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Tuesday
December 1, 1992

TO: Kevin K.
FR: Todd

Editorials

Gore should run timber summit

Among the myriad promises Bill Clinton scattered along the campaign trail was the promise to conduct a "forest summit" on the wood-products and environmental issues in the Pacific Northwest. The new president can confirm his commitment to resolving those issues by sending the best person to lead the summit: Vice President-elect Al Gore.

Gore's high position in the new administration and his outspoken record on the environment make him uniquely qualified to be the administration's point man on the summit — if the administration is really interested in resolving the conflicts here.

Loggers, timber companies, environmentalists, fisheries, exporters, mills — we all face an uncertain future for the forests that have so long sustained the region. Change — broad and deep — is inevitable. The past two Republican administrations have responded by trying to delay the inevitable. One would hope that the new administration will display not only concern for the environment and the economy but compassion for displaced workers, their families and the communities in which they have long formed the bedrock.

The problems besieging the timber and forest-products industries are complicated and, in turn, have bred divisions that are wide and

passionate. Little if any progress toward resolution has been made. But missing has been strong leadership from the nation's president, not to mention the vision to see the long-term issues and the determination to search for innovative solutions. The prospects for that leadership and vision emerging from the Clinton White House are excellent, especially under the personal imprimatur of Al Gore.

Democratic Rep. Norm Dicks cut to the heart of the matter. "The most important thing," he said, "is to structure this so it's not just a lot of rhetoric. It's got to be set up so something actually gets done."

One thing that must get done is a clear-cut plan for a federal program to support, retrain and re-employ timber workers displaced because of timber policy decisions arrived at through the summit process.

Key to that will be the sincere willingness to cooperate and compromise by all parties involved. That may perhaps be the most difficult for the environmental community, often of late rent by ideological fissures.

Stalemate and stonewalling are not — and never were — the answer to the region's timber issues. We trust the incoming Clinton-Gore administration will have the vision and conviction to compel the quest for other answers.



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B2 Seattle Post-Intelligencer, Thursday, November 5, 1992

From ANDY KERR

file - forest summit

★ THE 1992 ELECTION ★ Environmentalists excited by 'gree

By Rob Taylor
P-I Reporter

Despite some greening of the Northwest's political map and Bill Clinton's presidential victory, few people were optimistic yesterday that Clinton's promised timber summit would settle the region's timber wars.

State Rep. Jennifer Belcher, D-Olympia, an avowed environmentalist, was elected Washington state commissioner of public lands by a surprisingly large margin of almost 10 percentage points. She defeated State Sen. Ann Anderson, R-Acme, a well-financed timber industry favorite who sought to stem the rising tide of logging restrictions.

Belcher won even in several rural areas thought to be Anderson strongholds, including Clark, Pacific and Grays Harbor Counties. Her backers credited volunteer support, a Democratic surge in the state and distaste for big industry contributions to Anderson's campaign.

Retiring lands commissioner Brian Boyle called it a replay of his first election 12 years ago, when incumbent Bert Cole lost despite a huge financial advantage built on timber industry cash.

Environmental groups claimed vindication.

"People really underestimated the pent-up frustration with the way things have been done," said Melanie Rowland, a timber industry watcher for the Washington Environmental Council.

More broadly, Andy Kerr, an Oregon Natural Resources Council activist, claimed that the political leadership of Oregon, Washington and California has "greened up." He noted the elections of Gov. Mike Lowry and Rep. Maria Cantwell in Washington, Rep. Elizabeth Furse in Oregon and Sens. Barbara Boxer and Diane Feinstein in California, all Democrats.

But timber industry executives pointed out results that cut the other way. Sen. Bob Packwood, R-Ore., survived a challenge by Rep. Les AuCoin, D-Ore., that turned partly on forest issues.

The industry successfully targeted for defeat Rep. Jim Jontz, D-Ind., the prime sponsor of ancient-forest preservation legislation. And it applauded the unseating of two other congressional adversaries, Reps. Gerry Sikorski, D-Minn., and Peter Kostmayer, D-Pa.

WEC's Rowland conceded that Jontz's

★ LAND COMMISSIONER

defeat sent a shiver through the environmental community. "It could make other legislators wary about sticking their necks out," she said.

In the wake of the election, both industry and environmental leaders were warily turning their attention to Clinton's commitment to holding a timber summit.

"We're certainly looking forward to it," said Kevin Brett, a spokesman for the American Forest Resource Alliance, the leading industry-lobbying group. But he added, "We recognize that the differences are great, and it is going to be very difficult to find a solution that satisfies both sides."

In the past, the industry has sought 4 billion board feet of timber from the region's national forests, while environmental groups talked of 1 billion board feet or less.

To be viable, Brett claimed any agreement will have to be exempt from challenge under the Endangered Species Act and other environmental laws. But that was flatly rejected by ONRC's Kerr.

"We can't, we won't, we don't give on that," he said. "If they're there isn't going to be any legislation."

The track record of such an attempt littered with failure. An attempt at an accord in the Northwest in back on a prescribed harvest for only.

A similar timber summit Clinton's home state of Arkansas years ago, said Chris Barneye, director of the Arkansas Forestry Association. The Sierra Club and other environmental groups were suing to shrink the Ouachita National Foresting to Barneye's, "both growing away from the table because miles apart."

Barneye also questioned Clinton would spend his political on the Northwest's summit stayed out of the Ouachita Arkansas, even while his election general waded into it.

And though Clinton made ward regulating harvests gubernatorial term, he also effort after the timber industry defeat him. He was re-elected with timber industry help.

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ROBERT ABRAMS
ATTORNEY GENERAL

July 22, 1991

Honorable Thomas S. Foley
Speaker
House of Representatives
1201 Longworth House Building
Washington, D.C. 20516-4705

Dear Speaker Foley:

We write to ask your assistance in preserving the right of states and citizens to seek judicial review of National Forest Management Plans. Proposed legislation is again pending in Congress which would severely restrict or eliminate recourse to the courts to insure that key environmental laws are complied with by the U.S. Forest Service and Bureau of Land Management (BLM).

Federal agencies should be subject to the same important requirements of this country's major environmental laws as are states, private entities and people, as Congress has long recognized. As you know, states have asserted this principle in other current debates, such as the clarification of the waiver of sovereign immunity under the Resource Conservation and Recovery Act. The principle applies here as well.

Recourse to the courts for legal review of federal actions is an essential component underlying the integrity of environmental laws, and a right which Congress should not strip from the people, as certain proposed legislation would do. Last year, Congress wisely declined to re-enact for 1991 two budget riders, Sections 312 and 318, which had been included on the FY 1990 Interior and Related Agencies Appropriations Act. Several state attorneys general, environmental groups and other public interest organizations had urged defeat of the riders. Those riders had prohibited judicial review of Forest Service and BLM plans for timber cutting in national forests, even if the plans were legally outdated or failed to address significant new information. Furthermore, one of the riders, Section 318, had specifically nullified court issued injunctions against the Forest Service and BLM relating to timber cutting in old growth areas of national forests in Oregon and Washington, particularly in areas populated by the rare spotted owl. In September 1990,

in areas populated by the rare spotted owl. In September 1990, the Ninth Circuit Court of Appeals ruled that Section 318, in attempting to insulate forest service timber sales from judicial review, unconstitutionally violated the separation of powers doctrine. Seattle Audubon Soc'y v. Robertson 914 F2d. 1311 (9th Cir., 1990). In June, the U.S. Supreme Court accepted certiorari.

In refusing to renew these carte blanche exemptions from judicial oversight last year, Congress in effect affirmed that these federal agencies are not above the law. They have since had another year to comply with the reasonable substantive and procedural elements of NEPA (the National Environmental Policy Act), the National Forest Management Act, the Endangered Species Act and other relevant federal environmental laws. Instead, on May 23, 1991, the U.S. District Court for the Western District of Seattle ruled that the Forest Service had engaged in "a deliberate and systematic refusal" to comply with applicable laws, including the requirement to devise a plan to assure the viability of the endangered Northern Spotted Owl before proceeding with extensive timber cutting in old-growth forests.

Now, proposals pending in Congress (S. 1156, H.R. 2463 and H.R. 2807) would again seek to severely limit judicial review of Forest Management Plans and the activities implementing them. All three bills include provisions, commonly referred to as "sufficiency language," which attempt to suspend or repeal existing laws that would otherwise apply to the Forest Service, BLM and other federal agencies. If enacted, these laws would insulate from judicial oversight decisions to cut thousands of acres of public land, including old-growth forests, despite potential impacts upon the habitat of endangered species and other environmental considerations. The proposed laws would establish dangerous precedent and risk imprudent circumvention of critical environmental safeguards when it comes to these cherished public lands. It simply offends basic tenets upon which this nation's system of laws is based to exclude federal agency actions with wide and irreversible impacts on public lands from appropriate judicial oversight.

Our national forests are a treasure held in trust for the benefit of all of the people of this country. Their continued viability is dependent upon wise stewardship and a careful balance of the multiple uses allowed under law. Existing laws would allow substantial timber harvesting, so long as the critical procedural requirements and substantive mandates of various environmental laws are met. As questions are raised about whether BLM and the Forest Service have fulfilled their stewardship responsibilities and complied with federal law, the appropriate forum for adjudication is the federal courts. We ask that Congress not insulate these agencies from this essential process.

Thank you for your consideration of these views.

Sincerely,



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 Citizens' Local Environmental Action Network * Conservation Law Foundation
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 Environmental Defense Fund * Equal Rights Advocates * Friends of the Earth
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 Southern Environmental Law Center * The Wilderness Society * Union of Concerned Scientists
 Western Ancient Forest Campaign * Women's Legal Defense Fund

May 4, 1992

Dear Representative:

Nearly 200 years ago, Supreme Court Chief Justice John Marshall said that the ability of citizens to seek judicial review of government actions is "the very essence of civil liberty." In short, one of the cornerstones of our democracy is the principle that government agencies have the same obligation – and responsibility – to obey the law as do individual citizens.

Now, however, in the wake of several federal court decisions finding "deliberate and systematic" violations of environmental laws by the Forest Service and other federal agencies, an aggressive campaign is underway to enact legislation that insulates the decisions of these agencies from administrative appeal and judicial review. We are adamantly opposed to any such proposals, whether in authorizing or appropriations bills, to restrict the ability of citizens to seek administrative and judicial review of government decisions.

Stripping the courts of jurisdiction to review and enforce government compliance with the law is fundamentally undemocratic. Yet there are several proposals currently pending, including S. 1156 and H.R. 2463, that would severely limit administrative appeals and judicial review of Forest Service and Bureau of Land Management decisions.

Not only does such legislation effectively suspend many of our environmental laws, but it can be used as precedent for overriding other important laws protecting civil, consumer, and other fundamental rights. The lessons should have been learned a decade ago in the battles over efforts to strip federal courts of jurisdiction to hear busing, school prayer, and abortion cases. Simply put, it is wrong to try to remedy a failure to comply with federal laws by limiting jurisdiction of the courts.

On behalf of our organizations and the millions of members they represent, we urge you to join us in opposing any attempt -- either in an authorizing or appropriations bill -- to limit administrative appeals or judicial review of government agency decisions.

Sincerely,

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October 10, 1991

The Honorable Thomas S. Foley
Speaker of the House
H-204 The Capitol
Washington, D.C. 20510

Dear Speaker Foley:

It has come to our attention that several bills currently pending in the Congress would restrict or eliminate judicial review of federal agency decisions to log our national forests. Moreover, Secretary of Agriculture Edward Madigan recently endorsed such limits on citizens' access to the courts when he announced that government agencies could manage our national forests better "if we were free from the interference of the federal courts. Only the Congress of the United States can free us from that interference. We hope they will do that and do that expeditiously."

We, the undersigned law school deans and faculty, adamantly oppose these and other attempts to undermine existing environmental laws by restricting the ability of courts to review and enforce them.

The role of the judiciary in preserving democratic values cannot be overstated. In 1803, Chief Justice John Marshall called the right to seek judicial review of government actions "the very essence of civil liberty."

Yet several bills that may be acted upon this year, including S.1156, H.R. 2463, H.R. 2807, and H.R. 3263, would undermine the courts and, with them, one of the cornerstones of our system of governmental checks and balances. In particular, these bills attempt to put federal agencies above the law by including one or more provisions that:

- (1) rewrite longstanding rules of administrative law and civil procedure;
- (2) insulate from legal challenge any Forest Service and Bureau of Land Management decisions that are based on outdated information; and
- (3) arbitrarily declare that the requirements of specified environmental laws have been satisfied -- an approach the Ninth Circuit Court of Appeals has ruled unconstitutionally abrogates the functions reserved to the courts.

However, government agencies should not be put above the law: they have the same obligation -- and responsibility -- to obey the law as individual citizens. Whether proposals to limit judicial review are included in authorizing bills or as "riders" on appropriations measures, they would sanction and encourage illegal agency conduct. In addition, they would set a dangerous and disturbing precedent that could be used to erode other important laws protecting our civil and individual rights.

We urge you to take whatever steps are necessary to ensure that neither authorizing nor appropriations bills contain restrictions on administrative appeals or judicial review of our nation's environmental laws.

Sincerely,

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filed summit

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Northwesterners want owl summit in 100 days. Foley broaches with Clinton. Kopetski doesn't want to wait for inauguration. Labor sees extended two-phase process. Enviros want to be included Page 1

Gore criticizes anew Montana 'release' language. Says Senate RARE II words may have barred nonwilderness court tests of plans Page 2

ANWR development stymied; wilderness isn't. Clinton opposition and Senate recalcitrance dooms development. Enviros want it wild Page 4

Hill priorities clear without Clinton budget. Usual suspects - Mine Law, grazing fee, California Desert - on deck. Ashmore to Ag? Page 4

BLM will require double holding fee payment. Within space of a year. One will be for this mining year, the other an advance Page 6

FS timber sale revenues dropped by \$1 billion. FS numbers describe gross fall from \$1.6 billion in fy '90 to \$575 million in '92 Page 6

Clinton gives enviros edge in ESA renewal. But industry-labor coalition gearing up with Tauzin bill. Economics-science balance Page 7

DoI IG: BLM not making full use of mapping computers. Running at 37 percent of capacity. BLM will insert use software, share Page 8

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Owl summit:

Early meeting sought before ESA bill begins to move on Hill

Congressmen from the Pacific Northwest are pushing President-elect Clinton to keep his campaign promise to hold a summit on old-growth legislation within 100 days of his inauguration. If not earlier

In fact House Speaker Thomas Foley (D-Wash.) personally raised the issue with Clinton in a visit to Little Rock a fortnight ago. "Clinton said he was aware of the problem and is committed to resolving it," said a House source close to Foley.

Rep. Mike Kopetski (D-Ore.) doesn't want to wait for inauguration day. He told Clinton in a November 5 letter, "I am writing to urge that you use your good offices to expedite a summit immediately, as part of your transition effort, rather than waiting until after your inauguration in January."

Page 2

Nov.

Clinton's summit promise was made at the behest of labor unions. If the their druthers, the unions would prefer a two-phase process built around the summit, said Denny Scott, staff economist for the United Brotherhood of Carpenters and Joiners of America.

"I doubt that everyone can be heard in one or two days," said Scott. "As I see it in a first phase hearings would be held over a month or two to let everyone who wants get input. In the second phase the policy makers would meet behind closed doors. We suggested that to avoid scrutiny by the press and interest groups."

It is understood that Stephanie Solein, an aide to former Washington Gov. Booth Gardner (D), is organizing the conference and is preparing a prospectus.

Environmentalists are uneasy because the summit was instigated by labor unions that are at cross purposes with them. "I understand that labor and industry people are looking for a one-day hearing," said Jim Owens, campaign director of the Western Ancient Forest Campaign. "We are hoping for a more deliberate, long-range review that will involve not just labor and the timber industry but scientists and governors and others."

Whatever the schedule, Speaker Foley wants the old growth legislation resolved before bills to reauthorize the Endangered Species Act are brought up. "We don't want to get bogged down in the Endangered Species Act," said a House staff member close to Foley.

If the summit is not held until a month or two after Congress convenes in late January, and if it requires a lengthy hearing phase followed by a bill-writing phase, final legislation may not be completed until late in the Congressional year.

While most of the Pacific Northwest Congressional delegation will tilt toward labor and industry in a summit, environmentalists have their horses. They include Rep. Jim McDermott (D-Wash.), Oregon and Washington governors and, perhaps, Vice President-elect Gore. An unknown quantity at this time is Washington senator-elect Patty Walsh (D), who replaces the pro-environmentalist Sen. Brock Adams (D).

When this last Congress ended, numerous old growth bills from all interest groups were on the table in both the House and Senate. They had ground to a halt because of disputes in three areas - (1) how much forest to place off limits to timber harvesting in ancient forest preserves, (2) how strong a guarantee to make for future timber sales and (3) whether to declare EISs and plans legally sufficient to avoid litigation.

One industry official recommended holding off introduction of bills in the early days of the 103rd Congress. "I'm committed to advising our folks not to introduce bills if there is going to be a summit," said Mark Rey, an official of the National Forest Products Association. "If the administration has a good idea, we ought to give them a chance."

Gore tells Montana again that 'release' language won't do

Just before the November 3 election Vice President-elect Gore reinforced his opposition to "release" language in the Senate version of a Montana national forest wilderness bill (S 1696).

Gore first spoke up on release March 26 on the Senate floor. At that time he argued the Montana bill language because he said it went too far in insulating

November 10, 1992

AN ANCIENT FOREST SUMMIT

BACKGROUND AND OPTIONS

THE CLINTON PLEDGE

In an August 25, 1992, letter to the United Brotherhood of Carpenters and Joiners, Governor Clinton wrote that "if there is no resolution to this matter during this [102nd] Congress, early in my administration I will convene a Pacific Northwest Forest Summit to work out a legislative solution. I will work with the Congress and all interested parties to help break the gridlock which has caused so much pain in our Pacific Northwest communities." He affirmed this pledge in a subsequent campaign appearance in Eugene, Oregon on September 14, 1992.

According to analysis by The Wilderness Society, only about 10 percent of the original ancient forests remain. Approximately two-thirds of what remains is unprotected.

The "gridlock" Governor Clinton referred to was the inability of Congress to enact legislation to permanently protect the ancient forests of the Pacific Northwest and the failure of the Executive Branch to comply with federal environmental laws governing management of threatened or endangered species on public lands.

BACKGROUND

Debate over protection of the last remaining ancient forests on public lands in the Pacific Northwest began in earnest nearly five years ago. Some conservationists, timber industry officials, government scientists, and regional policymakers have been engaged in this issue for as long as 12 years.

Much of the debate has been cast, wrongly, as "jobs vs. owls" problem. In fact, the issues of protecting owls and that of timber jobs are only partially related.

The northern spotted owl was identified in the early 1970s by the U.S. Forest Service as an indicator species, one which would allow the agency to measure the overall health and vitality of the ancient forest ecosystem. Despite an abundance of scientific evidence gathered during the 1970s and 1980s that the owl -- and thus, the forest -- was in serious decline, political appointees in successive administrations suppressed efforts to list the owl under the Endangered Species Act. Unsustainable logging of owl habitat, begun decades earlier, continued well into 1990.

In June 1990, the U.S. Fish and Wildlife Service finally listed the owl as a threatened species. This action came only after a federal court ruled that the agency had ignored irrefutable scientific evidence favoring listing in its earlier refusal to list the owl. Even prior to listing, conservation groups were in federal court alleging that federal forest management violated several major federal environmental laws, including the National Forest Management Act. In 1990 and 1991, these lawsuits resulted in

injunctions barring logging in owl habitat on lands managed by the Forest Service and the Bureau of Land Management. Those injunctions are in force today.

Prior to the owl's listing, more than 26,000 timber jobs had been lost between 1979 and 1989 due to increased automation and labor productivity, export of unmilled raw logs, and a pronounced shift in capital investment by major timber companies out of the Northwest. Since the owl was listed, the recession and accompanying collapse of the housing market have resulted in additional mill closings and timber job losses.

More than a dozen legislative proposals were introduced in the House and Senate in the 102nd Congress.

One bill, which would have established an Ancient Forest Reserve System totalling approximately 6.9 million acres, was reported out of the House Agriculture Committee late in the 102nd Congress. The environmental community did not support that bill, preferring a stronger one sponsored by House Interior Chairman George Miller that would have permanently protected 9 million acres. A committee vote on that measure was blocked by last-minute pressure on several committee members from House Speaker Tom Foley.

Another bill was introduced by Senators Patrick Leahy (D-VT) and Brock Adams (D-WA) and endorsed by grassroots and national environmental groups. The Leahy-Adams bill contained both ancient forest reserves and a set of economic provisions, similar to a plan proposed by The Wilderness Society, for small mill owners and timber-dependent communities. Governor Clinton endorsed this bill during the primary campaign.

Intense and expensive lobbying and advertising campaigns by a coalition of major timber companies and the carpenter's union played a significant role in creating the legislative deadlock. Many larger private companies not dependent on timber from public lands benefit from a stalemate that reduces supplies to smaller competitors. Large timber companies with extensive private holdings also profit from high prices for raw log exports. Federal law bans the export of raw logs from public lands.

Most of the congressional bills were based on the report of a panel of four eminent scientists convened at the request of the House Agriculture Committee in 1991. This so-called Portland Panel was asked to develop a scientifically credible set of alternatives for protecting resource values in the spotted owl forests of the Pacific Northwest. They were further charged to develop estimates of employment impacts under each alternative.

Their report outlined a range of Ancient Forest Reserve systems necessary to protect the spotted owl, anadromous fisheries, ancient forest ecosystems, and other forest-dependent species. Of the alternatives developed, the smallest system that would provide a solid chance of preserving all these values was labeled Alternative 12C. This alternative became the basis for Chairman Miller's bill. The House Agriculture Committee's bill as reported was based on Alternative 8C.

The conservation community has argued, inter alia, that only Alternative 12C meets the requirements of current federal environmental laws, including the National Forest Management Act and the Endangered Species Act. There has been no serious challenge to the scientific validity of the Portland Panel study.

OPTIONS

To the extent possible, our goal should be to help create a policy summit rather than a political summit. Our message should emphasize the importance of relying on science and other substantive data in crafting a final solution. We should likewise strive to emphasize that the summit has "national," and even "international" implications.

There are two major options for conducting a summit.

1. Roman Coliseum approach
2. Listen-and-Decide approach

1. A single forum in the Pacific Northwest where all parties to the conflict are represented at one table would encourage undesirable confrontation, rob the Administration of much of its control over the process, and produce "alternative" partisan solutions none of which the Administration probably would support. Any forum that pits environmentalists against the timber industry against Congress can be expected to produce further stalemate.

A similar effort in 1989 was sponsored by Senator Mark Hatfield (R-OR). That forum was essentially a set-up to gain support for a temporary legislative measure supported by the timber industry. The result was a highly restrictive amendment to the Interior Appropriations Bill that blocked any legal challenge to federal actions on public lands for one year. In effect, it rewarded lawless behavior by the federal land management agencies with a year-long waiver from complying with federal environmental laws. It also exacerbated problems in rural communities that were, and are, trying to diversify their economies. The amendment was later overturned in court and created tremendous acrimony and added divisiveness on the issue.

Another negative aspect to this option is that a "summit" held in the region and controlled largely by members of the Pacific Northwest congressional delegation relegates the issue to a purely local concern and is unlikely to produce a solution that will be approved by Congress. Furthermore, senior members of the Pacific Northwest congressional delegations long ago staked out positions on this issue, which generally favor less protection for ancient forests and spotted owl habitat and a preference for suspension of some provisions of the Endangered Species Act.

Whatever process is selected, it must be framed in the context of a "national" issue. A regional "summit" also may create or raise expectations for an "instant" solution that would be difficult to meet.

2. The second option is the preferred approach. It provides an opportunity for the Clinton Administration to collect existing information, develop new information, "listen" to the various arguments, and "decide" on a consensus alternative.

In this scenario, a senior administration official would be appointed to oversee an inter-agency task force with a focus on Pacific Northwest "rural community" issues or "regional forest" issues, as opposed to the more narrow "timber" issues. Task force members would be drawn from federal agencies and academic institutions, with the possible inclusion of state agency land management and wildlife officials as needed.

Working groups reporting to the Task Force would be created representing different aspects of the issue. Working groups would include: forest and fish science; regional infrastructure needs and rural economic development; endangered species; timber supply and demand; trade and export issues. Subgroups of each could be convened as necessary. Members of task forces need not have strictly regional credentials and should be selected for their national stature in scientific, technical, and economic areas.

The goal of the Task Force should be to develop an overall Administration strategy and plan.

This option allows the Administration to approach the larger issues of regional economic transition and diversity in rural communities, and ecosystem management of public lands. Such a process also allows the Administration to maintain tighter control of the issue/solution by avoiding direct confrontation between various interests, fulfill its campaign pledge to work toward a permanent solution while maintaining the issue's national overtones, and create (a relatively) neutral consensus plan with separate environmental and economic components.

To the extent possible, the Administration's plan should be implemented administratively, while also including key portions for legislative action.

Such a process offers an opportunity to diversify representation by including parties such as community development leaders, academic interests, state and local elected officials, members of appropriate congressional committees, and non-timber economic interests such as sport and commercial fishing and health (cancer) interests.

THE STAKES

A great deal more than the future of the ancient forests rides on the success of the summit. If it can arrive at a successful plan, the Administration has an opportunity to protect our most biologically diverse ecosystem and chart the path to a more sustainable economy for communities caught in an economic transition from resource extraction to a more broad-based regional economy.

The lessons learned -- and the process used -- may provide a model for other economic conversion challenges. These include not just environmental conversion (e.g. West Virginia's coal miners) but defense related conversions as well.

A successful summit could also help the Administration stave off attempts by commodity and other development interests to weaken or undermine the Endangered Species Act when it is reauthorized. A successful summit will present the Congress and the public with a vivid example of the "can-do" approach of the new Administration and demonstrate that economic development and environmental protection are not mutually exclusive goals.

Conversely, if the summit is a failure, or a flawed process produces a stalemate, the new Administration will be weakened on environmental issues in the critical early months. Such an outcome could also create roadblocks to solving future "environment vs. jobs" issues and will certainly increase the difficulty of securing a strong Endangered Species Act reauthorization.

The New York Times

Founded in 1851

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Reasonable people may disagree on whether the Endangered Species Act, one of the nation's toughest environmental laws, gives sufficient weight to the economic costs of preserving biodiversity. But to suggest to frightened loggers that changing the act and sacrificing the owl will save their jobs for very long is disingenuous.

The logging industry is undergoing such radical changes that further clear-cutting can only be a stopgap remedy. Mr. Bush correctly noted, for example, that many milling jobs are lost because raw logs are exported to Japan, not sent to local mills.

There are two other powerful forces he did not mention. One is a major shift in investment capital to the South by the big timber companies. The other is automation. In short, business decisions and market forces have done far more to undermine the workers than the owl.

Blaming the owl trivializes the environmental

stakes and diverts attention from the Administration's failures. The issue is not just the owl but the owl's habitat — magnificent old-growth forests that environmentalists wish to save for future generations and loggers wish to cut for today's generation.

Yet the Administration has done virtually nothing to devise a sensible protection plan for the owl, as mandated by the act. Nor has it proposed measures to retrain displaced workers or help distressed communities. With a concerted effort, the Administration might conceivably save most of the forest and more than a few jobs. But nobody, including Congress, seems to have the stomach for such a task in a political year.

The old-growth forests could disappear completely in 15 years if cutting resumed at pre-1990 levels. What would happen to the loggers then? And what would happen to tourism and recreation — industries that can create sustainable jobs as long as the forests last?

These questions require a political perspective that extends beyond Election Day. To his credit, Governor Clinton has talked, albeit vaguely, about a government-business partnership to reconcile environmental and economic needs. For Mr. Bush, who campaigned in the Pacific Northwest four years ago as the next "environment President," the answer is much simpler: get on with the cutting.

