



March 13, 2017

Secretary Ryan Zinke
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

By Email and Regular Mail

Re: BLM Resource Management Plans for Western Oregon O&C Lands

Dear Secretary Zinke:

This Association (AOCC) represents Counties in Western Oregon within which lie the O&C lands, 2.1 million acres managed by the BLM that are legally unique and highly productive timberlands. These lands are managed under the O&C Act of 1937, 43 USC 1181a, and the revenue produced from the sale of timber is shared with the 18 O&C Counties pursuant to 43 USC 1181f. The BLM's management of the O&C lands is currently being litigated in several cases, one of which was filed by AOCC.

The BLM's 2016 resource management plans (RMPs) violate O&C Act requirements to manage according to principles of sustained yield and to harvest an average of not less than 500 million board feet per year. The BLM's 2016 RMPs do neither. We have been asked if AOCC supports withdrawal of the BLM's 2016 RMPs as a way to resolve the litigation and restore proper management. The answer is a definite and resounding "NO," until a replacement RMP that complies with the O&C Act is ready to implement in place of the deficient 2016 RMPs.

If the 2016 RMPs are withdrawn, management will likely default to the plan in place before the adoption of the 2016 RMPs. As bad as the 2016 RMPs are, its predecessor, the Northwest Forest Plan (NWFP), was worse. The 2016 RMPs place about 80 percent of O&C lands into reserves where sustained yield management is prohibited, resulting in projected timber harvests of about 278 million board feet per year (if fully implemented). The NWFP, developed under President Clinton, put similar amounts of O&C lands into reserves, but over the last 20 years the BLM found it impossible to produce more than about 200 million board feet per year (and in many years, much less). We clearly want to be rid of the 2016 RMPs, which we firmly believe are unlawful, but only when an adequate replacement is ready to implement. The NWFP is not an adequate replacement.

Several faulty legal assumptions inherent in the NWFP were carried over and infect the 2016 RMPs. The litigation currently pending should result in correction of the faulty legal interpretations that have prevented proper management of the O&C lands for the last 20+ years.

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If the 2016 RMPs are withdrawn, AOCC's current case could be dismissed as "moot" and we might then be prevented from filing a new case challenging the same faulty assumptions in the NWFP, due to the passage of time since the NWFP was first adopted, and for other procedural reasons. Loss of our opportunity to obtain a judicial ruling setting forth the correct interpretation of the O&C Act would be an exceedingly unfortunate development.

In truth, a legislative solution would be the most efficient way to solve the issues that plague us, but in the absence of Congressional action, a judicial decision in our challenge to the 2016 RMPs is necessary. Immediate withdrawal of the 2016 RMPs would not improve the situation for the Counties and rural communities affected by ongoing mismanagement of the O&C Lands; it would make the situation worse.

Thank you for your consideration of our concerns.

Very truly yours,



Commissioner Tim Freeman, Douglas County
AOCC President

By [initials]