

From Sabotage to Sandwiches

The Transformation of Conflict in the Clackamas River Watershed

FBI hostage negotiators were called in to coax timber sale protesters down out of the network of rope road blocks, suspended platform ‘pods,’ and tree sits called the Eagle Creek Free State by members of the Cascadia Forest Alliance in 2000.¹ To protect trees slated for harvest under the Eagle Timber Sales, activists had placed nails under the tires and smeared feces under the door handles of US Forest Service vehicles. Some, quite literally put their lives on the line to halt what they perceived as “bureaucratic recklessness” and government disregard for public opinion.²

From 1991 to 1996, an interdisciplinary natural resources team from Clackamas River Ranger District strove for innovation and ecologically holistic design in developing this timber management project that would be congruent with the evolving regulatory guidance of the Northwest Forest Plan and new legislation known as the Salvage Rider (part of the 1995 Rescission Act intended to promote economic benefit from harvesting wildfire or disease damaged trees). With both mainstream and independent media now calling the Mt. Hood National Forest irresponsible and draconian, these accusations were not what the US Forest Service had in mind attempting to operationalize the paradigm shift toward ecosystem-based management in the 1990s.

In the same watershed seven years later, leaders of certain environmental groups (whose main activities included litigating federal timber sales) treated a few Forest Service employees to a sit down lunch at Gustav’s German Pub and Grill. Clackamas County representatives were also present, and happily passed the mustard across the table. The Clackamas Stewardship Partners (CSP) were celebrating their recent fish

habitat enhancement project, launch of a multi-party restoration project monitoring program, and growing local economic opportunities. Plus, the usual environmental litigants did not appeal any timber sales in Clackamas River Ranger District this year. For some, the appeals process produced more paperwork than progress. How did the parties in a contentious political landscape go from being adversaries in a direct action timber sale protest to sharing sandwiches? The CSP group is dedicated to enhancing “ecosystem health and economic viability of local communities within the Clackamas River Watershed through collaboration with diverse stakeholders that employs stewardship contracting and other tools to meet restoration goals.”³

I explore the transformation of conflict and deliberate collaboration that transformed the dynamics of civic engagement and public forests in this case study. The role of *individual* transformational leaders is often key in resolving environmental disputes (e.g. former EPA Administrator, Russell Train, in the Storm King power plant case; the respected elder rancher in closing the Gila National Forest during extreme wildfire conditions in 2000).^{4,5} I looked for such individuals who demonstrated the foresight and enterprise that are absolutely crucial in establishing credibility and building trust between adversaries in the Clackamas River Watershed. What additional structural ‘bricks’ or interpersonal ‘mortar’ factors brought about this shift?

Two-Way Misperceptions

To highlight the magnitude of misperceptions that characterized this conflict I provide some context of the Eagle Creek timber sales controversy. According to the Forest Service, design features of Eagle Timber Sales made them a Northwest Forest Plan

paragon that would enhance old growth dependent species and aquatic habitat, while supporting the local community timber economy.⁶ A fact sheet made available to the press explained that Eagle Timber Sales included no clearcuts, no Spotted Owls, no trees harvested older than 150 years, no trees cut in Late Successional Reserves or Riparian Reserve (management zones under the Northwest Forest Plan); 84% of the sales' acreage would entail selectively thinning overstocked second growth forest, and 70% of the acreage would be harvested by helicopter to minimize ground disturbing activity.⁷

Various environmentalist groups, ranging from the respectfully verbal to the fundamentally radical characterized the sales as ruining a Roadless Area, sullyng drinking water for 185,000 tax-paying Oregonians, destroying a popular Wilderness hiking trail, killing ancient trees, degrading rare species (including the Spotted Owl), and overharvesting previously calculated timber volume projections.^{8, 9} The most offensive nature of Eagle sales was their approval under the Salvage Rider – seen by many as an affront to participatory democracy by denying proper environmental review.^{10, 11, 12} Growing concern of “lawless logging” reached the mainstream media, Oregon’s senior Senator Ron Wyden, and Congressmen David Wu and Earl Blumenauer.¹³ The message spread that no rightful administrative appeals had been permitted.