That approach will sacrifice not just the "little furry-feathery guy" but an extraordinary environmental resource with its own job potential.

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► 1987: 3.4 million acres

Only 5% of the land today is protected in national parks and wilderness areas.

Source: Sierra Club Legal Defense Fund Inc.

Bush promised to ax the Endangered Species Act, now up for renewal in Congress, unless it tips the balance more toward people and the timber industry. Clinton called for a summit on the issue.

Neither confronted these truths:

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Too often, the politicians can't see the forest for the rhetoric.

The forests, growing when Columbus came to the New World, protect another Northwest industry, salmon fishing. They prevent flooding and erosion. They may yield medical miracles — most recently, the Pacific yew tree, source of a drug to treat breast cancer.

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► Campaign '92, 8A, 9A

*pls make a file - forest
Summit*

3. Provide for the restoration of some of the most critical wetlands that have been damaged by human activities. The Florida Everglades would provide a model program for wetlands protection. (See Issue Nine, below)

What It Would Take to Accomplish: Items 1 and 2 in this list could be done immediately through Presidential action. Item 3 would require appropriations from Congress.

Timetable: Items 1 and 2 could be done shortly after the inauguration. Item 3 could be introduced early in the Congressional session, relying on the urgency of beginning restoration of the Everglades from the damage caused by Hurricane Andrew.

"Bumper Sticker" Description: Protect And Restore Wetlands — Our Most Cost-Effective Pollution Filtration System.

Issue Three: "I promised to hold a timber summit to resolve differences in the Pacific Northwest. How can I make sure it produces real consensus that is sensitive to both economic transition and environmental protection?"

Background: Governor Clinton promised to convene a regional "timber summit" as a means to resolve the conflict over ancient forest protection. A single public forum in the Pacific Northwest where all parties sit around a table would encourage undesirable confrontation, diminish the Administration's control of the process, and produce many partisan "alternative" solutions, none of which the Administration would be in a position to support. Any forum that pits environmentalists against the timber industry against Congress is bound to produce further stalemate.

A "summit" in the region relegates the issue to a purely local level, and may create expectations for an "instant" solution that cannot be met. Whatever process is selected, it should be framed in terms of a "national" issue, maintain Administration control, and lead to a single compromise plan the Administration can support and implement.

Opportunity: Create a process internal to the Administration that works toward a single plan having separate environmental and economic components, avoiding direct confrontation between competing interests but providing diverse representation into the process for a broad array of players (not only timber, labor, and environmentalists, but also scientists, state and local elected officials, community development experts, and non-timber economic interests such as sport and commercial fishing and health groups).

The transformation of the Pacific Northwest economy from one based on resource-extraction to a highly diverse economy has brought tremendous opportunities

to combine protection of unique ecological treasures with programs to create jobs for a diverse workforce. The "summit" process could serve as a model for addressing similar economic transition issues in other parts of the United States.

Proposal: Appoint a senior administration official to oversee an inter-agency task force dealing with Northwest "rural community" and "forestry" (not just "timber") issues. Working groups reporting to the Task Force should include forest and fish science; regional and community economic development; endangered species; timber supply and demand; trade and export issues. Task Force members should be federal agency officials. Working group members should be chosen for national stature in scientific, technical, and economic areas. Working group representation should not be limited to the Pacific Northwest.

The goal of the Task Force should be to develop an overall Administration plan and strategy. To the extent possible, the Administration's plan should be implemented through administrative action (e.g., by the U.S. Forest Service and the Bureau of Land Management); portions of the plan would undoubtedly have to be submitted to Congress as well, but the plan should not (and need not) wait for Congressional approval to be put in place.

What It Would Take to Accomplish: This "summit" could be convened by the President without legislative authority.

Timetable: This could be done at any time the President wished to start the process.

"Bumper Sticker" Description: Jobs Don't Grow On Stumps.

Issue Four: "What are the quickest, most dramatic ways to save significant amounts of taxpayer money and help the environment at the same time?"

Background: The government is wasting hundreds of millions of dollars of taxpayer money and decimating wildlife in the process by subsidizing logging and mining on public lands. In the last 12 years, the government lost \$3.5 billion in below-cost sales of timber from national forests. In 1991, 100 of our 120 national forests lost money selling timber, a total taxpayer loss of about \$250 million. Losses from the 1872 Mining Law, which allows mining companies to buy federal land for less than \$5 per acre and pay no royalties or reclamation fees, are even greater. In the 1980s alone, the U.S. Treasury has been deprived of nearly \$4 billion in mining royalties (based on a recommended rate of 12.5 percent, which is the royalty paid through federal oil and gas leases). Taxpayers pay a second cost as well, the damage done to streams, soil, scenery, wildlife and other parts of our environment. The federal government is running up

file - forest permit

Timetable: The Yosemite contract award is scheduled for February 1993 and will be in progress by December 1992. Budget planning for a Federal Everglades Restoration Program must begin by early January.

"Bumper Sticker" Description: National Parks Are Forever.

Issue Ten: "Is there any way to defuse what may be the most politically divisive environmental issue of the first half of my term, the reauthorization of the Endangered Species Act?"

Background: The Endangered Species Act (ESA) is the key piece of Federal legislation for protecting natural habitats from disturbance and destruction. Because of its strength, it is under vigorous attack by a range of interests (often including Federal agencies themselves) whose actions nibble away at natural habitats.

In each case, there is a plausible explanation as to why this action or that permit should be made an exception to the ESA. But such an incremental nibbling away at habitat, each time with a "reasonable" explanation, inexorably results in the gradual eradication of species and subspecies, any one of which may play a key rôle in an ecosystem or provide some valuable drug or simply add to the necessary diversity and beauty of life.

Most observers believe that the reauthorization fight will be hard fought and emotional with powerful economic interests, who talk in seemingly concrete terms about economic disruptions, arrayed against a group of scientists and environmentalists whose arguments are couched in terms of possibilities, complex webs of interdependence and notions of biological diversity. Although most biologists and ecologists agree that preservation of species is the key to the preservation of biological diversity, and common experience is that diversity is the source of ecological health, the very foundation of our economic future, short term interests will always seek to prevail.

Opportunity: It is important that the first statement from the new Administration sets the context within which this important debate is waged. If it is framed (as it has been by the Bush Administration) as a question of "owls vs. jobs," the discussion will be stacked against species preservation. However, if the Administration makes a powerful statement from the first that the issue is biological diversity as a cornerstone of economic health and sustainability, the terms of the discussion can be strongly influenced in that direction.

Proposal: Even though the reauthorization fight may not occur during the first 100 days of the new Administration, the President can help prevent some opposition by staking out a position in favor of a strong Endangered Species Act. Early support for a strong Act could shape the debate in a fashion that will short-circuit months of bickering later.

Some of the important points to be kept in mind in crafting such a statement include: (1) The Act should never be seen as the first resort for protection of biodiversity; that rôle belongs to a well-crafted national biological diversity program; a reauthorized ESA should include a mandate to develop such a program; (2) The Act should contain a high standard for preservation, resisting easy mechanisms to short-circuit its provisions; and (3) The Act's provisions should be driven by science-based considerations, including a strong biological basis for listing decisions and for maintaining protection for subspecies and populations.

What It Would Take to Accomplish: The President could stake out his position either in an early environmental speech or by means of a high-visibility White House event.

Timetable: The environmental speech should occur early in the Administration in order to set the stage for deliberations within the context of the President's plans.

"Bumper Sticker" Description: The Endangered Species Act: A Gift of Life.

file - Forest Summit

10095 Parrish Gap Road, SE
Turner, Oregon 97392
November 6, 1992

President-Elect Bill Clinton
Clinton/Gore '92
P.O. Box 615
Little Rock, AR 72203

RE: Ancient Forest Protection

Dear President-Elect Clinton:

Congratulations to you and to all of us. We are ecstatic! We all worked very hard out here in Oregon trying to help you win. Thank you for your pro-environment stand and your selection of Sen. Gore as your running mate.

We want you to know that many of us do not agree with the views of our congressional delegation, especially Rep. Peter DeFazio. He leans too far toward the timber industry. He does not care that these forests are part of America's natural heritage and is thinking only of short-lived jobs. We are concerned that he will lobby you to represent Oregon at the summit you might hold.

What many of us want is a resolution similar to what was proposed by Jim Jontz and George Miller (before Speaker Foley tried to weaken it). These proposals supported the views of the Oregon Natural Resources Council and the Western Ancient Forest Campaign.

Sincerely,

Aileen P. Kaye

Aileen P. Kaye

P.S. George Stephanopoulos did a magnificent job!

cc: Vice Pres.-Elect Gore



file - front Samuel

TO: Clinton/Gore Economic Transition Team through Katie McGinty

FROM: Tom Tuchmann, Senate Agriculture, Nutrition, and Forestry Committee.
Work -(202)224-2035 Home(703)683-6066

SUBJECT: Jobs and Environment Initiatives Related to Forest Management

DATE: December 4, 1992

Attached are four initiatives related to primarily USDA Forest Service and USDOl Bureau of Land Management programs that could help fulfill the President-elect's pledge to "Invest in America" and "Reject the False Choice Between Jobs and the Environment".

It should be noted, however, that "rejecting the false choice" in the natural resource management sector - such as timber, grazing, and mining -- will be more difficult to achieve than in the environmental sector -- such as clean air, clean water, and hazardous waste disposal. This is because protecting more public land will force rural forest dependent communities to move away from their historic extraction based economy to a "light-on-the-land" management economy. The attached jobs and environment initiatives could help create new jobs in some areas and mitigate lost jobs in others.

The initiatives meet different needs. The State and Private initiative offers an opportunity to make up for job losses on federal lands with job increases on private lands. The "Conservation Contracts" and "Conservation Corps" proposals can be used to help mitigate job losses from intensive timber production with jobs related to restoring ecologically damaged forests.

Also attached is a below-cost timber sale initiative. While jobs will be lost under this environmentally popular proposal, the federal treasury will save money.

Please feel free to call with any questions or more details on how one of these initiatives could be more fully developed.

STATE AND PRIVATE FORESTRY
Jobs and the Environment Initiative
Tom Tuchmann (703)683-6066 or (202)224-2035

PROPOSAL: Invest in the USDA Forest Service's State and Private Forestry programs which provide financial and technical forest management and production assistance to small, non-corporate landowners across the nation.

BACKGROUND: Programs related to the Forest Service's national forest system -- which manages 18% of the nation's timberland -- receives the bulk of attention and 89% of its budget. Yet, the agency's State and Private Forestry program -- which is responsible for providing technical and financial assistance to 57% of the nation's timberland owners -- receives only 5.5% of the agency's budget.

As demands for more environmentally sensitive forest management force timber harvesting down on public lands, greater federal investment in state and private forest lands could help make up for those reductions. Such an approach would increase timber supply and jobs in rural and urban regions of the nation as well as help landowners protect the environment.

There are seven state and private programs that promote jobs in an environmentally sensitive manner. These include:

Forest Stewardship which provides technical and financial assistance to small, non-corporate landowners to meet their environmental and economic needs.

Forest Health Management which provides financial and technical assistance for timber salvage sale operations, information gathering, and pest management.

Urban and Community Forestry which provides technical and financial assistance to communities and urban forest land owners.

Fire Protection which helps rural fire fighting organizations protect their forests against catastrophic fires.

Rural Community Assistance which provides technical and financial assistance to communities for such activities as planning, economic diversification, international trade, and transition strategies for those communities heavily dependent on national forest timber.

Market Development and Expansion which provides technical assistance to small business.

Planning and Intergovernmental Operations which provides technical

assistance to state forestry organizations and forest dependent communities.

The majority of these programs were authorized or significantly expanded through a Democratic initiative in the 1990 farm bill. However, federal investment in such a substantial portion of our forests continues to be dwarfed by other resource management programs.

ECONOMIC IMPLICATIONS: Preliminary estimates indicate that 1 direct entry level job will be created for every \$12,000 federal investment in various state and private forestry programs. In FY 1992 the job producing state and private programs mentioned above were funded at \$134,000. An additional \$350 million investment could lead to the following job increases.

	Federal Funds (M\$)	Rural Jobs (# of Jobs)	Urban Jobs (# of Jobs)
Stewardship	100,000	5,775	2,475
Forest Health Mgt.	15,000	250	1,000
Urban Forestry	115,000	870	8,794
Fire Protection	35,000	2,000	900
Rural Community Asst.	60,000	4,000	1,000
Market Development	20,000	1,200	400
Planning and Operations	5,000	100	300
TOTAL	\$350,000	14,195	14,869

POLICY CONSIDERATIONS: State and private forestry programs are very popular among landowners, environmentalists, and the forest products industry. So much so that demand for assistance is currently outpacing federal and state government ability to supply. Expanding these programs is great for the environment because they keep existing forests forested, cutover areas reforested, and provide a great environmental education tool. No less important, these programs also provide economic benefits to landowners and those whose livelihoods depend on forest management. In this way, the public lands can focus on providing those non-commodity benefits -- such as recreation, non-game fish and wildlife habitat, and functional ecosystems that are not or cannot be found on private lands. State and private programs are win-win programs.

Yet, there are a number of issues that should be noted. Some wrongly believe that these voluntary, non-regulatory assistance programs will be used to take away an individual's private property rights. Members of the forest products industry support state and private programs, however, not at the expense of federal timber programs. Lastly, a more fully developed monitoring system needs to be developed in order to make sure federal funds are being spent at the local level in an appropriate manner.

CONSERVATION CONTRACTS
Jobs and the Environment Initiative
Tom Tuchmann (703)683-6066 or (202)224-2035

PROPOSAL: Protect existing jobs and provide new jobs for loggers by supplementing existing federal Forest Service and BLM "Timber Sales" with "Conservation Contracts".

BACKGROUND: The USDA Forest Service and USDOJ Bureau of Land Management's timber sales programs currently allow woodworkers to purchase federal timber for harvest under certain environmental guidelines. While such a program allows federal agencies to regulate how timber is logged, the logger reaps the greatest financial reward if the timber they buy is harvested as quickly and efficiently as possible. Thus, loggers have no financial incentive to protect other forest uses being demanded by Americans such as water quality, fish and wildlife habitat, recreation, and scenic vistas. This situation -- combined with the Forest Service and BLM's historic intensive timber production mission -- is also one of the primary reasons clearcutting is the harvest method of choice among most loggers.

As the public demands more non-timber uses from their public forests, the Forest Service and BLM are being forced through public intervention and the courts to practice less clearcutting and other forms of intensive timber production. While some would like to see timber harvesting cease on public lands altogether, others just want to federal agencies to put more emphasis on other forest resources.

Conservation Contracts could allow the agencies to provide an economic incentive for woodworkers to remove timber with greater respect for other forest uses. **Such Conservation Contracts will allow federal agencies to apply the value or a reasonable portion of the value of timber removed under a Contract as an offset against the cost of other environmental protection services that are rendered at the same time.**

The following is one over-simplified example of how a Conservation Contract might work. Under a timber sale Brand X loggers would purchase Forest Service timber estimated to contain 1 million board feet of timber for \$1 million. Here Brand X would try and get 1.2 million board feet out of the sale and the quicker they log it the more money they would make. Under a Conservation Contract, however, Brand X would be required to log only 1 million board feet in a manner that protects the scenic values along a nearby travel corridor and certain non-game wildlife habitat. Brand X may also be required to build restore a trail that cuts through the forests. The Forest Service calculates that it would cost Brand X an additional \$400,000 in operational costs to complete this multiple use contract. Therefore, the Forest Service would charge Brand X \$600,000 for \$1,000,000 worth of timber and the cost of undertaking other forest management treatments to protect scenic, wildlife, and recreational resources.

Thus, under a Conservation Contract, the woodworker's financial incentive has shifted from getting as much timber out as quickly as possible to harvesting timber in a manner that protects and/or enhances other forest resources. Conservation Contracts also provide an incentive for the Brand Xs of the world to diversify their job skill base. In essence, woodworker companies would have a new opportunity protect both their jobs and the environment. The Forest Service benefits by being able to complete more non-commodity management activities that would otherwise be limited to scarce appropriated dollars, and the public will get a wider spectrum of opportunities for less cost.

Senators DeConcini and Leahy have established a pilot "Land Management Service Contract" program in a few Southwestern national forests. The Forest Service is required to report on the results of the pilot program to congress by February 1993.

ECONOMIC IMPLICATIONS: The Forest Service's February report to congress will contain a detailed analysis of the economic and budgetary impacts of conservation contracts.

Preliminary estimates indicate that conservation contracts will create more economically efficient management services, but, will also reduce timber revenues that have historically been returned to the federal treasury. Land Management will be more efficient because one contractor will undertake a variety of management activities. Less revenues will be returned to the federal treasury because they would be funneled back to a contractor to pay for other management services.

I could put a more detailed economic analysis together -- with real numbers -- within a week if this initiative shows promise.

POLICY CONSIDERATIONS:

While scientific debate rages as to the environmental effects of past forest management practices, the forestry profession is recognizing the need to manage for the long-term health of whole forest ecosystems instead of just the trees. This management direction change will likely require a move away from intensive timber production on public lands. However, some rural communities and woodworkers could be hard hit by the associated rapid reductions in timber harvests unless alternative employment opportunities exist. The old growth issue in the Pacific Northwest is a case in point.

Conservation Contracts potentially provide a win-win solution to the bitter battle between woodworkers and environmentalists who currently seem to focus only on how much timber will be available for harvest or how much timber will be locked up. If implemented correctly, Conservation Contracts will help the Forest Service and BLM meet long-term environmental protection mandates, provide a greater mix of non-commodity uses, and also allow for a reduced level of timber harvest. Such contracts will also allow companies to diversify their operations and get into the forest

into the forest restoration and environmental protection business.

In order to protect their business' and provide new jobs, some progressive forest products industry executives are very interested in making Conservation Contracts work for them and the environment. However, industry support has yet to reach a critical mass. The environmental community is silent on Conservation Contracts. While some like the idea, they do not trust the public agencies and the forest products industry to implement them correctly.

Legislation may be needed to bring Conservation Contracts into compliance with existing law.

CIVILIAN and STUDENT CONSERVATION CORPS
Jobs and the Environment Initiative
Tom Tuchmann (703)683-6066 or (202)224-2035

PROPOSAL: Reestablish the Civilian Conservation Corps for three years and establish a permanent Student Conservation Corps to put Americans back to work and to help restore our nation's forests, parks and wildlife refuges.

BACKGROUND: In 1933 President Roosevelt's Civilian Conservation Corps temporarily employed nearly 3 million people. More than 150 types of work were available to help reforest, protect, and improve the forest. The Forest Service alone estimated that 730,000 person-years were devoted to its management activities.

Today, a Civilian Conservation Corps could help public land management agencies -- including the USDA Forest Service and USDOl Bureau of Land Management, Park Service, and Fish and Wildlife Service -- reduce their large backlog of management needs resulting from a decade of neglect. Such agencies are clearly in need of assistance as trails are in need of reconstruction, fish and wildlife habitat is in need of restoration, cutover lands are in need of reforestation, and facilities built by the original CCC and since are in need of renovation.

In addition to a temporary three year program, a permanent student program could build on the efforts of the non-profit Student Conservation Association (SCA). Since the mid-1950s the SCA has run a student oriented equivalent of the CCC. The SCA recruits and places high school and college age volunteers to assist land management agencies in their responsibilities. In recent years they have placed approximately 1,1500 individuals per year at nearly 250 locations across the nation for periods of 12 to 16 weeks. Congress has underwritten part of the SCA's expenses in recent years. In addition to getting work done, the SCA programs serve as an educational and training tool for their student participants.

Under an expanded federal program, a Student Conservation Corps could provide greater opportunities for inner city kids who may benefit from working in the woods.

The establishment of a civilian and/or student conservation corps could be administered by the agencies themselves or in partnership with an organization such as SCA.

ECONOMIC IMPLICATIONS:

The SCA estimates that the administrative cost for one of their volunteers averages \$2,500. This covers SCA's cost in recruiting, placing, and supporting each individual. In addition, the hiring agency is required to provide housing, training, supervision, and on-the-job transportation.

If a federal Student Conservation Corps remains voluntary, these SCA estimates provide a good cost estimate based on decades of implementing this program.

I do not know of any cost estimates for federal administration of a Civilian or Student Conservation Corps, and would recommend that each agency provide you with one. However, a rough estimate for implementing a non-voluntary program is \$5,700/person. This is derived by adding SCA's \$2,500 administrative cost to a \$5.00/hour wage of employing an individual for sixteen forty hour weeks.

POLICY CONSIDERATIONS:

Civilian and student conservation corps are widely supported by federal agencies, environmental groups, and various industries because of their ability to put people to work and help restore the health of the nation's forests.

The biggest drawbacks to Conservation Corps are the temporary nature of employment and the drain on the federal treasury.

BELOW-COST SALES
Federal Budget Savings Initiative
Tom Tuchmann (703)683-6066 or (202)224-2035

PROPOSAL: Reduce federal spending by eliminating timber sales whereby the cost of putting a sale together is less than the revenues returned to the federal treasury.

BACKGROUND: In many ways, the USDA Forest Service timber sale program was one of our nation's first experiments in economic development. The agency's founding father, Gifford Pinchot, wanted to regulate timber production to assure the "greatest good for the greatest number in the long run." Pinchot also believed proper timber management would yield a positive return to the federal treasury over time.

Nearly 90 years later few managed forests have a positive cash flow. The most profitable forests are those with native 200+ year old stands which are the most economical to log and bring the greatest price. However, access to these stands is diminishing as the courts have forced the USDA Forest Service and USDOJ Bureau of Land Management to severely limit their harvest in order to meet the environmental laws of the land. Environmentalists question the appropriateness of subsidized logging when environmental protection and other non-timber uses would be better served without timber harvesting.

A number of legislative and administrative proposals have been introduced to limit below-cost timber sales. They generally focus on mandating a timber sale accounting formula and then eliminating sales where costs are greater revenues. Yet, the similarity ends there as accounting methods lead to very different results. For example, The Forest Service estimates that 39 of its 122 forests are above cost, while The Wilderness Society estimates that only 20 forests are above cost. The difference is how the two organizations value road costs. Moreover, federal agencies are legislatively required provide timber sales in a manner that requires a five year planning cycle, completion of an environmental impact assessment or statement, and protection for associated fish, wildlife, water, soil, recreational, and scenic resources. Federal agencies are also operate under an appeals process that can add to the cost of a timber sale. Finally, while they won't admit it publicly, individual forest supervisors have been known to reallocate timber appropriations to other uses in the last decade because timber sales funded at high levels while others were slashed. These accounting and policy differences highlight the difficulty in developing an equitable below-cost policy.

Finally, it should also be noted that taxpayers are not directly subsidizing the forest products industry. The public subsidizes federal agencies in providing timber to industry in a manner that is in line with all their planning and environmental requirements. Regardless of sale cost, purchasers are required to pay fair market value for any timber they purchase.

ECONOMIC IMPLICATIONS:

According to Forest Service figures -- whose accounting system was developed and supported by the General Accounting Office -- eliminating below-cost timber sales would have saved the federal treasury nearly \$97 million in FY 1991. Using The Wilderness Society's figures, FY 1991 savings would have reached \$246 million. Such savings would vary year-to-year depending on lumber prices and variable forest management costs.

POLICY CONSIDERATIONS:

Eliminating below-cost sales could limit the Forest Service and BLM's primary focus on timber management at any cost while also saving the taxpayer money.

However, eliminating below-cost sales does not necessarily address the underlying policy issue -- how much timber should be cut on public lands. Federal agencies could develop alternative economically efficient ways to harvest timber, or, lumber prices could rise to the point where previous below-cost sales become profitable. Moreover, in the search to make below-cost above-cost, federal agencies and loggers would have little incentive to protect the forest environment and other non-commodity forest uses.

Dear Katie:

file - pres summit
December 9, 1992

Here's the story on the Western forest summit.

Peter Copleman met yesterday as part of our outreach efforts (We have been urged to engage in extensive outreach) with both environmental groups and industry groups. The summit was uppermost on their minds, and they asked about it. It is an issue which we have to address in two of our briefing books -- Agriculture and Interior -- so we will willy-nilly be writing something for the incoming Secretaries about it.

Copleman will -- in a low key way -- get back to both groups today with these messages: *

- The working group is simply an informal working group within my cluster, because two agencies views are involved;
- It is not a big deal, because we will cover it like other issues we are covering, i.e. we're not trying to set policy; and
- As in other areas, we welcome input from all sides.

These messages were consistent with what Copleman actually said. He will steer people away from believing a transition-wide effort is underway.

Of course, I have not mentioned to anyone the memo to the President-Elect on the broad strategy and political issues I discussed with Stephanie and Chris.

Thanks for the heads-up.

Sincerely,



Gus Speth

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MARKING INITIALS: MAY DATE: 1/27/2017

* He has now done this + reports that mission accomplished.

Thanks!! One addition - please make sure it

~~CONFIDENTIAL~~

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TO. KATHE MIBINTY

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FROM Tom TUCHMANN

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QUESTIONS,

41665

Tom

~~RE DATA~~ SHOWN 1. STICK AROUND HERE?

MIBINTY 12/9/92 4:48 PM

TALKING POINTS ON TOM TUCHMANN

o Before coming to the Senate, Tom worked briefly with the National Forest Products Association and was then Director of Resource Policy for the Society of American Foresters.

-- Frankly, SAF is a pretty conservative organization and Tom's job was to help hammer out position statements with a membership that was as divided as your constituents.

o In addition, he is a forester who was trained in the West. His undergraduate work was in Arizona and he did research for his graduate degree in Seattle.

o On the Agriculture Committee, Tom works primarily for Chairman Leahy. As you know Senator Leahy has strong environmental values. However, if you have ever talked to Tom you know how deeply he cares about both the Forest and those whose livelihoods depend on them.

-- You may not like the bill he introduced with Senator Adams, but, I know it was Tom who pushed and pushed for the Rural Economic Development section. A section that labor is privately supporting.

o I think you will be hard pressed to find someone who has the credibility on both sides of the debate as Tom. I know he will work with you and your constituents.

-- He listens and then acts.

o He has already provided us with some forestry jobs and environment initiatives that will keep people employed in public lands states.

o If you would like to talk to him yourself, he can be reached at work at (202) 224-1665 or at home at (703) 683-6066

REFERENCES:

Larry Weisman - President, American Forest Council (202) 463-2460

Steve Quarles - Crowell and Moring, Forest Products Industry lawyer (202) 624-2665

Bill Banzhaf - Executive Director, Society of American Foresters (301) 897-8720

Art Stearns - Washington State Forester, (206) 753-5331

~~XXXX~~

~~XXXXXXXXXX~~

E. Thomas Tuchmann
 123 North Payne Street
 Alexandria, VA 22314
 (703) 683-6066 (h) (202) 224-2035 (o)

Professional Experience

U.S. Senate Committee on Agriculture, Nutrition, and Forestry, *Professional Staff Member*, and, Office of Senator Patrick Leahy, Washington, D.C. *Legislative Assistant for Environment* 1989-Present
 Chief forestry advisor to the Committee and overall environmental advisor to Senator Leahy. Responsible for all facets of the legislative process including conceiving, drafting, and negotiating legislation. Prepare speeches, newsletters, and press releases. Also responsible for oversight of Interior and Related Agencies appropriations, and rural development and trade issues relating to the environment. Supervised Legislative Fellows.

Society of American Foresters, Bethesda, MD, *Director, Resource Policy* 1987-1989
 Managed the Society's government relations program. Worked with congressional, executive branch, and public and private sector representatives across the nation. Lobbied, analyzed, and gave testimony on an array of legislative and administrative proposals. Coordinated 34 state and interstate policy programs. Generated task forces on forest policy issues. Administrative responsibilities included budgeting, publications, fund raising, and hiring, training, and supervising staff.

National Forest Products Association, Washington, D.C., *Economic Analyst* 1986
 Developed quarterly economics survey assessing the forest products industry's business climate, and reviewed USDA Forest Service land management plans and formulated a timber data base for different planning alternatives.

