

Forest Voice

A Publication of the Native Forest Council

Winter 1999

FREE

Playing Dirty



Land Swaps:
Big Timber's
Big Scam

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Council
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TOKENS OF HOPE

As we begin the final year of this millenium, a specter of cynicism seems to be rising. During the waning days of the 105th Congress, our so-called leaders rushed the Omnibus Spending Bill past the democratic process, tacking on some of the worst pro-corporate, anti-environmental riders in history. Few americans seemed to know what happened, which was no surprise. After all, most members of Congress didn't even read the 4,000 page document before voting on it. And the mainstream media focused on Monica-Gate. Even Democrats who call themselves environmentalists failed to vote against the bill.

Perhaps the evaporating distinction between the two parties fueled the cynicism among voters, who—if they chose to vote at all—seemed to feel a helpless mandate to choose between the lesser of two evils.

Despite the bleak news, we'd like to offer a message of hope. This is the time of year when we seek an inner light to guide us through the dark days and long nights: Christmas lights, candles for Chanuka ("the festival of lights"), or the fires of a Solstice celebration. To offer new hope for a new year, we present this story from the editors of *Orion*, in which they recall Jane Goodall's request for one change in her program for a day-long symposium: Might she say a word about hope?

After a crescendoing hoo, hoo, HOO-HOO greeting in the chimpanzee vernacular, Jane Goodall told us that everywhere she went people asked whether she believed there was still hope for the planet. What of the statistics that seem to indicate it is too late? In answer she gave four reasons for optimism: the amazing power of the human mind, the resilience of nature herself, the energy and exuberance of youth, and the indomitability of the human spirit. These qualities she carried with her in something like a medicine bag, and her assistant brought them forth on cue. Symbols of hope, she called them. A feather from a peregrine falcon bred on land reclaimed from the lunar wasteland of a nickel mine in Sudbury, Ontario. An antler from a Sika deer, released into the wild in Taiwan, where it had long been extinct. Jane Goodall told the story, then passed around the feather, the antler, for everyone to see and hold for a moment.

Her words seemed meant to fortify us for what we would hear that day about chimpanzees in the few wild reserves, in zoos, in medical laboratories, and the circumstances—civil wars, poaching, deforestation—responsible



At the age of four, Native Forest Council Executive Director Tim Hermach didn't realize he was playing with such a dangerous toy.

for their plight. Jane Goodall later spoke about human dignity and achievement, about how best to help countries like Tanzania use and protect their forests and waters, while honoring the pride and freedom of their people. More tokens of hope: a piece of the Berlin Wall, a rock from the quarry where Nelson Mandela labored during his imprisonment. Children inspire her with tremendous hope. For them she created Roots and Shoots, her environmental educational organization. She passed around pennies from a five-year-old girl who wished to give a Snoopy dog to comfort orphan chimps, after seeing a film about the death of the orphan Flint in Gombe. She told of the pregnant thirteen-year-old in Bangladesh, who begged for money to buy a chicken. The girl got her chicken, bore her child, and when she had sold enough eggs, returned the money to her benefactor, who founded the Grameen Bank for others like her. The beautiful Bangladeshi coins passed from hand to hand around the room.

Jane Goodall might have gone on with endless stories and produced a token for each one, and we would have listened spellbound and waited to receive its blessing as it circled the room. It was hard not to believe that these totems imparted strength as you held them, especially when you thought of the many hands that had cradled them in like gatherings around the globe. Jane Goodall's message, that the individual can make a difference, was hardly new, but the ceremony, and her presence, let us feel the weight of its truth.

—Tim Hermach

Article originally appeared in *Orion*, 195 Main Street, Great Barrington, MA 01230

CONTENTS

3 Public Lands Update

The latest news about politics, activism, and business that affects our forests. Updates on land exchanges, boycotts, and important ecological trends.

4 Redwoods Tragedy

In California's ancient forests, a tree felled by a Pacific Lumber Company logger struck another tree that killed activist David "Gypsy" Chain.

6 More Sleazy Riders

The Omnibus spending bill passed this October, along with at least thirty-one anti-environmental laws tagging along for a ride.

8 Dirty Deals

An extensive *Seattle Times* report explains how big business "swaps" land with big government, robbing the public of its precious resources.

15 Alternative Paper

What do old blue jeans, coffee waste, and kenaf have in common? Paper manufacturers use them as alternatives to tree pulp.

Native Forest Council

The Native Forest Council is a nonprofit, tax deductible organization founded by a group of business and professional people opposed to the wasteful and irresponsible destruction of our national forests. We believe a sound economy and a sound environment need not be incompatible, and that current public land management practices are devastating to both.

The mission of the Native Forest Council is to save our remaining public lands and watersheds, and restore what's been lost.

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Special Thanks

On Tuesday evening, December 8th, R.O. and Moisha Blechman hosted a reception in honor of Tim Hermach, Native Forest Council Executive Director. The event was held in conjunction with Paul Winter's 19th Annual Winter Solstice Concert, which was dedicated to Native Forest Council. Approximately 35 people gathered to hear Tim Hermach speak in the Blechman's home on Central Park West in New York City.

The Very Reverend James Parks Morton, Dean Emeritus of Saint John the Divine, said that "Tim is an inspired and powerful voice for the forests, liberty, and justice. He should be and is one hell of a preacher." Hermach compared the environmental movement to boxing in the 60's—the sport was, literally, "on the ropes" until the young upstart Cassius Clay entered the ring. We need a Muhammad Ali spirit, said Hermach, to inspire Americans to fight for their rights, save what's left, and restore what's been lost.

Those in attendance included Edwina von Gal, Anne Merck, Lawrence Grossman, Alice and Grant Platt, Alvin Chereskin, and Jim Steele.

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The Native Forest Council would like to thank the following artists. Without their generosity, we could not continue to spread our message as effectively. Contributors listed in order of appearance:

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Corrections

In our last issue, an attribution to a quote by Mike Dombeck implied that Dombeck was a member of the American Fisheries Society. Dombeck, Chief of the Forest Service, was speaking to the American Fisheries Society.

More Sleazy Riders

Despite Clinton's promise to the League of Conservation Voters that he would veto any bill containing unacceptable anti-environmental riders, the President signed the Omnibus Appropriations bill into law on October 21. At least thirty-one objectionable riders were included with the passage of this bill. For a detailed list of the worst riders, see page six. *Report courtesy of Greenlines.*

Activist Killed in Headwaters Tragedy

On September 17, Earth First! activist David ("Gypsy") Chain was killed when a tree felled by a Pacific Lumber logger knocked over another tree that crushed Chain's skull. According to an October 21 update, Pacific Lumber will resume logging in the area where David Chain was killed. See "The Redwoods Weep," page four.

Forest Products Hypocrisy

Claiming that "today we use wise forest management strategies and careful stewardship to ensure that our forests will remain both healthy and productive," President Clinton proclaimed the week beginning October 18 as "National Forest Products Week."

Big Timber Helps Defeat Citizens' Bill

Oregon voters defeated a citizens' initiative that would prohibit certain timber cutting practices, ban the use of herbicides and pesticides, and limit the size of trees that could be cut. Measure 64 was defeated by a ratio of almost one to four, thanks in part to Big Timber's extensive—and expensive—media campaign. A new version of the measure is in the works for the 2000 elections.

Mainstream Daily Endorses NFPPA

Colorado's *Daily Boulder* endorsed the National Forest Protection and Restoration Act, making it the first mainstream western paper to endorse the bill. The editorial, which appeared in the October 7 edition, called on lawmakers "to start a new tradition of protecting the nation's forests."

Protest Shuts Down PA Chip Mill

On October 20, concerned citizens from several states blockaded the front gates of Keystone Chipping, Willamette Industries' chip mill near Kane, PA. Protesters planned the event to coincide with Pennsylvania Forest Products week. According to activist Susan Curry, chip mills promote clearcutting, undermine local wood products industries, and often leave communities after a few years. "These machines represent the most unregulated, highly mechanized sector of the timber industry. Over 100 chip mills have sprung up in the eastern U.S. in the last ten years and pose the greatest threats to logging and clearing," said Jake Kreilick, campaign coordinator for the Native Forest Network.

Time Reports on Corporate Welfare

Time's November 9 cover story reveals the real welfare cheats feeding off the public trough: corporate America. According to the article, the federal government doles out \$125 billion to corporations each year, or approximately two weeks pay from each working man and woman in America. This welfare, which rarely leads to new jobs, takes the form of tax breaks, subsidies, government services, grants, real estate, and low-interest loans.

Saving Salmon

On October 17, the Clinton Administration announced an agreement between the federal government and the state of Oregon, stepping up stream restoration to protect endangered fish species, according to an October 17 Reuters article. The \$250 million Oregon Conservation Reserve Program affects as many as 100,000 acres of sensitive riparian areas and ten separate endangered salmon and trout species by paying landowners to plant trees and grasses alongside streams. These buffer zones are expected to reduce erosion, keep water temperatures cool, and provide habitat for insects that fish will eat.

Report courtesy of Greenlines.

40 Percent of Deaths from Environment

An estimated 40 percent of world deaths can be attributed to environmental factors, according to a Cornell University report published in the October 1998 issue of *BioScience*. The report of a study led by David Pimentel, professor of ecology and agricultural sciences, notes that organic and chemical pollutants are among the most critical hazards.

Confirmed: Trees Make Water

According to the November 24 *New York Times*, a soon-to-be-published report reveals the role of redwood trees in turning fog into water, an important source of moisture for the ecosystem and endangered species. Deforested areas dry quickly, changing the ecology of plant life in the area. Environmental groups are using this argument to challenge logging of redwoods. *Report Courtesy of Greenlines.*

AP Confirms Forest Service Losses

A November 24 Associated Press article reported a Government Accounting Office audit of the US Forest Service revealed only 8 percent of receipts from \$1.85 billion in timber sales is returned to the U.S. Treasury. According to the audit, one-fourth of the money goes to county governments for schools and roads, while the rest is used to "prepare more trees for harvest." The money funds accounts including the salvage rider program and the timber road credit program. *Report Courtesy of Greenlines.*

"Darth Vader" Buys 905,000 Acres

On October 6, Plum Creek Timber Company announced its purchase of at least 900,000 acres of Main forestland from South African pulp and paper for \$180 million. A western congressman once referred to the company as "the Darth Vader of the timber industry." Plum Creek is notorious for turning the forests of Washington, Idaho, and Montana into a checkerboard of enormous clearcuts.

One Third of Animals Lost

According to an Associated Press report on a World Wildlife Fund study, the planet has lost 30 percent of its natural resources and animals in the past 25 years. According to the report, titled "Living Planet," freshwater ecosystems are the most affected, with species declining at a rate of 6 percent a year during a five-year stretch in the 1990's. Ocean fisheries are in a marked decline as well. Report author Jonathan Loh called the findings "a stark indication of the deteriorating health of natural ecosystems." *Report courtesy of Greenlines.*

Home Depot Boycott

According to an October 19 report in *Time*, consumers in 70 cities across the nation planned a "Day of Action" against Home Depot. The report explained how activists led customers on "rainforest" tours through the store, and threatened to follow up with ads, pickets, and civil disobedience to stop sales of products made with old-growth wood.

Clearcuts Devastate China, Prompt Ban

According to the *New York Times*, extensive logging along China's Yangtze River magnified the effects of last summer's devastating floods in the region. As a result, China has banned the cutting of all old-growth timber in this area and promised major replanting efforts, reported the *Times*.

Christian Group Denounces Logging

Last month the Christian Environmental Council, a national group of christian leaders concerned with environmental issues, affirmed its support for ending all commercial logging of U.S. national forests and old-growth forests. "Paying timber companies nearly a billion dollars every year to needlessly decimate these irreplaceable forests, which God created and loves, is to commit a sin of greed and waste," said Ann Alexander, Chair of the C.E.C. The interdenominational group called for the reallocation of money spent on the Forest Service's timber commodity program for support of timber communities and reforestation programs.

Solstice Concert Supports Council

In his 19th annual celebration of an ancient holiday tradition that predates Christmas, Grammy Award-winning "Earth Musician" Paul Winter was joined by special guest artists and more than 10,000 people in the vast Cathedral of St. John the Divine in New York. Hundreds of thousands joined the celebrations via the 9th annual National Public Radio broadcast of the event. This year's Solstice celebrations will support the work of the Native Forest Council.

Portions of this report appear courtesy of *Greenlines*, an environmental e-mail news service published and distributed by Defenders of Wildlife. Visit their website to subscribe: www.defenders.org.

The Redwoods Weep

In California's ancient forests, the clash between industry and idealism culminates in tragedy

by John Skow

**Article appeared originally in the September 28, 1998 edition of Time. Reprinted with permission. Photographs by Doug Thron, captions by Doug Thron and Forest Voice. Not all of the photographs featured here appeared in Time.*

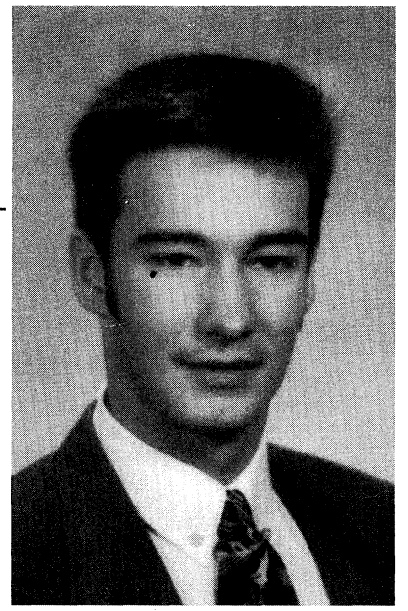
As the confusion of dust and noise subsided, activist David ("Gypsy") Chain, 24, of Austin, Texas, lay with a crushed skull, dying.