The Forest Service repeatedly stood by its boilerplate response (a practice historically institutionalized in the agency) reiterating that the under the 1995 Rescission Act, P.L. 104-19, the Eagle sales sale had been administratively open to litigation for 15 days, yet not a single party filed a lawsuit. However, opponents did stage peaceful protests outside the Mt. Hood National Forest headquarters during this 15 day window. Citizens and elected officials overlooked this narrow procedural space that was buried in

the middle of legislation that was to provide emergency disaster relief funds to the Oklahoma City bombing tragedy. The missed opportunity to sue was interpreted as a shadowy “exemption from all applicable environmental laws.”¹⁴ One activist in particular, known as Tre Arrow (born Michael Scarpitti), drew national attention to this claim during one protest by spontaneously scaling up the Forest Service Regional Office building in downtown Portland. Tre sat on a ledge for 11 days while supporters sent supplies up to him on a rope. The television, radio, print, and online media broadcasted the protesters' cause: the Forest Service ignored the public and the law, and we won't stand for it!

By this point the media underemphasized or ignored the fact that the Eagle sales had been developed over more than five years with formal public input. These timber sales were officially consistent with a suite of laws and regulations (i.e. National Environmental Policy Act, Clean Water Act, Endangered Species Act, etc.). A 1993 Draft Environmental Impact Statement included a public comment period which was extended due to the level of public interest. Further public involvement included five local community public meetings, multiple quarterly newsletter announcements mailed to over 3,000 individuals and groups, five *Federal Register* notices, numerous field trips for citizens and local officials, and a Final EIS reconceptualized after the Northwest Forest Plan was adopted.^{15, 16, 17} The Forest Service would have prepared and offered the sales regardless of the Salvage Rider.¹⁸

Despite all the agency's documentation in this case, standard operating procedures (SOPs) for public input inadequately addressed public *sentiments*. That left a incomprehensible disconnect between administrative processes and public demands.

Many individuals and groups gave their best efforts trying to interpret the Forest Service's bureaucratic justifications.

The Battle of Allegations and Lies

Some early letters to Forest Service officials opposing Eagle Timber Sales contained impudent and demanding tones.¹⁹ The Forest Service response was often defensively condescending.²⁰ These are not attributes exhibited by transformational leaders. Skeptical conservationists tended to misread the Forest Service's technocratic way of communicating their departure from traditional high production forestry (National Forest lands in the Clackamas River watershed historically yielded impressive timber volumes).

Timber sale opponents framed the Forest Service as uncooperative, arbitrary, and capricious – which is precisely what the courts would have looked for in ruling administrative failure. The Forest Service expended considerable effort defending its actions with data and citing the letter of the law/regulation. Oregon Natural Resources Council (ONRC) circulated counter education calling the Forest Service's responses lies.

^{21, 22, 23} Letters from each side refuted the other's charges with increasing detail:

ONRC: The Forest Service violated its own EIS recommendation on page 100 to avoid harvesting areas with past evidence of blowdown [i.e. wind-uprooted trees]... blowdown has already occurred, resulting from previous cut units...

USFS: There is no such recommendation on page 100 of the EIS... ongoing monitoring has shown that levels of blowdown are less than what was predicted in the EIS... the silvicultural prescription was specifically developed to minimize the potential for blowdown along the ridge, trail, and Wilderness boundary.

ONRC: *Correction – page 99... the Forest Service concedes several instances of major blowdown have occurred, and likely to continue in the future in units 1, 3, 4, 8, 14, and 24.*

Conservationists framed the dramatic risk of blowdown as ancient trees catastrophically ripped out of soils that were weakened and exposed by chopping down nearby trees. Meanwhile, the Forest Service anticipated (indeed planned for) a modicum of blowdown as generating beneficial wildlife habitat and facilitating hydrogeochemical cycling (per the Northwest Forest Plan). Despite their disagreements, Jeremy Hall of ONRC and Gary Larsen, newly promoted from Deputy Forest Supervisor to Forest Supervisor remained professionally courteous in their written correspondence.