Northeast-Midwest Institute, Washington, D.C., *Associate Policy Analyst* 1986
 Designed and managed project to integrate New England's economic development programs with USDA and state forest service activities.

Pennsylvania State University, State College, PA, *Research Assistant* 1984-1986
 Developed and completed research project, wrote proposals and taught undergraduate natural resource policy classes.

Education

Pennsylvania State University, University Park, PA, M.S. in Natural Resource Policy May, 1986
Northern Arizona University, Flagstaff, AZ, B.S. in Forest Management December, 1983

Professional Activities

Member, George Washington University Advisory Committee on Politics and the Environment, 1992
Program Chair, National Capitol Society of American Foresters, 1991-1992
National Advisory Board Member, Center for Environmental Information, 1987-present
Visiting Lecturer, The Pennsylvania State University, Winter 1991
Member, Keystone Center Dialogue on Biological Diversity, 1989-1991
Legislative Tours Chair, National Capitol Society of American Foresters, 1987-1988
Visiting Speaker, Harvard University, University of Massachusetts, University of Vermont, University of Idaho

Member of Xi Sigma Pi Honors Society, American Forestry Association, Society of American Foresters, International Society of Tropical Foresters, The Wilderness Society

*file - fresh
summary*

FAX TRANSMISSION

TO:

Latie McVinty

COMPANY:

FAX NUMBER:

FROM:

Bob Chlopak

DATE:

12/9/92

Including this cover sheet we are transmitting a total
of 18 pages. If any are missing or are unreadable
please contact _____ at (202) 296-2777.

COMMENTS:

*Drafts as requested.
I am still refining & changing things
so please consider these drafts*

*Bob*CODE: 1801

MEMORANDUM (Draft 1)

TO: Katie McGinty

FROM: Bob Chlopak

RE: Recommendations for Forest Summit Scope and Process

DATE: December 10, 1992

Under separate cover we have prepared an options document that lays out the organizational components of the summit and provides an analysis of several alternatives for each. This memo ties together all of our recommendations for the summit, giving you a sense of how the summit would look if you follow our counsel from start to finish. If you consider our other memo a Chinese menu, the following describes what your meal would be.

First, in developing the options memo, a number of principles emerged that guided our own thinking and could be useful in steering the summit through its many twists and turns. They include:

1. De-politicizing the summit by focusing the debate as much as possible on science, economics and related expertise.
2. Introducing new people into the decision-making process both to inject fresh thinking and enhance the likelihood of a meaningful result. A new Administration and some newly elected officials in the Northwest is a great start, but other people of stature and with expertise should be included as well.
3. Nationalizing the debate (not its scope), venue and participation because the stakes in this debate transcend the region.
4. Making the summit forward-looking and solution oriented.
5. Giving the Clinton Administration maximum control over the summit while minimizing the risk that failure will be laid at its door.
6. Trying to expedite the process while not moving so fast that we force a solution on the basis of politics instead of sound science and policy.

Recommendations

We favor a summit that covers the full scope of Northwest old growth issues but does not address any of the national environmental or land management laws. The summit should begin with a serious and aggressive information gathering component that would start with outreach to the key interest groups and public officials to build some trust, and meetings with outside experts in the fields of science, rural development, and economics. Public hearings in the Northwest and in Washington, D.C., can play a role in this stage but they should not occur at the very beginning since this will tend to polarize the process.

During the second stage of the summit a Blue Ribbon Commission (BRC) would establish the major economic and scientific parameters for further analysis. This is important because we don't want the summit to spend its time determining how many owls remain, or drawing comparisons to timber employment at the height of production in the 1980s. The summit needs to look forward and focus on solutions.

The BRC would then analyze the information and prepare an expert report modeled in many respects around the Portland Panel Study, except that it would deal with a wider range of issues. The report could present a number of options for solutions but it should develop a recommendation of its own.

The BRC report would then be presented to Vice-President Gore as Chairman of the Cabinet Level Forest Summit Resolution Team. Vice-President Gore's team would include the Secretaries of Agriculture, Interior and Labor, the Administrators of EPA and NOAA, and the Chairs of CEQ and the new National Security Council. Over the course of a month, this team would consult with all interested parties, including key Committee leaders on the Hill and Northwest elected officials, and then issue its final report. Consultation at this stage will be critical to keep interested parties feeling involved and so that the process has the feel of a summit. At the same time, we want to limit the decision-making to the Administration with the possible addition of the three Governors from the affected states. The report would accept, amend or reject the BRC recommendations, and include a legislative prescription that would be sent to the Hill.

Vice-President Gore would have the lead Administration role throughout. He would pick the Chairperson and members of the Blue Ribbon Panel, and also appoint a leading economist, scientist and public figure to lead its three major sub teams: economics, science and public participation. The Vice-President

would then Chair the Cabinet Level Resolution Team. Our suggestions for Chair of the Blue Ribbon Commission is a figure from outside the Northwest, including current EPA Director Bill Reilly, former President Jimmy Carter, and Senator Tsongas. Otherwise, the BRC should be made up of respected figures in the fields of science and economics.

We know that there is pressure to get started. Once you decide on the basic outlines of the scope and process, we suggest the Governor Clinton issue a statement to the media that would cover the following points:

- Vice-President Gore will lead the summit effort.
- The process will have 3 basic steps that will marry public input, expert analysis and deliberation by the range of Administration officials with jurisdiction.
- Interested parties including the Northwest and Congress will be involved and consulted throughout.
- Name of the Chair of the Blue-Ribbon Commission.
- Timetable (see last section of options document)

Things to Avoid

The Northwest delegation wants to be at the decision-making table. Their involvement at this level will stymie and politicize the process and should be avoided at all costs. Similarly, the interest groups should not be at the decision-making table. This is exactly how the Section 318 summit was conducted and it was a disaster. Further, the Northwest delegation met all through this year to discuss consensus approaches and to try to work out something. They never did and never will.

The delegation also will try to influence the scope of issues under discussion. At the behest of the labor-industry coalition, for example, they may try to get any export provisions out of the summit. The timber industry has held this over labor's head for years and, as a result, labor opposed their own self interest in the bills considered this year. Provisions to discourage raw log exports are very much a part of the solution.

Similarly, labor and their advocates like Rep. Dicks and Nick Ashmore (Speaker Foley's office) continue to talk about a decision that offers certainty. What they want is a guaranteed timber supply and the only way they can get it is by

overriding existing laws and injunctions. This is a non-starter with our community and sets a terrible judicial precedent.

MEMORANDUM DRAFT 3

TO: Katie McGinty

FROM: Bob Chlopak and Kevin Kirchner

RE: Scope/Process for the Clinton Forest Summit

DATE: December 10, 1992

This memorandum responds to your request for a description of the scope and procedural options for the forest summit. While there may be only a few distinct summit models from a conceptual point of view, there appear to be countless variations when it comes to the implementation of the many specific elements of the summit process.

So, to accommodate flexibility and specificity, we've organized the memo around the organizational components of the summit process rather than the conceptual approaches. The memo provides a number of options for each of the components, and briefly discusses their strengths and weaknesses to help you make decisions.

The components covered include:

- I. Scope of issues
- II. Structure
- III. Product/Outcome
- IV. Leadership
- V. Participants
- VI. Venue
- VII. Timing

I SCOPE OF ISSUES

- a) Northwest Old Growth Forests, including eastern Washington and Oregon and the Sierran Forests in California: This regional focus encompasses the major concentrations of old growth forests on both national forests and BLM lands, all the species that inhabit them and the ecosystems that support them.

It would not limit the debate only to old growth forests that contain spotted owls, nor would it expand the debate nationally to put national laws like the National Forest Management Act (NFMA) and the Endangered Species Act on the table.

Strengths: It lends itself to a comprehensive regional solution for logging in sensitive and endangered old growth forests. It would be more likely to focus on protection of ecosystems since the geographic focus would not be limited to owl forests. By addressing management of old growth throughout the region, it also avoids the unintended consequence of increasing pressure for logging in unprotected old growth forests.

Weaknesses: Including the eastern Washington forests puts the Speaker's forests into play. It also increases the potential acreage and numbers of species that must be considered for protection.

- b) Owl Forests Only in the Northwest: This plan excludes eastern Oregon and Washington and the Sierran forests in California. The forests included are those west of the Cascades in Oregon and Washington and a small number of owl forests in Northern California.

Strengths: It cuts down the acreage under discussion and limits the debate to the forests where logging is enjoined by the Courts. It excludes forests in the Speaker's district.

Weaknesses: It makes the summit essentially an owl vs. timber supply summit rather than a discussion about sound ecosystem management. It would tend to ignore the problems of other species threatened by the destruction of their habitat. It omits old growth forests in the region which are not protected now by Court injunctions yet are threatened by over-logging and disease brought about by poor management practices.

- c) All National Forests and possibly BLM Lands: Even if the focus is largely regional, the summit could make changes in national environmental laws that would have profound impacts on public lands across the entire country. This past year, for example, one ancient forest bill proposed changes in NFMA that would have made timber production the dominant value in all National Forests.

Strengths: It could be vehicle for making needed reforms in national public lands management.

Weaknesses: This option is usually favored by industry as a means of using the crisis in the Northwest to make wholesale changes that favor increased timber production across the entire National Forest and BLM systems. It significantly increases political opposition to any solution since it significantly increases the number of states and congressional districts affected.

II STRUCTURE

This is probably the key issue. The structure utilized will have direct impacts on all the other issues outlined here. In addition, the structure also will affect the tone of the summit – whether it is political or Blue Ribbon in flavor, for instance. Importantly, the structure of the summit also will dictate the degree of control the White House has over the process. Generally, White House control will be inversely related to how public and political the structure is.

To facilitate the discussion of structure, we've divided the presentation into several subcategories:

1. Information Gathering/Public Participation

Under any structure there needs to be a mechanism for soliciting or obtaining input from interested parties and perhaps the public at large. We assume that the Administration would want to appear inclusive, so we recommend that, whatever the mechanisms, input be invited from at least the following interests and constituencies: Northwest elected officials, leaders of Congressional Committees with jurisdiction, labor, forest products industry, environmentalists, fishing industry, scientists and economists. Mechanisms include:

- a) Public Meeting(s) or Hearing(s): A Chair or panel could preside over one or more public meetings or hearings in the Northwest and in Washington, D.C. to gather information from various affected/interested groups and individuals. It would be important to hold at least one such event outside the Northwest to show that this is not just a regional issue. Participation could be handled like a hearing -- with some witnesses invited and other slots open to the public. Or, the meeting could follow the model of the economic summit and be by invitation only.

Strengths: It would show that the Clinton Administration is using an "inclusive" process to give everyone an opportunity to have their voices heard. It would give the Administration an early public event to show that it was acting on its summit promise.

Weaknesses: It would provide a platform for various interest groups to pander to the media and, in all likelihood, further polarize the issue rather than achieve the announced goal of bringing people together.

- b) Task Force(s): One or more Task Forces could be appointed to meet with the interests identified above. The Task Forces would include the spectrum of interested parties and interests -- public officials, interest groups and experts. (Separate Task Forces could address different issues -- rural infrastructure/diversity, ecosystem protection/restoration, etc. -- but it would probably make more sense to have a single Task Force perhaps with subcommittees looking at all of the issues. The single Task Force also has the symbolic advantage of showing that ecosystem management is an integrated issue worthy of an integrated solution.) These meetings would not be secret but would take place away from the glare of the media.

Strengths: It would be an "inclusive" process but its lower public profile could minimize the pandering and polarization that would likely result from the public meeting approach. It would also likely lead to more rational advice and recommendations from the various groups and individuals since they would be meeting in a much more personal context with the task force members. It also shows that the Clinton administration is taking a serious, deliberative approach to the issue. Finally, it would give Clinton more control over the process, and outcome, than if the information were gathered at big media events.

Weaknesses: It could take longer to gather the information (though not necessarily a lot longer) and might be a bit more expensive since there would be more travel/hotel expenses for more people (the Task Force members). The process may also be vulnerable to criticism that the public is shut out and that the fix is in. Task force members that represent the issues at stake in the debate are likely to encounter division and posturing as they maneuver to advance their points of view.

- c) Blue Ribbon Commission(s): One or more Blue Ribbon Commissions could be appointed to gather the information needed to develop a solution. The Commissions would operate just like the task forces, but unlike them,

members would be chosen expressly for their impartiality on the issues. The Commission would be chaired by a prominent public figure and its members would be leaders in relevant technical disciplines such as economists and scientists.

Strengths: This option shares many of the strengths of the Task Force approach, particularly as they relate to the more technical issues (population viability, trade policy, rural economic diversification). The stature and composition of the Commission would tend to de-politicize the process and show that Governor Clinton is being both serious and fair in dealing with the issue. It would also put pressure on all of the interest groups to be persuasive in a more technical tense and minimize their posturing.

Weaknesses: It smacks a bit of an ivory-tower approach, thereby detracting from the "inclusiveness thing." It may also be criticized by Northwesterners for letting outsiders determine the fate of the region.

- d) Combination of Task Force and Blue Ribbon Commission: The White House could announce formation of a Task Force to oversee information gathering and simultaneously form a Blue Ribbon Commission (or two) to pull together the latest scientific and economic information and report back to the Task Force in some fixed time period (90 days?). Meanwhile, the Task Force could hold meetings with the various interest groups, community leaders, etc.

Strengths and Weaknesses are obvious from (b) and (c).

2. Fact Resolution

Once the input is received, the summit must process the information and make decisions. The intermediate step of processing information need not produce a product -- i.e., the decision-makers can deliberate and simply announce their decision. Or, the processors can be charged with the responsibility of resolving disputes -- whether over science, economics, etc. -- and preparing an expert report and recommendations. The report and recommendations could be prepared by the same entity overseeing the information gathering: a chairperson or committee holding the hearings or meetings, Task Force or Blue Ribbon Commission. However, if a fact resolution process is employed, the Blue Ribbon Commission would be the most qualified to carry it out.

Strengths of using fact resolution process: It would give greater emphasis to the role of facts and hard information in the process, encourage interested parties to be more substantive and less vitriolic, and could further depoliticize the summit process and outcome. The report and recommendations would likely set the parameters for legislative and administrative action, making it more likely that action would occur. The blessing of experts also would provide political cover to those who need it. Finally, it would demonstrate that the White House is not only interested in action, but is committed to finding the right course.

Weaknesses: It would slow down the process -- a report could take several months to prepare. It will subject the process to criticism from those who want it politicized -- e.g., "the last thing we need is more studies." It may require some relinquishing of control: you can choose the people but you may not completely control what they say or write. It may be portrayed as too academic and not sufficiently inclusive.

3. Decision-Making

There are several options for making final decisions in the summit.

- a) Report to the President: If the interim step discussed above is used, the report and recommendations may suffice as a report to the President. The President can then transmit them to Congress as is or with legislation developed by the Administration that executes the Commission's recommendations. The President could even wait until he sees the report before deciding whether to submit legislation.

Strengths: The process gives the Administration significant influence over the direction of the summit while also giving it some flexibility to modify the report if needed. The product is likely to be sound from a scientific and economic viewpoint and should stand up to technical and media scrutiny. Regardless of whether legislation is ever signed into law, the Administration will have a product to point to.

Weaknesses: The product won't necessarily be viable politically without the involvement of elected officials in the decision stages. It may not look like a summit if the final step is a report to the President, even with follow-up legislation.

- b) Roman Circus: Whether the summit has a fact resolution process or not (but more likely if not), a representative group may be assembled to make the final decisions. The group would be led by a chairperson appointed by the President, and would include representatives of each of the interested parties -- Northwest delegation, leaders of key committees, labor, industry, environmentalists, community leaders, etc. The group would essentially be locked in a room and not allowed out until they have a consensus on some package.

Strengths: If a consensus were reached it would likely be implemented since every party to the dispute would have agreed to the solution.

Weaknesses: It somewhat resembles the old Hatfield (Section 318) summit, which failed to come up with a workable solution, further polarized the issue by sowing seeds of mistrust among affected interests, and tromped all over environmental laws and judicial review. It would be extremely difficult to come to some consensus. It would likely lead to political solutions, not necessarily outcomes that can be justified by science or economics.

Even if the participants reached a consensus, there would be many interested parties left out (e.g. not all environmentalists would be there, nor presumably all affected elected officials) who would likely be dissatisfied with (and oppose) the product. And even if there were a consensus, there's little likelihood that it would really be a solution. In fact, there would be fights over some other species down the road because this model tends to produce a least common denominator. It also does not give the Clinton Administration (or the Northwest delegation) the kind of control over the outcome that they'd like to have.

- c) Roman Circus II: This is similar to the Roman Circus model except that the only participants are Northwest delegation members, some Clinton Administration officials, the Governors, and perhaps Chairs of key Congressional Committees. This is the process Rep. Dicks has advocated.

Strengths: It may be easier to reach consensus with this model rather than the approach above. Any agreement would be likely to pass since all of the key legislative and executive branch players would be there and they could overcome the opposition of any and all interest groups.

Weaknesses: This approach would likely magnify all of the weaknesses cited under the Roman Circus option. It is the most political of all decision-making

models and the least likely to decide on the basis of facts and science. Limiting the decision-making to public officials probably has the greatest potential to maximize the influence of the Northwest delegation (the reason why Rep. Dicks supports it). This has certainly been the case within the Congress. Along these lines, it could significantly weaken the White House's control over the process and result. It would also effectively undercut the Clinton campaign promise to break from the mistakes of the past and would increase the chances of getting something resembling Section 318 (timber targets, minimal old growth protection, and sufficiency language).

- d) Cabinet Level Team: The White House could establish a cabinet level team, similar to the God Squad. In this model, Clinton would be making the Secretaries of Interior, Agriculture, and Labor; Administrators of NOAA and EPA; Chair of CEQ and Chair of his new Economic Security Council his official summiteers and direct them to prepare final report recommendations and legislation. If ensuring representation for the Northwest states is critical, it also is possible to appoint the governors of Washington, Oregon, and California to this team. This model would work well if coupled with the Blue Ribbon Commission, giving the White House one level of insulation between the experts' report and the Administration's own position. Vice-President elect Gore would be an obvious candidate to chair the special cabinet team.

Strengths: It sends a signal that this is a high-level priority for the Administration. If this model is coupled with an information-gathering approach and consultation along the way, it maximizes both inclusiveness and Administration control of process and result. It expressly avoids having (some of) the opposing interests in the same room bitterly arguing over a least common denominator package. It also avoids giving this process over to the Northwest delegation.

Weaknesses: The proposals of the cabinet level team (with or without the President's imprimatur) still will have to get through Congress. That will require the Speaker's and NW delegation's support (or commitment not to oppose), which might be more difficult if they're not involved. Similarly, some key Committee Chairs may not be sanguine about rubber stamping the package that Clinton's Cabinet Team comes up with. Some of these potential pitfalls could be addressed by making sure that Congressional players are consulted/briefed early and often by the Task Force(s)/Cabinet Team (and, of course, including some of their recommendations in the package).

III PRODUCT/OUTCOME

The summit process could produce a useful product (expert report and recommendations) before the issue ever gets to the White House. Nevertheless, as Clinton has promised a "legislative solution," the final outcome of the process must be a legislative package, a combination of legislative and administrative actions, or at a minimum, a specific statement of principles and position and a Clinton pledge to work with Congress. (The expert report actually could fulfill this last option.) The choice essentially comes down to whether the summit proposes specific government actions or merely states its own consensus or majority position. That choice should be made before the start of the summit process so that expectations are consistent with the planned outcome of the summit.

a) Proposing Legislative and/or Administrative Action:

Strengths: Clearly fulfills Clinton campaign promise. More likely than a statement of position to leverage a bill through the Congress. A detailed proposal, compared with principles and positions, also minimizes the opportunities for Northwesterners to do mischief by developing their own interpretation of what was intended. Also, if it is based on sound science and economics, it may lead to strongest/greenest bill.

Weaknesses: It is more difficult to get agreement on specifics than on a broader set of principles. If legislation doesn't pass, it may look as if Clinton failed. It gives opponents a bigger and more specific target to shoot at. It may engender some ill will if Congress feels its legislative prerogative is being usurped (unlikely unless Congress feels it was shut out of the process entirely).

b) Proposing principles and a statement of position:

Strengths: It is easier to reach agreement. The Administration has less on the line if the Congress fails to produce. It gives Congress more flexibility and responsibility.

Weaknesses: Based on Congress' track record, the issue is likely to die on the last day of the summit if this model is used -- i.e., Congress can't succeed without a stronger push. If it fails, Clinton may look as if he failed to keep

his promise. The product also may look small against campaign promise of legislative solution.

IV LEADERSHIP

- a) Number of leaders: There could be a number of leaders involved in the summit process depending, in part, on the number of stages involved. For instance, under a three step process (information gathering, expert report and recommendations and cabinet level determination of a final solution), you could have a Chair of the Blue Ribbon Commission or Task Force (for both information gathering and the expert report/recommendations) and a separate Chair for the Cabinet level panel. Such a model would give the Administration some flexibility while also ensuring a fair degree of control over the process and outcome. If you don't use a fact resolution process and simply gather information and decide, you could use just one Chair for the entire process. Since the number of Chairs/Leaders seems to be largely a function of the structure of the summit, we do not discuss the strengths and weaknesses of each option here.
- b) Using Subcommittee Chairs or Team Leaders: A second issue is whether you appoint subcommittee chairs or team leaders to handle specific subject areas for the summit. For example, if you use a fact resolution process you may want to appoint team leaders for the economic and scientific issues. Choosing well known individuals for these prominent roles in the summit would be another way of stressing the substantive nature of the summit. Even if you don't use the fact resolution process, you could still name team leaders to synthesize the data from the information gathering phase but this would not be as elevated a role as the former duty.

Strengths of Team Leaders: This model gives the summit a more substantive flavor and helps to limit the posturing of interested parties. It gives the Chairperson two companions to help manage the workload and speak for the summit leadership.

Weaknesses: Depending on the choices of people, the Administration could sacrifice a little control. It may make the summit look academic, removed from the Northwest and/or not inclusive.

- c) NW or National Leaders: Where the Chair(s) is from will be a contentious issue for many of the interested parties. There are two options: a Chair from the Northwest; or a National Chair.

Northwest -- Strengths: This model may play well with the Northwest delegation if someone like former Rep. Les AuCoin is chosen. Someone like Gov. Roberts could be a good choice but the last time she stuck her neck out the timber industry tried to recall her. This choice could play well with some of the press, although the *Seattle P-I* has already editorialized calling for Gore to chair the summit. It clearly sends a signal that the Administration is sensitive to the problems of the Northwest.

Weaknesses: If there was any leadership in the Northwest capable of forging an agreement on this issue it would have happened long before now. The congressional delegation is a major part of the problem. There is no consensus among them. Anyone from the delegation chosen to Chair the summit is more likely to use it to posture at home than they are to solve the problem. It would also seem to emphasize politics over substance.

National Chair -- Strengths: A national chair would have more freedom to consider objective information and would be less likely to be consumed by regional politics. This model would position the issue as nationally significant even though it is regional in geographic focus (similar to Alaska, for example). It would provide cover to the elected officials from the Northwest, allowing them to be advocates instead of having to be responsible leaders. Vice-President elect Gore is the obvious choice to lead the summit and chair the Cabinet level decision-making if that option is selected. Suggestions to lead a Blue-Ribbon Commission include current EPA Director Bill Reilly, former President Jimmy Carter (he fishes in the Northwest almost every summer), Paul Tsongas if he is sufficiently healthy (Tsongas was one of the Alaska Lands bill leaders).

Weaknesses: It may look as if outsiders are trying to force a solution on the Northwest or cause problems with the Speaker or others in the delegation.

V PARTICIPANTS

Participation will be a function of the structure. In the first stage of information gathering, we assume that more is better. Whatever the mechanism, every conceivable interested party should be encouraged to participate and make their views known. The principle participants should include elected officials from the Northwest, leaders of key Congressional Committees, labor, industry and environmentalists, the fishing industry, rural community leaders, Native Americans, and such other groups which have demonstrated interest in this issue -- religious organizations, women's health groups, doctors, and lawyers.

Participation in later stages of the summit should be considered in two ways: who needs to be in the room; and who needs to be consulted. At the very least, the Clinton Administration, Northwest elected officials, key Congressional Committees, and labor, industry and environmentalists should be consulted throughout the process. Who's in the room will vary somewhat with the structure. A model like Roman Circus that is supposed to represent the parties to the dispute would need to include at least the six constituencies just identified. Roman Circus II would exclude labor, industry and environmentalists from this group. A Blue Ribbon Commission would probably exclude all but the Clinton Administration from the room, creating a greater responsibility to consult the remaining parties on an ongoing basis. And, the Cabinet Level decision body would similarly exclude everyone but the Clinton Administration.

The strengths and weaknesses of who is included are covered under the discussion of the subparts of the structure.

VI VENUE

Like everything else, it depends on the structure. Some aspect of the information gathering, whether hearings, public meetings or more private meetings should occur in the Northwest. The summit should give those with the greatest passions an opportunity to have input. Otherwise, they are likely to criticize the process and participants endlessly.

The key question is where the actual decision-making occurs. The options are the Northwest, probably Portland or Seattle so that it is conveniently accessible; or, Washington, D.C.

a) Northwest:

Strengths: This selection may appear to show greater sensitivity to the region. It is likely to maximize regional press coverage. Adds political pressure to get something done.

Weaknesses: It is likely to be inconvenient for many participants including the delegation unless decisions are made while Congress is out of session. It tends to make the summit even more political than it already is. It reinforces, if not strengthens, the regional nature of the issue and the role of regional politicians. It will likely make the summit a major media spectacle.

b) Washington, D.C.:

Strengths: This venue is more convenient for the majority of participants. It reinforces the national nature of summit. It reduces somewhat the media show. It gives participants a little more freedom to deal with substantive issues outside of the regional political pressures.

Weaknesses: This choice probably lessens political pressures to get something done. It could contribute to perception that Northwest is not included.

VII TIMING

The first stage involves decisions about scope and structure/process and could culminate with a Clinton Administration announcement covering the timetable and process. It should be possible to make decisions on these issues and issue an initial statement from the transition even before the new Administration takes office. Assume January 20 as the outside date.

The information gathering stage could be completed in one to two months, allowing time for notice, scheduling of meetings, preparation of papers and/or testimony. Figure March 20 as the outside date to gather all of the information. Then allow 1 month more if the product is just a compendium of input. Allow at least 3-4 months if a Blue Ribbon Commission is asked to prepare an expert report and recommendation. That creates a window ranging from April 20 to July 20, before the final stage of the process would commence.

The final decisions could be made in a month, making it May 20 at the earliest, or August 20 at the latest, before the summit process is completed.

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Forest Summit



CHEC

3758 S.E. Milwaukie
Portland, Oregon 97202
503-234-4349

2 December 1992

Katie McGinty, Legislative Aide
Hart Senate Office Building
Washington, DC 20510

Dear Ms. McGinty:

To represent the new federal administration, I hope you can attend a ***National Strategy Meeting for Federal Forest Reform***, that Cascade Holistic Economic Consultants (CHEC) is holding on January 15–17, 1993. The meeting will bring together 30 leading national and grassroots environmental activists who share our interest in incentive-based reforms of the Forest Service and other public land agencies.

While discussion will not be strictly limited to incentive-based reforms, such reforms are more appealing now for many reasons. President-elect Clinton's campaign advocated "a market-based environmental protection strategy that rewards conservation" — which exactly describes CHEC's Forest Service proposals. Incentive-based reforms are compatible with concerns about the deficit, jobs, and the economy, and they should attract many allies who often oppose other types of environmental reform.

The meeting will discuss proposals for such things as NFMA reform, recreation fees, and biodiversity trust funds. We will also consider administrative, legal and lobbying actions that will lead Congress to support such reforms. We hope to develop an effective strategy that national and local environmental groups can use to gain significant reforms in the coming months.