A bitter environmental battle over logging in redwood groves turned deadly last week* when Earth First activists challenged Pacific Lumber Co. loggers at work above Grizzly Creek in California's Humboldt County. Cat-and-mouse taunting between protesters and timber crews had gone on for years, but recent confrontations had turned sour. Earlier this year an activist took refuge in a 40-ft. redwood sapling, and loggers felled the tree. Somehow the climber tumbled out unharmed. Last week's skirmish ended differently: with shouts, the whine of a chain saw and a falling redwood hitting another tree. As the confusion of dust and noise subsided, activist David ("Gypsy") Chain, 24, of Austin, Texas, lay with a crushed skull, dying.

By week's end no charges had been filed. Chain's death was both an accident and the darkest of ironies, because this environmental war was supposed to be over. Lawyers and legislators had stepped in to settle the dispute, but Pacific Lumber did not see fit to stop felling trees, and the activists, who charged that the cutting destroyed the habitat of endangered seabirds, did not stop trying to block the loggers.

The bill that the California legislature passed this month to handle the controversy, referred to glumly by environmentalists as "the Deal," sounds good. Some 300-ft.-tall old-growth giants along the northern part of the state's coast are saved, along with scraps of wildlife habitat, and if a financier named Charles Hurwitz gets nearly half a billion dollars in federal and state money, who cares? The stock market creates or vaporizes that much wealth in the time it takes Alan Greenspan to clear his throat.

At closer inspection, however, the Deal is a textbook example of the wreckage that occurs when political imbalance—weakness on the part of federal and state environmental agencies, blustering strength among enemies of land-use regulation—allows owners of private property to hold the environment at ransom.



David Nathan Chain
1974-1998

This ransom is a big one—and likely to be the benchmark for future environmental payoffs involving private timberland. In return for 3,500 acres of ancient redwoods in Humboldt County's Headwaters Grove, the largest old-growth tract still in private hands, and 4,000 acres of additional land, most of it heavily logged, Maxxam Corp. of Houston, Pacific Lumber's owner, will get \$250 million from the Federal Government and \$210 million from California. At week's end there seemed little doubt that Governor Pete Wilson would sign the payment bill. Maxxam, controlled by Hurwitz, was a major contributor to his most recent election campaign.

To anyone who has spent a night in Headwaters Grove, awakening at dawn to hear the cries of marbled murrelets,



Clearcut on the edge of Headwaters Grove. Photo by Doug Thron.

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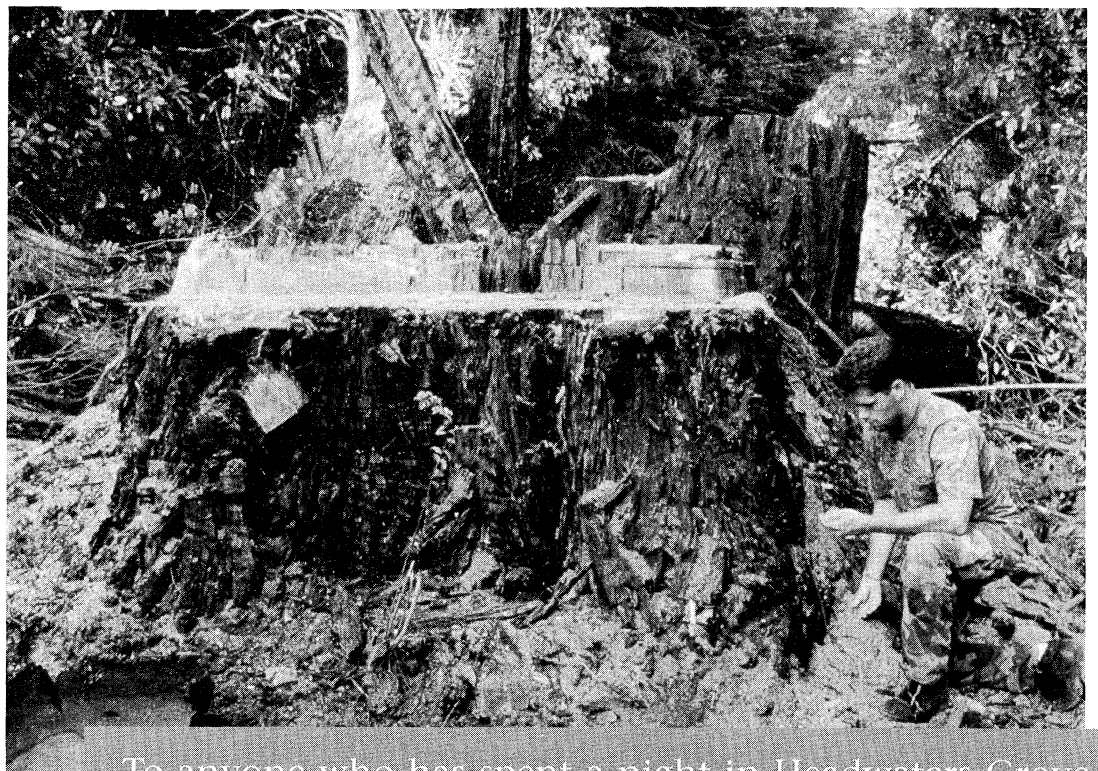
the endangered seabirds that nest in the huge trees, and to watch the great trunks take form in the lightening mist, the idea of owning such a place is daft. But, yes, if the Deal goes through, Maxxam won't own Headwaters. Won't cut it. And California will have a beautiful new tree museum.

Conservationists hoped for more: not just Headwaters, but 60,000 acres of mostly scarred and bulldozed land that could be rehabilitated. There is a dim hope, still, that they will get it. The Federal Deposit Insurance Corporation is slowly pursuing an old case against Hurwitz, having to do with a savings and loan collapse. A settlement of \$250 million from Hurwitz was spoken of. So was a swap: debt for nature, maybe involving Pacific Lumber land.

Maybe. In any case, for environmentalists, "tree museum" is a phrase uttered with a shrug. The 3,500 acres of Headwaters don't really amount to a forest. Large redwood forests create their own micro-climates. They are rainmakers. And the other 4,000 acres paid for by the Deal, though they have some big trees, are too fragmented to be an effective wildlife habitat for murrelets, Pacific giant salamanders and the spotted owls that loggers love to hate. In particular, they offer little protection for coho salmon, listed as threatened in the state. Salmon need cool, shaded, clear streams for spawning. Aggressive, steep-slope logging cuts shade and pours down sediment. This is no secret, but the state has not enforced regulations to protect salmon streams, and the new Headwaters legislation, say critics, stipulates buffer zones too narrow to be effective.

The U.S. Department of the Interior is also lax, and the enforcement record of the state and federal departments, charges activist Elyssa Rosen of the Sierra Club, ranges from "incompetent to complicit." But it is federal nonfeasance that has allowed a part of the Deal that may be worse than the gush of dollars. This is the "incidental takings" provision of the misnamed "Habitat Conservation Plan." HCPs were invented in the Reagan Administration, but they have flourished like mushrooms in the timid Clinton years. They are intended to mollify the rage of landowners against the Endangered Species Act. Well, they might, because they immunize loggers, miners and the like against ESA violations. It is illegal to kill a marbled murrelet or wreck its habitat, but if you should do so while conducting your rightful business, that is an incidental taking. The "Oops!" factor takes over, and you are in the clear. The HCP filed by Pacific Lumber will immunize the company for 50 years.

The plan might work if the landowner respected the land. This appears to have been the case with Pacific Lumber before Hurwitz bought it in a hostile takeover in 1985. But since then, on the evidence of a passionate new book by activist Doug Thron, a photographer and lecturer, and reporter Joan Dunning, accelerated logging has devastated the land and the streams that flow through it. *From the Redwood Forest* (Chelsea Green; \$24.95) relates a brutal progression. Pacific Lumber, under Maxxam and Hurwitz, started widespread clear-cutting, a practice that leaves no tree standing and works against natural regrowth. Then Pacific Lumber began cutting through the winter months, and on dangerously steep slopes, giving the impacted ground and the silted streams no respite.



Photographer Doug Thron looking at the stump of one of the ancient trees along Yager Creek, where bald eagles used to roost.

To anyone who has spent a night in Headwaters Grove, awakening at dawn to hear the cries of marbled murrelets, the endangered seabirds that nest in the huge trees, and to watch the great trunks take form in the lightening mist, the idea of owning such a place is daft.

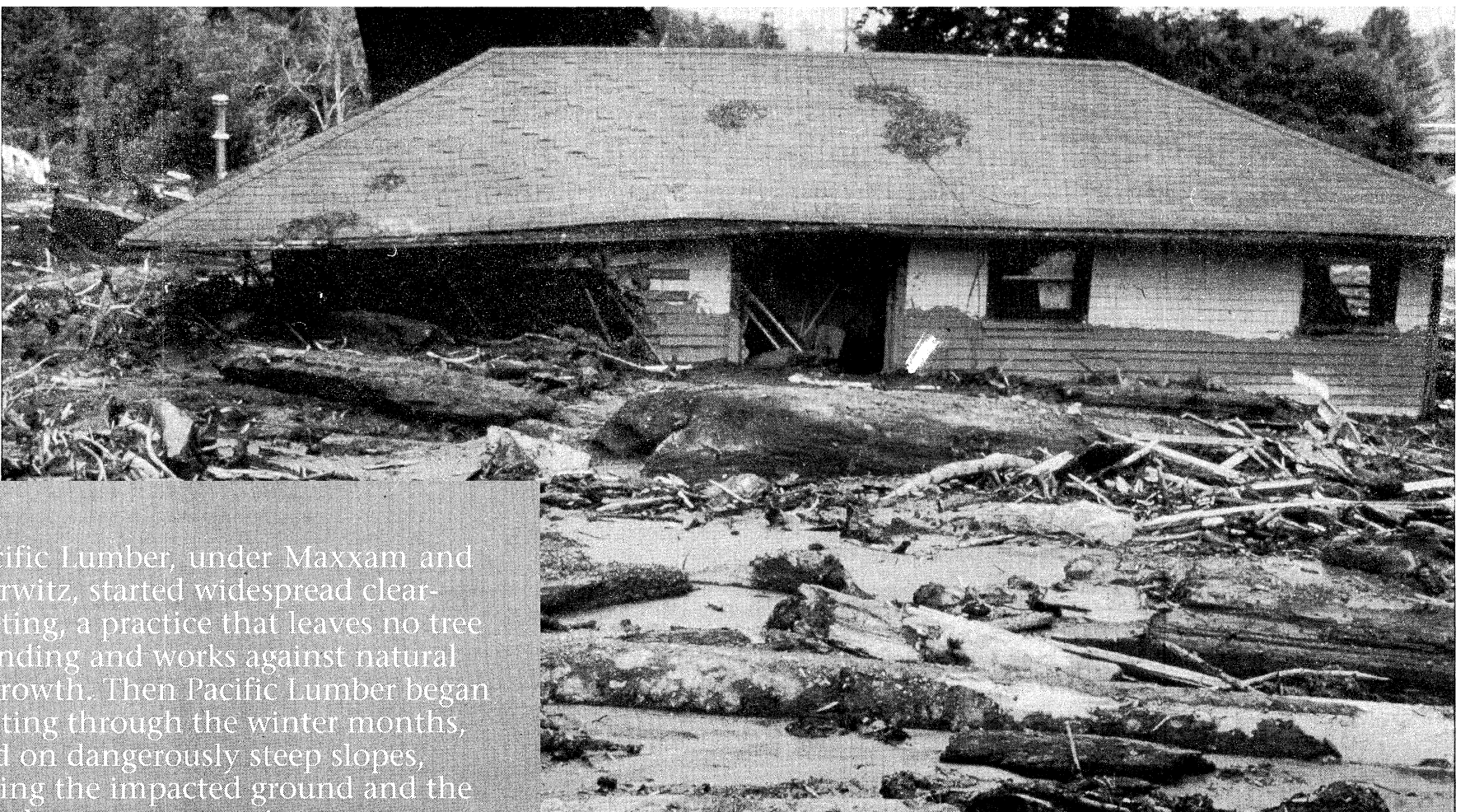
Activists reported repeated violations of court orders, federal environmental rules and state forestry regulations. They filed lawsuits, won judgments and saw little change. Pacific Lumber stonewalled and talked of jobs. The mood in Humboldt County, where the only good jobs had always been in the woods or the mills, turned rancid. When protesters conducted peaceful sit-ins at the company's headquarters and the office of U.S. Congressman Frank Riggs, the sheriff's department daubed pepper spray near their eyes and taped the process for a training film. A lawsuit by the protesters resulted in a hung jury, with a retrial scheduled for November. The training film is available to law officers.

David Chain, the Earth Firster who died, was not the first activist to put his life on the line. In November 1997 Julia Hill, a young Earth Firster who calls herself Butterfly, climbed a 200-ft. redwood near the Eel River. She intended to save at least one tree, staying in the branches indefinitely with help from friends who supplied food. Later, reporter Dunning climbed up, fearfully, to interview her. Thron followed to photograph the interview. They came down. But as of last week, Butterfly, despite the clear-cutting of surrounding trees and occasional storm winds that approached 90 m.p.h., was still there.

