorable.

"The issues with the environmentalists in this state are so horrific, it's like a baby off down a dark hallway, crying," she says. "I said, 'I have to go see what's wrong with that baby.'"

Since taking the helm of the company, Jones and her sisters have steered it firmly into the political realm, vociferously opposing environmental interests and elected officials they see as sympathetic to the cause. This election season, the Seneca Girls paid \$200,000 for billboards attacking Kitzhaber, whom Jones accuses of letting environmentalists "run amok." She is speaking for many Oregonians, she claims.

"When we bought the Elliott land and it was in the press," Jones says, "you can't imagine the response we got from Oregonians, saying, 'Thank you, thank you, thank you for standing up against the environmentalists, and standing up for the people who feel like they have no voice.'"

Most timber companies have thrown up their hands when it comes to trying forestry issues in the court of public opinion, says Douglas Timber Operators' Ragon. "How can you possibly win a debate when they're basically working from less-than-credible information?" But Ragon believes the industry still likely represents a silent majority in Oregon. "The positions that [environmentalists] have taken have been very harmful to the counties and to employment," he says.

Indeed, it's forest-sector workers, not environmentalists, who are the true stewards of the state's forests, Jones believes. "Me and my sisters and everybody else I know who works in the timber industry are heartfelt, solution-seeking people with environmental concerns," she says. "We're out there on the land, involved in these places. The radical environmentalists are like a bunch of spoiled kids with no parents at home."







The parcel of Elliott forestland Seneca bought, East Hakki Ridge, is located in the forest's northwest corner, not far from the ocean. Looking down from East Hakki's main road toward its namesake creek, alders give way to Douglas firs, western hemlocks and Sitka spruce. On the perimeter of the parcel, bright orange signs are posted: "Private Property."

In fact, the East Hakki sale is still tied up in court; the same three environmental groups that previously sued over the Elliott have contested the parcel's disposal under a statute that prohibits selling state land that was once part of the National Forest System. A Lane County judge has heard arguments in the case and could rule at any time. Though marbled-murrelet activity has been detected in East Hakki, Jones says that if the judge decides in Seneca's favor, the company will consider logging the parcel's mature stands.

"We're a sawmill, so we believe in utilizing natural resources," she says. "As far as I'm concerned, Douglas firs are a tree that was created for doing exactly what we do with them: making lumber. They're straight as a board; they've only got branches in the top quarter of their height; they're a soft wood but a strong wood; and they grow like weeds. And they're what we've got here in Oregon."

The conservationists' suit over East Hakki is arguably based on a technicality, but the groups are more than willing to wield that fine point of law to stop clear-cutting of mature forest in the Elliott.



“Once lands become private, there is little that can be done to enforce the Endangered Species Act,” explains Josh Laughlin, campaign director for the Eugene-headquartered environmental group Cascadia Wildlands. “You could sit on this land for 10 or 20 years and then, when things quiet down or new administrations come, try and log it.”

Driving along the Elliott’s logging roads in Laughlin’s Subaru, the environmental costs of timber harvesting are apparent. Because the forest has been utilized almost exclusively for logging, there are no hiking trails or other facilities here, and as a result, many Oregonians don’t even know these thousands of acres of public land exist. The only other people to be seen on this early-fall afternoon are state workers and a crew from the [Coos Watershed Association \(http://www.cooswatershed.org\)](http://www.cooswatershed.org).

Piecemeal logging over the course of decades has created a crazy patchwork of forest types. There are mature, never-before-cut stands distinguished by towering Doug firs and ecologically rich understories. (The vast majority of the forest that would become the Elliott burned in 1868, so while there are scattered remnants of old growth here, these stands are technically second growth.) There are also previously harvested patches turned tree plantations, marked by younger trees of uniform height.







Then there are clear-cuts. At Umpcoos Ridge, logged a few years ago, turkey vultures wheel over denuded hillsides sloping steeply down to Footlog Creek. Laughlin points out where the lack of vegetation has caused topsoil to flow into the creek, sullyng endangered-salmon habitat downstream. On a logging



landing perched on the ridge's edge, the bearded, bespectacled 39-year-old clammers atop a stump used as an anchor and tries to count the rings. He gives up; there are too many.