With help from the Beldon Fund and Windway Foundation, we can pay your food and lodging expenses at the meeting. In return we ask only that you attend the entire meeting. Sessions will be held at the Inn at Otter Crest, an attractive lodge on the Oregon Coast about two hours from Portland. You will be sharing a room with someone; please let us know if you have a preference or any dietary restrictions.

Those flying in should arrive in Portland by 3 pm Friday and leave Portland airport no earlier than 4 pm Sunday. We will cover airfares for those coming from outside the Pacific Northwest. Please make reservations through Karen Stahlberg of Sunrise Travel by calling 800-733-5524. Karen will make sure you get the lowest possible fare and bill us directly.

Please let us know as soon as possible whether you can attend this meeting. If you can attend, we will send you some advance reading materials in mid-December. We look forward to meeting you.

Yours truly,

Randal O'Toole

Enclosures



CHEC

3758 S.E. Milwaukie
Portland, Oregon 97202
503-234-4349

Federal Forest Reform in Clinton's First 100 Days *A National Strategy Meeting*

Tentative Agenda *Friday, January 15*

- 5 - 6 pm Welcome
- 6 - 7 pm Dinner
- 7 - 9 pm **Defining a Strategy for Federal Forest Reform**

Saturday, January 16

- 7 - 8 am Breakfast
- 8 - 9:30 am **Reforming the NFMA**
- 10 - 11:30 **Building New User Fees into Forest Management**
- 11:30 - 1:30 Lunch and Beachcombing
- 1:30 - 3:30 **Reforming Federal Forest Agency Budgets**
- 4 - 5:30 **Saving Wildlife and Wildlands with Biodiversity Trust Funds**
- 6 - 7 pm No host bar
- 7 - 8 pm Dinner
- 8-10 pm **Unstructured Planning Session**

Sunday, January 17

- 7 - 8 am Breakfast
- 8 - 10 am **Seizing the Clinton Opportunity**
- 10:30 - 12:30 **Building a Consensus for Change**

Strategy Meeting Invitees

Dan Boone
The Wilderness Society
900 17th St NW
Washington, DC 20006

Brock Evans
National Audubon Society
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Washington, DC 20003

Steve Richardson
House of Representatives
Washington, DC 20515

Jim Owens
Western Ancient Forest Campaign
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Washington, DC 20036

Mark Winstein
Save America's Forests
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Washington, DC 20009

Charlene Dougherty
1522 Longworth
House of Representatives
Washington, DC 20515

Debbie Sease*
Sierra Club
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Washington, DC 20002

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Western North Carolina Alliance
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Asheville, NC 28814

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The Wilderness Society
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Tim Maloney
Hoosier Environmental Council
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Sam Hitt
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Louisa Willcox (or Bart Kohler)*
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Portland, OR 97205

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Jeffrey St. Clair
Forest Watch
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Portland, OR 97202

Randal O'Toole
CHEC
3758 SE Milwaukie
Portland, OR 97202

* Confirmations still pending



THE PACIFIC RIVERS COUNCIL

(formerly The Oregon Rivers Council)

P.O. Box 309 • Eugene, Oregon 97440 • 503-345-0119

forest summit

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To: Katie McGinty	From: B. Doppelt
cc: Sen. Gore	cc: Pacific Rivers Council
Dept:	Phone: 503-345-0119
Fax: 202-228-2611	Fax: 503-345-0710

Katie McGinty
C/O Senator Al Gore
393 Russell Senate Office Building
Washington D.C. 20510
December 16, 1992

Dear Katie,

We understand that planing for the Pacific Northwest Forest Summit is now underway. Bob Chlopak suggested that I send you the enclosed information.

Our organization has been deeply involved with the watershed/salmon habitat protection and restoration aspects of the Ancient Forest issues. Through our work it has become clear that any resolution to the Ancient Forest issues must fully include, and in fact be in part built upon watershed/salmon habitat protection and restoration.

We therefore ask that we have a formal seat at the summit, and that watershed/salmon habitat protection and restoration be a key element of the discussions.

Watershed protection and restoration is not only vital for many salmon species and other terrestrial and aquatic organisms, it provides perhaps one of the only direct jobs and economic benefit components possible through the resolution of the ancient forest issue.

Watershed/salmon habitat restoration could occur as part of a comprehensive forest package, or as a free standing Act. Enclosed is an outline of our proposal for watershed/salmon habitat protection and restoration (in the form of a fee standing Act) based around the 137 key watersheds identified by the Scientific Panel on Late Successional Forest Ecosystems. As you can see on page 7, we project between 7,000 - 11,000 family wage jobs that may result from this proposal. More jobs are possible if additional west side and east-side watersheds are included.

Please call if you have questions.

Sincerely,
Bob Doppelt
Bob Doppelt
Executive Director

(Hard copy being sent by overnight delivery).

**SALMON HABITAT IN ANCIENT FORESTS:
RATIONALE AND FRAMEWORK FOR RESTORATION LEGISLATION**

PACIFIC RIVERS COUNCIL

The key to recovering Pacific salmon is to protect and restore the habitats upon which these magnificent fishes depend. Much of the salmon's habitat has already been destroyed or blocked from the fishes' access, but a few good areas remain. Retaining these strongholds will be critical to recovery of the salmon throughout their range. A Salmon Habitat Restoration Act is urgently needed to assure that remaining productive areas are kept healthy.

The term "salmon" will be used generically throughout this document to refer to all the native salmonids: Pacific salmon; steelhead; other trouts; and the chars, including bull trout, and "habitat" is used to address ecosystem processes that support salmon and other aquatic and riparian dependent creatures as well as the salmon spawning and rearing areas themselves.

A Salmon Habitat Restoration Act should 1) identify the remaining healthy habitats and establish refuges from future degradation; 2) outline appropriate management of the habitats that connect refuges; and 3) establish restoration programs that secure healthy habitat and create jobs. The three elements are part of a comprehensive package, and will almost certainly fail if implemented alone or in some limited combination.

The Scientific Panel on Late Successional Forest Ecosystems created a model for a salmonid habitat recovery program, and specified the precise refuges to anchor that program in the western areas of the Pacific Northwest. The Panel identified 137 watershed-level salmon refuges on public land; detailed some of the management changes that would be necessary to ensure their survival over time, including improved riparian (streamside) forest protection across all federal lands, prohibitions on new roads in roadless areas, reduction in the road program across all federal lands, extended rotation age within refuges; and finally, the Panel called for systematic restoration. Conceptually parallel efforts are in preparation now by The Eastside Forests Scientific Society Panel for much of the balance of the Pacific Northwest and the Sierra Nevada. Subsequent efforts will be necessary in the Great Basin and the Rockies.

Existing ecologically significant old growth combined with existing Wilderness Areas, National Parks, Wild and Scenic Rivers and other legislated reserves forms the anchor of current salmon habitat and the base for eventual recovery. A Salmon Habitat Restoration Act

is, and should be, a central pillar in the resolution of ancient forest and endangered salmon debates. Salmon and their habitats are highly imperilled, however, and while ancient forest issues remain unresolved, consideration must be given to free-standing legislation.

Restoration is a cornerstone of the proposed legislation because restoration is good economics as well as good science. Both the direct restoration work that is needed to secure the existing patches of good habitat and the return of salmon themselves are clearly in the best economic interest of the Pacific Northwest.

Restoration is necessary because only a small fraction of historical salmon habitat remains highly productive today, and even those remnants are subject to ongoing degradation caused by (or accelerated by) human activities. The productive habitat that remains tends to be high up in the watersheds, in the more remote tributaries where the degrading effects of land use activities have, as yet, been less severe than in the agricultural and urban lands in the valleys.

Historically, salmon habitat was lost to degradation from agriculture, urbanization, damming and channelizing of rivers, and other practices. Over time, degradation of lowland habitats has left suitable habitat only in mid-basin and headwater "refuges", so that today only a smaller range of land uses -- particularly logging, grazing and roadbuilding -- are the primary on-going threats to salmon refuge areas. [Fully cited technical testimony on refuges is available from our office.]

The remaining productive salmon refuges provide the seed corn for eventual recovery of the salmon. However, even without any new human intrusion into these areas, they remain seriously threatened: during the severe winter storms that are natural to the Pacific Northwest even the best refuges can be severely degraded by landslides and sediment torrents of human origin. The existing forest road systems represent the largest single source of potentially devastating sediment. The 1990 Skagit Valley (Washington) floods amply demonstrated the risk that faces salmon across the Northwest.

The most urgent salmon restoration task in the region is the prevention of landslides and mass erosion and sedimentation in salmon refuges. Insofar as possible, salmon refuges must be protected from the human-caused consequences of the next great winter storms. Without "stormproofing" the salmon habitat, wild salmon will continue to be lost and regional salmon recovery will be substantially delayed, perhaps prevented.

Salmon restoration is expected to have substantial economic benefits to the region. We estimate that stormproofing the 137 Watersheds identified by the Scientific Panel should result in the creation of 7000 to 11000 direct and indirect jobs in the region over the period of implementation. (See: draft budget, attached.) Restoration of habitats lower down in impacted basins and expansion of the stormproofing program to the balance of the coastal Pacific

Northwest and the Interior Pacific Northwest would considerably expand the economic benefits.

Restoration proposals have traditionally been aimed at recovering the most degraded areas rather than protecting good areas. In general such strategies have not worked. While restoration priorities that target "the worst first" are intuitively appealing, in fact they are unconscionably risky -- such programs let the good areas continue to deteriorate, while investing in the speculation that bad areas can be made good. In truth it has not been shown that seriously degraded watersheds can be restored nor that the salmon populations they once supported can be recovered. In the meantime, traditional programs neglect to secure the rare prime areas that remain, and have even accelerated human disturbances. Speculative work in degraded areas must not be allowed to substitute for an affirmative effort to protect productive habitat from known threats.

In the context of salmon habitat that is anchored by ecologically significant forest reserves, legislation is needed that would direct and fund the establishment and restoration of salmonid refuges, and plan for wider habitat recovery:

FRAMEWORK FOR AN AQUATIC HABITAT RESTORATION ACT

It shall be the policy of the United States to establish, protect, and restore a national system of aquatic biodiversity refuges and connecting habitats, targeted first on salmonid fishes; and to aid rural communities strongly affected by changes in the timber industry through substantial investment in riverine restoration activities and training.

SECTION ONE: REFUGES

I. The Secretary of Agriculture and the Secretary of Interior shall promptly, and not later than within one year, adopt rules and regulations that establish a system of refuges, refuge management, refuge restoration, and long-term monitoring. Refuges are habitats delineated on watershed boundaries that convey protection to biotic communities at temporal scales and spatial scales sufficient to recover threatened species. The Secretaries shall:

A. Using a landscape or bio-regional perspective, identify refuges. Refuges shall be generally 3rd to 5th order watersheds:

1. Where refuges have already been identified by the Scientific Panel on Late Successional Forest Ecosystems or the Eastside Forests Scientific Society Panel, the Secretaries shall adopt changes specified in I (B) and subsequent sections.

2. In any bio-region where refuges have not been identified they shall:
Convene an independent panel, consistent with the Panels in I(A)(1), and cause that panel to identify refuges, consistent with the intention of this Act.

B. Identify the threats to the integrity of the refuges over the time periods required to reestablish other important habitats and connecting habitats. These findings shall be reported to Congress within one year of any refuges identified in section I(A).

C. Amend the Forest Plans, Resource Management plans, and other equivalent plans in order to adopt refuge management regulations. Amendments will be prefaced by an analysis and description of the rates patterns and intensity of natural disturbance within each refuge. Amendments shall include but not be limited to:

1. Extended harvest rotation age.
2. Withdrawal from harvest schedule.
3. Protection of old growth forest anchors.
4. Withdrawal of unstable slopes and erosion prone soils from the timber base.

D. Minimize or eliminate human caused risk to the refuges identified by the Scientific Panel on Late Successional Forest Ecosystems and the Eastside Forests Scientific Society Panel. In addition to whatever other steps may be required for stormproofing, the Secretaries shall minimally:

1. Inventory and map refuge geology and soils.
2. Map land use history and disturbance to vegetation, soils and streams
3. Map and prioritize sediment sources.
4. Treat priority sediment sites.
5. Report yearly on cost-effectiveness monitoring.
6. Repeat step 2 yearly on the basis of monitoring.

E. Designate a network of the most intact "benchmark" watersheds as long term monitoring sites, and add them to the Research Natural Area system or other equivalent system. The United States Geological Survey shall develop a monitoring program for these watersheds. Monitoring these control watersheds would provide the baseline data against which to measure the success of restoration.

F. The Secretaries shall convene an panel of independent scientists to review management of refuges, and shall publish their report within one year.

SECTION TWO: HABITATS CONNECTING REFUGES

II. The Secretaries shall, without delay, adopt rules and regulations that protect and restore connecting habitats, insofar as possible from the headwaters to the sea, including but not limited to the following:

A. Forest plans, Resource Management Plans and other equivalent plans shall be amended to adopt management regulations consistent with the purposes of this Act, including particularly regulations implementing the Riparian standards in The Recommendation of the Fish and Watershed Work Group to the Regional Forester, Region Five, dated 6/16/92.

B. The United State Geological Survey shall promptly determine Federal Reserve Water Rights for each refuge and for migration corridors to the refuge, sufficient for the recovery of native fish species.

C. No agency or department of the federal government shall issue any license, permit or exemption for any dam, diversion, electrical generation or water resources project or similar facility on any federal lands with identified Section I refuges until that agency has established a Protected Areas Program that identifies river reaches that contribute to the ecological functioning of the refuges. No license, permit or exemption shall be issued in Protected Areas. Protected Areas shall be withdrawn from mineral entry.

D. The Secretaries shall convene an panel of independent scientists to review management of habitats that connect refuges, and shall publish their report within one year.

SECTION THREE: ROADS

III. The Secretaries shall create a Road Management Program on all federal lands, with the aim of reducing and minimizing road system mileage, substantially improving road drainage, and reducing sediment.

A. No new road shall be established in any inventoried roadless area.

B. Roads within each National Forest and BLM District, National Wildlife Refuge or other federal management area shall be prioritized for removal, on the basis of their potential for delivery of sediment to active channels of streams that bear sensitive aquatic species, or that drain to such streams.

C. On all remaining roads a systematic drainage program shall be promptly adopted, if not already in place, with priority attention to roads that deliver or may deliver sediment to active channels, as in III(B).

D. The Secretaries shall convene an panel of independent scientists to review management of roads, and shall publish their report within one year. A yearly review of

Road Management Program will be made as part of the performance rating of each Forest Supervision, Regional Forester, District Manager, and State Director.

SECTION FOUR: EXTERNAL REVIEW

IV. The Secretaries shall convene an independent panel of scientists and economists to develop criteria for the identification of other important habitats and report to Congress on the direct, indirect and induced economic effects of protecting, reconnecting and restoring such habitats -- including particularly the economic externalities. The Panel shall report within one year.

SECTION FIVE: FUNDING

A. \$50 million per year for three years shall be appropriated for implementing Section I(D). Contract size for sediment treatment contracts shall be no more than \$50,000 so that they may most closely accrue to local firms and communities.

B. An Aquatic Habitat Restoration Trust Fund of \$1.5 billion shall be established, for permanent funding of the purposes of this act.

DRAFT: Regional Salmon Restoration Program Budget :DRAFT
Year One: Gang of Four Watersheds

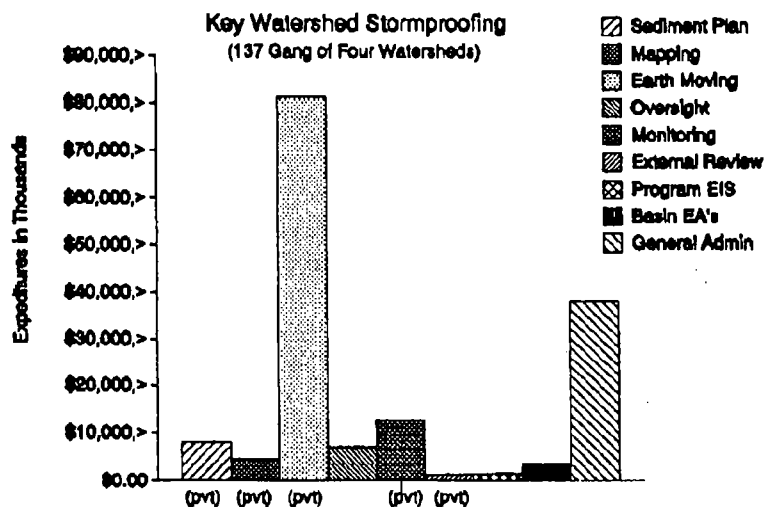
The first step in any realistic regional salmon restoration program must be to secure the remaining high quality salmon habitat. The Scientific Panel on Late Successional Forest Ecosystems identified 137 public land watersheds housing critical habitat for salmonid stocks and species known to be at risk of extinction. Unfortunately the 137 watersheds are themselves at risk from the cumulative effects of logging, roadbuilding, and natural events.

The following expenditures would be necessary to secure those 137 watersheds from catastrophe during severe winter storm events. Once secured, these watersheds can serve as the anchor of a regionwide restoration effort aimed at the spectrum of more degraded areas. The largest single task needed is heavy equipment work to reduce or eliminate potential landslides and sediment torrents, triggered by past logging and roadbuilding.

At this time, projected cost of the program would be [draft] \$156,832,440, and would generate income for [draft] 7121 to 11054 jobs -- using wage scales and indirect employment models from Alternatives for Management of Late Successional Forests of the Pacific Northwest, page 11 and Table 11.

More than 65% of the total budget would be direct contracts with private industry -- over \$100,000,000. [These payouts to private contractors are indicated on the graph as (pvt).] The remaining 35% expenditures would primarily benefit individual Forest Service Ranger Districts -- who are significant employers in the small communities where they are frequently located. Subsequent expansion of the program to the host of other west side watersheds and to the east side would be of substantial benefit to the entire region.

Budget Item:	Dollars:
1) Sediment plans: 9030 mi2 @ \$900.00/mi	8,127,000
2) Mapping: 9030 mi2 @ \$500.00/mi2	4,515,000
3) Earth Moving: 10 million yds3 @ 7.50/yd3	81,270,000
4) Contract Oversight: 7.5%	7,043,225
5) Effectiveness Monitoring: 12.5%	12,619,000
6) External Review: Ongoing @	1,396,000
5) Programmatic EIS: 1@	1,500,000
6) Watershed-level Environmental Assessments: 137 @ \$25,000	3,425,000
7) General Overhead and Administration: 33%	36,937,215
Total	\$156,832,440



*Planned
Summit*

December 6, 1992

TO: Governor Clinton
FR: Christopher Dorval, Western Political Director
Stephanie Solien, State and Local Govt. Relations
RE: Pacific Northwest Forest Summit

cc Al From, Robert Reich

The Pacific Northwest Forest Summit you proposed during the campaign is generating extensive comment and activity from most of the stakeholders concerned with the issue.

The attached editorial from the Seattle Post-Intelligencer, the newsletter from Public Lands News and the letter from Cong. DeFazio are representative of the positioning and level of interest building around the summit proposal.

Governor-elect Mike Lowry in Washington has gone so far as to procure a \$50,000 grant from a non-profit foundation to convene his own forest "summit" organized by a well-known environmentalist. Gov. Gardner's staff is concerned about Lowry's approach.

Obviously, we had all hoped to have more time to deal with this issue, but these activities indicate we need to take some early action to maintain control of the issue.

If possible, we would like answers from you to the following questions and recommendations before you leave for Washington on Monday:

1. Do you have any new thoughts or information on this issue you want to share with us?
2. With your approval, we recommend taking several actions:

- * this week, make a short public statement reaffirming your commitment to a summit

- remind all parties of the realities of a transition and the need to have all the relevant appointees in place before convening a summit

- invite any interested parties to submit formal comments to a designated staff person in the transition in anticipation of preparing an options paper for presentation to the new Administration

- * within the transition, establish an informal working group to begin outreach to likely parties to the summit

- seek outside professionals for advice on facilitating such a summit, eg, experts from the Harvard Negotiation Project, the Sundance Institute, the Keystone Center etc., for their best thoughts on the elements of a successful summit "negotiation"

*file - forest summit***MEMORANDUM**

TO: Katie McGinty

FROM: Bob Chlopak

RE: Recommendations for Forest Summit Scope and Process

DATE: December 10, 1992

Under separate cover we have prepared an options document that lays out the organizational components of the summit and provides an analysis of several alternatives for each. This memo ties together all of our recommendations for the summit, giving you a sense of how the summit would look if you followed our counsel from start to finish. If you consider our other memo a Chinese menu, the following describes what your meal would be.

First, in developing the options memo, a number of principles emerged that guided our own thinking and could be useful in steering the summit through its many twists and turns. They include:

1. De-politicizing the summit by focusing the debate as much as possible on science, economics and related expertise.
2. Introducing new people into the decision-making process both to inject fresh thinking and enhance the likelihood of a meaningful result. A new Administration and some newly elected officials in the Northwest is a great start, but other people of stature and with expertise should be included as well.
3. Nationalizing the debate (not its scope), venue and participation because the stakes in this debate transcend the region.
4. Making the summit forward-looking and solution oriented.
5. Giving the Clinton Administration maximum control over the summit while minimizing the risk that failure will be laid at its door.
6. Trying to expedite the process while not moving so fast that we force a solution based on politics instead of sound science and policy.

Recommendations

We favor a summit that covers the full scope of Northwest old growth issues but does not address any of the national environmental or land management laws. Thus, the summit would cover all of the Oregon, Washington and California old growth forests; it would deal with all species, not just the owl; it would cover National Forest and BLM lands; and it would consider the issue of log exports.

The summit should begin with a serious and aggressive information gathering component that would start with outreach to the key interest groups and public officials to build up trust, and meetings with outside experts in the fields of science, rural development, and economics. Public hearings in the Northwest and in Washington, D.C. can play a useful role during this stage, but they should be scheduled at a time when they can be focused on key issues. This will help minimize the risk of the hearings becoming a polarizing step in the summit process.

During the second stage of the summit a Blue Ribbon Commission (BRC) would establish the major economic and scientific parameters for further analysis. This is important because we don't want the summit to spend its time determining how many owls remain, or drawing comparisons to timber employment at the height of production in the 1980s. The summit needs to look forward and focus on solutions.

The BRC would then analyze the information from the public hearings, interested parties, and experts and prepare its own expert report modeled in many respects around the Portland Panel Study, except that it would deal with a wider range of issues. The report could present a number of options for solutions but it should develop a recommendation of its own.

The BRC report would then be presented to Vice-President Gore as Chairman of the Cabinet Level Forest Summit Resolution Team. Vice-President Gore's team would include the Secretaries of Agriculture, Interior and Labor, the Administrators of EPA and NOAA, and the Chairs of CEQ and the new National Security Council. If some Northwest representation becomes a political necessity, the best course may be to include the Governors from the three affected states. Over the course of about one month, this team would consult with all interested parties, including key Committee leaders on the Hill and Northwest elected officials, and then issue its final report. Consultation at this stage will be critical to keep interested parties feeling involved and so that the process has the feel of a summit. At the same time, we want to limit the

decision-making to the Administration. The Gore team would accept, amend or reject the BRC recommendations, and include a legislative prescription that would be sent to the Hill.

Vice-President Gore would have the lead Administration role throughout. He would pick the Chairperson and members of the Blue Ribbon Panel, and also appoint a leading economist, scientist and public figure to lead its three major sub teams: economics, science and public participation. The Vice-President would then Chair the Cabinet Level Resolution Team. Our suggestions for Chair of the Blue Ribbon Commission are all from outside the Northwest, including current EPA Director Bill Reilly, former President Jimmy Carter, and Senator Tsongas. Otherwise, the BRC should be made up of respected figures in the fields of science and economics.

We know that there is pressure to get started. Once you decide on the basic outlines of the scope and process, we suggest the Governor Clinton issue a statement to the media that would cover the following points:

- Vice-President Gore will lead the summit effort.
- The process will have 3 basic steps that will marry public input, expert analysis and deliberation by the range of Administration officials with jurisdiction.
- Interested parties including the Northwest and Congress, labor, industry and environmentalists will be involved and consulted throughout.
- Name of the Chair of the Blue-Ribbon Commission.
- Timetable (see last section of options document)

Potential Pitfalls

The Northwest delegation wants to be at the decision-making table. Their involvement at this level will stymie and politicize the process and should be avoided at all costs. Similarly, the interest groups should not be at the decision-making table. The Section 318 summit tried these kind of approaches and the results were disastrous. If you need any further evidence, consider that the Northwest delegation has met regularly for years to discuss solutions and never has come up with a credible, consensus approach. And, when ancient forest legislation stalled in the House committees this year, their leaders tried to negotiate with the Northwest delegation and failed.

The delegation also may try to influence the scope of issues under discussion, especially log exports. The labor-industry timber coalition opposes any changes in export provisions despite the fact that most of labor has historically supported restrictions that save American jobs. (Discouraging raw log exports would increase logs available to American mills and create more jobs in the processing of wood products, many of which are union jobs. Big timber companies like Weyerhaeuser oppose export restrictions because the Japanese pay a higher price for American logs than U.S. buyers.) The export issue, however, is vital to the success of the summit because of its political and economic ramifications. Pushing the issue could split labor off from their unholy alliance with the industry. And, export restrictions will create jobs, offsetting losses that may result from protecting old growth forests.

Similarly, labor and their advocates like Rep. Dicks and Nick Ashmore (Speaker Foley's office) continue to talk about a solution that offers certainty. What they want is a guaranteed timber supply, and the only way they can get it is by overriding existing environmental laws and court injunctions. This supply side timber policy is as outmoded as trickle down economics. Suspending laws and/or court orders is a non-starter with our community and support for this approach in the Congress has all but evaporated. As you may recall, Sen. Gorton's effort this year to attach a salvage program with these provisions to the Interior Appropriations bill was defeated by a 2-1 margin.

MEMORANDUM

TO: Katie McGinty

FROM: Bob Chlopak
Kevin Kirchner, Sierra Club Legal Defense Fund
Brock Evans, National Audubon Society
Debbie Sease, Sierra Club
Jim Owens, Western Ancient Forest Campaign
Mike Francis, The Wilderness Society
Fran Hunt, National Wildlife Federation

RE: Scope/Process for the Clinton Forest Summit

DATE: December 10, 1992

This memorandum responds to your request for a description of the scope and procedural options for the forest summit. While there may be only a few distinct summit models from a conceptual point of view, there appear to be countless variations when it comes to the implementation of the many specific elements of the summit process.

So, to accommodate flexibility and specificity, we've organized the memo around the organizational components of the summit process rather than the conceptual approaches. The memo provides a number of options for each of the components, and briefly discusses their strengths and weaknesses to help you make decisions.

The components covered include:

- I. Scope of issues
- II. Structure
- III. Product/Outcome
- IV. Leadership
- V. Participants
- VI. Venue
- VII. Timing

I SCOPE OF ISSUES

We have divided the scope into two subcategories: the first addresses the land areas and range of species to be included; the second discusses the issue of log exports.

1. Lands and Species Covered

- a) Northwest Old Growth Forests, including eastern Washington and Oregon and the Sierran Forests in California: This regional focus encompasses the major concentrations of old growth forests on both national forests and BLM lands, all the species that inhabit them and the ecosystems that support them. It would not limit the debate only to old growth forests that contain spotted owls, nor would it expand the debate nationally to put national laws like the National Forest Management Act (NFMA) and the Endangered Species Act on the table.

Strengths: It lends itself to a comprehensive regional solution for logging in sensitive and endangered old growth forests. It would be more likely to focus on protection of ecosystems since the geographic focus would not be limited to owl forests. By addressing management of old growth throughout the region, it also avoids the unintended consequence of increasing pressure for logging in unprotected old growth forests.

Weaknesses: Including the eastern Washington forests puts the Speaker's forests into play. It also increases the potential acreage and numbers of species that must be considered for protection.

- b) Owl Forests Only in the Northwest: This plan excludes eastern Oregon and Washington and the Sierran forests in California. The forests included are those west of the Cascades in Oregon and Washington and a small number of owl forests in Northern California.