Earth First! is asking supporters to call or write Attorney General Janet Reno or California Attorney General Dan Lundgren and request an independent investigation of Chain's death and the violent treatment of protesters. Attorney General Janet Reno, Department of Justice, 5111 Maine Justice Building, 10th St. and Constitutional Avenue, NW, Washington, DC 20530. California Attorney General Dan Lundgren 1300 I Street, Sacramento, CA 95814 (916) 445-9555.

An Accident? by Forest Voice

The logger who felled the tree responsible for David Chain's death was captured on tape saying "Get outta here! Otherwise...I'll make sure I got a tree comin' this way...Go get my saw; I'm gonna start fallin' into this (expletive) draw." He felled the tree across a slope and towards the activists, rather than uphill, which is standard logging procedure. Jeremy Jensen, one of the activists with Chain, stated in an affidavit that "we were all shouting at the logger that we were coming to talk and that he should stop cutting this one, then I heard the tree about to go... I looked up just in time to see a huge tree coming down nearly on top of me."



Pacific Lumber, under Maxxam and Hurwitz, started widespread clear-cutting, a practice that leaves no tree standing and works against natural regrowth. Then Pacific Lumber began cutting through the winter months, and on dangerously steep slopes, giving the impacted ground and the silted streams no respite.

Home buried in a mudslide in Stafford, California. In 1991, Maxxam logged the nearly vertical slope where the slide originated. The company clearcut another area on the same slope in 1993. Photo by Doug Thron.

The Death of Democracy?

Corporate Riders Threaten America's Public Lands—and Our Democracy. Here's a List of 16 of the Worst.

The Omnibus spending bill weighs 40 pounds, divies up \$500 billion of public money, and comes with a mess of destructive riders and private giveaways. Didn't read it? Don't worry, your senator probably didn't read it either.

On Wednesday, October 21, President Clinton signed the massive Omnibus spending bill: a \$500 billion package loaded with destructive riders. The 4,000-page document weighed in at 40 pounds and, according to Associated Press reports, few had time to even read the monster before voting on it.

Replete with pork and last-minute changes (including one made after the bill passed both the House and the Senate), the bill epitomizes one of our Democracy's broadest loopholes: the rider. By brokering deals, trading concessions, and forgetting promises made to their constituents, our nation's most cynical congress reduced the American system of government to a free-for-all at the public coffers.

In an open democratic forum, many of the laws wouldn't have passed. Tack them on as riders, hidden from the light of day, and they can slide into the system without us (or our so-called leaders) knowing the details. Worst of all, Democrats—the so-called friends of the environmental movement—lined up at the trough for their share of the swill. Does America really have two parties?

One-hundred-seventy Democrats in the House and thirty-two in the Senate supported the bill. President Clinton, who promised the League of Conservation Voters that he would veto any Omnibus bill containing unacceptable anti-environmental provisions, signed it. While some environmental groups celebrated the defeat of a few riders, the Native Forest Council adamantly opposed all anti-environmental riders tacked onto the bill. The passage of this colossal mess is not a success, but a failure of Democracy. Our so-called two-party system offers voters two shades of gray—one only slightly darker than the other—and few shades of green.

If members of congress, who have extensive personnel and resources, couldn't sift through this massive bill before voting on it, how can the average taxpayer decipher it? Thanks to Roger Featherstone at Defenders of Wildlife, we've compiled a list of 16 riders that will affect our public lands. If your senator or representative was recently elected, ask them how they voted and ask for their future support in preserving public lands.

1) Critical Forest Planning Stalled

Imposes a funding limitation to halt the revision of any forest plans not already undergoing revision until final or interim final regulations are adopted. There is concern that this provision will put pressure on the Forest Service to hastily promulgate new regulations, rather than carefully incorporate recommendations now being developed by an independent committee of scientists. Another section of the bill halts funding to carry out strategic planning under the Forest and Rangeland Renewable Resources Planning Act (RPA). A third section of the bill exempts existing forest plans from current revision deadlines outlined under the National Forest Management Act and the Forests and who have been freed.

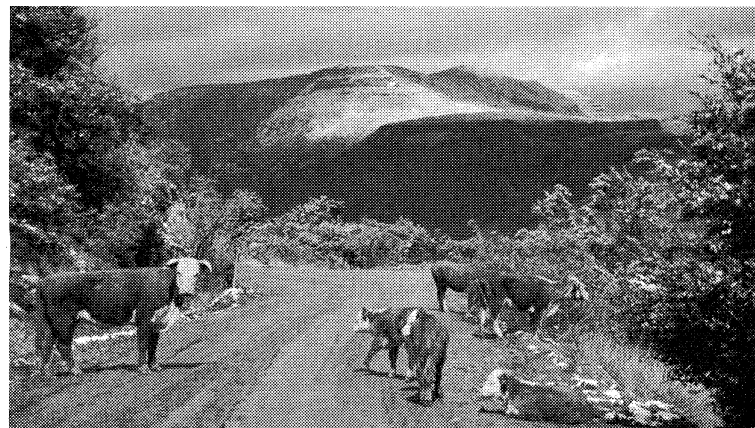


Photo by Hillary Clements.

2) Destructive Grazing

Allows the Bureau of Land Management to reauthorize grazing permits without allotment-specific National Environmental Policy Act documents, Federal Land Policy Management Act analysis, or Endangered Species Act requirements through Fiscal Year 1999 or until the Bureau completes processing. This provision also provides an escape clause for the Bureau that allows it to delay the analysis required by the law as recently interpreted by the courts.

3) Tree planting funds take a hit

Allows up to 25 percent of the K-V fund to be used for Forest Service overhead. The Knutsen-Vandenberg Act (tree replanting fund) does not authorize its use for indirect overhead expenses. K-V was intended to pay for direct expenses for replanting and post-logging restoration of the area of the timber sale. The inclusion of an authorization of up to twenty-five percent of all K-V funds in this bill amounts to rewarding the Forest Service for what some feel has been an illegal skimming of K-V funds.

4) Logging Alaskan Old-Growth

Helps maintain the Tongass National Forest as the Forest Service's biggest money loser by requiring that all timber sold in Region 10 (Alaska) utilize the antiquated residual value appraisal system. Under that system, the Forest Service determines the minimum bid required on a timber sale by deducting all costs associated with logging, transportation, manufacturing, as well as a generous profit and risk margin from the price an operator of average efficiency would be willing to pay for that sale. For Western red cedar, the rider requires a profit and risk deduction of at least 60 percent, which will encourage the logging of more old growth red cedar because this species tends to be less merchantable before it is very old. National forests in the lower 48 states base their minimum bids on actual bids received on similar timber sales during the previous six months.

5) Mining Reform Nixed

Halts the review of the current hardrock mining regulations (43 CFR 3809) until the completion of an 18-month National Academy of Sciences study on the effects of the new regulations initiated by Secretary Babbitt in January 1997. The Bureau of Land Management is currently required to conduct an environmental impact study on the consequences of "3809" reform. This provision would delay the implementation of long-overdue mining reform.

6) Climate Protection Blocked

Effectively blocks efforts to promote "developing country participation" in the Kyoto climate treaty process. The provision imposes a new "notification" process prior to expenditures that would encourage developing countries climate mitigation actions. This process requires 15 days notice and allows a single senator to place a hold to block action. For the first time a rider is drafted to extend not just to the Kyoto protocol, but also to actions under the 1992 Rio Earth Summit, which the Senate has ratified.

7) Big Pork for Big Oil

Further delays the long-awaited Oil Valuation Rule, allowing oil and gas industries to dodge at least another \$66 million in oil royalties until October 1999. The Oil Valuation Rule, which has been subject to more than two years of comments and discussion, was scheduled to go into effect this summer. This rider also offers an incentive for the Minerals Management Service to weaken their rules because it allows the moratorium on rule making to be shortened in the case that "there is a negotiated agreement on the rule."

8) Halting Grizzly Reintroduction

Prohibits the U.S. Fish and Wildlife Service from expending money to reintroduce grizzly bears into the Selway-Bitterroot ecosystem in Idaho and Montana. The USFWS was planning to begin reintroduction next summer. This program is intended to restore grizzly bears to the Selway-Bitterroot ecosystem in Idaho and Montana, the largest roadless area remaining in the lower forty-eight states. This reintroduction is vital to grizzly bear recovery. In addition, the USFWS would be prohibited from expending funds to complete Section 7 consultations as required by the Endangered Species Act, on federal activities affecting bears in the same area.



Photo by Hillary Clements.

Rider analysis courtesy of Roger Featherstone, **Defenders of Wildlife**, a leading nonprofit conservation organization recognized as one of the nation's most progressive advocates for wildlife and its habitat. Defenders focuses its expertise in education, litigation, research and advocacy to protect our country's wild animals and plants in their natural communities.
www.defenders.org

9) Trail Funds For Big Timber

Diverts Trail Fund for "forest health" logging. This provision allows the 10 percent roads and trails fund to be used to "improve forest health conditions." Since there are no restrictions limiting the use to non-commercial activities, and logging is considered a "forest health" activity, this fund could be used to fund timber sales or indirectly fund more logging roads for salvage and commercial timber operations. This rider also eliminates the requirement that road and trail funds be spent in the same state the money is generated when used for these purposes. This opens the distribution of these funds to the political process, allowing all the funding to go to one state or region with more political clout.

10) Expanded Logging in California

More than doubles logging in 2.5 million acres of national forest land in the Sierra Nevada ecosystem, requiring more than 100 miles of new road construction, and \$70 million over five years. Commonly known as the Quincy Library Group bill, the provision allows logging in ecologically significant forests recommended for protection as old-growth reserves in the 1996 Sierra Nevada Ecosystem Project report. The provision would also increase watershed disturbances in the affected areas by up to 300 percent more than current management.

11) Logging in TN and KY

Transfers jurisdiction of Land Between the Lakes (LBL), a valued hardwood forest in Kentucky and Tennessee, from the Tennessee Valley Authority to the U.S. Forest Service with incentives to log and commercialize the LBL. LBL is a 170,000 acre forest in Tennessee and Kentucky which provides important deep forest habitat for migratory birds and other species in the Southeast. The rider requires the Forest Service to fund LBL management through inappropriate activities such as logging. The rider also exempts the Forest Service from NEPA as long as they use the Tennessee Valley Authority's existing management plan, without setting a deadline for adoption of a Forest Service management plan.

12) Incentives for Logging

Allows national forests in Idaho and Montana, and one forest in Oregon, to contract with private parties for forest restoration work in forests. While such "stewardship" contracts promote important programs, like habitat restoration and prescribed fires, this provision would fund the program through the sale of trees rather than direct funding. Thus, it encourages logging which is potentially destructive.



Mt. Hood National Forest. Photo by Tim Hermach.

13) Road through AK Wilderness

Authorizes construction of a \$30 million dollar, 30-mile gravel road through Izembek National Wildlife Refuge and Wilderness, while waiving all applicable environmental laws. The proposed road would threaten a variety of species which live on or migrate through the refuge, including the entire North American population of Pacific Black Brant and most of the

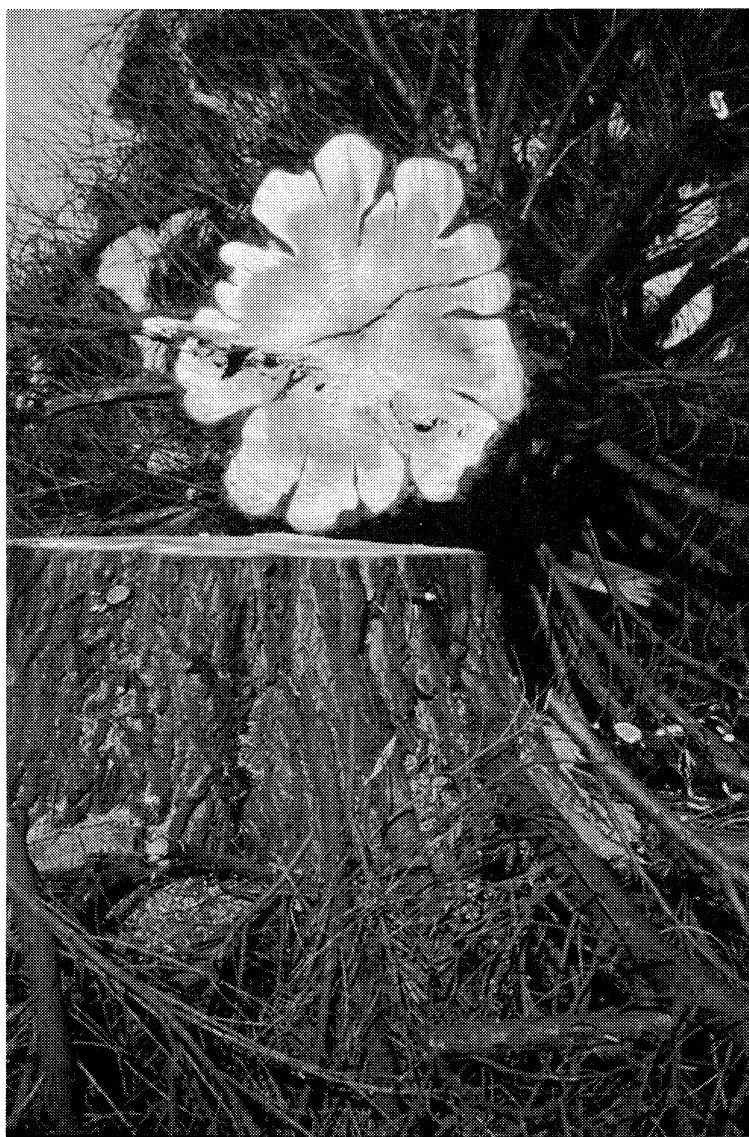


Photo by Hillary Clements.

world's emperor geese. This proposal would set a precedent as the first new and permanent road authorized through a congressionally-designated wilderness area. Conservationists, sportsmen, Alaskan natives, and taxpayer groups strongly opposed the legislation, and the rider drew a veto threat from the White House.

