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# Elliott State Forest

- [Click here to read about the 2009 lawsuit impacting the Elliott.](#) New threats to owl prompt lawsuit.
- [Click here to see more pictures of the Elliott \(off site\).](#)
- [Click here to read about annual timber sales](#)

**The Elliott State Forest is located in the south central Oregon Coast Range, near Reedsport and Coos Bay.** The Oregon Department of Forestry manages this 93,564 acre contiguous block of state lands within 6 to 24 miles of the ocean.

The Elliott State Forest is **Oregon's state forest with the oldest trees and best endangered species habitat.** Over half of the Elliott is never-before-logged mature forests that grew back from a settlers fire in 1868.

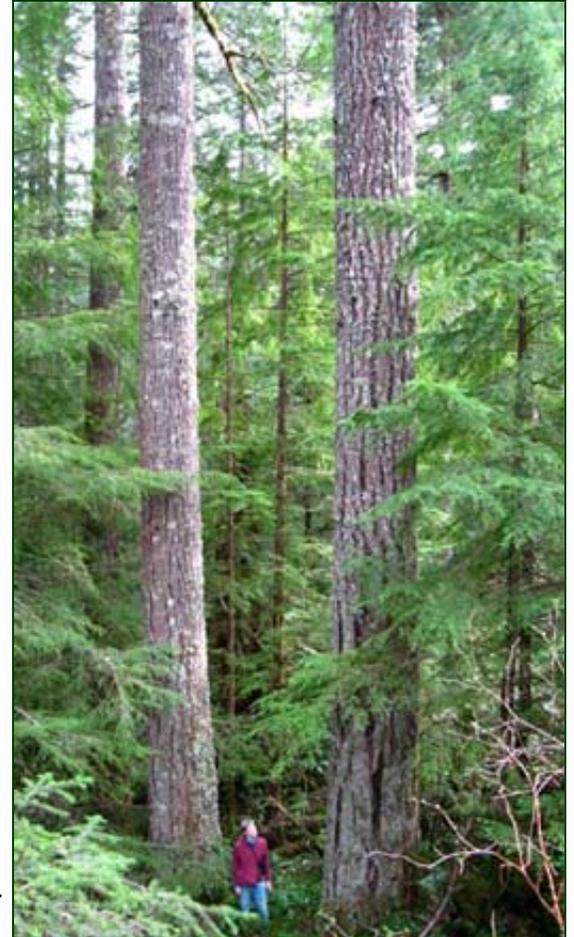
In 1995 the Elliott received a 50-year Northern Spotted Owl 'incidental take permit' (ITP) and a 6-year marbled murrelet ITP (expired in 2001). The ODF is currently working to update the 1995 Habitat Conservation Plan (HCP) with a new HCP in 2009. The draft was published October 2008 and the Final is expected Summer 2009.

The old, mature forests on the Elliott State Forest are home to numerous rare and threatened wildlife species, including the [marbled murrelet](#), the [northern spotted owl](#), and several species of [salmon](#).

## The Habitat Conservation Plan (HCP)

This is a plan to save threatened and endangered species on the Elliott. This is accomplished by giving the Oregon Department of Forestry (ODF) permission to kill some endangered birds and fish (called an Incidental Take Permit), if they save habitat to protect other endangered birds and fish. The 1995 HCP will be revised by the 2009 HCP.

The current, 1995 HCP for the Elliott State Forest, approved in 1995, is supposed to last 60 years. It allows ODF to take (kill) 43 northern spotted owls over a 60-year period if habitat for a remaining 26 owls is



protected. This allows clearcutting and herbicide spraying on about 500 acres per year of mature, older forests. The proposed new HCP would increase logging significantly, by about 40%.

For more information on the Habitat Conservation Plan (HCP), accompanied by a new Forest Management Plan (FMP), download our comments here:

[1st Habitat Conservation Plan and Forest Management Plan comments](#), October 2002.

[HCP scoping comments for Draft Environmental Impact Statement \(DEIS\)](#), June, 2005.