Strengths: It cuts down the acreage under discussion and limits the debate to the forests where logging is enjoined by the Courts. It excludes forests in the Speaker's district.

Weaknesses: It makes the summit essentially an owl vs. timber supply summit rather than a discussion about sound ecosystem management. It would tend to ignore the problems of other species threatened by the

destruction of their habitat. It omits old growth forests in the region which are not protected now by Court injunctions yet are threatened by over-logging and disease brought about by poor management practices.

- c) All National Forests and possibly BLM Lands: Even if the focus is largely regional, the summit could make changes in national environmental laws that would have profound impacts on public lands across the entire country. This past year, for example, one ancient forest bill proposed changes in NFMA that would have made timber production the dominant value in all National Forests.

Strengths: It could be vehicle for making needed reforms in national public lands management.

Weaknesses: This option is usually favored by industry as a means of using the crisis in the Northwest to make wholesale changes that favor increased timber production across the entire National Forest and BLM systems. It significantly increases political opposition to any solution since it significantly increases the number of states and congressional districts affected.

2. Exports

A second important scope issue is whether any changes in export policy, either through tax or trade policy, will be considered in the summit. In recent years as much as 3 billion board feet of timber have been exported from the Northwest annually. Though most of this timber comes from private lands, export limitations would redirect this timber to American markets and substantially reduce the pressure to log public lands. In addition, it would divert raw logs to American mills, creating new jobs in timber-dependent communities in the Northwest.

Strengths of including exports: It creates jobs and reduces pressure to log on public lands. It potentially divides the timber industry-labor coalition. Repeal of the raw log export subsidy would raise roughly \$100 million annually that could be used to fund worker retraining and other community development activities.

Weaknesses: It will generate strong opposition from the major timber producers and possibly from the coalition opposed to limits of any type on

agricultural exports. It compounds the jurisdictional issues in Congress, bringing in the tax committees.

II STRUCTURE

This is probably the key issue. The structure utilized will have direct impacts on all the other issues outlined here. In addition, the structure also will affect the tone of the summit -- whether it is political or Blue Ribbon in flavor, for instance. Importantly, the structure of the summit also will dictate the degree of control the White House has over the process. Generally, White House control will be inversely related to how public and political the structure is.

To facilitate the discussion of structure, we've divided the presentation into several subcategories:

1. Information Gathering/Public Participation

Under any structure there needs to be a mechanism for soliciting or obtaining input from interested parties and perhaps the public at large. We assume that the Administration would want to appear inclusive, so we recommend that, whatever the mechanisms, input be invited from at least the following interests and constituencies: Northwest elected officials, leaders of Congressional Committees with jurisdiction, labor, forest products industry, environmentalists, fishing industry, Native Americans, scientists and economists. Mechanisms include:

- a) Public Meeting(s) or Hearing(s): A Chair or panel could preside over one or more public meetings or hearings in the Northwest and in Washington, D.C. to gather information from various affected/interested groups and individuals. It would be important to hold at least one such event outside the Northwest to show that this is not just a regional issue. Participation could be handled like a hearing -- with some witnesses invited and other slots open to the public. Or, the meeting could follow the model of the economic summit and be by invitation only.

Strengths: It would show that the Clinton Administration is using an "inclusive" process to give everyone an opportunity to have their voices

heard. It would give the Administration an early public event to show that it was acting on its summit promise.

Weaknesses: It would provide a platform for various interest groups to pander to the media and, in all likelihood, further polarize the issue rather than achieve the announced goal of bringing people together.

- b) Task Force(s): One or more Task Forces could be appointed to meet with the interests identified above. The Task Forces would include the spectrum of interested parties and interests -- public officials, interest groups and experts. (Separate Task Forces could address different issues -- rural infrastructure/diversity, ecosystem protection/restoration, etc. -- but it would probably make more sense to have a single Task Force perhaps with subcommittees looking at all of the issues. The single Task Force also has the symbolic advantage of showing that ecosystem management is an integrated issue worthy of an integrated solution.) These meetings would not be secret but would take place away from the glare of the media.

Strengths: It would be an "inclusive" process but its lower public profile could minimize the pandering and polarization that would likely result from the public meeting approach. It would also likely lead to more rational advice and recommendations from the various groups and individuals since they would be meeting in a much more personal context with the task force members. It also shows that the Clinton administration is taking a serious, deliberative approach to the issue. Finally, it would give Clinton more control over the process, and outcome, than if the information were gathered at big media events.

Weaknesses: It could take longer to gather the information (though not necessarily a lot longer) and might be a bit more expensive since there would be more travel/hotel expenses for more people (the Task Force members). The process may also be vulnerable to criticism that the public is shut out and that the fix is in. Task force members that represent the issues at stake in the debate are likely to encounter division and posturing as they maneuver to advance their points of view.

- c) Blue Ribbon Commission(s): One or more Blue Ribbon Commissions could be appointed to gather the information needed to develop a solution. The Commissions would operate just like the task forces, but unlike them, members would be chosen expressly for their impartiality on the issues. The Commission would be chaired by a prominent public figure and its members

would be leaders in relevant technical disciplines, e.g., economists and scientists.

Strengths: This option shares many of the strengths of the Task Force approach, particularly as they relate to the more technical issues (population viability, trade policy, rural economic diversification). The stature and composition of the Commission would tend to de-politicize the process and show that Governor Clinton is being both serious and fair in dealing with the issue. It would also put pressure on all of the interest groups to be persuasive in a more technical tense and minimize their posturing.

Weaknesses: It smacks a bit of an ivory-tower approach, thereby detracting from the "inclusiveness thing." It may also be criticized by Northwesterners for letting outsiders determine the fate of the region.

- d) Combination of Task Force and Blue Ribbon Commission: The White House could announce formation of a Task Force to oversee information gathering and simultaneously form a Blue Ribbon Commission (or two) to pull together the latest scientific and economic information and report back to the Task Force in some fixed time period (90 days?). Meanwhile, the Task Force could hold meetings with the various interest groups, community leaders, etc.

Strengths and Weaknesses are obvious from (b) and (c).

2. Fact Resolution

Once the input is received, the summit must process the information and make decisions. The intermediate step of processing information need not produce a product -- i.e., the decision-makers can deliberate and simply announce their decision. Or, the processors can be charged with the responsibility of resolving disputes -- whether over science, economics, etc. -- and preparing an expert report and recommendations. The report and recommendations could be prepared by the same entity overseeing the information gathering: a chairperson or committee holding the hearings or meetings, Task Force or Blue Ribbon Commission. However, if a fact resolution process is employed, the Blue Ribbon Commission would be the most qualified to carry it out.

Strengths of using fact resolution process: It would give greater emphasis to the role of facts and hard information in the process, encourage interested parties to be more substantive and less vitriolic, and could further de-

politicize the summit process and outcome. The report and recommendations would likely set the parameters for legislative and administrative action, making it more likely that action would occur. The blessing of experts also would provide political cover to those who need it. Finally, it would demonstrate that the White House is not only interested in action, but is committed to finding the right course.

Weaknesses: It would slow down the process -- a report could take several months to prepare. It will subject the process to criticism from those who want it politicized -- e.g., "the last thing we need is more studies." It may require some relinquishing of control: you can choose the people but you may not completely control what they say or write. It may be portrayed as too academic and not sufficiently inclusive.

3. Decision-Making

There are several options for making final decisions in the summit.

- a) Report to the President: If the interim step discussed above is used, the report and recommendations may suffice as a report to the President. The President can then transmit them to Congress as is or with legislation developed by the Administration that executes the Commission's recommendations. The President could even wait until he sees the report before deciding whether to submit legislation.

Strengths: The process gives the Administration significant influence over the direction of the summit while also giving it some flexibility to modify the report if needed. The product is likely to be sound from a scientific and economic viewpoint and should stand up to technical and media scrutiny. Regardless of whether legislation is ever signed into law, the Administration will have a product to point to.

Weaknesses: The product won't necessarily be viable politically without the involvement of elected officials in the decision stages. It may not look like a summit if the final step is a report to the President, even with follow-up legislation.

- b) Roman Circus: Whether the summit has a fact resolution process or not (but more likely if not), a representative group may be assembled to make the final decisions. The group would be led by a chairperson appointed by the

President, and would include representatives of each of the interested parties -- Northwest delegation, leaders of key committees, labor, industry, environmentalists, community leaders, etc. The group would essentially be locked in a room and not allowed out until they have a consensus on some package.

Strengths: If a consensus were reached it would likely be implemented since every party to the dispute would have agreed to the solution.

Weaknesses: It somewhat resembles the old Hatfield (Section 318) summit, which failed to come up with a workable solution, further polarized the issue by sowing seeds of mistrust among affected interests, and tromped all over environmental laws and judicial review. It would be extremely difficult to come to some consensus. It would likely lead to political solutions, not necessarily outcomes that can be justified by science or economics.

Even if the participants reached a consensus, there would be many interested parties left out (e.g. not all environmentalists would be there, nor presumably all affected elected officials) who would likely be dissatisfied with (and oppose) the product. And even if there were a consensus, there's little likelihood that it would really be a solution. In fact, there would be fights over some other species down the road because this model tends to produce a least common denominator. It also does not give the Clinton Administration (or the Northwest delegation) the kind of control over the outcome that they'd like to have.

- c) Roman Circus II: This is similar to the Roman Circus model except that the only participants are Northwest delegation members, some Clinton Administration officials, the Governors, and perhaps Chairs of key Congressional Committees. This is the process Rep. Dicks has advocated.

Strengths: It may be easier to reach consensus with this model rather than the approach above. Any agreement would be likely to pass since all of the key legislative and executive branch players would be there and they could overcome the opposition of any and all interest groups.

Weaknesses: This approach would likely magnify all of the weaknesses cited under the Roman Circus option. It is the most political of all decision-making models and the least likely to decide on the basis of facts and science. It could leave key constituencies feeling hostile and left out. Limiting the decision-making to public officials probably has the greatest potential to

maximize the influence of the Northwest delegation (the reason why Rep. Dicks supports it). This has certainly been the case within the Congress. Along these lines, it could significantly weaken the White House's control over the process and result. It would also effectively undercut the Clinton campaign promise to break from the mistakes of the past and would increase the chances of getting something resembling Section 318 (timber targets, minimal old growth protection, and sufficiency language).

- d) Cabinet Level Team: The White House could establish a cabinet level team, similar to the God Squad. In this model, Clinton would be making the Secretaries of Interior, Agriculture, and Labor; Administrators of NOAA and EPA; Chair of CEQ and Chair of his new Economic Security Council his official summitters and direct them to prepare final report recommendations and legislation. If ensuring representation for the Northwest states is critical, it also is possible to appoint the governors of Washington, Oregon, and California to this team. This model would work well if coupled with the Blue Ribbon Commission, giving the White House one level of insulation between the experts' report and the Administration's own position. Vice-President elect Gore would be an obvious candidate to chair the special cabinet team.

Strengths: It sends a signal that this is a high-level priority for the Administration. If this model is coupled with an information-gathering approach and consultation along the way, it maximizes both inclusiveness and Administration control of process and result. It expressly avoids having (some of) the opposing interests in the same room bitterly arguing over a least common denominator package. It also avoids giving this process over to the Northwest delegation.

Weaknesses: The proposals of the cabinet level team (with or without the President's imprimatur) still will have to get through Congress. That will require the Speaker's and NW delegation's support (or commitment not to oppose), which might be more difficult if they're not involved. Similarly, some key Committee Chairs may not be sanguine about rubber stamping the package that Clinton's Cabinet Team comes up with. Some of these potential pitfalls could be addressed by making sure that Congressional players are consulted/briefed early and often by the Task Force(s)/Cabinet Team (and, of course, including some of their recommendations in the package).

III PRODUCT/OUTCOME

The summit process could produce a useful product (expert report and recommendations) before the issue ever gets to the White House. Nevertheless, as Clinton has promised a "legislative solution," the final outcome of the process must be a legislative package, a combination of legislative and administrative actions, or at a minimum, a specific statement of principles and position and a Clinton pledge to work with Congress. (The expert report actually could fulfill this last option.) The choice essentially comes down to whether the summit proposes specific government actions or merely states its own consensus or majority position. That choice should be made before the start of the summit process so that expectations are consistent with the planned outcome of the summit.

a) Proposing Legislative and/or Administrative Action:

Strengths: Clearly fulfills Clinton campaign promise. More likely than a statement of position to leverage a bill through the Congress. A detailed proposal, compared with principles and positions, also minimizes the opportunities for Northwesterners to do mischief by developing their own interpretation of what was intended. Also, if it is based on sound science and economics, it may lead to strongest/greenest bill.

Weaknesses: It is more difficult to get agreement on specifics than on a broader set of principles. If legislation doesn't pass, it may look as if Clinton failed. It gives opponents a bigger and more specific target to shoot at. It may engender some ill will if Congress feels its legislative prerogative is being usurped (unlikely unless Congress feels it was shut out of the process entirely).

b) Proposing principles and a statement of position:

Strengths: It is easier to reach agreement. The Administration has less on the line if the Congress fails to produce. It gives Congress more flexibility and responsibility.

Weaknesses: Based on Congress' track record, the issue is likely to die on the last day of the summit if this model is used -- i.e., Congress can't succeed without a stronger push. If it fails, Clinton may look as if he failed to keep

his promise. The product also may look small against campaign promise of a legislative solution.

IV LEADERSHIP

- a) Number of leaders: There could be a number of leaders involved in the summit process depending, in part, on the number of stages involved. For instance, under a three step process (information gathering, expert report and recommendations and cabinet level determination of a final solution), you could have a Chair of the Blue Ribbon Commission or Task Force (for both information gathering and the expert report/recommendations) and a separate Chair for the Cabinet level panel. Such a model would give the Administration some flexibility while also ensuring a fair degree of control over the process and outcome. If you don't use a fact resolution process and simply gather information and decide, you could use just one Chair for the entire process. Since the number of Chairs/Leaders seems to be largely a function of the structure of the summit, we do not discuss the strengths and weaknesses of each option here.
- b) Using Subcommittee Chairs or Team Leaders: A second issue is whether you appoint subcommittee chairs or team leaders to handle specific subject areas for the summit. For example, if you use a fact resolution process you may want to appoint team leaders for the economic and scientific issues. Choosing well known individuals for these prominent roles in the summit would be another way of stressing the substantive nature of the summit. Even if you don't use the fact resolution process, you could still name team leaders to synthesize the data from the information gathering phase but this role would not be as elevated as the former duty.

Strengths of Team Leaders: This model gives the summit a more substantive flavor and helps to limit the posturing of interested parties. It gives the Chairperson two companions to help manage the workload and speak for the summit leadership.

Weaknesses: Depending on the choices of people, the Administration could sacrifice a little control. It may make the summit look academic, removed from the Northwest and/or not inclusive.

- c) NW or National Leaders: Where the Chair(s) is from will be a contentious issue for many of the interested parties. There are two options: a Chair from the Northwest; or a National Chair.

Northwest -- Strengths: This model may play well with the Northwest delegation if someone like former Rep. Les AuCoin is chosen. Someone like Gov. Roberts could be a good choice but the last time she stuck her neck out the timber industry tried to recall her. This choice could play well with some of the press, although the *Seattle P-I* has already editorialized calling for Gore to chair the summit. It clearly sends a signal that the Administration is sensitive to the problems of the Northwest.

Weaknesses: If there was any leadership in the Northwest capable of forging an agreement on this issue it would have happened long before now. The congressional delegation is a major part of the problem. There is no consensus among them. Anyone from the delegation chosen to Chair the summit is more likely to use it to posture at home than they are to solve the problem. It would also seem to emphasize politics over substance.

National Chair -- Strengths: A national chair would have more freedom to consider objective information and would be less likely to be consumed by regional politics. This model would position the issue as nationally significant even though it is regional in geographic focus (similar to Alaska, for example). It would provide cover to the elected officials from the Northwest, allowing them to be advocates instead of having to be responsible leaders. Vice-President elect Gore is the obvious choice to lead the summit and chair the Cabinet level decision-making if that option is selected. Suggestions to lead a Blue-Ribbon Commission include current EPA Director Bill Reilly, former President Jimmy Carter (he fishes in the Northwest almost every summer), Paul Tsongas if he is sufficiently healthy (Tsongas was one of the Alaska Lands bill leaders).

Weaknesses: It may look as if outsiders are trying to force a solution on the Northwest or cause problems with the Speaker or others in the delegation.

V PARTICIPANTS

Participation will be a function of the structure. In the first stage of information gathering, we assume that more is better. Whatever the mechanism, every conceivable interested party should be encouraged to participate and make their views known. The principle participants should include elected officials from the Northwest, leaders of key Congressional Committees, labor, industry and environmentalists, the fishing industry, rural community leaders, Native Americans, and such other groups which have demonstrated interest in this issue -- religious organizations, women's health groups, doctors, and lawyers.

Participation in later stages of the summit should be considered in two ways: who needs to be in the room; and who needs to be consulted. At the very least, the Clinton Administration, Northwest elected officials, key Congressional Committees, and labor, industry and environmentalists should be consulted throughout the process. Who's in the room will vary somewhat with the structure. A model like Roman Circus that is supposed to represent the parties to the dispute would need to include at least the six constituencies just identified. Roman Circus II would exclude labor, industry and environmentalists from this group. A Blue Ribbon Commission would probably exclude all but the Clinton Administration from the room, creating a greater responsibility to consult the remaining parties on an ongoing basis. And, the Cabinet Level decision body would similarly exclude everyone but the Clinton Administration.

The strengths and weaknesses of who is included are covered under the discussion of the subparts of the structure.

VI VENUE

Like everything else, it depends on the structure. Some aspect of the information gathering, whether hearings, public meetings or more private meetings should occur in the Northwest. The summit should give those with the greatest passions an opportunity to have input. Otherwise, they are likely to criticize the process and participants endlessly.

The key question is where the actual decision-making occurs. The options are the Northwest, probably Portland or Seattle so that it is conveniently accessible; or, Washington, D.C.

a) Northwest:

Strengths: This selection may appear to show greater sensitivity to the region. It is likely to maximize regional press coverage, and it adds political pressure to get something done.

Weaknesses: It is likely to be inconvenient for many participants including the delegation unless decisions are made while Congress is out of session. It tends to make the summit even more political than it already is. It reinforces, if not strengthens, the regional nature of the issue and the role of regional politicians. It will likely make the summit a major media spectacle.

b) Washington, D.C.:

Strengths: This venue is more convenient for the majority of participants. It reinforces the national nature of summit. It reduces somewhat the media show. It gives participants a little more freedom to deal with substantive issues outside of the regional political pressures.

Weaknesses: This choice probably lessens political pressures to get something done. It could contribute to perception that Northwest is not included.

VII TIMING

The first stage involves decisions about scope and structure/process and could culminate with a Clinton Administration announcement covering the timetable and process. It should be possible to make decisions on these issues and make an initial statement from the transition even before the new Administration takes office. Assume January 20 as the outside date.

The information gathering stage could be completed in one to two months, allowing time for notice, scheduling of meetings, preparation of papers and/or testimony. Figure March 20 as the outside date to gather all of the information. Then allow 1 month more if the product is just a compendium of input. Allow at least 3-4 months if a Blue Ribbon Commission is asked to prepare an expert report and recommendation. That creates a window ranging from April 20 to July 20, before the final stage of the process would commence. The final decisions could be made in a month, making it May 20 at the earliest, or August 20 at the latest, before the summit process is completed.

*file forest
summit*

MEMORANDUM

TO: Vice-President Elect Gore
cc: Katie McGinty
FROM: Tom Tuchmann
SUBJECT: Old Growth Summit Background
DATE: December 9, 1992

HISTORIC BACKGROUND:

Independent forest researchers have predicted a timber supply shortage in the Pacific Northwest through a series of studies dating back to 1963. Instead of acting on these repeated warnings, corporate landowners have virtually liquidated their commercial timber, and the Forest Service and Bureau of Land Management (BLM) have continued to harvest federal lands at historic levels. In fact, harvesting reached record high levels in the mid- and late-1980s.

In order to force higher federal harvest levels, riders were attached to Interior Appropriations bills to limit citizen's access to the courts in the mid-1980s. In 1989 Senators Leahy and Hatfield agreed that there would be no more ancient forest riders. Nonetheless, you and other members of Congress have had to continue fighting ancient forest riders in 1990, 1991, and 1992.

This crisis could have been minimized if the federal agencies had been allowed to ratchet down their harvests over time. However, the Reagan Administration would not allow the agencies to do so. The worst abuse came when James Cason stopped the spotted owl from being listed as a threatened species in the 1987. While the Pacific Northwest could have had a gradual phasedown, we are in the midst of a trainwreck.

Without drastic management changes, there is virtually a scientific consensus that California, Oregon, and Washington ancient forest ecosystems as we know them today have a medium- to low-probability of survival.

CURRENT SITUATION:

Throughout 1992 housing starts were at their lowest since the early 1980s. In addition, the courts have brought the Pacific Northwest's federal timber sale program to a virtual standstill because of the Bush Administration's failure to follow the nation's forestry laws. Together these events have brought the region's forest products industry to their knees.

Some in industry believed this shutdown would create a backlash allowing them to gain political support for weakening forest management and endangered species laws. But the 1992 elections clearly proved them wrong.

As it stands today, housing starts are up and timber prices are very high due to speculative bidding. Unless the injunctions are lifted, purchasers of federal timber are expected to run out of supply this year. It is under this backdrop that the Clinton/Gore

administration will develop a summit.

PLAYERS

Environmentalists: Many of the national environmentalists realize the Clinton/Gore administration provides an opportunity to get things done if they are willing to do some compromising. Yet, they are being pulled by local grassroots groups who don't want another tree harvested.

Labor: Labor has been in a rock solid alliance with forest products industry management. In fact, they formed a "Timber Industry Labor-Management Committee" to fight against ancient forest protection. While numerous proposals would have helped labor's members, they continue to demand the highest possible harvest levels. At the end of the last session labor finally started making noise about compromise. You and President-Elect Clinton may give them and an additional incentive to do so.

State and Local Government: State and local governments currently receive 25% of all gross revenues from federal timber harvesting. In Oregon this totaled over \$200 million in 1990. Needless to say, local government supports timber harvesting because it help keep their schools open and infrastructure sound.

Forest Products Industry: The industry has drawn a line in the sand and in effect said they will fight to the finish. Industry and their allies also believed an environmental backlash could be a wedge issue. It was not, and its unclear whether they will back off now that many of their candidates lost.

Congress: Of Pacific Northwest members who will be back next session, Senators Packwood, Hatfield, and Gorton, and Congressmen Foley, Dicks, Defazio, Kopetski, McDermott, and Unsold played the largest role. In addition Senators Leahy and Congressmen Miller, De la Garza, Studds, Vento, and Volkmer have been actively involved in the ancient forest issue.

PROPOSED FIRST STEPS:

- (1) Establish contact with various local and national groups.
- (2) Request proposals for summit issues and process.
- (4) Synthesize input into various options.
- (3) Announce an Ancient Forest Summit transition strategy process.

This simplistic strategy will reassure concerned groups that the Clinton/Gore administration is committed to their campaign pledge as well as allowing them to participate in any summit development. It is also vague enough to provide you and President-Elect Clinton with enough flexibility to move in many different directions.

Of course this proposal would need to be more fully developed and critiqued by you and your transition staff before it is moved forward.

ADDITIONAL BACKGROUND:

The **Northern Spotted Owl**, **ancient forests**, and implementation of the **National Forest Management Act (NFMA)** have become the most controversial issues symbolizing polarized forest interests. Cover stories on forest management have appeared in Time, the New Yorker, New York Times, Washington Post and many others publications. How these controversial issues are managed during this administration will be critical for the future of the 191 million acres of national forests.

As a result of forest clearcutting and land use allocation controversies in the late 1960's and early 1970's, Congress enacted the National Forest Management Act (NFMA) of 1976 which directed the Forest Service to prepare forest plans.

The majority of forest plans are now final. However, the process has been controversial and many are dissatisfied with plan development and implementation. To oversimplify, forest plans are based on the agency's historic philosophy of multiple-use. Namely, timber harvesting can benefit other forest uses and, therefore, is compatible with recreation, fish and wildlife habitat, water management, etc. This approach has led to plans that assume more of everything in lieu of making tough decisions where uses are mutually incompatible.

Sixteen years later, Congress is facing many of the same dilemmas it faced in 1976. However, the pressures are greater. Environmental values are more broadly and deeply held by the public. The Nation's population has increased by 9.5% placing more demands on the national forests. Record demand for timber in the last five years has cleared nearly 350 thousand acres of ancient forests in the Pacific Northwest alone. This represents a 6% reduction of all remaining ancient forests.

The Northern Spotted Owl, ancient forests, and NFMA issues are separate, but all address the balance of commodity and non-commodity uses. These issues are often addressed both independently and interchangeably.

Northern Spotted Owl

The Northern Spotted Owl is an "indicator species" dependent on ancient forests. Its health is an indicator of the forest's health. It is a tangible symbol for ancient forest and NFMA issues.

There are two primary legal/administrative activities driving this issue. First, environmentalists sued the Forest Service and Bureau of Land Management arguing that their forest plans endangered the owl. These suits resulted in temporary restraining orders that halted logging throughout Pacific Northwest until a final decision was made. At that time Senator Hatfield included Section 318, the so called

"Hatfield/Adams amendment", in the FY 1990 Appropriations Act.

Since then, an Interagency Scientific (ISC) Committee Report on owls was released on 4/2/90 and recommended a 30 to 40 percent reduction in regional harvest levels. In an independent analysis, the Forest Service estimated that 28,000 jobs would be lost in the Pacific Northwest if the conservation strategy was fully implemented. The industry estimates 100,000 jobs would be lost. A more realistic figure is 6,000 jobs. (about 2 % of timber related employment.)

Second, the owl was listed as a **threatened species** on June 22, 1990. The owl was denied this status by the Fish and Wildlife Service in 1987.

Listing requires federal agencies and private landowners to take actions that will not "jeopardize" a threatened species. The Fish and Wildlife Service issues this "jeopardy opinion". In the owl's case, harvesting ancient forests jeopardizes owl habitat.

Four days after the owl was listed, the Administration announced a plan to protect the owl. The plan: (1) allows the Bureau of Land Management to implement their own protection plan; (2) requires the Forest Service to implement their 1990 timber sale program and work with a task force to develop 1991 timber sales consistent with the ISC conservation strategy; (3) convenes the Endangered Species Committee, authorized under current law, and referred to as the "God Squad", to exempt proposed timber sales that receive a "jeopardy opinion"; (4) expand the Endangered Species Committee's authority to develop a balanced long-term forest management plan; (5) Support a ban to prohibit log exports. To implement this plan the administration would like to legislatively limit judicial review and amend the Endangered Species Act.

Since the administration's plan to convene the "God Squad" was rebuffed by Congress, it will incorporate economics into the recovery plan process. In May a Draft Recovery Plan was released that was legally defensible. However, Secretary Lujan also released an alternative plan that would authorize higher harvest levels. This plan would need congressional approval.

The Federal District Court ruled that the Forest Service's plan was indeed inconsistent with the law and required them to re-draft their plan. This plan was released in March and is consistent with the Draft Recovery Plan mentioned above.

Ancient Forests

The owl is the legal and symbolic hook that environmentalists are using to preserve as much of the Pacific Northwest's ancient forests as possible. The 200 to 1000 year old ancient forests contain rich biological, unique recreational and esthetics

benefits, and contribute significantly to clean water and air.

Virtually all ancient forests have been harvested on private lands, and 80 to 90 percent of the Nation's ancient forests have been harvested to date nationwide. Depending on one's estimates, the remaining unprotected ancient forests will be harvested in 10 to 40 years.

Rural communities, labor, and State government are concerned that timber harvest reductions could cripple the region's economy. Forest products comprise 44% of Oregon's and 18% of Washington's manufacturing economies.