14) Land Purchases

Prohibits the Secretary of the Interior from expending any funds for land acquisition in Alaska unless the Secretary first seeks to exchange unreserved public lands for the parcel desired. This language impedes the federal government's ability to acquire inholdings from willing sellers in an expeditious manner, thus jeopardizing rare opportunities to obtain key private land parcels in such places as Denali National Park and Lake Clark National Park, both in Alaska.

15) More Logging in Tongass

Mandates that the Forest Service offer for sale, and allow the logging of, 90 percent of the timber volume proposed by the Tongass Land Management Plan currently under appeal to the Secretary of Agriculture. Moreover, this rider contains a dangerous, precedent setting provision that makes this requirement legally enforceable. Under this rider, the Forest Service will either have, or be forced to prepare, 241 million board feet of timber for sale next year, a nearly 140 percent increase compared to the amount of timber actually purchased in Fiscal Year 1997.

16) "Green GDP" loses funding

Prohibits the Economic and Statistics Administration and the Department of Census of the U.S. Department of Commerce from expending any of the funds appropriated for those offices for Fiscal Year 1999 on "Integrated Environmental and Economic Accounting" popularly known as the "Green GDP" Initiative. The "Green GDP" Initiative launched by the Clinton Administration in 1993 sought to remedy the failure of conventional economic statistics such as Gross Domestic Product (GDP) to account for depletion of natural resources and for serious damage to the environment and the potential health costs of pollution. The program was designed to provide national statistics highlighting the role of natural resources and the environment in economic productivity to help the government, the public and investors analyze the state of the economy with respect to natural resource and environmental management, highlight the economic consequences of over-exploitation of the environment, and reach more environmentally sound budgeting, policy-making and investment decisions. Without these statistics and their public availability, Congress and agencies will be more likely to subsidize or charge too little for the use of natural resources, and undervalue less damaging activities and environmental restoration.

Replete with pork and last-minute changes (including one made after the bill passed both the House and the Senate), the bill epitomizes one of our Democracy's broadest loopholes: the rider. Analysts are still learning about the damage done.

trading away

the West

How the Public Is Losing Trees, Land, and Money

Nearly half of America's West is owned collectively by its citizens. The public land is rich with trees, ore and recreational wonder, and plenty of people—housing developers, resort builders, investors, timber and mining moguls, conservationists—pine for it.

These days, they're getting it—through trades. And although federal law requires that the taxpayers get full value in return, a Seattle Times investigation has found that often isn't the case. Times reporters found trade after trade where the public gave up more than it received.

In this reprint from *The Times*, we'll take you to the sites of some of these trades. We'll explain how the system regulating land deals is failing.

And we'll explore ways to fix it.

A section of the pre-trade Federal Huckleberry Tract.

"I called this section of what was once our forest 'The Doug Fir Womb'-a rich, fertile, sheltered site with far more export quality Doug-fir timber than what the Weyco contracted and Cruise reported."

—Roy Keene

Parts one and six of a story originally appearing in the Seattle Times September 27 through October 2, 1998. Text, maps, and charts © 1998 Seattle Times. Text, maps, and charts reprinted with permission. Accompanying photographs and captions did not run in the Seattle Times, and appear courtesy of Roy Keene.

Part 1 / the corporations

Weyerhaeuser gets forested land, but what do taxpayers end up with?

By Deborah Nelson, Jim Simon, Eric Nalder and Danny Westneat.

HUCKLEBERRY MOUNTAIN, King County

Logging roads zigzag through the shadeless stubble of clearcuts, past rotting piles of timber waste, to the last remnants of the Douglas-fir forest that once covered this mountain.

Still lush and fragrant, it's one of the few refuges along the middle Green River for a stunning array of animals and plants that survived the cutting all around them: mountain beavers, bald eagles, elk, woodpeckers, lichens of all colors and milky patches of fringed pinesap.

"An island of diversity," a U.S. Forest Service botanist wrote in a memo, "and important to protect."

Yet, rather than protect this verdant seven square miles, the Forest Service recently traded it away—to Weyerhaeuser, which has begun to shave it down.

In exchange, taxpayers will get a lot more land than they're giving up. But most of that acreage, scattered across five counties, is logged over, strewn with debris and so hostile to new growth that one forestry expert said: "No one wants it."

The deal was made under a program that gives federal agencies the power to trade public land for private, as long as it's in the public's interest.

But a Seattle Times investigation has found that the public often doesn't stand much of a chance in these transactions, which are routinely manipulated by special interests behind closed doors. The manipulators include not only large companies such as Weyerhaeuser, but also land speculators, politicians, even environmental groups.

Private parties often propose the deals, select and pay the people who analyze them, then quietly negotiate the details with low-level bureaucrats vested with the authority to literally move mountains from public to private ownership.

By law, the public is to have plenty of opportunity for input. But in practice, deals are often struck before questions can be raised. The formal request for public comment becomes little more than a minister's call for objections at a wedding.

Just within the Forest Service and the Bureau of Land Management, more than 1.5 million acres have changed hands in the past five years, and deals involving 700,000 more acres are pending.

Some Big Land Traders

Here are some of the biggest players in Forest Service and Bureau of Land Management land exchanges in the 1990s, according to agency records. Acres traded refers to all private and federal land that changed hands.

	Acres traded
Timber/resource companies	
Weyerhaeuser (Wash.)	285,313
Plum Creek Timber (Wash.)	68,542
Crown Pacific (Calif.)	67,043
Potlatch (Calif.)	66,249
J.R. Simplot (Idaho)	38,362
Sierra Pacific Industries (Calif.)	35,013
Champion International (Conn.)	28,627
Boise Cascade (Idaho)	23,280

Sources: Bureau of Land Management, Forest Service
THE SEATTLE TIMES

Photo by Roy Keene.



The Times examined dozens of exchanges, finding example after example in which the public came up short either during the process or in the end result:

- In Colorado, a developer threatened to build houses in a Rocky Mountain wilderness unless the government traded him land near a posh ski resort. The Forest Service complied, and he turned around and sold his new land for a \$3 million profit.

- In Arizona, a Bureau of Reclamation appraiser documented that the public was about to be cheated out of at least \$8 million in a trade with a developer. The appraiser was fired and the deal sailed through.

- In Nevada, an environmental group brokered a deal that put thousands of acres of public property on the edge of booming Las Vegas into the hands of developers. In the process, the developers made money, the environmental group made money and the taxpayers lost \$6 million.

- In Arkansas, Weyerhaeuser and the Forest Service carried out one of the largest land trades of the century without doing an appraisal to see whether it was a good deal for taxpayers.

Even the best trades are controversial, because they require agencies to give up land in order to get land. Yet they're often the only means to acquire desirable property, because Congress rarely authorizes money to buy land. The budget for land acquisition in 1999 is less than one-tenth what it was twenty years ago, even adjusted for inflation.

Land exchanges have long helped put important natural landmarks, from Mount St. Helens to the Everglades, into public ownership and have preserved wilderness throughout the West. But all along, spectacular scenery sometimes served as trade bait for dubious deals.

At the turn of the century, Northern Pacific Railroad capitalized on interest in making Mount Rainier a national park by persuading Congress to trade prime timberland acre-for-acre for the company's barren holdings on the mountain.

In the 1990s, the trade bait is pristine mountain wilderness in Colorado, grizzly-bear habitat in western Wyoming, 1,000-year-old redwoods in Northern California.

"Usually there's some imminent threat of destruction," said Janine Blaeloch of the Western Land Exchange Project, a critic of the program. "And there's this cavalier attitude among agency staff about giving away huge pieces of public land."

As a result, she contends, "not only are we giving away land, but we're losing millions of dollars in the process."

The Seattle Times didn't have to travel far to find a major trade with major questions. An in-depth look at the Huckleberry exchange found plenty of disturbing details.

A Complex, and troubling deal

"Seven to one," Weyerhaeuser spokesman Frank Mendizabal explained, poking the air for emphasis. "That's what this exchange is all about: seven to one."

Mendizabal was referring to the fact that Weyerhaeuser swapped 7 acres of land to the Forest Service for every acre of Huckleberry Mountain it got in return.

The trade eliminates miles of messy, intermingled ownership, a checkerboard pattern created 134 years ago when Congress—trying to encourage westward development—gave the Northern Pacific every other mile of land within the right-of-way of the new track it laid from the Great Lakes to Puget Sound.

Over the years, the railroad sold off many of its sections to timber companies, especially Weyerhaeuser. The sections in between became part of the national-forest system, setting the stage for decades of wheeling and dealing between the government and timber giants.

The Huckleberry exchange, completed in March, is the most recent swap of these checkerboard lands.

Officials at the local Forest Service headquarters in Mountlake Terrace presented it as a slam-dunk for the public: 4,300 acres on Huckleberry Mountain for 30,000 acres of Weyerhaeuser land. The deal won the endorsement of the Sierra Club and was heralded as a national model by the Forest Service.

"I have never seen an exchange so much in the public interest as this one," said Dennis Bschor, the Mount Baker-Snoqualmie National Forest supervisor who approved the deal in late 1996.

But a close look reveals a more complex and troubling deal. The numbers that look so good on paper don't fare well in the field.

The Forest Service's appraisal of the Weyerhaeuser exchange valued each side's land at \$45.5 million. But it failed to fully account for the poor quality of Weyerhaeuser's parcels, a factor that independent experts say could have reduced the value as much as \$10 million.

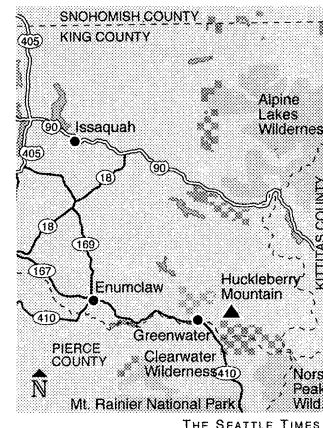
More than half the Weyerhaeuser acres—18,000 of the 30,000—fall into the timber industry's lowest rating for growing trees, according to the company's own records. Some is high-elevation clear-cut planted with seedlings that struggle to grow inches a year. An additional 3,000 acres are too hostile to grow trees at all.

It's higher-elevation land," acknowledged Ed Van Zandt, Weyerhaeuser's lead negotiator for the exchange. "Usually the higher the elevation is, the poorer the land is for growing trees." Over hundreds of years, trees had managed

Huckleberry Land Swap

The U.S. Forest Service and Weyerhaeuser completed their exchange in March: 4,300 acres of federally owned, forested land on Huckleberry Mountain were traded for 30,000 acres of Weyerhaeuser property, much of it logged over.

- Weyerhaeuser trade to Forest Service
- Weyerhaeuser donation to U.S.
- Forest Service trade to Weyerhaeuser



A Trail of Questionable Trades

Arizona

1 Safford: Phelps Dodge helps pay salaries of Bureau of Land Management employees reviewing its trade for land near its copper mines.

2 Tucson: Asarco pays the salary of a Forest Service official brought in from Wyoming to coordinate a company swap for mining lands.

3 Phoenix: Bureau of Reclamation chief appraiser fired after he objects that a trade is too favorable to land developer.

California

4 Headwaters: A Texas financier threatens to cut down a stand of 2,000-year-old redwoods. Unsuccessful in trading for Alcatraz Island, he persuades Congress and the state to buy him out for \$495 million.

Colorado

5 Telluride: Developer drops a cabin into the wilderness by helicopter, forcing Forest Service to trade him property near luxury ski area. He sells it for a fourfold profit.

Idaho

6 Upper Priest Lake: Mill owner pays \$2 million for cedar grove with 1,200-year-old trees. Five years later, he trades it to Forest Service for timberland worth \$8.7 million.

Montana

7 Bozeman: Congress, spurred by timber company's threat to develop sensitive areas, orders Forest Service to acquire cutover land with cash, timber sales and exchange of land in Gallatin National Forest.

8 Yellowstone: New Jersey investor bulldozes through protected grizzly-bear habitat to



build 360-acre subdivision, which he says he'll dismantle if government buys the land.

Nevada

9 Las Vegas: Developer acquires 70 acres valued at \$763,000 in a trade with BLM, then resells it for \$4.6 million the same day.

10 Las Vegas: Taxpayers lose nearly \$6 million when leader of nonprofit conservation group engineers trade that Interior Secretary Bruce Babbitt invited her to arrange.

11 Las Vegas: BLM appraiser taken off trade after he objects to appraisals favorable to Del Webb Corp. Public protests stop potential loss to taxpayers.

New Mexico

12 Silver City: Opponents say trade with Phelps Dodge to expand mining operations threatens Kneeling Nun natural monument.

Oregon

13 Bend: After assuring public it was getting 1,500 acres of old-growth forest in swap with timber company, Forest Service discovers only 300 acres have old trees. Agency had ceded much control in process to timber company.

