

NORTHERN SPOTTED OWL PRESERVATION ACT

HEARING U.S. DEPOSITORY

BEFORE THE

DEC 17 1992

SUBCOMMITTEE ON

ENVIRONMENTAL PROTECTION

OF THE

COMMITTEE ON

ENVIRONMENT AND PUBLIC WORKS

UNITED STATES SENATE

ONE HUNDRED SECOND CONGRESS

SECOND SESSION

ON

S. 2767

A BILL TO ASSURE THE PRESERVATION OF THE NORTHERN
SPOTTED OWL AND THE STABILITY OF COMMUNITIES
DEPENDENT ON THE RESOURCES OF THE PUBLIC LANDS IN
OREGON, WASHINGTON, AND NORTHERN CALIFORNIA, AND FOR
OTHER PURPOSES

AUGUST 12, 1992

Printed for the use of the Committee on Environment and Public Works



U.S. GOVERNMENT PRINTING OFFICE

58-431

WASHINGTON : 1992

For sale by the U.S. Government Printing Office

Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-039281-0

Digitized by **Google**

FR-431 0 = 22 = 1

Original from
UNIVERSITY OF CALIFORNIA

no final answers to how to go about balancing the needs of people and owls. Rather, we will be making decisions in absence of complete information, because our research continues to evolve. Thus, I prefer the approach taken by the preservation plan as incorporated in S. 2762, the industry alternative, or the substitute S. 1156 rather than implementation of the recovery plan. Each of these alternative approaches allows us to make decisions based on what we know while keeping as many options available for both people and owls in the future as possibly could be done.

I appreciate the opportunity to testify. Mr. Rey, Mr. Sweeney, and I will be available to answer any of your questions. Thank you.

Senator CHAFEE. Thank you, Mr. Draper.

Ms. Badger.

**STATEMENT OF EVELYN BADGER, EXTERNAL VICE PRESIDENT,
OREGON LANDS COALITION, SALEM, OREGON**

Ms. BADGER. Thank you, Mr. Chairman and Members of the committee. Thank you for the opportunity to come before you today to address S. 2762, the Northern Spotted Owl Preservation and Northwest Stabilization Act of 1992. I'm Evelyn Badger, External Vice President of Oregon Lands Coalition and Co-Director of Workers of Oregon Development in Canyonville, Oregon. OLC and WOOD represent over 80,000 families in Oregon who are concerned about the management of our natural resources.

I come before you today speaking for this coalition of organized labor, timber-dependent communities, family farms and ranches, motorized recreation enthusiasts, and the general concern that action must be taken by this Congress to overcome the flaws of the Endangered Species Act which are pushing the people of the Pacific Northwest into the ocean. My work in the grassroots movement of Oregon and the United States is done out of my deep concern over the future of my community and the hundreds of communities just like it throughout the Pacific Northwest.

Along with my husband, we own and operate a Sears catalog store in a very small community and are equally as dependent on timber as those who work in the forests themselves. I live at ground zero of the spotted owl storm. Tremendous devastation is being brought upon our area by the excessive plans that a small cartel of biologists want to force upon us to save the northern spotted owl. I know and live the terrible suffering which is being experienced throughout the Pacific Northwest.

I speak today in support of S. 2762 as a starting point to reduce the impacts of the northern spotted owl on the timber-dependent communities of the Pacific Northwest. While the preservation plan is courageous in its attempt to bring a creative alternative to the total lock-up of our forests to the table, more is needed. I truly believe that we can develop a plan which will keep job impacts to a minimum, maintain the viability of the northern spotted owl, produce sustainable timber harvests, and maintain the American dream of the affordable home.

The preservation plan is significant in the fact it challenges the biologists who are not willing to even consider proactive or creative ways of not just balancing the tradeoffs between owls and families,

but finding ways of benefitting both. Forest management activities have created spotted owl habitat in managed forests by accident. If we can do it by accident, we can surely do it by design. The preservation plan understands this concept and brings a balanced solution forward as a realistic option.

However, even the preservation plan is limited and could be more creative in its approach. Please do not misunderstand. I support the preservation plan as a starting point to find other alternatives which have lower economic and social costs while protecting the northern spotted owl, but research, teamwork, and good old American technology can result in better answers. The preservation plan is far superior to any other piece of work which has been proposed to protect the northern spotted owl. This is especially true when the preservation plan is compared to the recovery plan. The recovery plan is nothing more than the Jack Ward Thomas Report in drag.

I remind you that the Thomas Report was only a literature search, a review of the science available prior to 1989. Since the ISC Report was published over two years ago, the base of information concerning the northern spotted owl has been greatly expanded, expanded to the point we have now located more owls than ever anticipated. We have also found the owl can live and reproduce in intensively managed second-growth stands. The bottom line is we can manage the forests of the Pacific Northwest for both people and owls. We cannot forget that people are part of the environmental equation and must be considered.