Ancient forest advocates have used the owl to help them preserve forests. However, their goals are broader. They want to preserve the remaining ecosystem as well. To this end, Representative Jontz has introduced an Ancient Forest Protection Act, and many environmental groups have administratively appealed and/or judicially challenged individual timber sales in the region.

The National Forest Management Act (NFMA) (1976)

The owl and ancient forest issues are the most visible examples of federal forest management conflicts between commodity and preservation issues nationwide. Timber sales in Michigan are being challenged because of their impacts to biological diversity, southeastern timber sales are being challenged on the basis of the endangered Red Cockaded Woodpecker, and the Forest Service is being accused of harvesting unsustainable amounts of timber in Arizona. Environmentalists have generally found public and scientific support for their positions.

Industry argues that the problem is ambiguities in the law and judges who are not knowledgeable in resource management.

The forest products industry believes forest plans need to be insulated from judicial review. To achieve these goals, Senator Hatfield has been attaching riders to appropriations bills that limit judicial review. Senator Hatfield introduced the "Forest Plan Implementation Act" in 1990 which would have made sweeping changes to NFMA by putting strict restrictions on an individual's opportunities to challenge a final forest plan decision. Senator Packwood introduced similar legislation.

Environmentalists strongly oppose these limits as their ability to challenge forest management decisions. They also feel the forest plans include unsustainable politically manipulated harvest levels.

The ancient forest and owl issues are being used by industry as a rationale for making changes to NFMA in the following year.



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Drema A. Harden

Ms. Kathy McGinty, Legislative Assistant
Office of Senator Albert Gore
Russell Senate Office Building 393
United States Senate
Washington, DC 20510

December 4, 1992

Dear Kathy:

As promised during our meeting of October 6, enclosed find a sample forest management plan prepared for one of Bob McColly's clients.

We look forward to working with Vice-President Elect Gore on forestry issues. I assume that you will remain on his staff handling natural resources issues, but if that is not the case please let me know the name of the new contact person.

Also, we look forward to hearing more about the scheduled "Forestry Summit" in the Pacific Northwest that you mentioned during our meeting.

Our Association would definitively welcome the opportunity to participate in such a summit. Please let me know how we may be able to be involved.

Thank you again for your interest in our work.

Sincerely,

Ricardo E. Preve, RF/ACF
Executive Director

cc: Robert C. McColly, ACF- President
Harry E. Murphy, ACF- Chair, Legislation Committee
Steven K. Templin, ACF- Chair, Public Relations Committee

DEER VALLEY YMCA CAMP
SOMERSET COUNTY, PENNSYLVANIA

DEER VALLEY YMCA CAMP

Type 1 - Mixed Hrdwood 6.5 MBF/Acre

This type has an area of approximately 88 acres and is located primarily on the East side of the property. The species composition and tree size is excellent with tree diameters ranging from 12" to 26". The primary species present include black cherry, maple, red oak, ash and yellow birch. Some hickory, hemlock, locust and beech are also present, but in smaller quantities. Good soil and favorable N, NE and NW aspects are the main reasons for the desirable species composition. This type contains the best quality and quantity of timber on the property and is in need of a commercial thinning at this time.

Type 2 - Scattered Mixed to Mixed Hardwoods 5+MBF/Acre

This type is located along the Southwestern corner of the property and contains approximately 96 acres. This type is similar to type 1, but has a smaller volume/acre due to its having fewer trees/acre. There is an exceptional amount of ash (nearly 1/6 of the total types volume) in this type. Other primary species present are black cherry, maple and red oak. The soil does not appear to be quite as fertile as that of type 1, but the N and NE aspects are similar. A selective thinning in this area should be considered during the next two to three years.

Type 3 - Scattered Mixed Hardwoods 2+MBF/Acre

This type consists of approximately 35 acres and is located primarily on ridgetops and S, SW and SE exposures where the soil is thin. The volume per acre in this type is much lower than types 1 and 2 with the main species being red and scarlet oak and maple. Some cherry, hickory, locust and beech are also present. Timber quality in this type ranges from poor to fair. Improvement cuttings in this type should be considered. Such cuttings could be done in conjunction with harvests on types 1, 2 and 5 or as separate firewood thinning.

Type 4 - Hemlock 10+ MBF/Acre

Type 4 consists of approximately 26 acres and is made up almost exclusively of hemlock. Although the value of hemlock as a commercial species is lower than hardwoods, the volume/acre is extremely high. The soil in this type is usually quite moist because of its location in drainage areas. The hemlock helps create a park like atmosphere for the camp and is aesthetically pleasing. This type is located in three distinct areas of the property. Only light thinning of hardwoods in this type is suggested in order to maintain the type's aesthetic qualities.

Type 5 - Scattered Mixed Oak-Hardwood 3.5+ MBF/Acre

This type is located in the NW corner of the property and includes approximately 59 acres. The soil is somewhat dry due to the S and SE aspects. The timber is largely comprised of small sawtimber and pole timber with an occasional over mature oak being present. Primary species include red oak, black cherry, maple and white oak. The large over mature oaks scattered throughout this type show signs of beginning decay and should be removed. Cutting in this type should be considered during the next two to four years.

DEER VALLEY YMCA CAMP

WILDLIFE MANAGEMENT

The wildlife habitat throughout the camp is already quite diverse. The proposed selective timber cutting should help the deer and grouse population by providing increased browse for deer and more cover for grouse. Some of the thornapple in the Southern portion of the property is slated for removal and is to be replaced by planting conifers. The patch of thornapple along the Western boundary of the lake should be left in tact however. This band of thornapple supplies both cover and food to grouse and cover for deer. Because of its long narrow shape and its location immediately adjacent to the lake, it does not significantly affect the overall quality of the camp's timberstand.

Occasional den trees should be left during timbering operations in order to maintain the populations of squirrel, raccoon and other cavity dwelling mammals or birds. Plantings of autumn olive or other game foods are not recommended since the habitat is already quite diverse.

In some other areas old autumn olive planting have begun to create problems for some farmers because of their deep root system. If fields are left fallow for a year or two the autumn olive can sometimes gain quite a foothold and be a nuisance to remove. The camp's policy of open public hunting should be continued. Such a policy not only fosters good public relations, but it helps keep the deer population at a level which lessens the risk of over browsing.

RECREATION MANAGEMENT

Although the camp already offers many recreational activities and has several existing hiking and riding paths, future logging activity can help improve many of these. Proposed logging roads in types 1 and 6 of the first timber sale area will be used for bridal paths, hiking trails and cross country ski trails at the conclusion of logging. Such trails will be built on a gradual grade and moderately water barred to prevent erosion, but also to allow all of the above listed activities. Future logging roads in types 2 and 5 will also be incorporated into the recreational trail system.

DEER VALLEY YMCA CAMP

Type 6 - Old Field .5-1.5 MBF/Acre

This 62 acre type consists of old field areas which have grown up with hardwood poles and small sawtimber. Some large trees are also present along the old fence rows. This type is found on three locations on the East side of the property. Predominate commercial species are oak and maple. Several small weed trees of little economic value are also present. Included in these are large areas of thornapples. Cuttings to improve this type could be done in conjunction with harvests on 1, 2 and 5, or as separate firewood thinnings. Some of the thornapple could be cleared and the area replanted in conifers.

Type 7 - Camp Area

This is the immediate area of heavy camping activity and cabin location. No cutting is recommended in this area, except for an occasional damaged or dying tree.

DEER VALLEY YMCA CAMP

TREE PLANTING

Areas of thornapple (silverthorn) cleared for log landings during the first timber sale could be planted in conifers. White pine and red pine should both be planted in these small areas. If the trees appear to take hold in these areas, then subsequent clearing of thornapple patches and planting of conifers should be considered. The clearing could be done in conjunction with future logging activities in order to minimize the expense. Camp staff could plant the trees under the supervision of Forest Land Services. Trees for the first planting will be ordered from the state in the late summer of 1981 for planting in the Spring of 1982. The following planting schedule is suggested.

Spring 1982

Plant existing cleared log landings.

Spring 1983

Clear and plant additional two (2) acres of thornapple if original planting appears to be successful.

Spring 1984 and beyond

Additional clearing and planting as circumstances permit.

DEER VALLEY YMCA CAMP

BOUNDARY LINE MAINTENANCE

The Northern, Eastern and Southeastern boundaries of the camp adjoin Pennsylvania State Forest property. Since the state maintains these boundary lines by painting them on a regular basis, there should be no immediate maintenance need of Deer Valley's boundary lines in these areas. The Western boundary of the camp adjoins Coastal Lumber Company. Portions of this boundary were inadvertently crossed during timbering operations resulting in a timber cutting trespass of approximately three acres. Immediate action should be taken to resolve the trespass problem by painting the established boundary lines. Properly maintained lines help prevent such incidences. The Southwestern and Southern boundaries of the camp adjoin private land owned by the Peck family. These boundaries are well defined on the ground, but should still be painted to avoid future problems. Line maintenance is best performed in late fall, winter and early spring when leaves are off the trees. I would suggest the following maintenance schedule to spread out the time and cost of line painting. It is delayed in order to let expected timber sale receipts help defray the cost.

Fall 1979 to Spring 1980

Update 1981

- (1) Resolve trespass dispute; establish the line along trespass area.

Trespass resolved during 1980. Line location agreed upon by Coastal Lumber and Forest Land Services. Coastal currently in process of painting.

Spring 1980 to Spring 1981

- (2) Paint common boundary line with Coastal Lumber from end point of trespass to NW corner of Deer Valley camp property.

Partially completed in Spring 1981.

Fall 1981 to Spring 1982

- (3) Paint remaining common boundary with Coastal Lumber along SE corner and common boundary with Peck Family to hard road.

Fall 1982 to Spring 1983

- (4) Paint remaining common boundary with Peck Family to SE corner where state land begins.

Fall 1983 and beyond

- (5) Paint as needed portions of common boundary with state forest land.

DEER VALLEY YMCA CAMP

RECOMMENDED HARVEST SCHEDULE

Fall 1979 - Spring 1980

Update - 1981

Selective harvest of type 1 and
adjacent portions of types 5 & 6.

Completed Spring 1980

Winter 1981 - Fall 1981

Selective harvest of type 1 and
adjacent portions of types 3 &
4.

In progress

Spring 1981 - Fall 1981

Firewood marking and cutting in
portions of type 3 near main gate.

In progress

Winter 1982 - Fall 1982

Selective harvest of type 5.

Timber marked for sale

Spring 1982 - Fall 1982

Firewood marking and cutting in
portion of type 6 near Southern
boundary.

These schedule dates are recommendations only and are not iron clad.
Economic conditions, natural disasters such as ice and wind storms, in-
sect damage and other unforeseen circumstances may cause a delay or change
in the scheduling.

DEER VALLEY YMCA CAMP

TIMBER STAND IMPROVEMENT

As various stands of mature timber are harvested , selective cutting of cull, deformed and poor risk trees should be incorporated into the timber sales. Such practices will help improve the productivity throughout most of the property. Such improvement cuttings can easily be accomplished during future commercial timber harvests in types 1, 2 and 5. In portions of types 3 and 6, such improvement cuttings can be included with cuttings on adjacent areas of types 1, 2 and 5. In the portions of types 3 and 6 that do not lend themselves to being included with cutting on types 1, 2 and 5, some firewood marking is recommended. This is particularly true of the portion of type 3 near the camp entrance and type 6 along the Southern boundary. The suggested time schedule for these proposed firewood markings are included in the schedule for timber harvests.

FIRE CONTROL

The appearance of the stand indicates that some fire damage may have occurred forty or fifty years ago. For the most part, however, no recent fire damage was observed. Care should be taken to warn campers about smoking and open fires, especially during the fire seasons of early spring and fall. The recently constructed skid roads, which are now being used as hiking and riding trails will also serve the dual purpose of fire breaks. Since the camp is well roaded there is little danger of a woods fire spreading over a large area.

DEER VALLEY YMCA

International 1/4 Rule
Form Class 78

S U M M A R Y

	Acres	Volume
Type 1 Mixed Hardwood	88	632,074
Type 2 Scattered Mixed to Mixed Hardwoods	96	502,991
Type 3 Scattered Mixed Hardwoods	35	92,289
Type 4 Hemlock	28	413,968
Type 5 Scattered Mixed Oak-Hardwood	59	242,604
Type 6 Old Field Hardwood	62	84,410
Camp Area	43	-----
Lake	115	-----
Fields - Open	184	-----
 TOTAL	 710	 1,968,336

Forest Land Services, Inc.
P.O. Box 1211
Elkins, West Virginia 26241

DEER VALLEY YMCA

TYPE I - MIXED HARDWOOD

International 1/4
Form Class 78

DBH	BASAL AREA	NO. TREES	VOL./ACRE	TOTAL VOLUME	VALUE/MBF	VALUE
PLOTS:	26.00 ACRES:	88.15				
Black Cherry						
10	.385	.705	33.86	2984.62	.00	.00
12	1.155	1.470	91.14	8033.99	.00	.00
14	.769	.719	94.94	8368.83	.00	.00
16	3.460	2.478	374.80	33038.49	.00	.00
18	1.154	.653	131.05	11552.12	.00	.00
20	2.306	1.057	289.24	25496.91	.00	.00
22	1.154	.437	180.17	15882.06	.00	.00
24	.770	.245	107.88	9509.22	.00	.00
	11.153	7.764	1303.08	114866.24		.00
Yellow Birch						
10	.385	.705	33.86	2984.62	.00	.00
12	.385	.490	27.44	2418.84	.00	.00
14	1.537	1.438	112.20	9890.43	.00	.00
16	1.539	1.102	116.76	10292.67	.00	.00
20	.384	.176	41.22	3633.54	.00	.00
	4.230	3.911	331.48	29220.10		.00
Hard & Soft Maple						
12	3.848	4.900	309.68	27298.30	.00	.00
14	5.766	5.394	498.43	43936.34	.00	.00
16	8.459	6.058	835.79	73675.09	.00	.00
18	3.847	2.177	390.76	34445.29	.00	.00
20	1.538	.705	164.70	14518.65	.00	.00
22	.385	.146	53.64	4728.64	.00	.00
	23.843	19.380	2253.00	198602.31		.00
Redk Black & Scarlet Oak						
12	3.079	3.920	245.98	21683.14	.00	.00
14	4.229	3.956	415.36	36613.61	.00	.00
16	1.539	1.102	175.97	15511.83	.00	.00
18	2.308	1.306	251.43	22163.95	.00	.00
20	2.690	1.233	332.05	29270.20	.00	.00
22	.771	.292	94.02	8287.97	.00	.00
24	1.153	.367	191.90	16916.05	.00	.00
26	.383	.104	65.25	5751.65	.00	.00
	16.152	12.280	1771.96	156198.40		.00
Hemlock						
14	.769	.719	102.49	9034.52	.00	.00
16	1.153	.826	146.78	12938.66	.00	.00
18	.769	.435	119.30	10515.89	.00	.00
20	.384	.176	61.30	5403.73	.00	.00
24	.383	.122	53.94	4754.61	.00	.00
	3.458	2.278	483.81	42647.41		.00

<u>DBH</u>	<u>BASAL AREA</u>	<u>NO. TREES</u>	<u>VOL./ACRE</u>	<u>TOTAL VOLUME</u>	<u>VALUE/MBF</u>	<u>VALUE</u>
Hickory						
12	2.309	2.940	208.74	18400.43	.00	.00
14	.385	.360	55.02	4850.11	.00	.00
16	.384	.275	49.57	4369.53	.00	.00
	3.078	3.575	313.33	27620.07		.00
Ash						
12	.385	.490	36.26	3196.32	.00	.00
14	.769	.719	65.81	5801.12	.00	.00
16	1.153	.826	138.52	12210.41	.00	.00
18	2.693	1.524	350.05	30856.83	.00	.00
22	.385	.146	53.64	4728.64	.00	.00
	5.385	3.705	644.28	56793.32		.00
Misc., Locust, Beech						
16	.384	.275	39.38	3471.35	.00	.00
20	.384	.176	30.12	2655.28	.00	.00
	.768	.451	69.50	6126.63		.00
Total Volume All Species						
10	.769	1.410	67.72	5969.20		
12	11.161	14.210	919.23	81030.00		
14	14.223	13.305	1344.22	118493.00		
16	18.070	12.942	1877.54	165505.00		
18	10.771	6.095	1242.58	109533.80		
20	7.686	3.523	918.64	80978.10		
22	2.695	1.021	381.48	33627.20		
24	2.306	.734	353.71	31179.88		
26	.383	.104	65.25	5751.65		
	68.067	53.344	7170.44	632074.48		.00

DEER VALLEY YMCA

TYPE II - SCATTERED MIXED TO MIXED HARDWOOD

International 1/4
Form Class 78

DBH	BASAL AREA	NO. TREES	VOL./ACRE	TOTAL VOLUME	VALUE/MBF	VALUE
Plots:	16.00	Acres:	96.42			
Black Cherry						
16	1.250	.895	174.52	16827.70	.00	.00
18	1.251	.708	193.86	18691.50	.00	.00
20	.624	.286	99.62	9604.88	.00	.00
26	.623	.169	89.43	8622.84	.00	.00
	3.748	2.058	557.43	53746.92		.00
Hard and Soft Maple						
12	6.879	8.759	533.49	51438.86	.00	.00
14	8.746	8.181	883.57	85194.29	.00	.00
16	4.374	3.133	447.95	43191.10	.00	.00
18	1.251	.708	130.53	12586.07	.00	.00
20	1.250	.573	133.97	12916.91	.00	.00
	22.500	21.354	2129.51	205327.23		.00
Red, Black & Scarlet Oak						
12	5.628	7.166	472.97	45604.01	.00	.00
14	1.250	1.169	154.28	14875.20	.00	.00
16	2.499	1.790	332.49	32058.93	.00	.00
18	1.875	1.061	261.78	25240.35	.00	.00
22	.626	.237	102.80	9912.34	.00	.00
24	1.250	.398	235.92	22747.05	.00	.00
	13.128	11.821	1560.24	150437.88		.00
Hemlock						
14	.624	.584	61.36	5916.27	.00	.00
18	.626	.354	48.11	4638.77	.00	.00
	1.250	.938	109.47	10555.04		.00
Ash						
12	.625	.796	58.92	5681.31	.00	.00
14	1.250	1.169	166.55	16058.45	.00	.00
16	2.499	1.790	322.20	31066.52	.00	.00
18	2.501	1.415	312.36	30117.87	.00	.00
	6.875	5.170	860.03	82924.15		.00
Total Volume All Species						
12	13.133	16.721	1065.37	102723.00		
14	11.869	11.103	1265.74	122943.00		
16	10.623	7.608	1277.16	123144.20		
18	7.503	4.246	946.63	91274.30		
20	1.874	.859	233.58	22521.79		
22	.626	.237	102.80	9912.34		
24	1.250	.398	235.92	22747.05		
26	.623	.169	89.43	8622.84		
	47.501	41.341	5216.68	502991.22		.00

DEER VALLEY YMCA

TYPE III - SCATTERED MIXED HARDWOOD

International 1/4

Form Class 78

Plots:	15.00	Acres:	34.89			
DBH	BASAL AREA	NO. TREES	VOL./ACRE	TOTAL VOLUME	VALUE/MBF	VALUE
Black Cherry						
16	.666	.477	50.60	1765.34	.00	.00
18	.666	.377	60.43	2422.39	.00	.00
	1.332	.854	120.03	4187.73		.00
Hard & Soft Maple						
12	7.338	9.343	584.34	20387.67	.00	.00
14	3.332	3.117	276.76	9656.16	.00	.00
16	.666	.477	50.60	1765.34	.00	.00
18	.666	.377	87.92	3067.48	.00	.00
	12.002	13.314	999.62	34876.65		.00
Red, Black & Scarlet Oak						
12	4.669	5.945	348.23	12149.63	.00	.00
14	3.998	3.740	375.87	13114.10	.00	.00
16	1.999	1.432	240.10	8377.04	.00	.00
18	2.000	1.132	227.15	7925.42	.00	.00
22	.668	.253	109.66	3825.94	.00	.00
	13.334	12.502	1301.01	45392.13		.00
Hickory						
12	.667	.849	62.85	2192.86	.00	.00
14	.666	.623	65.45	2283.55	.00	.00
	1.333	1.472	128.30	4476.41		.00
Misc., Locust, Beech						
12	.667	.849	47.56	1659.46	.00	.00
14	.666	.623	48.62	1696.35	.00	.00
	1.333	1.472	96.18	3355.81		.00
Total Volume All Species						
12	13.341	16.986	1042.91	36387.00		
14	8.662	8.103	766.70	26750.00		
16	3.331	2.386	341.29	11907.60		
18	3.333	1.886	384.50	13415.20		
22	.668	.253	109.66	3825.94		
	29.334	29.614	2645.14	92288.73		.00

TYPE IV - HEMLOCK

Plots: 5.00 Acres: 28.47

DBH	BASAL AREA	NO. TREES	VOL./ACRE	TOTAL VOLUME	VALUE/MBF	VALUE
Black Cherry						
12	2.001	2.548	188.55	5368.08	.00	.00
14	3.998	3.740	342.21	9742.71	.00	.00
16	1.999	1.432	300.72	8561.50	.00	.00
18	2.000	1.132	310.17	8830.48	.00	.00
20	1.998	.916	271.14	7719.24	.00	.00
	11.996	9.768	1412.79	40222.01		.00
Hard & Soft Maple						
12	8.005	10.192	662.48	18860.80	.00	.00
14	1.999	1.870	286.11	8145.55	.00	.00
16	1.999	1.432	300.72	8561.50	.00	.00
	12.003	13.494	1249.31	35567.85		.00
Red, Black & Scarlet Oak						
14	1.999	1.870	246.84	7027.53	.00	.00
16	1.999	1.432	257.76	7338.43	.00	.00
18	4.001	2.264	573.92	16339.61	.00	.00
20	1.998	.916	214.34	6102.37	.00	.00
	9.997	6.482	1292.86	36807.94		.00
Hemlock						
12	20.012	25.480	2430.79	69204.65	.00	.00
14	27.987	26.180	3797.97	108128.19	.00	.00
16	15.996	11.456	2319.84	66045.85	.00	.00
18	4.001	2.264	573.92	16339.61	.00	.00
20	1.998	.916	318.77	9075.32	.00	.00
24	1.998	.636	332.63	9469.92	.00	.00
	71.992	66.932	9773.92	278263.54		.00
Ash						
10	2.001	3.668	216.41	6161.25	.00	.00
16	1.999	1.432	300.72	8561.50	.00	.00
	4.000	5.100	517.13	14722.75		.00
Misc.. Locust, Beech						
12	2.001	2.548	142.69	4062.33	.00	.00
16	1.999	1.432	151.79	4321.52	.00	.00
	4.000	3.980	294.48	8383.85		.00
Total Volume All Species						
10	2.001	3.668	216.41	6161.20		
12	32.019	40.768	3424.45	97494.00		
14	35.983	33.660	4473.00	133043.00		
16	25.993	18.616	3631.47	103338.00		
18	10.002	5.660	1458.01	41509.60		
20	5.995	2.748	804.24	22996.80		
24	1.998	.636	332.63	9469.92		
	113.988	105.756	14540.49	413967.94		.00

TYPE V - SCATTERED MIXED HARDWOOD

Form Class 78

<u>DBH</u>	<u>BASAL AREA</u>	<u>NO. TREES</u>	<u>VOL./ACRE</u>	<u>TOTAL VOLUME</u>	<u>VALUE/MBF</u>	<u>VALUE</u>
Plots:	14.00	Acres: 58.77				
Black Cherry						
12	2.144	2.730	185.64	10910.06	.00	.00
14	1.428	1.336	158.28	9302.25	.00	.00
16	3.570	2.557	327.83	19266.32	.00	.00
	7.142	6.623	671.75	39478.63		.00
Yellow Birch						
12	.715	.910	50.96	2994.92	.00	.00
	.715	.910	50.96	2994.92		.00
Hard & Soft Maple						
12	10.006	12.740	762.58	44816.82	.00	.00
14	2.142	2.004	210.38	12363.75	.00	.00
16	.713	.511	73.13	4298.10	.00	.00
20	.713	.327	76.55	4498.93	.00	.00
	13.574	15.582	1122.64	65977.60		.00
Red, Black & Scarlet Oak						
12	7.147	9.100	607.83	35725.11	.00	.00
14	2.142	2.004	210.38	12363.75	.00	.00
16	3.570	2.557	308.90	18154.22	.00	.00
18	.714	.404	74.39	4371.82	.00	.00
22	2.859	1.083	356.26	20937.40	.00	.00
28	.714	.167	80.56	4734.68	.00	.00
36	.721	.102	130.13	7647.74	.00	.00
	17.867	15.417	1768.50	103934.72		.00
Misc., Locust, Beech						
12	.715	.910	50.96	2994.92	.00	.00
18	.714	.404	74.39	4371.82	.00	.00
	1.429	1.314	125.35	7366.74		.00
White Oak						
12	1.429	1.820	118.30	6952.49	.00	.00
16	.713	.511	73.13	4298.10	.00	.00
24	1.426	.454	197.39	11600.44	.00	.00
	3.568	2.785	383.82	22851.03		.00
Total Volume All Specied						
12	22.156	28.210	1776.26	104391.00		
14	5.713	5.344	579.03	34029.60		
16	3.567	5.136	733.00	46016.70		
18	1.428	.803	143.78	8743.64		
20	.713	.327	76.55	4498.93		
22	2.859	1.083	356.26	20937.40		
24	1.426	.454	197.39	11600.44		
28	.714	.167	80.56	4734.68		
36	.721	.102	130.13	7647.74		
	44.295	42.631	4128.02	242603.64		.00

DEER VALLEY YMCA

International 1/4
Form Class 78

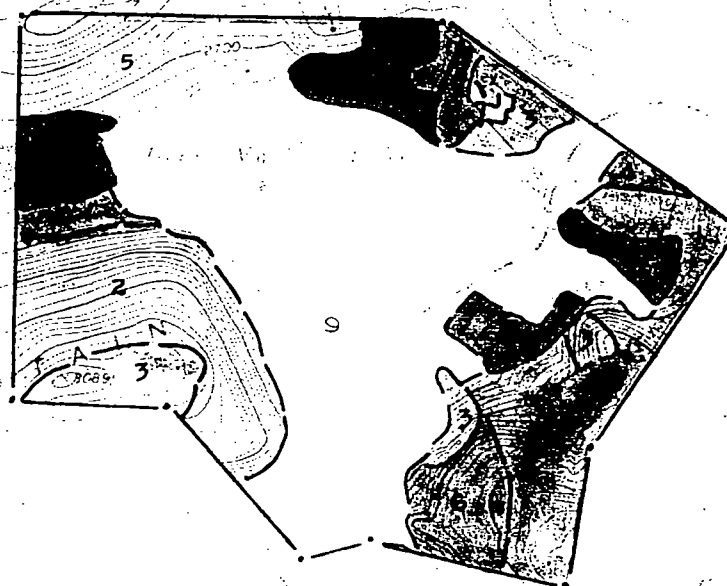
TYPE - VI - OPEN FIELD

DBH	BASAL AREA	NO. TREES	VOL./ACRES	TOTAL VOLUME	VALUE/MBF	VALUE
Plots:	7.00	Acres:	61.52			
Yellow Birch						
12	2.859	3.640	236.60	14555.63	.00	.00
	2.859	3.640	236.60	14555.63		.00
Hard & Soft Maple						
16	2.857	2.046	292.54	17996.89	.00	.00
20	1.427	.654	111.38	6883.03	.00	.00
	4.284	2.700	404.42	24879.92		.00
Red, Black & Scarlet Oak						
12	1.429	1.820	101.92	6270.12	.00	.00
14	1.428	1.336	176.31	10846.85	.00	.00
22	1.428	.541	157.01	9659.52	.00	.00
28	1.428	.334	161.13	9912.45	.00	.00
	5.713	4.031	596.37	36638.94		.00
Hickory						
12	1.429	1.820	134.63	8285.51	.00	.00
	1.429	1.820	134.68	8285.51		.00
Total Volume All Species						
12	5.718	7.280	473.20	29111.20		
14	1.428	1.336	176.31	10846.80		
16	2.857	2.046	292.54	17996.80		
20	1.427	.654	111.88	6883.03		
22	1.428	.541	157.01	9659.52		
28	1.428	.334	161.13	9912.45		
	14.285	12.191	1372.07	84410.00		.00