[Draft Forest Management Plan and Implementation Plan comments](#), October 2005.

[2nd Habitat Conservation Plan scoping comments](#), January 2007.

[New HCP Draft EIS comments](#), November, 2008.

If the new draft HCP is implemented, as currently written by ODF:

\* The average annual timber harvest volume on the Elliott, mostly from the mature forests that attract the murrelet, would increase 75% relative to the current Elliott Forest Plan. It would be “increased from an average volume of 22.67 MMBF/yr under Alternative 1 [no-action, or the current Plan] to 39.78 MMBF/yr under Alternative 2”, the ODF preferred alternative.<sup>1</sup>

\* The “average annual clear cut acreage would increase 60% relative to Alternative 1”, the current Plan.<sup>2</sup> “Alternative 2 would provide a reduced level of advanced structure habitat and a smaller proportion of that habitat would be in older age classes.”<sup>3</sup>

\* Under the new HCP, it is even proposed to clearcut existing known murrelet sites. Ten recently discovered sites, “which would still be considered occupied under Pacific Seabird Group protocol, would be eligible for harvest under the Alternative 2.”<sup>4</sup> These are all murrelet sites discovered since 2004.

\* “Alternative 2 would provide less protection of murrelet nesting habitat outside of CAs [Conservation Areas]. No surveys other than monitoring surveys would be conducted after 2004. No habitat found to be occupied after 2004 would be protected from harvest unless that habitat occurs within a CA. A minimum of 4,000 and a maximum of 6,800 acres of the 10,000 acres of unsurveyed suitable Mapped Murrelet Habitat outside CAs would be harvested during the 50-permit term.”<sup>5</sup>

\* Timber harvest would produce, on average, 43% more timber volume per year than Alternative 1 (On average, 22.67 MMBF/yr under Alternative 1 compared to 39.78 MMBF/year under Alternative 2)”<sup>6</sup>

\* The ODF preferred alternative would implement a drastic reduction in older forests. Over a 50-year period the Elliott would lose 10,119 more acres of 100+-year-old forests, than what the current plan loses. Relative to existing conditions, there would be a net loss of 11,654.8 acres of 100+-year-old stands over the next 50 years.<sup>7</sup>

The proposed new HCP spawned a proposed new Elliott State Forest Management Plan. In part, **the peer review of the new FMP** by Eric Forsman, Research Wildlife Biologist, reads:

“I question whether it is possible to “maximize” revenue to the Common School Fund and also manage forests to maintain healthy populations of species like Red Tree Voles, Murrelets, Spotted Owls and salmon. It sounds too good to be true, kind of like having our cake and eating it too. My guess is that you will have two reactions to this plan. People who want to believe that

management can solve all ills will really like the plan, whereas those like me will wish you luck, but will continue to have serious reservations about whether you can simultaneously maximize revenue while at the same time maintaining healthy populations of native plants and animals.”<sup>8</sup>

There was virtually no positive peer review from a wildlife biologist on the new plan.

## Northern Spotted Owls

About 25 Northern Spotted Owls (11 pairs) live on the Elliott State Forest,<sup>9</sup> far more per acre than any other Oregon state forest. However, their numbers have declined rapidly from recent surveys. Between 1993 and 1998 the total number of NSO territories decreased by 48%, the number of pair sites decreased by 54%<sup>10</sup> and density of owls declined by 57%.<sup>11</sup> Research warns that on the Elliott “the declining adult survival rates are of concern, and these rates must stabilize over time for the population to be stationary... the declining trend in density and adult survival are cause for concern....<sup>12</sup>



In the 1995 HCP, the state of Oregon promised that habitat for 26 Northern Spotted Owls will be protected through 2055. Breaking that promise violates the law and public trust in the Elliott’s HCP process.