Letters to stakeholders from Larsen's predecessor tended to be somewhat stolid and perfunctory ("you said..." and "according to you..." [emphasis added]).^{24, 25} This approach previously spawned the actions of a group called WALL (Witnesses Against Lawless Logging). WALL sent postcards directly Katie McGinty, Director of Council of Environmental Quality, and Mike Dombeck, Forest Service Chief, alleging the top decision maker at Mt. Hood National Forest was incompetent and "unfit for her job."²⁶

Polarization

Both the environmentalists and the Forest Service carried out strategic actions, yet their differences in framing of the issues polarized them even further. Some environmentalists gained support by framing their concerns with emotional opinions. To them, the uncut portions of Eagle Timber Sales jeopardized rare wilderness (lowercase 'w,' as in the literary sense) and the last vestiges of ancient trees. The Forest Service maintained that its project conformed with regulatory guidance regarding Wilderness and

while Douglas fir trees over 80 years old are in the late-seral stage, old growth is generally at least 200 years old. The Forest Service would mark trees older than 150 years “No Cut” in harvest units. Environmentalists interpreted that the Forest Service falsely claimed that large old trees did not even exist in the sale areas.²⁷

At this time, liberal distrust towards ineffective federal agencies mounted with Newt Gingrich’s Republican Revolution. As distrust of the federal government in general grew during the early part of George W. Bush’s first term, this public agency’s best efforts satisfied fewer and fewer members of the public. Donald Fontenot of Cascadia Forest Alliance admitted “It probably is the best they can do. But guess what? That’s not good enough.... Nothing short of ending logging on public lands is good enough.”²⁸

Escalation to Direct Action

While some affiliates of the nationwide “Zero Cut” campaign deployed lawsuits and congressional lobbying as a last line of defense, other individuals engaged in more direct means at the site of the Eagle Timber Sales.^{29, 30} As protesters set up tree sits and base camps near the harvest units, at least eleven culverts were found intentionally plugged with rocks and debris. By blocking engineered drainage structures, this tactic was intended to trigger forest road failures which could then be blamed on timber harvest.^{31, 32}

The boldest demonstration of beliefs came from seventeen-year-old Emma Murphy-Ellis, who went by ‘Pitch.’ With a U-lock around her neck tied to a single rope, she threatened to hang herself if law enforcement came any closer.^{33, 34} One Forest Service employee described the nerve racking anxiety while watching this “young

impressionable girl” dancing from one end of the rope-suspended platform to the other “while adults cheered her on.” Hours later, a fellow protester and a federal officer convinced Pitch to safely remove the noose. Some officials and local community members wanted the radical protesters to be held accountable for reckless endangerment of a minor.

The Forest Service responded to direct actions as safety hazards, illegal trespass, and vandalism. Technically, they were. From 1998 to 2002, protesters at or near the sale site cut closed access gates, excavated road asphalt, and brought in building materials (including 50 gallon barrels of concrete).³⁵ At the height of the tree sit activity in July 2000, federal law enforcement staged a 4:30 a.m. raid. Catching already apprehensive activists off guard “in full military gear... they came in out of the woods,” recalled an activist called ‘Leaf.’ “We were pinned to the ground... like we were criminals.”³⁶ Exactly. Trespassing in a closed area and cutting riparian trees *was* criminal activity. So was the attempt by two cars to divert a log truck off a road and down an embankment.³⁷ Memos circulated to Forest Service employees noted the sanitation problems caused by protesters and emphasized the need for safety of employees as well as protesters.^{38, 39} Members of the “Forest Defense Community” occupied the Eagle Creek Free State for over three years.

Stalemated

The logging company that purchased the rights to harvest the Eagle’s timber, Vanport Manufacturing, Inc. contributed to the stalemate. The depressed timber market caused the local company to close its mill in 1999, yet Vanport was contractually obligated to

complete the harvest job. Furthermore, after a subcontractor's logging trucks were fire bombed (Tre Arrow was among the suspects), local mills refused to buy logs from the Eagle sales.⁴⁰ Vanport tried multiple times to modify its contract with the Forest Service to avoid losing money. The Forest Service made some concessions, but it was clear that the purchaser was more concerned about money than claims of layout inconsistency, blowdown, and soil moisture.^{41, 42, 43} Legal conditions for mutually cancelling the sales had not been met.

