

## **An Epic Clash of Conservation Ethics**

I suppose it makes a kind of desperate sense to think about stepping up logging again on the BLM's O&C lands. In a time of financial crisis in Oregon's timber dependent counties and with revenue from the last of the federal payment acts about run out, why not try to restore the revenue flows they once knew with renewed cutting in the federal forests?

There is a clear-cut irony here. In a "Great Recession" brought on by the deregulation of the financial industry, is the obvious answer the deregulation of logging in our public forests?

One would think that excessive and radical deregulation in the name of liberty and free markets over the past three decades would have caused enough harm. Can you say Enron? Credit default swaps? But when people are desperate, when they themselves become the endangered species, they have historically accepted such "out-of-the-box" extreme measures as the internment of Japanese Americans, the more recent terror-driven erosion of our 4<sup>th</sup> Amendment rights, and are presently considering, the Stahl-De Fazio "Timber Trust" return to the over-cutting practices of the 70's and 80's.

This belief that a return to that golden age of logging will solve the counties' financial problems is easy to understand and sympathize with, but it is mistaken, illegal and unwise. And, more fundamentally, it misses the evolved understanding of conservation that has captured thoughtful minds.

Present forest law was born in the turn-of-the century Utilitarian conservation ethic of wise use. Until the 1970's, this took the form of the Multiple Use Sustained Yield Act, a good law and guide, but one that utterly failed to rein in intensive industrial and political pressure on the public forest.

And then, during the 1970's Nixon administration, Congress passed two important new laws, the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA), which President Nixon signed, and the "NW forest wars" began. The upshot has been that old practices and environmentally deficient plans have with frustrating frequency ended up in court. It has taken these stronger laws to be able to stand up against the economic pressures (and many corruptions) that can and often do subvert wise use.

But even under the new laws, it hasn't been easy. In the 1994 Northwest Forest Plan, "...the U.S. Forest Service and Bureau of Land Management [finally] admitted that they had been significantly over-cutting the federal forests and not giving enough weight to wildlife, fish and water quality concerns."

What we have been witnessing for the past quarter century or more is an epic clash of ethics regarding conservation.

In the 1960's, our traditional ethics (systems of conduct) and morality (the good choices we make) jumped out of their old human-centered box. It became clear that "the greatest good for the greatest number" of utilitarian concern needed to include more than just people. And likewise, that a humanistic ethic of duty, rights and justice needed to be expanded to include our duties and responsibilities to the natural environment we live in, which had rights of its own.

Remarkably, the environmental laws of the 1970's, NEPA and ESA, fully embraced and encoded this new conservation ethic. It was the beginning of the end for those invested in the ideas, plant, equipment and forest practices of the past. Today, of course, we honor the Rachel Carsons, Aldo Leopolds and Albert Schweitzers whose inspirational ecological awareness started the country on this path. The real radicals now are those who remain stuck in an ethical past unable to face the fact that a newer ecological conservation, with its wider duties and responsibilities, has firmly taken hold and is not going away.

That's what makes the proposed Stahl-DeFazio-Walden-Schrader Timber Trust proposal such a retrograde misconception and tragic mistake. Their proposed law would try to hide the public forests in a state trust impervious to the nuisance of federal environmental regulations, like NEPA and ESA, and from all of us who believe that it is time to become better and more responsible citizens – not just users - of our federal forests. Leasing these lands out to an industrial forestry overseen by an appointed state Timber Trust Board, and then having them managed as short-rotation tree farms under the Oregon Forest Practices Act, would send us back to darker forest days.

Unfortunately, the North and South Eugene County Commissioners races are also caught up in this conflict. Two committed conservationists, Commissioners Sorenson and Handy, stand in the way of this Timber Trust strategy to increase logging in Lane County, most of which would occur on lands presently designated in the Northwest Forest Plan for forest restoration. What better explains the timber industry-funded slap suit and smear campaign underway to try to unseat them?

Yes, the times *are* tough and the counties *are* desperate for more revenue, but jumping on an old logging train running on worn out ethical tracks just won't cut it.