Utah

14 Snowbasin: Congress orders trade that will give a wealthy

businessman 1,380 acres to build luxury ski resort.

15 St. George: BLM removes chief state appraiser from reviewing several swaps and purchases to create a preserve for endangered desert tortoises after private property owners accuse him of bias.

Washington

16 Enumclaw: Weyerhaeuser trades mostly cutover land for high-quality, old-fir forest. Questions are raised about appraisals and poor quality of company lands.

17 Republic: Federal judge rules BLM ignored warnings from federal and state biologists about valuable wildlife habitat on public timberland it traded away.

18 Wenatchee: Forest Service and Plum Creek Timber Co. are negotiating an 80,000-acre exchange. Plum Creek wants Congress to approve the deal, eliminating legal challenges.

Wyoming

19 Ten Sleep: Court order stops BLM from trading 5,390 acres for just 2,379 acres, a trade based on an appraisal done by the businessman pushing the deal.

20 Alta: Millionaire threatens to develop protected grizzly-bear habitat if the Forest Service doesn't take it off his hands in a trade for the Grand Targhee ski resort.

Elsewhere

Arkansas

21 Little Rock: Weyerhaeuser and the Forest Service make massive trade without doing an appraisal to see if it was a good deal for taxpayers.



THE SEATTLE TIMES

“We’re a tree-growing company,” said Van Zandt. “The better the site, the more attractive the land for Weyerhaeuser.”

“Attractive” is not a word that comes to mind on a tour of the land that Weyerhaeuser gave the public. The rolling landscape wears a 5-o’clock shadow of young trees planted after clear-cutting, to comply with state forest rules. It’s punctuated with stands of strange, stunted trees on fire-scorched earth.

to grow there. But once they were cut, Weyerhaeuser had no use for the land.

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Not a Pretty Picture

“Attractive” is not a word that comes to mind on a tour of the land that Weyerhaeuser gave the public. The rolling landscape wears a 5-o’clock shadow of young trees planted after clear-cutting, to comply with state forest rules. It’s punctuated with stands of strange, stunted trees on fire-scorched earth.

Shorn mountainsides are criss-crossed with logging roads that give way to slides, create wildlife barriers and channel runoff into rivers and streams. The Forest Service says it will cost \$2 million to remove the most damaging roads. Outside experts say it likely will cost more.

Some of the land is recycled from an earlier Forest Service exchange: 1,000 acres along Interstate 90 given to Weyerhaeuser in the 1980s. Now it’s coming back to the public, minus the trees. Worse yet, the company shaved the land clean using methods so damaging to the environment that they’ve since been outlawed.

Forest Service officials say the most important acreage, ecologically speaking, lies along the Greenwater River, which the agency hopes to nurse back to health after decades of damage from logging. However, the agency’s own analysis says progress will be limited by continued logging of private lands elsewhere on the river.

The official reports say Weyerhaeuser traded 3,300 acres of mature forest. But that’s mostly the sum of many small, isolated patches. A reporter in search of the old trees had to clamber over rockslides, scale steep slopes, traverse deep ravines and venture into clouds to find the scattered forest remnants.

“What’s left is what they couldn’t get to or what wasn’t worth getting out,” said Doug Black, a Forest Service timber specialist. “There’s old-growth in pockets—no large contiguous blocks. It’s scattered.”

The best of the plantations traded to the public are stands of 30-year-old fir trees, where a walk through the woods has the feel of a pleasant stroll through a nursery. Missing is the dense mix of trees found in older, natural forests—the diversity that scientists say is crucial to support a variety of animals and plants.

In fact, there’s a greater mix in the forest re-created at Weyerhaeuser’s corporate headquarters in Federal Way than in the replanted lands it gave the Forest Service.

In contrast with the Weyerhaeuser land, Huckleberry Mountain hosts a thick mix of Douglas, silver, grand and noble firs; mountain and western hemlocks; white pines and red cedar. Hikers on a historic Indian trail are greeted with a symphony of whoops and whistles from animals that thrive in old-forest habitat.

Laura Potash, a Forest Service botanist who argued to save parts of the Huckleberry forest, said preserving such habitat is important for more than aesthetics. Even obscure species

of plants might play an important role in the big scheme of things. The yew trees found in wild forests were routinely discarded as commercially worthless—until researchers discovered they’re the source of a powerful drug for treating ovarian and breast cancer.

The public’s new land will also provide old-forest habitat in another century or two. Scientists from other government agencies say the Forest Service glossed over what happens in the interim, when an area with so little wild forest loses so much of what’s left.

In fact, there is so little old-growth left in the area that the agency could not log most of Huckleberry Mountain under current federal restrictions. But that didn’t bar the Forest Service from trading the forest to a timber company for logging.

Doing away with checkerboards

The man who headed the negotiation team for the Forest Service in the Huckleberry trade is quick to defend it.

The exchange wasn’t about saving old forest or getting more of it, Everett White insists. It was aimed at improving land management by eliminating the checkerboard pattern of ownership.

With the swap, Forest Service employees could apply a green marker to dozens of the beige squares representing Weyerhaeuser ownership on agency maps. That will make it easier to separate logging from conservation and recreation.

But that begs a question: If better land management was the intent of the exchange, why didn’t the Forest Service make the trade before the logging roads were built and the trees cut off Weyerhaeuser’s land?

Half of those trees were cut in the past two decades, many of them just before the company’s first overture to the Forest Service in the early 1980s. And the cutting continued: Records show Weyerhaeuser was caught logging well into trade negotiations, after it was supposed to have stopped.

Weyerhaeuser’s Van Zandt acknowledged that from a land-management standpoint, it would have made sense to trade before the land was logged. But from the company’s perspective, “there was no incentive.” Blaeloch, of the Western Land Exchange Project, put it in harsher terms: “Why would someone trade something worth so much money, when they knew they could get away with taking the value out of it first and then trade it?”

White sees no problem with that.

“I’m probably one of the few people in the Forest Service who thinks it’s better to get land than trees,” he said.

White came through the timber-sales division of the Forest Service when old-growth was something to be cut sooner rather than later, and the revenue stream from logging trees was a bigger concern than the fish-bearing streams that depended on those trees. All that ended abruptly in the late 1980s with the disappearance of the spotted owl and diminution of public logging.

Soon after, White and others were thrown into new jobs on the land-exchange team. To them, the logged-over landscape of young, struggling trees isn’t ugly. It’s familiar.



Photo by Roy Keene.

“Fog Shrouds a destroyed forestscape in the Greenwater Tract of the Baker Snoqualmie National Forest. What lays in store for these lands beyond our short vision? Will the feeble planted seedlings really become a forest again? Have we traded a bird in the hand for seven in the bush?” —Roy Keene

Says White: "You can grow trees—but not land."

Skepticism over the deal

Roy Keene knows plenty about growing, and cutting, trees. He's a commercial timber consultant based in Eugene, Ore., telling logging companies what stands of forest are worth to them.

But he's also an environmental activist who is waging a personal, off-hours campaign to protect the remaining old-growth in public forests.

From the moment he heard about the Huckleberry trade, Keene was suspicious. So he sat down at his kitchen table with the appraisal of the deal and a calculator.

Something didn't add up.

"I was suspicious of any trade required by law to be equitable between the Forest Service and Weyerhaeuser," Keene said. "I just thought the Forest Service had a huge disadvantage trading with Weyerhaeuser. I had a hard time imagining the Forest Service coming out ahead."

It's a sentiment shared privately by many in the timber business. But Keene felt compelled to do something about it. He spent hours flipping through the appraisal, comparing the values in the front of the book with the land stats in the appendix and aerial photos spread across his table—then drove 300 miles north to see the trees for himself.

It didn't take long to spot some trouble areas: The value given for the fine, old Douglas firs on the Forest Service land seemed much too low. And the value of Weyerhaeuser's clear-cut land seemed way too high.

"Nearly 20,000 acres of it was low (poor) site . . . with an unrealistic value put on it—about three times what it should've been," he said.

But by the time Keene sounded an alarm to local environmental groups, the deal had been approved and the deeds transferred. That's because the Forest Service keeps appraisals under wraps until trades are completed.

Independent analyses of the appraisal for The Seattle Times by forestry experts found Keene was on to something: The Forest Service had generously discounted the value of its own high-quality timber on the mountain while placing a high value on Weyerhaeuser's reproduction land—the technical term for cutover land that's planted with a new crop of trees.

The result: a multimillion-dollar break for Weyerhaeuser at the expense of taxpayers.

The most detailed analysis was done by independent forestry consultant Kelly Niemi, who reviewed the appraisal and a separate Weyerhaeuser report on site quality and tree-stocking levels.

Niemi is a member of the Association of Consulting Foresters of America and former chairman of the Practicing Foresters Institute Trust, a national group that promotes professional standards. He has campaigned for certification of timber appraisers in this state and has done extensive valuation work on public and private forest land.

Niemi said he was surprised at how poorly the appraisal documented its conclusions, with numbers seemingly pulled "out of thin air" that could easily be off by millions of dollars in either direction. Even the most basic statistic—how many trees were on Forest Service land—appeared to be based on inadequate field checking, he said.

One problem Niemi and other forestry experts noted was the way the appraisal came up with a \$19.6 million value for the 23,000 acres of reproduction land—an average of \$850 an acre.

Niemi's analysis placed the value closer to \$8 million, or \$350 an acre, as did a second evaluation by another firm. The disparity, Niemi said, stemmed from a glaring omission in the appraisal: failure to account for the poor quality of Weyerhaeuser's land.

"What kills it is there's so much low-value ground," he said. "Low-site ground that is poorly stocked is worth almost nil."

The timber industry rates the tree-growing quality of land on a scale of 1 to 5, with 5 being the worst. Sixty percent of the cutover land Weyerhaeuser traded to the Forest Service is rated 5, according to the company's own documents. An additional 20 percent is rated 4.

Other forestry experts shared Niemi's low opinion of the value of site-5 land.

"I don't know a soul who intentionally buys site 5. Nobody wants it," said Don Bryan of the Timber Exchange in Portland, who is cited by the Forest Service as an expert in valuations.

The land may have scenic or environmental value that's important to the Forest Service, he said. But under federal appraisal rules, those intangibles are not to be considered.

There are exceptions in the marketplace to the low value given poor-quality timberland. Niemi noted that a timber company recently paid a premium for low-quality land—but purchased it for a narrow regulatory purpose that had nothing to do with growing trees. That wasn't the case here.

Generous discounts

The appraisal gave Weyerhaeuser a second big break: discounts amounting to roughly \$30 million.

Discounts for profit, risk and capital costs are standard in the timber industry. But this appraisal used rates most

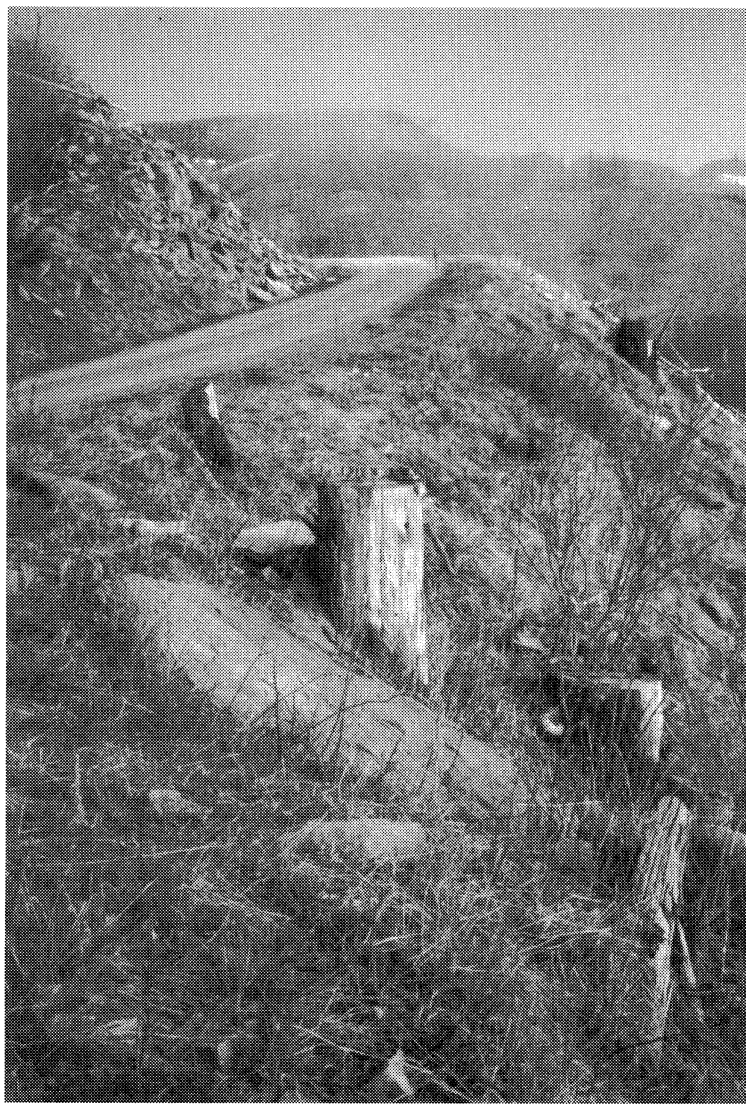


Photo by Roy Keene.

forestry experts consider generous, providing an extra cushion of as much as \$4 million.