Local governments were mixed on the propriety of the sale. South Fork Water Board found no reason the sale would impair water quality after discussions with ONRC, Audubon Society, and field visits with the Forest Service.⁴⁴ Meanwhile, based on a presentation by ONRC, the City of West Linn passed a resolution against the sales without having any information from or discussion with the Forest Service.⁴⁵ The city of Lake Oswego and Clackamas River Basin Council (CRBC) both lamented the lack of funding available for restoration and enhancing watershed health.^{46, 47} Although the Northwest Forest Plan attempted to ameliorate damage from historic land management practices and focus on watershed health, critical Forest Service business practices and budget cuts stymied these goals.

Political Science

Environmentalists used several third party foresters to support their claims that the Forest Service designated more timber for harvest than the EIS described. In the end, the Forest Service techocrats would not be out-techno-ed by ONRC. Forest Service had more robust monitoring data. The environmentalists' pressure on Senator Wyden, and

Representatives Blumenauer and Wu led the Congressionals to push for an independent scientific review over the validity of blowdown concerns. The Forest Service-chartered review included reputable experts who met with activists, visited the field sites, and reviewed the NEPA documents, correspondence with the purchaser, congressional offices, and environmentalists, and scientific literature. While this panel was credible within the science community and the agency, but it lacked sufficient representation to be considered a joint fact finding panel.

The review concluded that the Eagle Timber Sales FEIS adequately considered the blowdown hazards at the time of FEIS preparation. However upon their current assessment, the review recommended small yet substantive modifications to the harvest design in order to retain more trees (i.e. adaptive management). Ultimately the high profile political outcome: Wyden announced he was effectively canceling the sale through Congress.⁴⁸

Four days after Wyden's 2002 announcement, a protester accidentally fell while climbing up to a platform in an isolated area of the sales. Beth O'Brien died from injuries before medical help could reach her. Forest Service personnel were not on scene at the time and there was still spring snow on the ground.^{49, 50} Beth and other activists only intended to leave their tree sits after the timber company packed up and left the forest.

Forest Service decision makers essentially understood the interests of its “No Compromise” challengers years before the fatality, yet as an agency the Forest Service fundamentally could not address its hardline opposition with conventional procedures.

Different Product, Different Process

By 2002, Clackamas River Ranger District sold zero board feet of timber, even though the Forest Service attempted to “bullet proof” its NEPA documents told hold up in court.⁵¹ Even though timber management projects were assiduously designed to meet the Northwest Forest Plan, environmentalists appealed every single timber sale Environmental Assessment. The Salvage Rider authority had expired in 1996 without reinstatement. Eventually Forest Service resource specialist teams began designing projects that were exclusively second growth plantation thinning (i.e. thinning out trees that the Forest Service had planted a generation before); no more low density regeneration harvest, no more older trees. More and more conservationists began to see ecological benefits of such sales.⁵² Litigating environmental groups found thinning sales much less assailable than the first generation of Northwest Forest Plan regeneration sales, yet they could still file appeals over other aspects of the sales.⁵³ Groups like Bark, a Mt. Hood National Forest environmental watchdog group, could not ignore the Forest Service's significant shift towards proposing “a different product.”⁵⁴

More importantly, new business processes would to change the relationship between these adversaries. For various reasons, Eagle Timber Sales controversy notwithstanding, a handful of Acting District Rangers recently rotated through Clackamas River Ranger District. When Tom Mulder (who came from a budget and finance background) stepped into the position, he saw opportunity in stewardship contracting.⁵⁵ Instead of auctioning off timber to a purchaser with the revenue going straight to the general U.S. Treasury pot, new authorities allowed receipt retention (i.e. revenue could be spent on local restoration projects), exchange of goods for services, and

best-value contracting (i.e. procurement could consider factors besides bid price, like quality of past performance). The goal was to achieve natural resource objectives and meet local/rural community needs using collaborative processes.⁵⁶

Lacking capacity to implement this new tool on the ground, Mulder and Jim Rice (a career silviculturalist, who had wanted to be a USFS forester since he was a kid) attended an agency-level Stewardship Contracting Authority training. They learned that: 1) the new process required collaboration “for project planning and throughout life of project”, and 2) successful push for collaboration had to come from the community, not from anyone wearing a Forest Service uniform.