DEER VALLEY YMCA CAMP

TIMBER TYPES

- 1. Mixed Hardwood
- 2. Scattered Mixed to Mixed Hardwoods
- 3. Scattered Mixed Hardwoods
- 4. Hemlock
- 5. Scattered Mixed Oak Hardwood
- 6. Old Field Hardwood
- 7. Camp Area
- 9. Open Field



Forest Land Services, Inc.
P.O. Box 1211
Elkins, West Virginia 26241
(304) 636-4837

DEER VALLEY YMCA

International 1/4" Log Rule
Form Class 78

Wooded Area
368 Acres

<u>SPECIES</u>	<u>TYPE 1</u>	<u>TYPE 2</u>	<u>TYPE 3</u>	<u>TYPE 4</u>	<u>TYPE 5</u>	<u>TYPE 6</u>	<u>TOTAL</u>
Red Oak Scarlet Oak Black Oak	156,199	150,438	45,392	36,808	103,935	36,689	529,461
White Oak	-----	-----	-----	-----	22,851	-----	22,851
Black Cherry	114,866	53,747	4,188	40,222	39,479	-----	252,502
Red & Sugar Maple	198,602	205,327	34,877	35,568	65,977	24,880	565,231
Ash	56,793	82,924	-----	14,723	-----	-----	154,440
Hickory	27,620	-----	4,476	-----	-----	8,285	40,381
Hemlock	42,647	10,555	-----	278,263	-----	-----	331,465
Yellow Birch	29,220	-----	-----	-----	2,995	14,556	46,771
Misc.	6,127	-----	3,356	8,384	7,367	-----	25,234
TOTAL	632,074	502,991	92,289	413,968	242,604	84,410	1,968,336

(All Volumes in Board Feet)

Forest Land Services, Inc.
P.O. Box 1211
Elkins, West Virginia 26241

DEER VALLEY YMCA CRUISE SUMMARY

International 1/4" Log Rule
Form Class 78

<u>DBH **</u>	<u>10</u>	<u>12</u>	<u>14</u>	<u>16</u>	<u>18</u>	<u>20</u>	<u>22</u>	<u>24</u>	<u>26+</u>	<u>TOTAL</u>
SPECIES										
Red Oak	-----	121,432	94,842	81,440	76,041	35,372	52,623	39,663	28,048	52,9461
Scarlet Oak										
Black Oak										
						(20"+)				
White Oak	-----	6,953	-----	4,298	-----	11,600	-----	-----	-----	22,851
Black Cherry	2,984	24,312	27,414	79,458	41,496	42,824	15,882	9,509	8,623	252,502
Red & Sugar Maple	-----	162,803	159,296	149,487	50,098	38,818	4,729	-----	-----	565,231
Ash	6,161	8,877	21,860	51,839	60,975	-----	4,728	-----	-----	154,440
Hickory	-----	28,879	7,133	4,369	-----	-----	-----	-----	-----	40,381
Hemlock	-----	69,204	123,077	78,985	31,495	14,479	-----	14,225	-----	331,465
Yellow Birch	2,985	19,970	9,890	10,293	-----	3,633	-----	-----	-----	46,771
Misc. (Beech, Locust, etc.)	-----	8,717	1,696	7,794	4,372	2,655	-----	-----	-----	25,234
TOTAL	12,130	451,147	445,208	467,963	264,477	149,381	77,962	63,397	36,671	1,968,336

(All Volume in BF)

Forest Land Services, Inc.
P.O. Box 1211
Elkins, West Virginia 26241

** DBH = Diameter breast height measured in inches

SUMMARY of ACCOMPLISHMENTS

Society of American Foresters:

- Drafted 16 position statements on various forestry issues.
- Conceived and managed multi-disciplinary task forces on issues related to International Trade, Wilderness Management, Biological Diversity, Community Stability, The Red-Cockaded Woodpecker, and, The 1990 Range and Renewable Resources Planning Act Program,.
- Edited and supervised production of reports related to the six task forces mentioned above.
- Created Henry Clepper Internship Program.
- Developed and organized congressional field tour on wetlands.
- Drafted and distributed Briefing Book on Federal Forest Policy.
- Produced and led workshops on the policy process.
- Produced and wrote grassroots guide for participating in the policy process.⁷
- Revised the Society's constitution related to the position taking process.
- Revised the Society's "Forest Policies" document which serves as the profession's statement of principles on forest policy issues.

Senate Agriculture, Nutrition, and Forestry Committee, and Office of Senator Leahy:

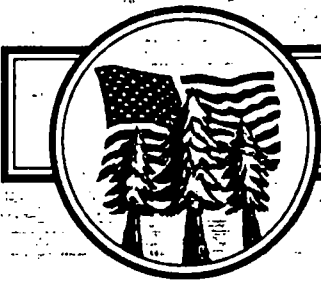
- Legislation drafted and passed includes the:
 - o State and Private Forestry Title in the 1990 farm bill,*
 - o Lake Champlain Special Designation Act of 1990,*
 - o National Forest Foundation Act of 1990,*
 - o Taconic Mountains Protection Act of 1991,*
 - o Hawaii Tropical Forestry Recovery Act of 1992, and,*
 - o Georgia, Illinois, and Maine Wilderness acts.*
- Legislation drafted but not passed includes the:
 - o Forestry Title of the Disaster Relief Act of 1989,*
 - o The Northern Forest Lands Act of 1991, and,*
 - o The Rural Development and Ancient Forest Ecosystem Conservation Act of 1992.*
- Amendments drafted and passed include those related to:
 - o states rights in regulating CFCs in the Clean Air Act of 1990,*
 - o Federal Energy Regulatory Commission pre-emption of federal land management agencies in the National Energy Security Act of 1992,*
 - o land management service contracts in the FY 1992 and 1993 Interior and Related Agencies Appropriations acts, and,*
 - o Forest Service appeals process in the FY 1993 Interior and Related Agencies Appropriations act.*
- Helped fight legislation to limit citizen's access to the courts and to weaken the Endangered Species Act.
- Successfully helped secure annual appropriations for federal, state, and private natural resource management programs.

Clinton/Gore Presidential Campaign:

- Provided technical assistance to the Clinton/Gore Campaign.
- Member of environmental rapid response team for Presidential debates.
- Participated in Vermont Democrats get-out-the-vote efforts.

PUBLICATIONS and SPEECHES

- E. Thomas Tuchmann and James R. Lyons.* 1992. Forestry, the New Administration, and the 103rd Congress. Forthcoming in the Journal of Forestry. 91(1)93.
- E. Thomas Tuchmann.* 1991. Biological Diversity: A National Perspective. Forthcoming in Proceedings of Conference on Biological Diversity: Conserving our Inheritance. The Association for the Protection of the Adirondacks. Schenectady, N.Y.
- E. Thomas Tuchmann.* 1991. Organizational and Professional Leadership. Forest Perspectives. 1(2):10-11
- E. Thomas Tuchmann.* 1990. Forging the Forestry Title. Pages 491-496 in Proceedings, 1990 National Convention, Society of American Foresters. Bethesda, MD
- Fremont J. Lyden, Ben W. Twight, and E. Thomas Tuchmann.* 1990. Constituency Bias in a Federal Career System?: A Study of District Rangers of the U.S. Forest Service. Administration and Society. 22(11)90:358-377
- Fremont J Lyden, Ben W. Twight, and E. Thomas Tuchmann.* 1990. Citizen Participation in Long-Range Planning: The RPA Experience. Natural Resource Journal. 30(4):123-138
- E. Thomas Tuchmann.* 1989. An Environmental Amendment to the Constitution? Environment 3(10):4-5
- E. Thomas Tuchmann.* 1989. Wilderness Management: Professional and Political Perspectives. Pages 168-172 in Proceedings, 1989 National Convention. Society of American Foresters. Bethesda, MD
- E. Thomas Tuchmann, ed.* 1989. Wilderness Management: Report of the Society of American Foresters Task Force on Wilderness Management. Society of American Foresters. Bethesda, MD. 85 pp.
- E. Thomas Tuchmann, ed.* 1989. Community Stability: Report of the Society of American Foresters Task Force on Community Stability. Society of American Foresters. Bethesda, MD. 42 pp.
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- E. Thomas Tuchmann.* 1988. Briefings on Federal Forest Policy. Society of American Foresters. Bethesda, MD. 36 pp.
- E. Thomas Tuchmann.* 1988. What sets SAF Apart. Journal of Forestry. 88(7):39-40
- E. Thomas Tuchmann, ed.* 1988. SAF Forest Policies and Positions 1988. Society of American Foresters. Bethesda, MD. 75 pp.
- E. Thomas Tuchmann.* 1986. United States Forest Service and Public Values Toward Forest Resource Management: The Effects of Conflict on Coalignment. Unpublished Masters Thesis. The Pennsylvania State University. University Park, PA. 158 pp.



SAVE AMERICA'S FORESTS

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202-544-9219

Executive Summary **Abercrombie "Save America's Jobs" Amendment to H.R. 4899**

From its inception, Save America's Forests has maintained that environmental protection cannot move forward without ensuring a sound economic transition for timber dependent communities and the entire forest products cycle. Forests and jobs must go hand in hand.

In the Northwest, many have realized that industry overcutting has hurt workers and communities by depleting forest resources, automating operations, and exporting logs overseas. People like Jerry Rust, County Commissioner in the largest timber-producing county in the U.S. (Lane Co.) are saying that the future of forest-related communities in the U.S. is intrinsically linked to healthy, long-term sustainable forests on which these communities depend.

Unfortunately, in the present crisis over the fate of the Northwest Ancient Forests, the timber industry and the Bush Administration have consistently portrayed environmental protection as a death knell for economic prosperity and jobs. This has polarized communities in the Northwest, as well as in Washington, D.C., where environmental groups have avoided the issue, and labor unions have taken sides with the industry against forest protection.

The Abercrombie Amendment

Save America's Forests has assisted Representative Neil Abercrombie (D-HI) in creating a comprehensive economic transition package that will help workers and clear the way for environmental protection. Representative Abercrombie will offer his proposal as an addition to the Miller/Vento amendment to H.R. 4899 during its mark-up in the Interior Committee.

Rep. Abercrombie's proposal, more than other transition packages, will facilitate community economic diversity, help create new employment and business opportunities, and will also assist in the education and retraining of dislocated workers:

1. Local control is provided to "local commissions on economic stability" to give members of the community control over their own destiny—
 - Each commission will consist of: an elected official, a labor representative, a dislocated worker, a teacher or scientist, and a state-level economic consultant.
 - Commissions are directed to coordinate job-placement programs and work with land management agencies to offer smaller timber sales¹ and commercial permits for renewable non-timber forest products².
2. A Federal Administrator will disperse funds and create a handbook of resources and guidelines to local commissions. Only 4% of the entire program budget can be used for the federal administration of the program.
3. A Business Assistance Program will stimulate economic growth of existing businesses and assist local entrepreneurs in start-up businesses. Priority will be given to those businesses which practice sustainable selection management and restoration work, value-added processing, and recycling.
4. Unemployment benefits and basic health care coverage will be extended to workers enrolled in bona fide education programs.
5. Public and non-public employment and on-the-job training programs will create jobs and help workers

acquire new skills for new careers.

Economic Transition in the Northwest

Educators, foresters, local governments, and entrepreneurs are already leading the way toward economic recovery in the Northwest. The Abercrombie Amendment will support and stimulate the projects already creating economic diversification, such as:

1. **The Lane Community College Dislocated Worker Program**, a vocational training program to assist laid-off workers acquire the skills they need to find new jobs which is currently serving over 500 people.
2. **The Rogue Institute for Ecology and Economy**, a bold venture uniting labor and environmental efforts to promote the health of communities and forests through a "Community Forestry" certification program.
3. **The Lane County (OR) Business Assistance Team**, a comprehensive program to stimulate the local economy by providing growing businesses with development loans, facilitating global market opportunities, and providing invaluable services to new and relocating businesses.

Funding economic transition--Congress' challenge

If any transition program is to succeed, it is imperative that it be adequately funded--cost estimates range from \$50-\$400 million per year. Congress should realize that the costs of a complete program such as the Abercrombie Amendment are an investment in the future. We must help the communities of the Northwest become self-sufficient, independent of subsidized timber and welfare. A reasonable investment in economic transition will help create productive, tax-paying members of society.

Yet, finding funds is difficult given the present budget crisis. Most of the other economic packages offered for the Northwest are funded from 5% of timber sales from National Forests across the country. *Linking economic transition to continued environmental degradation in this way is unacceptable.* But what are the options?

The Abercrombie Amendment provides an alternative: collection on defaulted timber contracts in the Northwest--this alone could provide more than \$280 million, if all industry debts to the Forest Service were collected. Although the agency has begun this process, it will take time, and complete collection is not guaranteed.

Other funding sources are being considered, such as the Canadian lumber tariff, export taxes, surety bonds, etc., but the details have yet to be worked out. From these and other sources, Congress must strive to help create jobs and sustain communities, and assure adequate funding for a complete economic transition package.

What about other bills?

While other economic packages offer some assistance to workers and communities, like those in Sen. Adams' and Rep. Huckaby's ancient forest bills, they fall short of the comprehensive support for economic diversification provided by the Abercrombie Amendment. This amendment is complementary to Chairmen Miller and Vento's Worker and Community Relief provisions to which it will be added.

Footnotes

1. **Smaller Timber Sales**: With the decline in Federal timber supplies diminish, there will be a trend toward smaller, more efficient mills. These small mills are helping to create a diversified economy that can respond to market fluctuations and a changing global market by producing specialized timber products like boat lumber, musical instruments, and furniture. Made from high-grade lumber, these products are incredibly valuable after processing and have high domestic and export appeal. Media have dubbed this the new timber industry. Small mills are unable to process the large timber sale contracts that the Forest Service now offers. Current sales often consist of 1.5 mmbf or more. To help these small companies flourish, the Abercrombie Amendment encourages smaller sales, for example, in size ranging from 10,000 bf to 250,000 bf.

2. **Contracts for renewable non-timber forest products, known as Specialty Forest Products**: Mushrooms, berries, boughs, floral products, nuts, and a multitude of other forest products are part of a rapidly growing global market (roughly estimated at \$130 million/year, and employing 10,000 people nationwide) that is a prime opportunity to the communities of the Northwest for economic diversification. Now there is an onslaught of unregulated vesting going on in the woods. Ted Ferrolli of Lane County's Rural Resources Development Committee says this is causing "overuse and territorial problems-- fist fights in the woods." Permitting policies are needed to prevent unsustainable, potentially destructive harvesting of Specialty Forest Products, and to legitimize the industry. Rolf Anderson of the Willamette National Forest's planning staff explains "right now we don't have consistent policies for permits, record keeping, or management. What's needed is to get those policies for the BLM and national and state forests." This Amendment would provide additional impetus for much needed permitting policies, and link them with economic recovery.

**ABERCROMBIE LABOR AMENDMENT
BRIEF DESCRIPTIONS OF SECTIONS**

ECONOMIC ADJUSTMENT ASSISTANCE

Enables communities and their workers, both county and timber-related, to make a transition to a sustainable forest-products economy based on the needs of the local community.

Commissions are established on a local level to best facilitate this transition and the needs of the local community. Included in this assistance are educational opportunities, unemployment insurance, and grants for business assistance programs and unemployed workers.

It is further stipulated that nothing in this Act is intended to affect currently employed workers or to deter union organizing. This Act respects the need to protect workers from low wage, no benefits, temporary job placement.

FEDERAL TIMBER SALES ("DEFAULT SALES")

Outlines the method for collection of monies designated as the priority means of funding for this worker-related program.

FEDERAL LAND ECONOMIC DIVERSIFICATION ADMINISTRATION (FLEDA)

This Administration is created to disburse federal funds, develop and provide a handbook, and work with other federal agencies to implement the program. Note that all only 4% of any funds generated by this Act may be used for FLEDA's administrative costs.

CITIZEN ENFORCEMENT

A provision to ensure that all program recipients receive the benefits they are entitled to and that compliance with this Act is adhered to since similar legislation has been repeatedly abused.

SECTION-BY-SECTION DESCRIPTION OF ABERCROMBIE AMENDMENT

SECTION ON ECONOMIC ADJUSTMENT ASSISTANCE

Subsection (a) Economic Adjustment Fund --

A Timber Community Economic Adjustment Fund is created in the U.S. Treasury to provide a total level of funding at least equal to 5% of the Federal timber sale receipts. It can be funded in a priority manner by the following:

- (1) Federal receipts from defaulted timber sales in the impacted region;
- (2) appropriations;
- (3) other methods approved by Congress whose monies are directed into this Fund; and
- (4) gross Federal timber sale receipts from the impacted region.

Note that these deposits to the Fund are not to affect U.S. Forest Service receipt-sharing payments to States.

Expenditures from the Fund may be made by the Secretary of Commerce, through the Federal Land Economic Diversification Administration (FLEDA), for:

- (1) grants to communities, private enterprises, cooperatives and individuals;
- (2) partial funding of the Local Commissions on Economic Stability; and
- (3) operation of FLEDA, although not more than 4 percent percent of the expenditures can be used for such administrative expenses.

The grants are made by Local Commissions on Economic Stability, and can be used for the education, retraining, compensation, and travel/relocation expenses for dislocated workers.

Subsection (b) Local Commission on Economic Stability --

A Local Commission on Economic Stability (LCES) is eligible to receive grants, if it is:

- (1) established by an eligible unit of local government within 45 days of eligibility determination;
- (2) comprised of an elected member of local government, a representative of organized labor, a dislocated worker, a member of the academic or scientific community, and a member of the State Economic Diversification Administration; and
- (3) authorized to administer the grants.

The LCES must have the objectives of coordinating job placement for eligible workers and cooperating with Federal land management agencies to stimulate small business.

Subsection (c) Eligible Unit of General Local Government --

Units of local government may establish an LCES eligible for grants, if, pursuant to a petition from the Governor of the State, FLEDA determines that jobs within the unit that depend on primary forest products are being lost due to changes in Federal land law, a new Federal land law, or the implementation of a Federal land law.

Subsection (d) Grants --

An LCES may consider grant requests from "business assistance programs" and from unemployed workers who are enrolled in existing unemployment programs. Businesses to be assisted include those wanting to move into the area as well as local entrepreneurs. The purpose is to provide businesses with incentives to hire local dislocated workers. Several criteria are specified for businesses that should be considered:

- (1) Businesses whose operations will counter the boom-bust of extractive industries;
- (2) Businesses that can work on a sustainable yield and can maintain and restore the biological integrity and diversity of forestlands;
- (3) Businesses that promote fishing and the preservation of watershed areas;
- (4) Businesses involved in production of value-added wood products;
- (5) Forest-related businesses that use selection management, pruning, thinning, and on-site milling; and
- (6) Businesses with a record of efficient use of wood products, including recycling and the use of waste materials.

Grants to unemployed individuals are to be considered for counselling and job placement assistance during a transition period and for income support. Income support payments may be made for the following:

- (1) To extend unemployment insurance (UI) benefits for those who exhaust their UI entitlements while enrolled in training or education programs;
- (2) To provide health insurance to those enrolled in training or education and to their family members; and
- (3) To pay for job search and relocation expenses for unemployed persons who cannot reasonably be expected to find work comparable to their lost jobs within the commuting area.

Subsection (e) Public Employment Programs --

An LCES will arrange with local governments, nonprofit organizations, and colleges and universities to provide transitional jobs in needed public services, and, if feasible, related training and employment service which are otherwise unavailable to eligible individuals. Financial assistance may be provided to applicant institutions.

To the extent feasible, public employment programs will be designed to develop new careers, provide opportunities for career advancement, provide opportunities for continued training including on-job-training, or provide transitional public service jobs to enable individuals to move into public or private employment or training not supported under this Act.

Each applicant shall give priority consideration to the worker for permanent employment in any position that is then available.

Subsection (f) Nonpublic On-the-Job Training Programs --

An LCES will arrange with new or existing businesses and labor organizations to provide eligible individuals with training and apprenticeship opportunities in the nonpublic sector, to enable them to acquire the skills and expertise needed to move into new careers. Financial assistance may be provided to applicant businesses and labor groups.

Upon completion of the training or apprenticeship, each applicant shall give priority consideration to the worker for permanent employment in any position that is then available.

Subsection (g) Condition on Awarding Contracts for Work on Federal Lands --

Once a local government has been designated as eligible under this section, the Secretaries of Agriculture and Interior may not award any contracts for work on Federal lands within that local government unless the successful bidder agrees to hire eligible individuals, to the extent practicable and considering the skills of the individual and the needs of the bidder.

Subsection (h) Increased Unemployment Benefits --

The Secretary of Labor is directed to pay unemployment benefits to eligible individuals who have exhausted all entitlement to unemployment insurance (UI) benefits under State programs, the Federal-State extended benefits (EB) program, the temporary emergency unemployment compensation (EUC) program, and the Canadian UI program. the weekly benefit amount is to be the same as was paid

by the State UI program when the individual was entitled to that benefit. The benefit duration is not to exceed 33 weeks, reduced for weeks of EB or EUC received. Since some States now pay 33 weeks of EUC benefits, the benefits proposed by this amendment would be reduced to zero in such States if EUC were to be continued at its present level and it operated concurrently with the program proposed in this amendment. There is no provision in the amendment to fund these benefits. Thus, an existing Federal account in the Unemployment Trust Fund would be the source of the budget authority for these payments.

Subsection (i) Notice of Secretaries --

The Secretaries of Agriculture and Interior are to provide timely information to the LCES or the State on National Forest and Bureau of Land Management (BLM) administrative actions which may have a substantial local or regional impact on employment, and to identify the location of the impacts, where feasible.

Subsection (j) Displacement Protection --

Any new or existing position funded with amounts made available pursuant to this section shall not result in:

- (1) the displacement of any currently employed worker or position (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits), or result in the impairment of existing contracts for services or collective bargaining agreements;
- (2) the employment or assignment of a participant or the filling of a position when --
 - * any other individual is on layoff from the same or any equivalent position,
 - * the employer has terminated the employment of any regular employee or otherwise reduced its workforce with the effect of filling the vacancy so created with a participant subsidized under the program,
 - * there is a strike, lockout or other bona fide labor dispute, or violation of any existing collective bargaining agreement between the union and the employer;
- (3) any infringement of the promotional opportunities of any currently employed individual.

The funds available to carry out the programs under this part may not be used to assist, promote, or deter union organizing.

Subsection (k) Definitions --

"Administrator" = the head of FLEDA

"Eligible Individual" = those who reside or work in the area of an eligible unit of general local government and who, within the past 2 years or the next 6 years, have lost or will lose a timber-related job or a public sector job due to changes in Federal land law, a new Federal land law, or implementation of a Federal land law.

"Emergency Act" = the Emergency Unemployment Compensation Act of 1991.

SECTION ON FEDERAL TIMBER SALES

Subsection (a) Enforcement and Collection --

The Secretaries of Agriculture and Interior are to establish procedures for the prompt and adequate collection of amounts owed on timber sales in default within three months of this Act's enactment.

Subsection (b) Bond Required --

A performance bond, of at least the amount owed under a timber sale contract, for compliance with contract terms is required for all contracts of more than \$2,000.

Subsection (c) Clarification of Qualified Bidders and Debarment of Bidders --

The Secretaries are prohibited from awarding a timber sale to a purchaser who has defaulted on a timber sale and who is delinquent in payments on the defaulted sale or sales. The exception is for those whose defaults are currently being appealed. The similarity of corporate identity between current bidders and previous bidders who have defaulted on timber sales shall be considered, and a certified statement of ownership, officers, members, or stockholders may be required. The agencies must approve timber sale transfers and shall not approve a transfer to a disqualified bidder. The Forest Service and BLM are to exchange information and shall not award timber sales to bidders disqualified by the other agency.

SECTION ON FEDERAL LAND ECONOMIC DIVERSIFICATION ADMINISTRATION

Subsection (a) Establishment --

The Federal Land Economic Diversification Administration (FLEDA) is established within the Department of Labor to facilitate disbursement of all monies in the Timber Community Economic Adjustment Fund.

Subsection (b) Administrator and Staff --

The Secretary of Labor appoints the Administrator of FLEDA, who may appoint, set compensation for, and assign duties to employees and procure temporary and intermittent services to fulfill the duties of FLEDA.

Subsection (c) Duties --

The duties are to make grants to the LCES and to recommend ways to facilitate job creation and stabilization of workers and eligible communities.

Subsection (d) Consultation --

The Administrator is to consult with the Secretaries of Agriculture, the Interior, and Commerce.

Subsection (e) Agency Assistance --

Federal agencies may provide nonreimbursable technical assistance to FLEDA. FLEDA may use the services, equipment, personnel, and facilities of Federal, State, and other agencies, with their consent and with or without reimbursement, and Federal agencies shall cooperate fully.

Subsection (f) Handbook --

Within 60 days of enactment, FLEDA is to prepare and distribute an economic handbook for the affected region.

The handbook shall include:

- (1) A directory and discussion of existing Federal programs.
- (2) An explanation of diversification issues for workers, communities, and businesses;
- (3) An outline for retraining technical personnel to prevailing research, product design, and production conditions in timber-related facilities;
- (4) An outline for retraining production workers and junior administrative employees;
- (5) Case studies of, or references to, successful conversions to efficient nonprimary timber production; and
- (6) Directories, by geographic region and specialty, of organizations and consultants with nontimber experience in such fields as marketing, facilities design, organization, production engineering, and engineering economy.

Subsection (g) Termination --

FLEDA shall terminate 6 years after its creation.

SECTION ON CITIZEN ENFORCEMENT

Subsection (a) Commencement of Action --

Any person with an interest which is or may be affected may commence a civil action to compel compliance. Actions may be filed against the United States or any other government instrumentality or agency, consistent with the 11th amendment of the Constitution, or against any other person for alleged violation of the provisions of this title or of the rules, regulations, orders, or permits pursuant thereto. Actions may also be filed against the Secretary, Administrator, or appropriate State, county, or local authority, again consistent with the 11th amendment of the Constitution, for alleged failure to perform nondiscretionary acts or duties. Jurisdiction over such actions shall be in U.S. district courts.

Subsection (b) Limitation on Bringing of Action --

No action may be commenced:

- (1) Without 60 days' written notice of alleged violation to the Secretary, the State where the violation occurs; and the violator;
- (2) If the Secretary, the State, or the county or local authority has commenced, and is diligently prosecuting, a civil action to require compliance, although any person may intervene in such action; and
- (3) Without 60 days' written notice of the alleged failure to perform nondiscretionary duties to the Secretary or to the appropriate State or local regulatory authority.

Subsection (c) Venue --

Actions may be brought only in the judicial district where the alleged violation or failure to perform occurs. The Secretary, State, or local authority, if not a party to the action, may intervene in actions. Intervenor shall pay the reasonable costs and attorney fees of representing the prevailing plaintiffs to the defending party.

Subsection (d) Costs --

The court may award the costs of litigation to any party. If a temporary restraining order or preliminary injunction is sought, the court may require the filing of a bond or equivalent security.

Subsection (e) Savings --

No restrictions are imposed on the rights under any statute or common law to seek enforcement or any other relief.

AMENDMENT
OFFERED BY MR. ABERCROMBIE

Strike out section ____ and insert in lieu thereof the

following new sections:

1 SEC. ____ ECONOMIC ADJUSTMENT ASSISTANCE.

2 (a) ECONOMIC ADJUSTMENT FUND.—

3 (1) Establishment.—There is established in the
4 Treasury a special fund for the purposes of this sec-
5 tion to be known as the "Timber Community Eco-
6 nomic Adjustment Fund".