Some spotted owls on the Elliott have recently been pushed out of their core areas by barred owls, a new, invasive species in the Northwest. The latest spotted owl study (2003) on the Elliott found increasing barred owl numbers. For the first time in the public record, barred owls were found in the Elliott, at eight spotted owl sites. Half of those sites no longer have spotted owls.<sup>13</sup> It can be assumed that in the future, the shuffle of barred and spotted owls will continue around the Elliott. This could become shell game: a barred owl moving into a core area (HCP reserve), pushing the spotted owl out into mature forests that could be clearcut.

Because of the Barred Owl information, the 1995 HCP should have been reconsidered. [Click here](#) to see what we are doing about it.

## Fish

The Elliott also provides a home for salmon in the Umpqua, Coos, and 10-mile Lakes watershed. Ten sensitive fish species are present, or likely present in the Elliott.<sup>14</sup>

Species include:

**Coho Salmon**, three populations: Lakes, Umpqua, and Coos.

**Chinook Salmon**, Oregon Coast Evolutionary Significant Unit (ESU).

**Chum Salmon**, Pacific Coast ESU. The Coos Bay chum population is thought to be the southernmost viable chum population on the Oregon Coast.

**Steelhead Trout**, Oregon Coast ESU. Designated as a candidate species.

**Coastal Cutthroat Trout**, Oregon Coast ESU, a candidate species. Population includes resident, adfluvial and anadromous populations.

**Umpqua Chub** (Suspected, but not confirmed on the Elliott).

**Pacific Lamprey**. Designated as "Sensitive-vulnerable" by ODFW in 1993. About 11 Lamprey Redds per mile were incidentally observed on the Elliott during a 2004 Steelhead survey.

**Western Brook Lamprey**. Presence on the Elliott is confirmed, but distribution and abundance unknown.

**River Lamprey**. Presence on the Elliott is possible. Studies to document the presence in the Elliott have not been conducted.

**Millicoma Longnose Dace**. Listed by Oregon as sensitive. Occurs in the west fork of the Millicoma River.



The current HCP does not protect any species of salmon, even though salmonoids were listed to be protected under the Endangered Species Act on the Elliott since 1996 (currently coastal coho salmon need ESA protection). In the new HCP, the ODF will offer fish a 100-foot buffer on fish-bearing streams, but no buffers on small headwater streams.

ODF will also continue to clearcut on some of the most landslide prone, unstable soils in Oregon. Every year, many of the sales are on "high landslide hazard locations" where it is "very likely that a landslide...would enter a channel" and a "high probability" that it would "continue traveling as a channelized debris flow" and "would likely deliver to reaches of suspected fish-bearing streams below." If there were a human house under some of these sales, instead of a salmon stream, it would be illegal to log it.

Herbicide spraying is routine on the Elliott. Because clearcutting causes more brush to grow, Douglas fir plantations are aerially sprayed with highly toxic poisons that kill all broadleaf plants. About 400 acres are sprayed a year. A few of the ways herbicides that leach into streams weaken endangered coho salmon is by mimicking estrogen, impairing swimming performance, and interfering with salmon's unique adaptation from fresh to sea water.



## Marbled Murrelet

The Elliott is an important sea-side home for marbled murrelets, an endangered seabird that depend on mature coastal forests for nesting. Currently, there is no Incidental Take Permit for murrelets, so proposed timber sales must be surveyed for the presence of nesting birds. If found, the sale is cancelled. This is the main reason why a new HCP is being proposed. In spite of it's name, the "Conservation Plan", is a plan to allow murrelets to be "taken" (nest trees can be cut so reproduction doesn't hamper logging). The Oregon Department of Forestry found:

“As it turns out, the Elliott is a murrelet-rich environment and murrelets are found even on about 25 percent of timber sales proposed in “poor” murrelet habitat.... Under the Elliott’s current “take-avoidance” strategy for murrelets, as more and more timber in “poor” murrelet habitat is reserved in MMMAs, the search for salable timber will move successively into “medium” and “good” murrelet habitat.”<sup>15</sup>

The 1997 Marbled Murrelet Recovery Plan says: “Maintenance of suitable and occupied marbled murrelet nesting habitat in the Elliott State Forest... is an essential component for the stabilization and recovery of the marbled murrelet.”<sup>16</sup> “Essential nesting habitats that occur on forest lands under non-Federal management include...the Elliott State Forest.”<sup>17</sup>

In spite of the Elliott containing some of the best Murrelet habitat on the Central Oregon coast, it was not proposed for “critical habitat” because of the proposed new HCP.<sup>18</sup>

The new HCP will allow 1,000 acres of some of the best murrelet habitat to be logged each decade, and any murrelet nest found since 2004 will no longer be given any protection. Yes, and this is called a Habitat Conservation Plan.