Rice and Mulder then approached Clackamas River Basin Council (CRBC) – which had a solid reputation and broad stakeholder representation – to flagship the initiative. Directly addressing CRBC's previous Eagle Creek concerns about enabling watershed enhancement seemed promising. Then someone whom the Forest Service had never worked with before “came out of left field,” as Rice described it, to connect the dollars, communities, regulations, and ecology. As Chair of Clackamas County Economic Development Commission and District Manager of Clackamas County Soil and Water Conservation District, Rick Gruen would be instrumental in this new direction.

Money Talks

Gruen was committed to not just traditional economic development, but to creating mechanisms for the long term; he wanted to make sure Forest Service decisions rested on all three legs of sustainability – ecological, social, *and* economic.⁵⁷ In ongoing dialog with Clackamas County, Mark Rey, Agriculture Undersecretary for Natural

Resources and Environment, stressed that the more timber counties supported stewardship on National Forests, the more self-reliant they would become in the face of uncertain County Payments reauthorization.⁵⁸ Considering Rey authored most of the infamous Salvage Rider, one wonders if there was some connection.⁵⁹ Gruen was asked to pull together more diverse stakeholders than CRBC alone represented. With local economic development as a uniting issue, his outreach went beyond the just environmental organizations. Ironically it was the staffer of a pro-timber industry County Commissioner who invited Jeremy Hall of ONRC and Sandi Scheinberg of Bark to participate. Gruen and other County representatives clearly demonstrated leadership in their volunteer dedication that both the Forest Service and environmentalists recognized.^{60, 61}

Learning Together

This unnamed assemblage of strategic industry, environmental, and supposedly neutral parties visited a similar initiative happening on the Siuslaw National Forest southwest of Mt. Hood. The participants would learn together about the complexity of retained receipts. Initially some environmentalists critiqued stewardship as a Bush Administration “rubber stamp” to aggressively promote old fashioned logging, but they began to buy into the value added of revenue for restoration. After the first Clackamas stewardship contract sold, Jim Rice later exclaimed, “for the first time in my life, I’ve got people other than loggers asking me to cut trees!”⁶²

The same year Eagle Timber Sales were canceled, the Forest Service started planning Cloak Thinning. Through the collaborative group, Bark and ONRC cautiously agreed to not appeal the Cloak Thin EA on the negotiated terms that the Forest Service drop “nesting/roosting/foraging” Spotted Owl habitat acreage and decommission some forest roads.⁶³ Bark and ONRC also wanted formalization of the group within nine months, including facilitation, a mission, a vision, and rules of engagement. Although Clackamas River Ranger District was not unanimously thrilled, Rice and current District Ranger, Andrei Rykoff, saw the first collaborative success as saving administrative headaches. Gruen valued Rice and Rykoff’s instrumental leadership and dedication in selling this novel approach to their cohorts.⁶⁴ All three hoped for larger future projects since the County backed this “low hanging fruit.”^{65, 66}

CSP Structure

Clackamas County hired an outside facilitator, but since she was not accepted by all members of the group, the group fired her. The group did not try to find a replacement third party facilitator, but they continued to meet. When the group secured an OWEB (Oregon Watershed Enhancement Board) Innovations Grant to hire a project manager, they selected Jeremy Hall for the position. His signature appeared at the bottom of numerous federal timber sale appeals. However, the diplomatic leader who grew up around industrial logging, had begun to write in support of thinning federal forests.^{67, 68}

As volunteers, the Clackamas Stewardship Partners took several months to form a common vision statement. These early meetings were contentious, but necessary.^{69, 70} According to Gruen, the parties started off thinking they “were worlds apart,” before

realizing they held similar philosophies about sustained ecological health and community relationships in the Clackamas River watershed. Participants held different ideas about applications and implementations of this sustainability, just like their counterparts in southern Oregon's Applegate Partnership did.⁷¹ CSP reached a milestone when they developed their own shared definitions of what exactly terms like, *restoration*, *road obliteration*, *road decommissioning* meant.⁷² The individuals' prior definitions were flavored by their past perceptions.

