

Guest Opinions “Related” To Primary PSS Tax Measures

November 11, 2014. David Jones. *Frivolous lawsuits hurt timber communities* (Guest Opinion)

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DAVID JONES

Local county budgets lack sufficient funds for critical programs like law enforcement, libraries, county Extension services and social programs. Ballot measures increasing taxes were recently approved in Jackson County to keep some of these programs afloat. However, such funding needs will continue to increase.

Is the solution to keep raising taxes? Not necessarily. Some taxpayers either are unaware of or choose to ignore another key funding source: the O&C Act of 1937, which is still in effect. This unique act, involving only specific forested federal land in western Oregon, differs from other federal national forest management legislation. It requires that O&C timberland be managed for permanent forest production, with timber harvested in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber, protecting watersheds, regulating stream flow and contributing to the economic stability of local communities and industries, and providing recreational facilities. It further requires that not less than 500 million board feet of timber volume, or not less than the annual sustained yield capacity, shall be sold annually.

Meeting these requirements would provide a critically required reliable flow of timber volume to industries, sustainable family-wage jobs, healthy forests and much needed county revenues. The Northwest Forest Plan was supposed to address these mandates but has failed miserably.

Federal land management agencies have put tremendous efforts into trying to meet these legal mandates, but have been repeatedly stopped by frivolous lawsuits by environmental activists who oppose timber harvesting. Such lawsuits cost the activists virtually nothing to file, and the litigants have virtually no financial obligation. You and I as taxpayers pay for resulting court costs. In some cases, activists use such lawsuits for financing their organizations. Environmental activists are attempting to force federal agencies to develop "idealistic old growth forests" — forests which mother nature will not allow to reach fruition. Fact: Forests in southwestern Oregon experience about 300 fires a year. Fortunately, most of these fires are small and are extinguished quickly. Unfortunately, some become catastrophic and damage thousands of acres of timberland and structures, including homes, plus create unhealthy air quality and degrading water quality from runoff.

Every year the annual volume growth and number of trees continues to significantly outpace what is harvested. Trees transpire (suck up and exhale) billions of gallons of water every day

which is extremely important with drought conditions increasing. Jamie Workman, of the Environmental Defense Fund, and Helen Poulos, a fire ecologist at Wesleyan University, estimated that excess trees in the 7.5 million acre Sierra Nevada conifer forest are responsible for the loss of 15 million gallons per day or 17 million acre-feet of water per year.

Due to the frequency of fires, leaving more volume in the forests will contribute to an increasing number of fires and environmental and economic devastation. Older trees, including old-growth will die from fires — either burning up in the fires themselves or dying from damage sustained from the fires. Such fires will continue to degrade air and water quality, and adversely affect recreation and tourism. Nobody wants to visit areas of poor air and water quality or view burned forest areas. Unfortunately whenever attempts are made to salvage severely burned timberlands to remove a useable resource and thereby create jobs, more frivolous lawsuits are filed delaying or stopping salvage action until remaining burned trees ruin. This also creates another major problem: dangerous standing snags which will increase the fuel load for future fires and causing them to burn hotter. It also creates a major safety hazard, dangerous to anyone hiking such areas or attempting to enter these areas for future management actions including the replanting of trees.

You can support continued tax increases to raise much needed county revenue. If you don't want continued tax increases, contact all of your Oregon congressional representatives and urge them to introduce and help enact legislation which would stop frivolous lawsuits by special interests by requiring them to have a financial stake and responsibility, such as requiring a monetary security bond as part of lawsuits and resulting costs. Otherwise our essential and renewable forest resources and their many uses will continue to be destroyed by catastrophic forest fires and continue to adversely affect our air and water quality, recreational use and tourism.

David Jones is a 34-year veteran of the U.S. Bureau of Land Management, having worked in several locations throughout the West and in Washington, D.C. He retired after serving 12 years as the BLM's Medford District Manager.