## Recreation

The Elliott State Forest borders Loon Lake, a popular recreation area. It is also very close to, and between, the BLM Dean Creek Elk Management Area, and the Golden and Silver Falls State park, positioning the Elliott in one of the best coastal recreational areas.

The West Fork of the Millicoma River flows through the Elliott, bordered by some of the oldest and most beautiful forests on the Oregon Coast. Numerous dispersed camp spots are available along the river. The Elliott provides the very best Roosevelt Elk hunting on public lands in Oregon. Unfortunately, there are 0 miles of designated hiking trails in the Elliott. What a lost potential!

## Logging

Under the current logging plan, about 500 acres are clearcut on the Elliott every year. To see more

information about the logging, [CLICK HERE](#).

Though the Elliott forest is entirely open for public enjoyment, it is managed almost exclusively for timber production. The Oregon State Constitution directs that the profits from revenues help support Oregon schools, because the Elliott is mostly "Common School Fund" land. The Oregon constitution directs that timber sale revenue goes into this school fund, "within the context of environmentally sound management." Or, perhaps the revenue is for Roseburg Forest Products, which buys most of the Elliott's sales -- 43.5 mmbf over the last 2.5 years, about 60% of the volume.



Composite overview picture of Elliott State Forest management techniques (photo taken 10/24/02)

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# New Threats to the Spotted Owl Prompt Lawsuit on the Elliott State Forest

PORTLAND, *Oreg.*— The Center for Biological Diversity, Umpqua Watersheds Inc, Cascadia Wildlands

Project, and Klamath-Siskiyou Wildlands Center filed suit late in 2008 against the U.S. Fish and Wildlife Service for failing to reconsider the impacts of logging mature and old-growth forests on the Elliott State Forest on the northern spotted owl in light of new information showing the owl is facing increased threats from the combination of habitat loss, the barred owl and disease.

“New information shows threats to the spotted owl have increased dramatically, yet the Oregon Department of Forestry is plowing ahead with clearcutting their habitat on the Elliott,” said Noah Greenwald, science director for the Center for Biological Diversity. “Oregon could do more to protect the owl and old-growth forests and still provide funds for schools.”

In 1995, the Fish and Wildlife Service issued the Oregon Department of Forestry a permit to log spotted owl habitat on the Elliott and to “take” owls based on mitigations provided by a “habitat conservation plan.” The permit allowed the Department of Forestry to log 22,000 acres of spotted owl habitat, which was expected to contribute to the loss of 43 individual owls on at least 22 owl territories over 60 years, leaving at most 13 owl territories. A 2003 survey found that owls had indeed been lost from all these territories and were already limited to just 13 territories after just eight years. This survey, however, also found that barred owls were present within six of these 13 territories, as well as within two territories where spotted owls were no longer found.

“The barred owl presents a substantial new threat to the spotted owl that was not anticipated in 1995,” said Francis Eatherington, conservation director of Umpqua Watersheds. “Continued clearcutting of the limited spotted owl habitat on the Elliott should stop until it can be shown that it will not further endanger the spotted owl.”