Crucial to resolving conflict and building trust between each other, the partners agreed to endeavor purposefully and deliberately.⁷³ They committed themselves to cooperate towards solutions, and not filibuster or stonewall.⁷⁴ The CSP had formalized their purpose and procedures about a year after the Forest Service first started the conversation about a stewardship group. CSP's continued good faith depends on the promise of ushering in equitable and sustainable future management patterns for National Forest resources the members all care about.

Enabling Success

With the incentives to maintain cooperative relationships, members shared more than ideas for restoration projects. Every meeting one member is responsible for bringing snacks. Sound PTA-ish? Participating in this simple task symbolizes trust and a baseline level of mutual respect. Clair Klock, a gregarious environmental educator and Soil and Water Conservation District representative, brought a flat of fresh picked blackberries, boysenberries, and marion berries from his farm when it was his turn.

Lisa Doolittle, with Gifford Pinchot Task Force, took advantage of the relationships she established in CSP to hand out invitations to her organization's ten year anniversary celebration and silent auction. CSP members benefit from her outstanding organizational skills.

Gruen and Rice attest that success begets success in a way that only increasing environmentalists' buy in and dollars to spend on restoration project can do with each new thinning proposal.^{75, 76, 77} Revenue retained from thinning sales goes towards varied restoration efforts such as curtailing off-highway vehicles (OHV) erosion damage, enhancing side channel fish habitat, and upgrading culverts. The scale of these early restoration projects will continue to expand as CSP effectively dictates where to commingle its new grant leverage.⁷⁸ Clackamas County officials are pleased to see their investment in CSP pay off, as the retained receipts pot grows. The County will soon hire another staffer to work with CSP and other Economic Development Commission projects.⁷⁹

Other parties have noticed change in the political landscape. Forest ecology researcher, Nathan Poage (USFS Pacific Northwest Research Station) sees CSP as an opportunity to explore the application of forest science to forest management. With Poage advocating for ecological particulars about variable density thinning (which creates habitat spatial heterogeneity), CSP input to Forest Service sales could be more nuanced and scientifically substantiated.⁸⁰

Personnel Changes, Baggage Leaves

Representation at the CSP table has been dynamic due to some attrition. Gruen focuses on moving forward with negotiated successes than focusing too much on recruiting because “trying to get *all* the stakeholders on board would paralyze the process” and “once the thing is moving, others will jump on board.”⁸¹ Alex Brown, Bark’s Executive Director regrets that two constituencies are currently absent: recreation and timber.⁸² Recreationists are a substantial and growing interest group, considering that Mt. Hood National Forest annually receives over 4.5 million visitors.⁸³ The timber industry, on the other hand is a much smaller constituency when counting number of individuals in the local timber workforce. Brown is frustrated that multiple parties are expending energy to help plan timber sales, which most directly benefit “a small constituency that has chosen not to be at meetings.”⁸⁴

Related changes occurred among county officials. The longtime incumbent County Commissioner, Larry Sowa, was ousted by the much greener Lynn Peterson in 2006.⁸⁵ Peterson may lack the connection to or name recognition among the forest products industry that Sowa had, but she is more proactive in some respects. Although it was Sowa’s aide who had initially invited environmental interests to the stewardship table, Sowa vehemently opposed any kind of rural road decommission (even temporary logging roads). Peterson restructured the Board of Commissioners (five non-partisan members instead of three partisan members) for greater representation and competitiveness in state and federal grants.⁸⁶ With Sowa gone, Bark has been emphasizing eliminating forest roads and shifting away from criticizing cutting trees.⁸⁷