The appraisal shaved 17 percent from the value of the Huckleberry timber for "profit and risk," then an additional 30 percent to account for the "cost of money." It also discounted the relatively small amount of timber on Weyerhaeuser's land, but at much lower rates.

If anything, the discounts on Forest Service trees should have been conservative, forestry experts said. Here's why:

- The "cost of money" discount was based on the prime rate plus 2 points. It should have been lower, because large businesses such as Weyerhaeuser can borrow at lower rates. Even Weyerhaeuser's exchange-team leader, Tom Miller, when told about the discount rate, said, "That's too high."

- While large transactions often get a volume discount, it would be modest in this case based on the acreage going to Weyerhaeuser.

- A competitive marketplace also lowers the discount. Plum Creek Timber Co. was interested in trading for the same land, but the Forest Service's appraiser says he wasn't told of that interest.

That's not surprising, given Weyerhaeuser's long-standing clout with federal officials. Don Nettleton, manager of land sales for Plum Creek, says he was rebuffed when he approached the Forest Service about acquiring Huckleberry Mountain in the late 1980s. Plum Creek had tens of thousands of uncut acres, including untouched roadless land, to offer.

"We were competing for those same lands Weyerhaeuser wanted," Nettleton said. "We didn't know it at first, but we knew soon after we started. We were told, 'Hands off.'"

The "profit and risk" discount provided a big margin of protection against greater federal and state restrictions on logging in the future. In effect, the company got a break for new regulations spurred, in part, by its own past logging practices.

The big discounts meant taxpayers paid for protecting Weyerhaeuser against losses from changes in regulations or the marketplace. That protection came in handy. Within months of the signing of the exchange deal in late 1996, the export market began a long tumble as the Asian economy faltered. Douglas fir prices have fallen 20 percent.

Miller of Weyerhaeuser said the company still came out ahead. The key? "The discount factor."

'Anyone can nit-pick'

The Forest Service appraisal was signed by Jeff Osmundson, a certified staff appraiser and key member of the team that shepherded the Huckleberry deal through the system.

Although the Forest Service often uses outside appraisers for large deals—and has used teams of appraisers and forestry consultants in some—Supervisor Bschor said he picked Osmundson because he was qualified and affordable.

The deal was a lot to tackle for a single appraiser who had never handled one larger than a few thousand acres. Osmundson said he got extensive advice from timber-company representatives and other experts, and based his dis-

“A typical view of the heavily cutover lands we inherited from Weyco through the Huckleberry Exchange. Over the next ten years, stumps and their roots will rot out completely, rain waters will percolate through the cavities, and steep slopes like this will unravel into the Greenwater watershed.”

—Roy Keene

count rates on that advice. He based the reproduction values on recent timber sales in the area, assuming the site quality was comparable, and on the age of the trees. He couldn't say how much Weyerhaeuser land was poor quality and he didn't see the need to do a detailed site analysis, as outside experts—including some he consulted—said he should.

He stands by the values in his appraisal: "Anyone can nit-pick."

Miller said he hasn't seen the appraisal, but considers it closer to the true value than the forestry consultants suggest. He said he has had a problem with independent appraisals erroneously undervaluing company land.

"Appraisals are a tool used to approximate value," he said. "Ultimately, the price is determined by . . . what it's worth to you and the other person."

Blaeloch said this case shows why the public should have access to appraisals during deliberations: "The appraisal is the central factor that determines whether a trade is equal and, thus, whether it's legal. So the one piece of information that would assure the public that an exchange was being done fairly is not available for our scrutiny."

Sierra Club gives its support

A final key to this colossal deal was a surprising ally: the Sierra Club.

The conservation group's support is cited by government and company officials as proof the Huckleberry exchange was a good deal for the public. Winning that support was a public-relations coup by Weyerhaeuser—engineered behind the scenes to keep the powerful Northwest environmentalist community from derailing the project.

That community's opposition was strong in 1994, when the Forest Service unveiled the proposal to the public. Environmentalists bellowed about the loss of valuable old forest in exchange for cutover land. Some pushed for a trade with Plum Creek instead.

"The Forest Service needed to know that, politically, there was enough cover to make this exchange take place," explained Miller of Weyerhaeuser in a recent interview. "It was up to us to provide enough cover. The best way to do that was to have a major environmental group testify on behalf of the exchange."

Miller set his sights on one of the earliest, most influential critics of the exchange: the Sierra Club. That opposition was driven by Charlie Raines, director of the club's Cascade Checkboard Project, who assessed the deal as "trees for stumps." No amount of Weyerhaeuser stubble could make up for the loss of Forest Service trees, he said.

"It's as if Weyerhaeuser wanted a new well-equipped Forest Service truck," he wrote in a Sierra Club flier. "In exchange, they offer four old, stripped-down trucks with a couple of flat tires, plus an unused bicycle."

Raines' position was important. He carries a lot of clout in the environmentalist community, and with federal officials.

He had worked side by side with officials to create the network of popular wilderness areas that dot the Cascades and Olympics. In a testament to his influence, the boundary of Washington's Henry M. Jackson Wilderness briefly plunges south to Highway 2 to encompass the spot where Raines met his former wife.

His first success: the 400,000-acre Alpine Lakes Wilderness, a popular backpacking destination with 150,000 visitors a year.

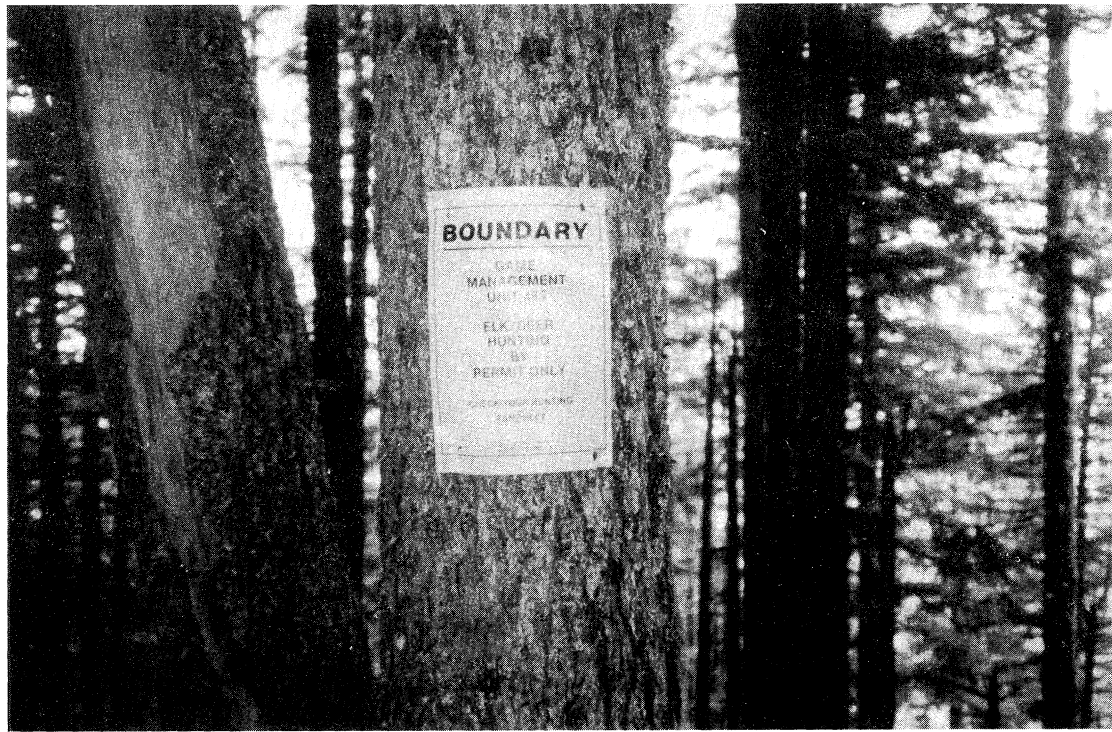


Photo by Roy Keene

"Our pre-trade forest stands were the only winter habitat left in the drainage for big game, particularly elk. Elk use these deep woods for thermal cover as well as a source of moss and lichens when grazing grounds are covered with deep snow." —Roy Keene.

Miller seized on Raines' interest. In private meetings, he told Raines the company would donate 2,000 acres to the Alpine Lakes Wilderness area—if Raines helped the Huckleberry deal succeed.

Agency documents recount Weyerhaeuser's strategy—dubbed "Big D," for donation—to win over the Sierra Club's backpacking constituency with a "romantic" donation to one of their favorite haunts.

It worked. Raines agreed, in writing, to support the deal and deliver five environmental organizations.

Raines recently reviewed a copy of his '94 "trees for stumps" press release. The nature of the exchange hadn't changed in most respects since then, he admitted. What had changed was his perspective.

"I'd been so focused on the land being cut over. But I began to see there were pieces that were valuable," he said.

The real catalyst, though, was the Alpine Lakes donation: "That changed the rest of the discussion. That's when I could go back to my colleagues and say there's a new package. The donation really did change cynicism to support."

Raines said the donated land—high, remote and partially forested—is an important enough addition to the wilderness ecosystem to overshadow the exchange's flaws.

"Enviros love that high-country wilderness ground," said Jerry Franklin, a nationally renowned forestry professor at the University of Washington.

But he worries such priorities are skewed. The habitat in need of protection right now is lower-elevation forest, he said. Yet, it is often sacrificed in exchanges like Huckleberry Mountain, because the timber companies want low land and environmentalists favor high land. The Sierra Club was not the only public-interest group to support the exchange, but it was the most influential and surprising.

The exchange, which involves more real estate than the cities of Seattle and Tacoma combined, would be the largest land trade in the Northwest in 50 years.



Photo by Roy Keene.

We inherited many disastrous slides and blowouts with Weyco's left-over lands. Roy Keene (hat) and Greg Harty survey a blowout from a steep clearcut and logging road above that is delivering sediment into the Greenwater River and could easily take a million dollars to "fix."

—Roy Keene

After two years of wrangling over massive Plum Creek trade, make-or-break decision nears

By Jim Simon, Eric Nalder, Danny Westneat and Deborah Nelson

Through two years of negotiating, Plum Creek Timber has offered the U.S. Forest Service a simple choice: complete a trade for 60,000 acres of the company's land by the end of 1998, or Plum Creek will start logging it.

As the deadline approaches, the company is still waiting for the answer.

In the next few days, the Forest Service will provide part of it. The agency will release its final recommendations on the proposed deal, in which the timber company would swap the 60,000 acres of alpine backcountry in the Cascades for 17,000 acres of prime public timberland.

The exchange, which involves more real estate than the cities of Seattle and Tacoma combined, would be the largest land trade in the Northwest in 50 years.

Congress, at the urging of Plum Creek, is considering whether to order acceptance of the deal—an order that would largely insulate the trade from legal challenges.

That legislation, sponsored by Republican Sen. Slade Gorton of Washington, has upset even some backers of the exchange, who believe it would short-circuit public review. Plum Creek has been negotiating possible compromises with Washington's junior senator, Democrat Patty Murray, whose support is seen as crucial.

But if the bill doesn't pass, Plum Creek says the proposed trade will likely die along with it.

"What we're saying is that if people want to see less cutting on our lands in the Cascades, then we need to get this deal done now," said William Brown, vice president of Seattle-based Plum Creek.

That seemingly simple choice masks the increasingly complex trade-offs for both federal land managers and the public in such large deals.

Many opinions about trade

While the law requires that the land on both sides of a federal trade be of equal monetary value, long-term conservation values aren't neatly measured in dollars or board feet of commercial timber.

The land that would be obtained by the Forest Service would expand Puget Sound's backcountry playground, putting some spectacular hiking trails and alpine scenery into public ownership.

The Forest Service says the biggest beneficiaries would be spotted owls, bears and other creatures. The trade would eliminate much of the patchwork of public/private ownership in the Cascades, creating a solid corridor of protected wildlife habitat on both sides of Interstate 90.

To package what Plum Creek seeks—low-elevation, mature timber near Western Washington sawmills—the Forest Service had to offer land in three national forests. But these days in the Northwest, there is a constituency for virtually every swath of forest spared from urban sprawl or logging.

"The question isn't whether the land we might get is valuable," said Liz Tanke of the Northwestern Ecosystem Alliance, which hasn't taken a position on the trade. "It's what are you willing to trade for it?" Steve Whitney, Northwest director of the Wilderness Society, says his organization wouldn't have worried much about that question 10 years ago. Now, though, there is concern about not only saving favorite hiking spots and remnants of wilderness, but entire ecosystems.

"The problem is that there isn't enough land left to trade away anymore," Whitney said. "We've cut ourselves into a corner. We're rearranging the deck chairs in the Cascades, but there aren't enough chairs to go around."

Washington's congressional delegation is solidly behind the trade. But environmental organizations—those who traditionally put the stamp of approval on land trades in the Cascades—are all over the landscape.

Some groups are strong backers of the exchange. Other would-be supporters are opposing the legislation, upset it would make appeals and legal challenges difficult. Still others argue it's foolhardy to trade away any mature or old-growth forest, no matter what taxpayers get in return.

While many federal land trades are hammered out far from the public eye, the Plum Creek exchange has been heavily scrutinized. The timber company has courted public support, spelling out its plans at numerous forums and negotiating details with conservation groups and Indian tribes.

Much of the scrutiny is a matter of timing: The deal is being debated as the government's land-exchange program, riddled by complaints that some deals have shortchanged taxpayers, is coming under a microscope.