The preservation plan is the first plan to give any genuine attention to the needs of people while working to protect the viability of the northern spotted owl. Many say we cannot let people be part of a credible environmental equation. They are simply wrong. I believe they are so wrong that they miss the real issue of living a quality life in a quality environment. That is what we have in the Pacific Northwest. We have a clean, renewable industry which is unrivaled, produces high-skill and high-wage jobs, resulting in a great place to live. This is not an owl versus jobs issue; instead, it is an owl and jobs issue.

We love people in the Pacific Northwest, and we cannot stand to see people suffer, no matter who they are. But the people I know and love are suffering. These people are suffering from an unyielding Endangered Species Act which is strangling the western way of life. They are suffering from losing their jobs, losing their homes, and having to move and leave their families behind.

I would like to read to you a letter from Mrs. Joyce Smith. Mrs. Smith knows all too well the pain and suffering brought by the issue of the northern spotted owl and the preservation, not management, of the Pacific Northwest forests. I quote Mrs. Smith:

This is directed at all the preservation groups to let them know what their spotted owl did for our family. These groups in this owl's name took my big wonderful husband, our five children's father, and our three grandchildren's grandpa. Larry worked 23 years for Roseburg Forest Products. While working there, the doctors found he had diabetes, which later led to heart problems.

The doctors had this all under control until the mill had to shut down for five months because of the spotted owl. Larry tried to find another job or just a part-time job until the mill opened back up, but with his medical history, no one would hire him. Bill collectors started calling him every day. Then, when the mill's medi-

cal insurance lapsed, he said he couldn't afford his medication. Larry said it was more important to keep a roof over our heads and food on the table so our son would stay in school.

So the stress built up and built up until the mill went back to work. He worked one week and had a heart attack. I took him to the hospital. He was there a week and they let him go back to work. Then every night when he came home from work, we would talk and he would say, "I don't know how long they will be able to stay open because of the preservationists and their owl issue." Add more stress.

Larry started working seven days a week and double shifts when they asked him. Or he would ask for work even though the doctors told him not to and I begged him not to. He said, "Honey, I know what the doctor said, but I have to do something to get some of these bills paid in case the mill shuts down. So don't say anymore about it." Well, on August 5th and after 29 years, 4 months, 4 days of love and marriage to the most wonderful man in the world, Larry's life ended in the lunch room at Roseburg Forest Products. Now I'm trying to find a job to support our son and myself, but there are none because of the owl.

After working all those years and his insurance money about covered his funeral, and that leaves his retirement money, which, with our son's Social Security check, we may be all right for one more year. Then I have no idea what we will do, because our son will graduate from high school and his Social Security check will stop. Larry's retirement money will be gone, and there will be no money coming in because Larry was only 46 years old and I a year younger—too young to receive any Social Security benefits.

What I would like to ask these preservationist groups is, will they or their spotted owls support us and pay all those bills my husband was trying to pay? Because they're all still here. One more question for all the preservationists out there: How many more families are they going to destroy and how many more lives are they going to take before people become as important as the spotted owl or any other animal or bird?

This story is sad but true. I bring to you this story in the hope of touching your compassion for your fellow human being. In your hands, you hold the future of a whole generation of Oregonians who are now young and seeing their lives destroyed. I urge you to move forward in adopting S. 2762 with amendments to reduce economic and social impacts.

OLC and WOOD suggest the following be incorporated into the bill to reduce the impacts: number one, increase research not only to find more owl locations, but research with the stated objective of finding methods to harvest trees and protect the owl; two, reduction in the size of HCAs across the owl range; three, direct land management agencies to examine past land allocations which prohibit timber harvest for possible inclusion into the allowable harvest calculations if it does not contribute to the viability of the northern spotted owl; and four, that allowable sales quantities become a hard target rather than a residual output. This will help to ensure community stability and improve accountability of the land management agencies to this sector of the public.

Thank you for the opportunity to speak before you today.

Senator CHAFEE. Thank you very much, Mrs. Badger. I know that Senator Packwood was anxious to have you testify, and I'm sure if he could be here, he would be here to greet you.

I'd like to ask Mr. Draper a couple of questions, if I could. In the testimony, and perhaps you can help us on this, there's considerable evidence that there's been a growth in the export of logs. Now, I appreciate that those come from private lands, not the public lands. And my question is, why has that occurred? It seems to me that the more we could lumber or the more the raw logs were processed through our own sawmills, the more jobs there would be. What is the factor that's causing this increase in export of the raw