Bark’s own attrition contributed to that shift. Alex Brown’s predecessor,

Sandi Scheinberg, was the original Bark representative at CSP. It took some time for Brown to gain trust from the other partners, since Scheinberg's harder core preservationist stance had been marginalized by other members. Brown had to prove Bark's commitment to the group and dissociate himself from the baggage of an older conflicting mindset. The pragmatic Gruen described Scheinberg's position " '[humans] shouldn't be there in the first place' " and countered with "we're not going to get man off Mt. Hood."⁸⁸ Brown's less reactive personality seemed to be more conducive to cooperation.^{89, 90}

The new Bark director demonstrated commitment to CSP by not blocking timber sales from happening. Brown knew if Bark appealed a sale that the CSP backed, his credibility among the other partners would be shot. This left him with difficult justifications to make to Bark's loyal members, whom some have called "antilogging gladiators."^{91, 92, 93} It is not in Bark's mission to support commercial timber harvest in the National Forest, yet in order to mitigate impacts of historic management, CSP does support portions of Forest Service sales. Brown's strategy to his constituents: "we're not doing this out to of the goodness of our hearts, there are actually some long term restoration issues here. That's the real quid pro quo."⁹⁴

The Significance of Stewardship

Beyond negotiating cessation of environmentalist appeals, CSP encourages innovation through stewardship contracting. Stewardship contracting enables more flexible options for contracting work done in National Forests.⁹⁵ Although not yet common practice to either Forest Service employees or their typical contractors,

stewardship contracting encourages specifying end results or Designation by Description (DxD) rather than the traditional technocratic, occasionally overly specific, means to a resource management end.⁹⁶ Had this tool been available earlier in the Clackamas River watershed, the rigid contract procedures and economic motive that trapped Vanport Manufacturing in the Eagle sales might have been avoided. Stewardship promotes Forest Service contracting with companies that have conscientious interests in economic development of local communities and ecological sustainability. For example, heavy equipment operators who train their workforce for specialize in hydrologic restoration work. When it comes to selling thinned plantation timber, stewardship retained receipts closes the economic loop and invests in the local watershed.

One of the anti-federal logging movement's first treesitters, now Executive Director of Conservation Northwest, Mitch Friedman, offers that conservationists collaboratively partnering with community economic interests can "save the soul" of the Forest Service.⁹⁷ Neither collaboration itself, nor stewardship contracting is panacea; there are tools for adaptive management.

Looking Forward

Some in the Forest Service might like to see stewardship and collaboration utilized in projects beyond just plantation thinning.⁹⁸ How the Clackamas River Ranger District and its stakeholders will adapt these tools to addressing new proposed Wilderness areas and timber sales remains to be seen. While the nationwide "zero cut" campaign (i.e. no cutting federal forest trees, no compromise) has dwindled in the past five years, Wilderness advocates can be just as adamant.⁹⁹

If the Bush administration's new 2007 draft Forest Service planning rule (only slightly revised from the enjoined 2005 planning rule) makes it through courts, a weaker tier of environmental review and public involvement could be required for Forest Service planning.^{100, 101} This could translate to both an increased popularity of collaborative stewardship initiatives demanded by members of the public, as well as an increased emphasis coming from the Forest Service leadership. The 2008 administration change will reshuffle upper echelon bureaucrats. If collaborative stewardship initiatives are to effectively address public voices, the Forest Service needs to build capacity by funding the transition to nontraditional products and processes. Otherwise, the Forest Service risks relying on a false sense of public inclusiveness and transparency, as it did during Eagle Timber Sales.

From Tree Sit to Sit Down Treat?

From 2000 to 2007, did conflict in the Clackamas River watershed really go from tree sits to a sit down treat? According to Oregon Society of American Foresters, Eagle Timber Sales' contentious acreage comprised less than 2% of the Eagle Creek drainage – which itself makes up only about 1% of larger Clackamas River watershed (one of several sources of drinking water for the Greater Portland area).¹⁰² The controversy was not over preserving pristine biodiversity in 500-year old forests. Protests over the 110-130 years old stands of mostly a single tree species became iconic of then growing nationwide distrust of a federal agency. The controversy centered on the principle of feeling betrayed by a bureaucracy and its obtuse public participation process. Congress made no attempt to reintroduce the Salvage Rider authority when it expired in 1996. Vice