Changes in proposal

The attention has helped to reshape the original I-90 proposal.

Some controversial parcels slated for trade, including one of the last roadless blocks in the Green River basin, will stay in public ownership because of objections from conservationists. The total amount of Forest Service land proposed for trade has been reduced by about half.

To understand the complexity of land exchanges, visit Silver Creek, a breathtaking alpine valley near Cle Elum.

If the trade goes through, Silver Creek will become public property. Its hillsides are covered with old-growth trees. Summer hikers are greeted by a wildflower-filled meadow. A scramble up the ridgetop offers views of Mount Rainier and Mount Adams—and of the heavily logged terrain that surrounds the valley.

Silver Creek has been spared because logging would require building expensive switchback roads through a steep gorge. At 4,000 feet, the hemlock and Douglas fir didn't grow as dense, swiftly or profitably as the low-elevation stands that were plentiful until a decade or so.

These days, Plum Creek Timber says it could make money harvesting the trees there, and has applied to build a logging road into the area.

But a good portion of Silver Creek's value lies in the public's desire for preserving such backcountry jewels.

Plum Creek knows that, and spokesman Bob Jirsa said parcels such as Silver Creek are bargaining chips in the effort to complete such a large trade. Environmental groups and even many Forest Service officials initially preferred a smaller trade.

"We need a big swap or nothing," Jirsa said. "Once we give up Silver Creek and some of these other lands of ours that everyone wants, there's not much incentive left for the Forest Service to exchange with us."

"This is the last best chance."

These days, Plum Creek might be called "The Tree Swapping Company." No other company is pushing land exchanges with the federal government more aggressively. It has 10 proposed swaps in the works, involving everything from sections of the Lewis & Clark Trail in Montana to rattlesnake habitat in Arkansas.

That's partially because Plum Creek owns a lot of parcels like Silver Creek, where logging is guaranteed to spark a fight.

A decade ago, Plum Creek was branded the "Darth Vader" of the timber industry for clear-cutting along I-90. How different Plum Creek's logging practices were from others in the industry is debatable, but the scars it caused were visible to countless passing motorists.

In this trade, Plum Creek would acquire far less visible lands.

"Clearly, for Plum Creek, this exchange would allow us to take somewhat of a lower profile in Western Washington," said Brown.

Just two years ago, the Forest Service completed a large trade in the Cascades with Weyerhaeuser, derided by critics as "trees for stumps." The timber giant got 4,300 acres of mature, commercial forest. The public got 30,000 acres of heavily logged lands, some of which, experts say, are so badly damaged they won't be productive forests for at least another century.

Plum Creek's trade, by contrast, is much more a trees-for-trees swap.

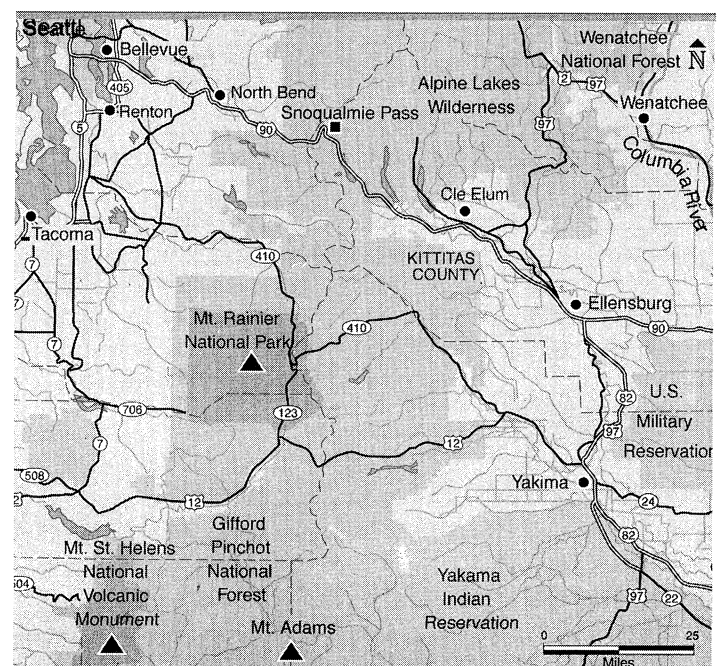
For the past two years, Plum Creek has deferred logging on most of the land it would trade, which amounts to nearly 20 percent of its timber in the state. Brown says the company will start cutting there if the deal isn't completed by

continued on page 15

"The problem is that there isn't enough land left to trade away anymore," Whitney said. "We've cut ourselves into a corner. We're rearranging the deck chairs in the Cascades, but there aren't enough chairs to go around."

Proposed Land Exchange

The 80,000 acres of land that the Forest Service and Plum Creek Timber Company are proposing to trade away are in areas ranging from the Alpine Lakes Wilderness to Mount St. Helens.



The Seattle Times

Stop the Swaps

by Roy Keene

With the door beginning to close on over a century of federal land plundering in the Northwest, timber corporations are clinging to land exchanges as a way to get in a few last licks. Hundreds of thousands of acres of public land, much of it stocked with valuable timber, are targeted for corporate trades. With campaign donations and "gift" acres, timber corporations have enlisted environmentalists and pro-industry politicians as bedfellows in what is, hopefully, the last of the great give-aways.

I received a recent broadcast email from an "environmental" spokesperson elaborating on the advantages of legislating an exchange of forestland belonging to the people of the United States for lands belonging to Plum Creek Corporation. According to this memo, the exchange is going to be legislated to protect our interests. Why, I wondered, does the legislation they promote, if it's truly in the greater public's interest, need to be attached as a rider to the Appropriations Bill instead of standing on its own two feet?

The memo from Alpine Lakes Protection Society implies that "we the people" should trust a few environmental groups, politicians, and a notorious timber company to equitably trade 40,000 acres of federal land for 60,000 acres of corporate land. If this I-90 Exchange were reviewed by independent experts and found, as required by law, to be of equal value, it would be a historical "first."

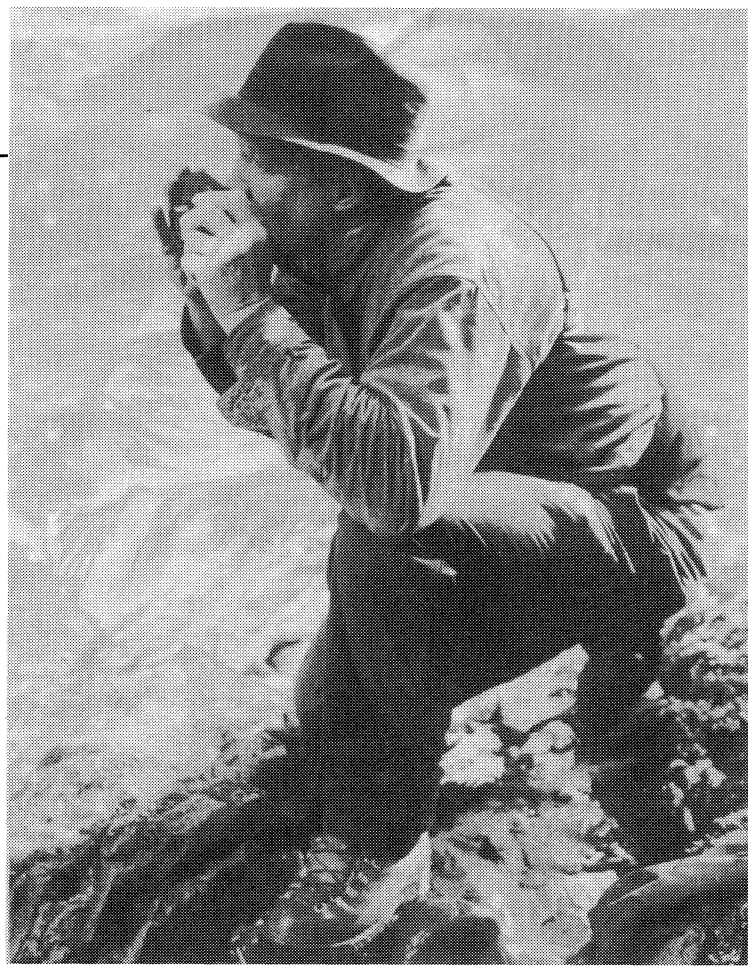
The same parties, in promoting the inequitable Huckleberry Exchange, extolled the virtue of trading seven acres of heavily cutover Weyerhaeuser acres for each acre of federal old-growth timber. As anyone in the timber business knows, seven cutover acres aren't worth even a quarter acre of mature Doug-fir. If, as the *Seattle Times* recently quoted, "I was suspicious of any trade required by law to be equitable between the Forest Service and Weyerhaeuser," I'm far more suspicious of one being legislated by Plum Creek and Senator Gorton.

Those in the Northwest who place more value on old forests, clean drinking water, and careful stewardship of valuable public resources by far outnumber the few who have so far benefited by this recent rash of exchanges. How can the greater majority of federal forest owners (U.S. taxpayers) protect their lands from further corporate raids poised as land exchanges?

Requiring that federal land exchanges be of equal value is the only way to insure that the noble intentions expressed by land exchange promoters are, indeed, sincere. Establishing equal values in any real estate exchange purifies the motives and levels the playing level. In this manner, the larger public can be protected from the self-serving schemes of timber corporations and other narrowly focused special interest groups.

Checking many forestland trades has confirmed to me that the critical "equal value" test must be established by a prudent and unbiased appraisal. The Huckleberry Exchange appraisal that my partner and I reviewed was, in our professional opinion, neither prudent nor unbiased. Had the appraisal been available for public scrutiny before the exchange was finalized, flags would have dropped, time-out would have been called, and taxpayers might have saved thousands of acres and millions of dollars.

Indeed, we calculated a loss to the public in the Huckleberry Exchange considerably more than the *Times* article



Roy Keene is a forestland consultant and the volunteer director of Public Interest Forestry, a nonprofit corporation based in Eugene, Oregon.

implied: many tens of millions of dollars rather than ten million dollars. Obviously controlled by Weyerhaeuser, this exchange was clearly driven by value disparity rather than consolidation concerns.

The Forest Service's appraiser, when questioned about windfall profits Weyerhaeuser reaped from Huckleberry's undervalued federal timber, called these concerns "nit-picking." Why are our federal forest management agencies so casual over the loss of millions of dollars worth of our best timber? I suggest it is, in part, because the Forest Service has been insulated from real world timber values for decades, partly through the convoluted and remote process by which they appraise and sell public timber.

Even in today's glutted log market there is pressure to sell more public timber—not because it's "needed" for domestic supplies, but because, like federal forestland, it can be obtained comparatively cheap. Cheaper, for sure, than private timber of equal species and grade, a discrepancy clearly illustrated in the Huckleberry appraisal.

Large, unlogged blocks of close-to-the-mill federal timber—export grade Doug fir—were valued at only 15 percent more than Weyerhaeuser's remote and scattered harvest residuals, mostly low value hemlock. Yet our timber, in real world log markets, board foot for board foot, was worth twice what theirs was! The Forest Service, having never sold logs on the open market, continues to blithely devalue public timber, fueling industry's desire for further trades. As exchange after exchange unraveled by *Times* reporters illustrated, the American people are continually shorted on values when their land is traded by their management agents. During the twenty years I worked with timbered real estate, the most important advice I offered to clients is "Never let yourself be rushed into a deal!" Until the value disparity is resolved, I maintain the best solution for the public is simple: just stop the swaps.

Though Roy Keene was a quoted source for the *Seattle Times* series, this exclusive *Forest Voice* report did not appear in the *Times*.

Trading Away the West, continued from page 13

the end of the year.

Dave Atcheson of the Pacific Crest Biodiversity Project argues that some of the Plum Creek lands being offered are cut over and a low priority for public ownership. "There shouldn't be an urgency to find trees to trade for that stuff," he said.

He said the Forest Service should pare its wish list of Plum Creek lands to acquire, then seek money from Congress to buy them.

But Len Gardner of the Alpine Lakes Protection Society, which supports the trade, believes that's an unrealistic stand. Plum Creek has said it wants timber, not cash, for its lands. And Congress has appropriated very little money in recent years for land acquisition. "If you think the land is important to save, you need a trade," said Gardner. "There aren't a lot of choices here."

Company wants decision

For now, much of the debate revolves around who should have the final say. The Forest Service says it is on track to complete the deal by the end of the year. But Plum Creek wants congressional approval because it is convinced that, without it, lengthy appeals or lawsuits could block any exchange from going into effect for years.

Plum Creek executives say they learned a lesson from the

Weyerhaeuser trade. Environmental groups and tribes sued unsuccessfully to stop that exchange. Just as importantly, it spawned the creation of the Seattle-based Western Land Exchange Project, a watchdog group that has helped to organize opposition to federal land trades nationwide.

"There are groups out there who believe there is never justification for the Forest Service to trade one stick of mature timber for cutover land," said Andy Wiessner, a consultant to Plum Creek.

"Plum Creek isn't willing to take the risk that this is going to be tied up for years in litigation."

Unlike many other land exchanges ordered by Congress, there will be a full financial appraisal and environmental-impact statement on the I-90 trade.

Still, the legislation is a tough sell for some potential supporters of the exchange. The Wilderness Society's Whitney says his group opposes the bill because it would effectively remove the last layer of public review.