The Elliott State Forest is a 93,000 acre tract of state forests, 90 percent of which is “Common School Fund Lands,” in the Coast Range east of Coos Bay and is managed to generate revenues for Oregon schools. It harbors some of the last, best habitat for the spotted owl, marbled murrelet, coho salmon, and other threatened species in the Coast Range. The Oregon Constitution requires that the Common School Fund Lands be managed “with the object of obtaining the greatest benefit for the people of this state, consistent with the conservation of this resource under sound techniques of land management.” The Oregon attorney general has stated that this provision authorizes management of these lands to secure both economic and non-economic values. State law thus allows managing the Elliott to preserve wildlife habitat, clean water and other values in addition to generating revenues for schools.

“The Elliott could be managed to balance preservation of old forests and protection of the spotted owl with the need to provide funds for Oregon’s schools,” said Josh Laughlin, conservation director of Cascadia Wildlands Project. “The current management of the Elliott, however, does not achieve this balance.”

While continued logging in spotted owl habitat on the Elliott is problematic at this time, there is no problem with continued logging on the Elliott in other areas. The Elliott is behind on their required plantation thinning by about 3,000 acres since 2005.

The Oregon Department of Forestry has been working on a new habitat conservation plan that is expected to be finalized in 2009. Rather than providing additional protection for old forests and the wildlife species that depend on them, however, the plan reneges on protections provided by the 1995 plan. In particular, the new plan will allow increased logging in 10 basins that were supposed to be reserved for “long-rotation” logging of 135-240 years.

“At a time when the spotted owl is faced with declining populations and increased threat from barred owls and continuing loss of habitat, the Oregon Department of Forestry is moving to weaken protections for the owl and old forests,” said Eatherington. “This does not represent sustainable management of state forests.”

In June 2009, the judge "stayed" our lawsuit on the 1995 HCP, claiming that the new 2009 HCP will be here soon anyway. But the new HCP has been stalled for years, and even if it ever does get implemented, it has a lot of problems ([see above](#)). It doesn't even set aside extra habitat to mitigate for the invasive barred owls. The new HCP, if implemented, would cut old forests even faster without a spotted owl survey, not knowing if nesting spotted owls would be killed.



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## Footnotes

1. Draft Comparison of Impacts by Alternatives developed by the EIS contractors Jones and Stokes, and submitted by ODF to the Elliott State Forest Steering Committee meeting of 8-8-06. Page 2. This likely includes the assumption that if the current MM no-take protocol of the Elliott continues to be implemented, with only non-poor habitat to be surveyed, the MM findings will increase, and the current logging of about 30 mmbf per year will be reduced.
2. Draft Comparison of Impacts by Alternatives Page 7.
3. Draft Comparison of Impacts by Alternatives Page 19.
4. Draft Comparison of Impacts by Alternatives Page 20.
5. Draft Comparison of Impacts by Alternatives Page 20.
6. Id Draft Comparison of Impacts by Alternatives Page 34.
7. Draft Comparison of Impacts by Alternatives developed by the EIS contractors Jones and Stokes, and submitted by ODF to the

Elliott State Forest Steering Committee meeting of 8-8-06. Page 1.

8. Scientific Review of the Elliott State Forest Management Strategies. Oregon department of Forestry April 27, 2004. Page 3.

9. June 2006 draft Elliott HCP. Table 4-2. Page 4-1vi. This is from a 2003 survey.

10. NSO Research on Oregon Department of Forestry Lands. July 18, 2000. Appendix A. page 25.

11. NSO Research on Oregon Department of Forestry Lands. July 18, 2000. Appendix A. page 1.

12. NSO Research on Oregon Department of Forestry Lands. July 18, 2000. Appendix A. page 26.

13. Kingfisher Northern Spotted Owl Survey Report. 2003

14. All information from the June 2006 draft Elliott HCP. Chapter 4.

15. *Oregon's Common School Forest Lands: Management Status Update* March 31, 2003. John Beuter. Umpqua-Tualatin, Inc. page iii. Analysis commissioned by the state of Oregon.

16. Marbled Murrelet Recovery Plan. USFWS. September 1997. Page 127

17. Marbled Murrelet Recovery Plan. USFWS. September 1997. Page 132

18. 9/12/06 Federal Register at 53849. Critical Habitat for the Marbled Murrelet.



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