The species at the center of the Elliott debate, the marbled murrelet, (<http://www.oregon.gov/dsl/LW/Pages/Elliott-State-Forest-Alternatives-Project.aspx>) is not on view this afternoon. Since it only flies into the forest at dawn, during summer — and even then at blurry speeds of 60 miles per hour or more — the murrelet is rarely spotted by humans. It's not the most relatable poster child for endangered-species protection in the Northwest, but it does allow conservation groups to harness the powerful Endangered Species Act in preventing logging of older forests. And with the Elliott, says Laughlin, that's the end goal.

"The struggle over the Elliott isn't about the marbled murrelet," he says. "It's about all the values the forest offers Oregonians: clean water, pure air, carbon storage to mitigate climate change, recreation potential. This is a place the public should be able to enjoy, rather than an ongoing old-growth-forest sacrifice zone."

Beset by environmental litigation, the state earlier this year launched the Elliott State Forest Alternatives Project, a public-input process seeking a way forward for the forest. The State Land Board must (<http://www.oregon.gov/dsl/LW/Pages/Elliott-State-Forest-Alternatives-Project.aspx>) somehow forge a path traversing the forest's multiple, competing uses: murrelet home, school money-maker, timber farm, future outdoor playground.

"We have a piece of land here that has very high conservation values on it, yet has this very strong fiduciary duty to generate revenue for schools," says Jim Paul, assistant director of the Oregon Department of State Lands. "We want to find a longer-term solution where we're not continually having to wrestle with these two issues."

A decision is expected sometime during the 2015 legislative session. Meanwhile, a coalition that includes Cascadia Wildlands is lobbying for the state to purchase the Common School Fund's financial interest in the Elliott and transfer ownership of the forest to the Oregon Parks and Recreation Department, paying down debt from the buy-out via thinning in the forest's previously logged stands. "Then we wouldn't have this perverse arrangement of clear-cutting priceless mature and old-growth forest to fund children's educations," Laughlin says.

Jones doesn't know much about the Alternatives Project. For her, the Elliott dispute is merely a proxy war in a larger conflict. On one side are folks who get that Oregon's natural beauty is also its natural bounty; on the other, according to Jones, are people who view the state's wilderness as a kind of living museum exhibit. "What they believe is that man should be separated from the land, like zoo animals in cages," Jones says. "They don't want solutions, and they don't want balance. They just want to stop all use of the land."

Cascadia Wildlands' support for some logging in the Elliott shows that's not true. But when it comes to mature and old-growth forest — in the Elliott and beyond — Laughlin says Oregon environmentalists want hands off. "The climate crisis is worsening; the extinction crisis is heightening; and with a growing population, there's a reason to protect more land for recreational opportunities, and clean water, and pure air," he says. "We're still in the trenches."

Two decades after the Northwest Forest Plan was put in place, making the spotted owl an Oregon household name, citizens of this verdant state still can't agree on a fundamental question: What is the forest for? The controversy echoes far beyond the Elliott or Salem. In the halls of the U.S. Capitol,

members of Congress are debating the fate of the O&C lands after Senator Ron Wyden ([http://www.oregonlive.com/mapes/index.ssf/2014/08/ron\\_wydens\\_highway\\_and\\_oc\\_bill.html](http://www.oregonlive.com/mapes/index.ssf/2014/08/ron_wydens_highway_and_oc_bill.html)) and Representatives Peter DeFazio, Greg Walden and Kurt Schrader put forth dueling visions for the tracts.

At stake is an Oregon industry that, according to a 2012 report from the industry-tied Oregon Forest Resources Institute, employs 76,000 people and makes up 6.8% of the state's economic base, as well as invaluable natural areas that preserve biodiversity and prevent climate change.

The Elliott issue may seem wonky — and it is. But as it pushes one of Oregon's biggest timber companies into the political ring and incites environmentalists to civil disobedience, the forest offers a forecast: In this long-running, quintessentially Oregonian debate, "Kumbaya" may yet be a long way off.

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