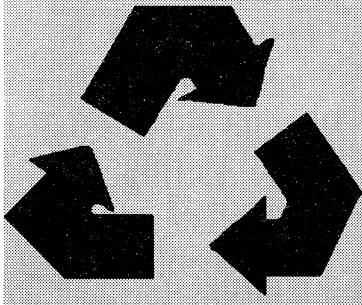
"Plum Creek had taken steps to involve the public in this thing," said Whitney. "I think they misread the tea leaves by taking it to Congress. It dissuaded me from being much of a cooperative partner."

Parts one and six of "Trading Away the West" appear courtesy of *The Seattle Times*. Look for other portions of this six-part series in upcoming issues of *Forest Voice*.

Solutions

Would You Destroy Your Oak Dining Table to Get a Day's Worth of Firewood?

Paper Alternatives



Of course not. Big Timber tells us that we have no choice—that we must continue razing the land to produce paper products. Industry propaganda tell us that there is no alternative, and we must continue the destruction in order to have the products we need.

They are feeding us lies. Paper mills need one thing: organic fiber. Why shred our forests—and our future—into paste? Civilizations throughout history have found alternative sources for paper fiber.

Alternative paper companies can currently make paper from cotton, kenaf, and hemp. Manufacturers produce paper using bamboo, recycled currency, and even old blue jeans. Paper mills can also use agricultural waste, including banana, tobacco, and coffee bean residue. Tree-free paper is

no pipe dream; These products meet (or often exceed) industry standards.

We all use paper, and some of us influence decisions made by businesses, churches, and organizations. Like any other product, an increase in demand will cause prices to drop. Once Big Timber is forced to practice accurate accounting, and the government stops subsidizing the timber industry, the price tag on clearcut paper will reflect its true cost.

Until that day, use the alternatives you can afford. But watch out. Industry has found that it's often cheaper to package products with a "green" label than to change the way they are made. Read labels carefully (see our list of key words to understand) and ask companies for alternatives.

1998 Alternative Papers Report

By Jack Weiss

News this year on the alternative paper front is mixed. As we researched this year's best environmental alternatives, we found some happy surprises and some unexpected disappointments. First, the surprises. Of the four types of paper we list annually, tree-free is hot! The number of tree-free grades jumped 47% from last year to 28 grades, and the number of mills producing tree-free grades nearly doubled as well. The number of recycled paper grades increased 11% in 1998.

More good news: when the federal government increases its recycled paper purchasing requirement from 20% PCW (post-consumer waste) to 30% pcw late this year, we will likely see a number of new recycled grades with higher waste content.

In the Totally Chlorine Free category, however, the market seems to have grown only slightly. Only two new TCF virgin paper grades appear on our list while the num-

ber of mills making virgin TCF have decreased by 10%.

In 1998, Vermont procurement agencies bought approximately \$440,000 in alternative copy and printing paper. Some departments even used processed chlorine-free for their letterhead. "The legislature felt that \$40,000 was a small price to pay to protect the environment," Torty said.

Leif Christiansen, president of Manistique Papers, agreed to be the first company certified under the new program when he heard that two of his valued customers, NCR and Performance Office Papers, wanted to purchase processed chlorine-free Manistique groundwood stocks. "We switched to totally chlorine-free processing long ago because it was cost-efficient," said Christiansen.

Perhaps Archie Beaton's new certification program and mark (created by designer Mary Gordon) will project the bright sign the country needs to revitalize designer interest not only in recycled, but low-impact papers.

Preferable Paper

By Dan Imhoff

If you can't make your paper supply totally tree-free, a new certification system may help you make a preferable choice. These papers meet (or exceed) standards for traditional chlorine-bleached papers, and contain no old-growth timber in the virgin pulp used in manufacturing.

In July, the Chlorine Free Products Association (CFPA) issued a new certification mark, backed up by an unprecedented set of environmental standards to certify papers from feed stock (raw material) through paper mill. Michigan-based Manistique Papers, a long-time producer of chlorine-free 100% recycled business papers, became the first member company to sign up for certification and at least a half-dozen other companies are lined up to follow suit. Only certified members are permitted to use the new marks.

The new Processed Chlorine Free certification marks and program go well beyond the previous standard, which guaranteed that no chlorine or chlorine compounds were used to pulp virgin, pre-consumer or post-consumer content. According to Archie Beaton, head of the CFPA, under the new guidelines, products will be guaranteed by third-party certification to:

- Contain no old-growth timber in virgin pulp.
- Have no chlorine or chlorine compounds used in the processing
- Accurately report post-consumer content and contain a minimum of 20% post-consumer waste
- Be produced only in mills that have no pending or current environmental violations.

While the demand for totally chlorine-free (TCF) papers has grown steadily in Northern Europe over the past decade, capturing 35% of the market, United States mills have invested heavily in chlorine dioxide pulping technology. Known as elemental chlorine-free, or ECF, chlorine dioxide processes have significantly reduced toxic dioxin emissions, but have in no way eliminated them. Recently, however, international concern is rising about the need to completely phase out organochlorine compounds and other persistent organic pollutants (which remain active in the environment for lengthy periods). Organochlorines, including dioxins associated with chlorine pulping, are known to cause adverse health effects to humans and animals, in both immune and reproductive systems.

It should come as no surprise that Vermont (and not the federal government) has demonstrated its environmental leadership on this issue. "To the extent that we can eliminate chlorine from the products we purchase, we are willing to do so," said Tom Torty, commissioner of the Department of Buildings and General Services in Montpelier.

Recovered Material:

No industry standard has been adopted for defining "recovered material." The term will not accurately describe the content of your paper.

Pre-consumer Material:

Fiber not yet used by consumers, such as scraps produced by an industrial printer. This material is less ideal than post-consumer fiber.

Post-consumer Material:

Fiber from paper products that have been used by consumers and then recycled. Such material is preferable because it represents pulp that would have otherwise ended up as useless waste.

Blended:

Papers that include a blend of non-tree pulp, recycled pulp, and sometimes virgin tree pulp. Blended papers are a better alternative than standard paper, but totally tree-free paper is preferable.

Chlorine Free:

Chlorine-free paper is a better choice than standard paper. When choosing alternative paper made from trees, look for products that carry the totally chlorine free (TCF) label granted by the Chlorine Free Products Association (CFPA). The group claims that products with this label contain no old-growth fiber, and that they verify the environmental practices of their fiber sources (see article). While these products are certainly a favorable alternative, the Native Forest Council recommends completely tree-free papers. "Old-growth" typically refers to the age of trees, which may not accurately reflect the ecological impact of logging. Felling all the fifty-year-old trees in an ancient forest is still unacceptable.

Tree-Free:

Paper made without the use of tree pulp. If you can, go tree-free. The products are out there, and they offer quality that meets or surpasses traditional papers.

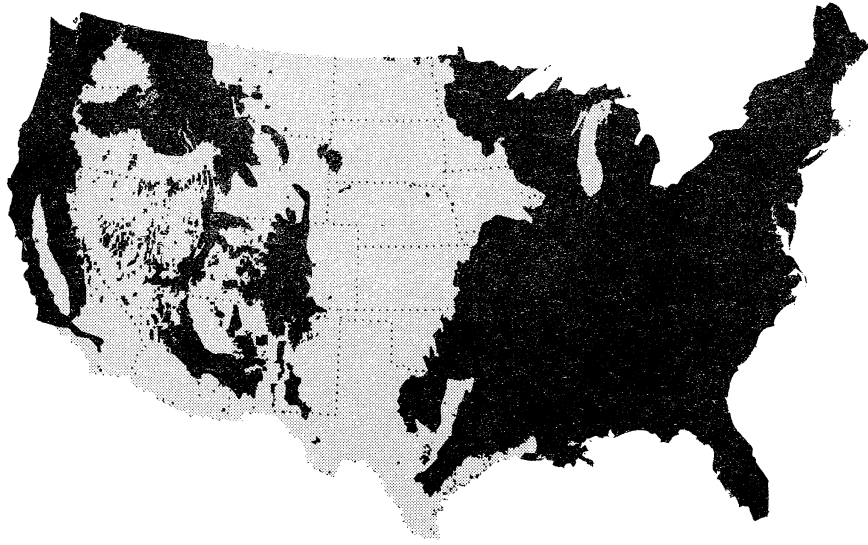
Both stories © 1998 Coyne and Blanchard, inc. Articles originally appeared in the October, 1998 edition of *Communication Arts Eco*, a section featuring ecological critique and objectives in design, appears four times a year in the magazine. The *Eco* editor is Eva Anderson.

Dan Imhoff is a freelance writer who reports regularly on environmental issues related to agriculture, forestry, food and design.

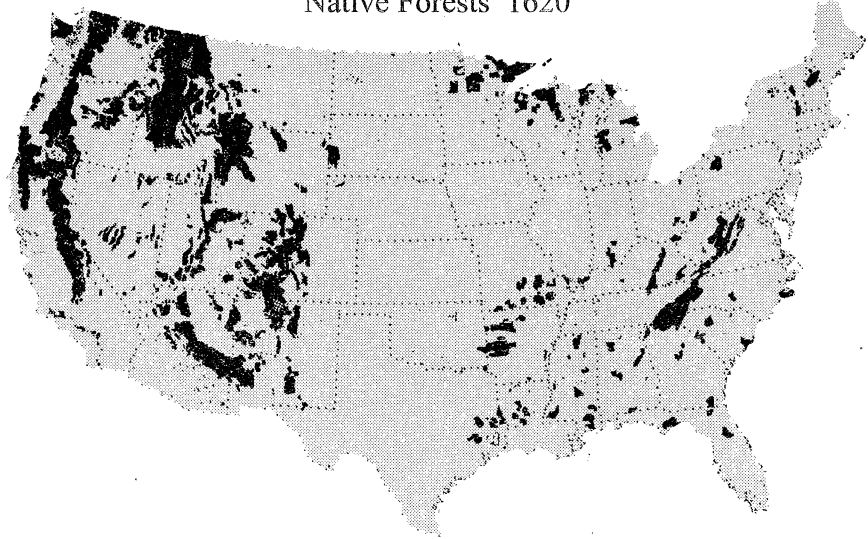
Your Nation's Forests Liquidated

The Next Rational Step

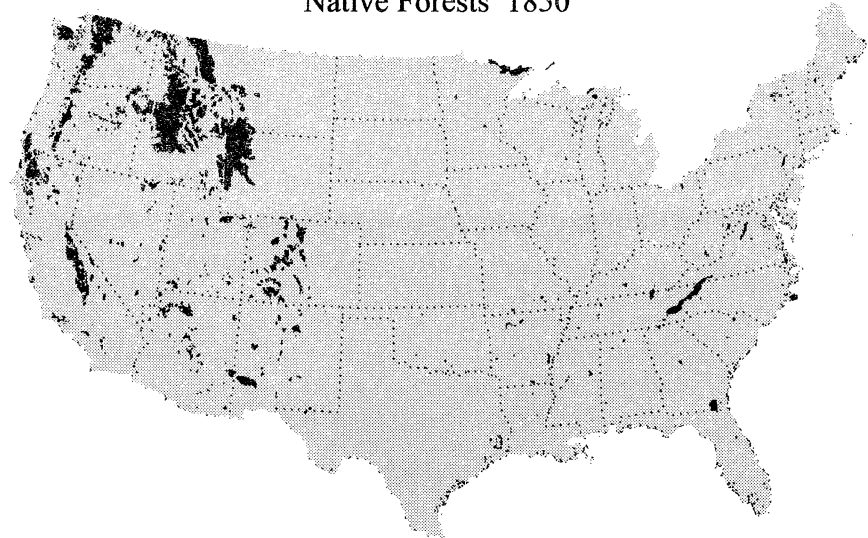
Forever Wild: The Rational Alternative of Ending Extractive Industry's Subsidized Destruction.



Native Forests 1620



Native Forests 1850



Native Forests 1998

They ravage our forests as fiercely as Big Timber. Our government gives them license to ruin the land and subsidizes the devastation with our tax dollars. Commercial logging is not the only threat to our magnificent federal public lands; Grazing, mining, and drilling also destroy our forests.

For more than a year, the Council has been discussing how to fight the combined power of these mighty industries, and the solution we propose is simple: Zero Extraction.

Like Zero Cut, a bold, forthright, national movement can stop this three-headed giant.

Extractive commercial activities have become politically entrenched over the years. Each of them support subsidized industries, operating at great direct and indirect costs to the public.

The combined might of the timber, oil and gas, mining, and grazing industries is powerful. But the Council believes that, given information, the public will demand protection from these extractive industries.

Join us and demand a policy of Zero Extraction. Together, we will Save What's Left and Recover What's Lost. The Native Forest Council refuses to accept the preservation of a few choice acres as victory. Our public lands will only be safe when we address the root causes and market forces driving extractive industry. We will not declare victory until all our federal public lands are forever protected from destruction.

Mining

Antiquated mining laws permit excessive access and ultimate ownership to almost any public land. Repeal of the nation's 100-year-old mining law is long overdue. We must consider the long-term value of public lands and use accurate accounting that includes full cost recovery to the public and prohibit devastating mining techniques.

Drilling

The exploration, drilling, and production of oil and gas occurring on our public lands is also environmentally devastating and costly to taxpayers.

Grazing

Long term grazing permits are sold at prices well-below the actual cost to the public. Grazing on public lands threatens watersheds, and private grazing lands could easily replace the two percent of grazing land lost by adopting a Zero Extraction policy.

Yes, I want to help.

Native Forest Council

Preserving Ourselves by Preserving Forests

- | | |
|--|--|
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City _____ State _____ Zip _____

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