7 (2) DEPOSITS INTO FUND.—(A) The total
8 amount deposited in the Fund for a fiscal year shall
9 equal not less than five percent of the gross timber
10 sale receipts from the Douglas-fir Region.

11 (B) Amounts shall be deposited into the Fund
12 for a fiscal year as follows:

13 (i) First, notwithstanding sections 201 and
14 204, the Federal portion of amounts collected
15 pursuant to procedures established pursuant to
16 section 206(a) for timber sales in default in the
17 Douglas-fir Region;

18 (ii) Second, amounts appropriated to the
19 Fund;

1 (iii) Third, the Federal portion of any
2 other amount received by the United States
3 under this Act or an amendment made by this
4 Act; and

5 (iv) Fourth, notwithstanding any other
6 provision of law, the Federal portion of gross
7 timber sale receipts from the Douglas-fir Re-
8 gion required to bring the amount deposited to
9 the Fund for a fiscal year to five percent of
10 such receipts.

11 (C) For the purposes of this paragraph, the
12 term "gross timber sale receipts from the Douglas-
13 fir Region" means the Federal portion of timber sale
14 receipts from the Federal lands in the Douglas-fir
15 Region received pursuant to the Act of May 23,
16 1908 (16 U.S.C. 500), section 13 of the Act of
17 March 1, 1911 (16 U.S.C. 500), the first section of
18 title II of the Act of August 28, 1937 (43 U.S.C.
19 1181f), and the first section of the Act of May 24,
20 1939 (chapter 144, 53 Stat. 753; 43 U.S.C. 1181f-
21 1).

22 (3) EXPENDITURES FROM FUND.—The Sec-
23 retary of Commerce, acting through the
24 Administrator of the Federal Land Economic Diver-
25 sification Administration established by section 207,

1 may expend money from the Fund in the Douglas-
2 fir Region in accordance with this title for—

3 (A) grants for eligible communities, private
4 enterprise, cooperatives, and individuals by the
5 local commissions on economic stability estab-
6 lished pursuant to subsection (b) for the em-
7 ployment of dislocated workers for—

8 (i) education for dislocated workers;

9 (ii) retraining of dislocated workers;

10 (iii) compensation to dislocated work-
11 ers; and

12 (iv) travel and relocation expenses of
13 dislocated workers; and

14 (B) the partial funding of the local com-
15 missions on economic stability; and

16 C) operation of the Federal Land Eco-
17 nomic Diversification Administration.

18 (4) BUDGET LIMITATION.—Not more than four
19 percent of amounts expended from the Fund may be
20 used for administrative expenses of the Federal
21 Land Economic Diversification Administration pur-
22 suant to paragraph (3)(C).

23 (5) PAYMENTS TO STATES NOT AFFECTED.—

24 Nothing in this section shall be construed as modify-
25 ing or altering payments to States under the sixth

1 paragraph under the heading "FOREST SERV-
2 ICE" in the Act of May 23, 1908, section 13 of the
3 Act of March 1, 1911 (16 U.S.C. 500), the Act of
4 August 28, 1937 (43 U.S.C. 1181f et seq.), and the
5 Act of May 24, 1939 (43 U.S.C. 1181f-1 et seq.).

6 (b) LOCAL COMMISSION ON ECONOMIC STABILITY.—

7 A local commission on economic stability in the Douglas-
8 fir Region is eligible to receive a grant from the Federal
9 Land Economic Diversification Administration if the
10 commission—

11 (1) is established in a unit of general local gov-
12 ernment within 45 days after the unit is determined
13 by the Administrator to be an eligible unit under
14 this title;

15 (2) is comprised of five individuals appointed by
16 the unit, of whom—

17 (A) one is an elected member of the gov-
18 ernment of the unit;

19 (B) one is a representative of organized
20 labor;

21 (C) one is a dislocated worker;

22 (D) one is a member of the academic or
23 scientific community; and

24 (E) one is a member of the State Eco-
25 nomic Diversification Administration;

1 (3) has the authority to exercise functions re-
2 quired to administer grants under this title;

3 (4) has the objective of coordinating job place-
4 ment for eligible workers, which is linked with unem-
5 ployment programs in existence in that unit of gen-
6 eral local government; and

7 (5) has the objective to work with Federal land
8 management agencies to stimulate small businesses
9 by (A) offering smaller timber sales, and (B) offer-
10 ing commercial permits for other renewable
11 nontimber products.

12 The Administrator shall make a determination with re-
13 spect to a unit of general local government within 45 days
14 after that unit submits an application under this title.

15 (c) ELIGIBLE UNIT OF GENERAL LOCAL GOVERN-
16 MENT.—The Administrator may determine a unit of gen-
17 eral local government in the Douglas-fir Region to be eligi-
18 ble for the purposes of this section if, pursuant to a peti-
19 tion made by the Governor of the State in which the unit
20 is located, the Administrator determines that workers de-
21 pendent on primary forest products within that unit are
22 losing jobs as a result of a change in Federal land law,
23 a new Federal land law, or the implementation of a Fed-
24 eral land law.

1 (d) GRANTS.—A local commission on economic stabil-
2 ity may receive an application for a grant under this sec-
3 tion for any of the following:

4 (1) A business assistance program, coordinated
5 with State and local governments, to entice new
6 businesses into the unit and to assist local entre-
7 preneurs in start-up businesses that will result in
8 the employment of local dislocated workers. Consid-
9 eration under the program should be given to—

10 (A) businesses that will thwart the boom
11 and bust cycle of extractive industries;

12 (B) businesses that work on a sustainable
13 yield and can maintain and restore the biologi-
14 cal integrity and diversity of the forest land;

15 (C) businesses that promote fishing and
16 the preservation of watershed areas;

17 (D) businesses involved in value added
18 wood products;

19 (E) sustainable, forest-related businesses,
20 including those businesses that utilize selection
21 management, pruning, thinning, and on-site
22 milling; and

23 (F) businesses with a proven record of effi-
24 cient use of the wood products stream, includ-
25 ing recycling and the use of waste materials.

1 (2) With respect to subsection (b)(4), for—

2 (A) counselling and job placement
3 assistance for a transition period; and

4 (B) income support and tuition assistance
5 for eligible individuals—

6 (i) to supplement unemployment in-
7 surance benefits and extend income main-
8 tenance payments for such individuals who
9 exhaust eligibility for unemployment insur-
10 ance benefits and who are enrolled in a
11 bona fide training or education program,
12 as determined by the local commission on
13 economic stability;

14 (ii) to provide base level health care
15 insurance coverage for such individuals,
16 and their family members, who are en-
17 rolled in a bona fide training or education
18 program, as determined by the local com-
19 mission on economic stability; and

20 (iii) to defray job search expenses and
21 relocation expenses for such individuals
22 who the local commission on economic sta-
23 bility determines cannot reasonably be ex-
24 pected to secure employment comparable
25 to their previous employment in the com-

1 muting area in which the individuals re-
2 side.

3 (e) PUBLIC EMPLOYMENT PROGRAMS.—(1) For pur-
4 poses of providing eligible individuals with transitional em-
5 ployment of not less than six months duration in jobs pro-
6 viding needed public services in areas within eligible units
7 of general local government and, wherever feasible, related
8 training and manpower services to enable such individuals
9 to move into employment or training not supported under
10 this title, a local commission on economic stability shall
11 enter into arrangements with eligible applicants in
12 accordance with the provisions of this section in order to
13 make financial assistance available in such areas for the
14 purpose of providing transitional employment for such in-
15 dividuals in jobs providing needed public services, and
16 training and manpower services related to such employ-
17 ment which are otherwise unavailable, and enabling such
18 persons to move into employment or training not sup-
19 ported under this title. As a condition of accepting
20 assistance under this subsection, each applicant shall
21 agree that, upon the successful completion of such transi-
22 tional employment by an individual, the applicant shall
23 give priority consideration to such individual for perma-
24 nent employment in any position that is then available.

(2) Financial assistance under this section may be provided pursuant to (but shall not be limited to) applications submitted by eligible applicants which are—

- (A) local governments;
- (B) nonprofit organizations; and
- (C) colleges and universities.

(3) Programs assisted under this subsection shall, to the extent feasible, be designed with a view toward—

- (A) developing new careers,
- (B) providing opportunities for career advancement,
- (C) providing opportunities for continued training, including on-the-job training, or
- (D) providing transitional public service employment which will enable the individuals so employed to move into public or private employment or training not supported under this title.

(f) NONPUBLIC ON THE JOB TRAINING PROGRAMS:—(1) For purposes of providing eligible individuals with training and apprenticeship opportunities of not less than six months duration in the nonpublic sector with the goal of enabling such persons to acquire the skills and expertise needed to move into new careers, a local commission on economic stability shall enter into arrangements with eligible applicants in accordance with the provisions

1 of this section in order to make financial assistance avail-
2 able in such areas to achieve the purposes of this sub-
3 section. As a condition of accepting assistance under this
4 subsection, each applicant shall agree that, upon the suc-
5 cessful completion of training or apprenticeship by an indi-
6 vidual, the applicant shall give priority consideration to
7 such individual for permanent employment in any position
8 that is then available.

9 (2) Financial assistance under this section may be
10 provided pursuant to applications submitted by eligible
11 applicants which are—

12 (A) new or existing businesses; and

13 (B) labor organizations.

14 (g) CONDITION ON AWARDING CONTRACTS FOR
15 WORK ON FEDERAL LANDS.—Upon designation of a unit
16 of general local government as eligible for the purposes
17 of this section, the Secretary of Agriculture and the Sec-
18 retary of the Interior may not award a contract for work
19 to be performed on Federal lands located within that unit
20 unless the successful bidder agrees to hire, to the extent
21 practicable, eligible individuals taking into account the
22 skills of the individual and the needs of the bidder.

23 (h) INCREASED UNEMPLOYMENT BENEFITS.—

24 (1) IN GENERAL.—The Secretary of Labor shall
25 make payments (directly or through agreements with

1 State agencies) of unemployment benefits under this
2 section to eligible individuals who—

3 (A) have exhausted all rights to regular
4 compensation under State law (as determined
5 under section 101(c) of the Emergency Act),

6 (B) have no rights to compensation (in-
7 cluding both regular compensation and ex-
8 tended compensation) with respect to the week
9 under any State unemployment compensation
10 law or to compensation (including emergency
11 unemployment compensation) under any Fed-
12 eral law (and are not paid or entitled to be paid
13 any additional compensation under any State or
14 Federal law), and

15 (C) are not receiving compensation with
16 respect to the week under the unemployment
17 compensation law of Canada.

18 (2) BENEFIT AMOUNT AND ELIGIBILITY RE-
19 QUIREMENTS.—The rules of section 101(d) of the
20 Emergency Act shall apply in determining the
21 amount of the benefits payable under this section for
22 any week and the eligibility requirements for such
23 benefits.

24 (3) AGGREGATE AMOUNT PAYABLE.—The
25 aggregate amount of unemployment benefits payable

1 under this subsection to any individual shall not ex-
2 ceed the excess (if any) of—

3 (A) 33 times the individual's average week-
4 ly benefit amount (as determined under section
5 102(b)(4) of the Emergency Act) for the benefit
6 year (as determined under State law) on the
7 basis of which the individual most recently re-
8 ceived regular compensation, over

9 (B) the aggregate amount of extended
10 compensation or emergency unemployment com-
11 pensation payable to such individual in respect
12 of such benefit year.

13 (i) NOTICE OF SECRETARIES.—The Secretaries
14 shall—

15 (1) provide timely information to the local com-
16 missions on economic stability or the States on any
17 Federal action with respect to managing the Na-
18 tional Forest Lands and public lands administered
19 by the Bureau of Land Management which may
20 have a substantial local or regional impact on em-
21 ployment; and

22 (2) where feasible, identify the location of the
23 employment which will be affected by such Federal
24 action.

1 (j) DISPLACEMENT PROTECTION.—Any new or exist-
2 ing position funded with amounts made available pursuant
3 to this section shall not result in—

4 (1) the displacement of any currently employed
5 worker or position (including partial displacement
6 such as a reduction in the hours of nonovertime
7 work, wages, or employment benefits), or result in
8 the impairment of existing contracts for services or
9 collective bargaining agreements;

10 (2) the employment or assignment of a partici-
11 pant or the filling of a position when (A) any other
12 individual is on layoff from the same or any equiva-
13 lent position, (B) the employer has terminated the
14 employment of any regular employee or otherwise re-
15 duced its workforce with the effect of filling the va-
16 cancy so created with a participant subsidized under
17 the program, (C) there is a strike, lockout, or other
18 bona fide labor dispute, or violation of any existing
19 collective bargaining agreement between the union
20 and the employer; or

21 (3) any infringement of the promotional oppor-
22 tunities of any currently employed individual.

23 Funds available to carry out the program under this part
24 may not be used to assist, promote, or deter union orga-
25 nizing.

1 (k) DEFINITIONS.—For purposes of this section:

2 (1) ADMINISTRATOR.—The term
3 “Administrator” means the Administrator of the
4 Federal Land Economic Diversification
5 Administration.

6 (2) ELIGIBLE INDIVIDUAL.—The term “eligible
7 individual” means an individual who resides in or
8 worked in a unit of general local government eligible
9 under subsection (c) and who the local commission
10 on economic stability determines has lost or loses a
11 timber-related job or a public sector job during the
12 period beginning on the date which is two years be-
13 fore the date of enactment of this Act and ending
14 on the date which is six years after the date of en-
15 actment of this Act as a result of a change in Fed-
16 eral land law, a new Federal land law, or the imple-
17 mentation of a Federal land law.

18 (3) EMERGENCY ACT.—The term “Emergency
19 Act” means the Emergency Unemployment Com-
20 pensation Act of 1991 (Public Law 101-164, as
21 amended).

22 (4) FUND.—The term “Fund” means the Tim-
23 ber Community Economic Adjustment Fund estab-
24—lished under subsection (a).

1 (5) OTHER TERMS.—Any term used in sub-
2 section (h) which is also used in the Emergency Act
3 shall have the same meaning as when used in the
4 Emergency Act.

5 SEC. __. FEDERAL TIMBER SALES.

6 (a) ENFORCEMENT AND COLLECTION.—The Sec-
7 retaries shall establish procedures within three months
8 after the date of enactment of this Act for the prompt
9 and adequate collection of amounts owed on timber sales
10 in default.

11 (b) BOND REQUIRED.—The Secretaries shall require
12 for any timber sale contract above \$2,000 that the pur-
13 chaser furnish a performance bond for satisfactory compli-
14 ance with the terms of such contract. The bond required
15 by this subsection shall be for an amount at least equal
16 to the amount owed the United States under such con-
17 tract.

18 (c) CLARIFICATION OF QUALIFIED BIDDERS AND
19 DEBARMENT OF BIDDERS.—

20 (1) IN GENERAL.—In addition to any other
21 grounds established by the Secretary for determining
22 whether a bidder for a Federal timber sale is a re-
23 sponsible bidder or is debarred from bidding for a
24 Federal timber sale, a timber sale may not be
25 awarded to a bidder who is currently in default on

1 a Federal timber sale that is not being appealed or
2 who has defaulted on a Federal timber sale in the
3 past and is delinquent in payments with respect to
4 such sale.

5 (2) OWNERSHIP CLARIFICATION.—In consider-
6 ing whether a bidder qualifies under this section,
7 similarity of corporate identity between a current
8 bidder and previous bidders who have defaulted shall
9 be considered, and a bidder or applicant may be re-
10 quired to submit a certified statement of ownership,
11 officers, members or stockholders, if any, of the bid-
12 der.

13 (3) TRANSFER OF LIMITATION.—Rights under
14 a timber sale may not be transferred unless the
15 agency selling the timber approves of the transfer.
16 An agency shall not approve a transfer if the trans-
17 feree does not qualify as a responsible bidder under
18 paragraphs (1) and (2) of this subsection.

19 (4) EXCHANGE OF INFORMATION.—The Forest
20 Service and the Bureau of Land Management shall
21 exchange information of disqualified and debarred
22 bidders, and a bidder who is disqualified by one
23 agency may not bid on timber sales offered by the
24 other agency.

1 (d) TIMBER SALE DEFINED.—For the purposes of
2 this section, the term “timber sale” means a timber sale
3 by the Forest Service or the Bureau of Land Management.

4 SEC. ____ FEDERAL LAND ECONOMIC DIVERSIFICATION
5 ADMINISTRATION.

6 (a) ESTABLISHMENT.—There is established within
7 the Department of Labor the Federal Land Economic Di-
8 versification Administration. The purpose of the Federal
9 Land Economic Diversification Administration shall be to
10 facilitate the disbursement of all amounts from the Fund
11 in accordance with this title.

12 (b) ADMINISTRATOR AND STAFF.—The Federal
13 Land Economic Diversification Administration shall be
14 headed by an Administrator appointed by the Secretary
15 of Labor. The Administrator may appoint, fix com-
16 pensation for, and assign and delegate duties to such other
17 employees, and procure such temporary and intermittent
18 services, as the Administrator considers necessary to fulfill
19 the functions of the Federal Land Economic Diversifica-
20 tion Administration.

21 (c) DUTIES.—In carrying out this title with respect
22 to dislocated workers and depressed communities in the
23 Douglas-fir Region, the Administrator shall—

24 (1) make grants to local commissions on eco-
25 nomic stability; and

1 (2) make recommendations to facilitate the cre-
2 ation of employment and stabilization of workers
3 and communities eligible for assistance under this
4 title.

5 (d) CONSULTATION.—In carrying out this title, the
6 Administrator shall consult with the Secretaries of
7 Agriculture, Interior, and Commerce.

8 (e) AGENCY ASSISTANCE.—Upon the request of the
9 Federal Land Economic Diversification Administration,
10 Federal agencies may provide technical assistance on a
11 nonreimbursable basis to the Federal Land Economic Di-
12 versification Administration to assist it in fulfilling its
13 functions under this title: The Federal Land Economic Di-
14 versification Administration may use, with their consent,
15 the services, equipment, personnel, and facilities of Fed-
16 eral, State, and other agencies with or without reimburse-
17 ment. Each Federal agency shall cooperate fully in making
18 its services, equipment, personnel, and facilities available
19 to the Federal Land Economic Diversification
20 Administration.

21 (f) HANDBOOK.—In carrying out its duties under this
22 title, the Administrator shall prepare and distribute, not
23 later than 60 days after the date of enactment of this title,
24 an economic and diversification and adjustment handbook

1 with respect to the Douglas-fir Region. The handbook
2 shall include—

3 (1) a detailed directory and discussion of cur-
4 rently available Federal programs that promote eco-
5 nomic development and help minimize the dislocation
6 of workers, communities, and industries;

7 (2) an explanation of the basic issues involved
8 in the diversification process for workers, commu-
9 nities, and businesses;

10 (3) an outline for a program of professional re-
11 training of technical personnel in order to effectively
12 reorient such personnel to the prevailing conditions
13 of research, product design, and production oper-
14 ations within timber related facilities;

15 (4) an outline of the basic requirements for the
16 length and nature of occupational retraining for pro-
17 duction level workers and junior level administrative
18 employees;

19 (5) illustrative case studies of successful conver-
20 sion to efficient nonprimary timber production, or
21 references thereto; and

22 (6) directories, by geographic region and area
23 of specialization, of organizations, an individual con-
24 sultant in fields such as marketing, facilities design,
25 organization, production engineering, and engineer-

1 ing economy whose major professional experience
2 has been nontimber related.

3 (g) TERMINATION.—The Federal Land Economic Di-
4 versification Administration shall terminate six years after
5 the date of enactment of this title.

6 SEC. __. CITIZEN ENFORCEMENT.

7 (a) COMMENCEMENT OF ACTION.—Except as pro-
8 vided in subsection (b) of this section, any person having
9 an interest which is or may be affected, may commence
10 a civil action on his or her own behalf to compel compli-
11 ance with this title—

12 (1) against the United States or any other gov-
13 ernmental instrumentality or agency to the extent
14 permitted by the 11th Amendment to the Con-
15 stitution which is alleged to be in violation of the
16 provisions of this title, or of any rule, regulation,
17 order or permit issued pursuant thereto, or against
18 any other person who is alleged to be in violation of
19 any rule, regulation, order or permit issued pursuant
20 to this title; or

21 (2) against the Secretary or Administrator or
22 the appropriate State county or local authority to
23 the extent permitted by the 11th Amendment to the
24 Constitution where there is alleged a failure of the
25 Secretary or Administrator or the appropriate State

1 county or local authority to perform any act or duty
2 under this title which is not discretionary with the
3 Secretary, State, county or local authority.

4 The District Courts shall have jurisdiction, without regard
5 to the amount in controversy or the citizenship of the par-
6 ties.

7 (b) LIMITATION ON BRINGING OF ACTION.—No
8 action may be commenced—

9 (1) under subsection (a)(1) of this section—

10 (A) prior to 60 days after the plaintiff has
11 given notice in writing of the violation (i) to the
12 Secretary, (ii) to the State in which the vio-
13 lation occurs, and (iii) to any alleged violator;
14 or

15 (B) if the Secretary or the State or the
16 county or the local authority has commenced
17 and is diligently prosecuting a civil action in a
18 court of the United States or a State to require
19 compliance with the provisions of this title, or
20 any rule, regulation, order, or permit issued
21 pursuant to this title, but in any such action in
22 a court of the United States, any person may
23 intervene as a matter of right; or

24 (2) under subsection (a)(2) of this section prior
25 to 60 days after the plaintiff has given notice in

1 writing of such action to the Secretary, in such man-
2 ner as the Secretary shall by regulation prescribe, or
3 to the appropriate State or local regulatory
4 authority.

5 (c) VENUE.—

6 (1) JUDICIAL DISTRICT.—Any action respecting
7 a violation of this title or the regulations thereunder
8 may be brought only in the judicial district in which
9 the action complained of is located.

10 (2) INTERVENE.—In such action under this sec-
11 tion, the Secretary or the State or local authority,
12 if not a party, may intervene as a matter of right.
13 When any party intervenes or attempts to intervene
14 in a suit brought pursuant to this subsection, the
15 reasonable costs and attorney fees of representing
16 the prevailing or substantially prevailing plaintiffs in
17 the action shall be paid to the defending party by
18 the party which intervened or attempted to inter-
19 vene.

20 (d) COSTS.—The Court, in issuing any final order in
21 any action brought pursuant to subsection (a) of this sec-
22 tion, may award costs of litigation (including attorney and
23 expert witness fees) to any party, whenever the court de-
24 termines such award is appropriate. The court may, if a
25 temporary restraining order or preliminary injunction is

1 sought, require the filing of a bond or equivalent security
2 in accordance with the Federal Rules of Civil Procedure.

3 (e) SAVINGS.—Nothing in this section shall restrict
4 any right which any person (or class of persons) may have
5 under any statute or common law to seek enforcement of
6 any of the provisions of this title and the regulations here-
7 under, or to seek any other relief (including relief against
8 the Secretary or Administrator of the appropriate State
9 regulatory authority).

**For Immediate Release:
December 18, 1992**

**Contact: Max Parker
(501)-399-7175**

Clinton Outlines Transition Process For Pacific Northwest Forest Summit

Little Rock, AR -- President-Elect Bill Clinton today outlined a transition process designed to facilitate all comments, inquiries and recommendations for a proposed Pacific Northwest Forest Summit.

"I want to assure all parties interested in the resolution of the Pacific Northwest Forest dispute that Al Gore and I plan to fulfill our pledge to work to resolve this issue," said Clinton. "To that end, during the transition period and until all relevant Administration officials are in place in the Clinton/Gore Administration, I have established a process and designated transition staff to begin to handle this important issue. I encourage all interested parties to send their comments to my Washington, D.C. transition office."

"This Administration is dedicated to listening to all sides of this issue and bringing people together," continued Clinton. "As I pledged, early in my Administration Senator Gore and I will undertake a process designed to reach a solution. Early groundwork during the transition will greatly help facilitate the summit process."

-30-30-30-

All interested parties should send information regarding the summit to the Presidential Transition Summit Office, Room 1247, 1120 Vermont Ave. NW Washington, D.C. 20270. Telephone: 202-973-1720.

Feb 1992 summit

1 REC 12-18-92 14:52 EST 290 Lines. Copyright 1992. All rights reserved.
RC-TEXT-CLINTON/BRIEFING-MULTITAKES

CLINTON TRANSITION TEAM BRIEFING

Location: Little Rock, Ark.

Time: 1 p.m. EST

December 18, 1992

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The editor of the report is Steve Gussars. Tim Ahmann, Eric Beech, Melissa Bland, Peter Rammag and Paul Schomer also are available to help you. If you have questions, please call 201-898-8345. For service problems call 1-800-435-0101.

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This transcript is provided by News Transcript. If questions of content arise, call 202-682-7000.

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GEORGE STEPHANOPOULOS (Clinton transition

communications director): Good afternoon. I have some good

news. Not only will we not have appointments today but the

governor will not be making appointments all weekend. So you

PRESS RETURN TO CONTINUE OR ENTER A REQUEST.

can all go home and we'll be resuming on Monday. He also wanted to announce today that he's announced a transition process for the Pacific Northwest Forest Summit. As he said when he when he was in Washington Senator Gore will be leading up that process along with staff members in Washington and that will start to go forward from today. Any questions.

Q: Actually following up on that--explain a little more about that and what's going to be involved.

STEPHANPOULOS: Well, as you know, during the campaign Governor Clinton promised to have an early summit with timber interests, labor, all the various environmentalists in Washington in the Pacific Northwest and trying to see if we can head towards a solution to that problem. And when he was in Washington he said that Senator Gore would take the lead in that process. Senator Gore will do that and we're just setting up a transition staff to begin to plan for it.

Q: Have you named anyone on the staff?

STEPHANPOULOS: I believe I have named Tom Tuckman and
PRESS RETURN TO CONTINUE OR ENTER A REQUEST.

a man named Jim Lyons, but you can check with transition to be sure of that.

Q: Can you explain what that entails?

STEPHANPOULOS: I believe I have named Tom Tuckman and

SUGGESTED AREAS FOR SECRETARIAL VISIT IN THE PACIFIC NORTHWEST

Industry and Communities in Transition

1. Vanport Manufacturing Inc., Boring, Oregon (really, Boring is the name of the town), Boring is located about 20 miles from Portland. They are one of only a few lumber mills certified by the Japanese government to provide finished lumber for Japanese construction. They even have a tea house.
2. Harborview Papermill project -- Aberdeen - Hoquim, Washington. ITT Rayonier Papermill closed in November. Town is working to re-open mill as an employee-owned papermill running on recycled fiber. TWS is supporting by fundraising.

Ancient Forest Areas -- walks

1. Salmon River Trail -- Mt. Hood National Forest, about 1 hour drive from downtown Portland. Beautiful, majestic old growth, cascading river, yew trees. Easy walk in (about 1/4 mile).
2. Breitenbush Community? -- Beautiful setting in ancient forests, example of recreation/tourism benefits. About 2 hour drive from Portland.
3. Big Bottom -- Mt. Hood National Forest, about 1.5 hour drive from Portland, beautiful majestic old growth, cascading river, easy walk in. On the way to Breitenbush.
4. Oxbow County Park -- about 40 minutes from downtown Portland, example of old growth forest remaining on county park land.

Forest Flyovers

1. Oregon Coast Range -- devastation on all land ownerships.
2. Mt. Hood & Willamette National Forests (OR), Gifford Pinchot National Forest (WA) -- numerous clearcuts showing fragmented landscape.
3. Augur Creek -- scheduled for logging this summer. Recognized by the USFS as ecologically significant and unique in Eastern Oregon and Washington. A birds eye view will show private land clearcuts on three sides of Augur Creek old growth clearly delineating this spectacular area.

Log export visits

1. Lebanon, OR -- timber dependent community that is in midst of transition to secondary wood products manufacturing, light manufacturing and high tech.

NATIONAL WILDLIFE FEDERATION



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