

Bringing Jobs Back to Rural America: Forest Management and Domestic Manufacturing

Ensuring compliance with the O&C Act on BLM Lands in Western Oregon

Issue: Over 2 million acres of Bureau of Land Management (BLM) timberlands in Western Oregon are required by the O&C Act of 1937 to be managed for sustained-yield timber production to generate shared revenues for county governments and raw materials for local industries. No other federal forestlands are managed under this type of mandate.

Current timber harvest levels fall far short of the law's mandate and the Obama Administration recently adopted new Resource Management Plans (RMPs) that set aside approximately 80 percent of these unique lands from timber management and reduce harvest levels even further. Western Oregon's 18 O&C counties and the forest products industry are challenging the new Obama RMPs in the D.C. District Court under the legal mandates of the O&C Act. During the 113th and 114th Congresses, members of the Oregon Congressional Delegation also introduced differing legislation to increase timber harvests.

During campaign visits to the Pacific Northwest - including at a rally in Eugene - President-elect Trump criticized these failed federal policies and pledged to increase federal timber harvests to restore thousands of lost timber jobs. The O&C lands provide the Trump Administration a unique opportunity to deliver on these promises by offering solutions that restore responsible natural resource management and rural jobs.

Background: Once in private ownership, the O&C lands are largely found along the I-5 corridor in a unique "checkerboard" pattern, interspersed with private timberlands. For decades, the O&C lands were managed under sustained-yield forestry to generate harvest levels roughly even with the 1.2 billion board foot annual growth of these lands. Beginning in the early 1990's, BLM O&C land harvest levels fell to less than 200 million board feet (mmbf) – less than 17 percent of the annual growth. The lack of harvest has had a profound impact on the health of the forests and local communities, the timber industry, and the county governments that have long relied on shared timber receipts to fund critical services.

The Bush Administration finalized new RMPs for Western Oregon BLM lands in December 2008. That plan, known as the Western Oregon Plan Revisions (WOPR), took five years to develop and called for an annual harvest level of approximately 500 mmbf. In 2009, the Obama Administration administratively withdrew these plans and embarked on a six-year planning effort that culminated in new RMPs issued in August 2016. The new plans could produce 278 mmbf per year – far less than what is required under law, or the 400 mmbf the BLM could have been producing under the Clinton-era Northwest Forest Plan RMPs.

Between the BLM and the US Forest Service, the federal government owns 60 percent of Oregon's forests. In some southwest Oregon counties, where the concentration of BLM O&C lands is the highest, the federal government owns nearly 75 percent. Local mills and rural economies simply can't survive without an adequate and predictable supply of federal timber. The 18 O&C counties have long relied on shared timber revenues from O&C timber harvests to fund basic county services like law enforcement, mental and public health, search, rescue and emergency services. Without increased harvests the O&C counties will be forced to slash essential services further while other county governments may have no alternatives other than bankruptcy.

Solutions: Higher levels of harvest than those allowed under Obama Resource Management Plans can be achieved while still providing for the protection of endangered species, providing clean water and fish habitats and a wide range of recreation opportunities, and increasing carbon storage. The Trump Administration should review what administrative options are available for the BLM to increase harvest levels.

However, ultimately the Administration should engage in pending legal and legislative efforts to ensure that the BLM complies with the sustained-yield harvest mandate of the O&C Act:

- 1) **Work with Congress to pass legislation affirming the unambiguous timber harvest requirements of the O&C Act.** The ultimate goal of the timber industry, manufacturers, and local counties is to legislate an achievable harvest level of *at least* 500 mmbf per year – less than half of historic harvest levels, but consistent with the O&C Act’s initial volume requirement. 500 mmbf would provide the certainty and supply needed to support existing timber infrastructure and essential services in rural, forested counties. Senator Ron Wyden’s goal for his O&C legislation was 450 mmbf of harvests per year, while bipartisan legislation passed by the U.S. House of Representatives would have led to annual harvests of 550 mmbf.
- 2) **Work through the Courts to get a clear, unambiguous affirmation of the sustained-yield harvest requirements of the O&C Act.** In cases pending before the DC District Court, the O&C Counties and the timber industry are seeking to overturn the Obama Administration RMPs and get a court order requiring the BLM to comply with the O&C Act. A Trump Administration will play a major role in shaping the federal government’s position on the intent of the O&C Act and potential remedies for increasing timber harvests to comply with the O&C Act.