President Al Gore would later call its approval the worst mistake the Clinton administration's made in its first term.¹⁰³

What happened to the direct action National Forest hardliners? They might have been dissuaded or scared underground by the post-9/11 federal ecoterrorism crackdown.¹⁰⁴ Perhaps they realized only about 2% of timber cut in the U.S. comes out of National Forests these days, and thinning second growth plantations does not lay waste to the landscape.¹⁰⁵ There certainly have been more urgent causes to support or oppose – thousands marched in the streets of downtown Portland against the U.S. invasion of Iraq in 2003.¹⁰⁶ Age may have tempered radical extremists or key players in the movement may have moved on. I offer that the collaborative stewardship process short circuited the need for direct action.

The Executive Director of the number one legal watchdog group for Mt. Hood National Forest, Bark, says that “Clackamas Stewardship Partners is already mitigating the controversy.”¹⁰⁷ Alex Brown points out that the structure of regular collaborative meetings “ensures that [direct action protesters] would not want to participate” because “Cascadia Forest Alliance does not have a role until clearly there is no other way to draw attention to the issue than direct action.” This supports what Leach and Sabatier found empirically about how the absence of devil shift (i.e. the belief that one's opponents wield considerably more power than one's allies) and the expectation of repeated interactions among participants predictably builds trust in collaborative policymaking.¹⁰⁸

In this case, collective endeavor towards building and maintaining trust between prior adversaries curtails conflict escalation. Essentially the spirit of Clackamas Stewardship Partners is not distinct from the spirit of the Northwest Forest Plan: to

promote ecosystem health, while providing sustainable social and economic benefits from multiple use lands. The procedures directed by CSP and the Northwest Forest Plan were simply different interpretations of a similar concept. I recall what Rick Gruen told me about how at early CSP meetings, the participants thought their interests were “worlds apart,” but they discovered they just had different interpretations of similar philosophy. Despite having different normative views, participants forged a functional collective vision.

The transformation of conflict in the Clackamas watershed is emblematic of a challenging path that the Forest Service and communities have to travel in order to meet the explicit goals managing National Forests holistically and based on ecosystem principles. Enabling the change from traditional timber practices and public processes puts us on that path.

REFERENCES

- 1 Bernett, Beth. 2001. The Eagle Creek Free State – An interview with Oregon activists. *Clamor Magazine*. Issue 11. November/December 2001. Accessed October 2007.
<http://www.clamormagazine.org/issues/11/feature1.php>
- 2 Watchdog. 2000. Stirring up the hornet’s nest at Eagle Creek. *Earthfirst! Journal*. September 2000.
- 3 Clackamas Stewardship Partners. 2004. CSP Handbook.
- 4 Wondolleck, Julia. 2007. Personal communication.
- 5 Schoenbrod, D. 1983. Limits and dangers of environmental mediation: a review essay. 58 *New York University Law Review* 1453.
- 6 USDA Forest Service. 1999-2000. Internal briefing papers and memos for Eagle timber sales.
- 7 USDA Forest Service. 2000a. Eagle Environmental Impact Statement Fact Sheet.
- 8 Oregon Chapter Sierra Club, American Lands, Audubon Society of Portland, Santiam Watershed Guardians, Oregon Natural Resources Council, Oregon Wildlife Federation, Cascadia Forest Alliance, & Cascade Geographic Society. 1999. Letter from environmental organizations coalition to Harv Forsgren, Regional Forester, Pacific Northwest Region. 14 December, 1999.
- 9 USDA Forest Service. 2000b. Notes from Eagle Timber Sale additional issues raised by environmental organizations with Harv Forsgren, Regional Forester, Region 6. 9 March 2000.
- 10 Blowers, Joe. 1998. Letter from Joe Blowers, Chair, Columbia Group Sierra Club Forests and Wildlife Committee to Roberta Moltzen, Mt. Hood National Forest Supervisor.
- 11 Brown, Richard. 1998. Letter from Richard Brown, National Wildlife Federation, to Roberta Moltzen, Mt. Hood National Forest Supervisor and Robert Williams, Regional Forester, Pacific Northwest Region. 18 June 1998.

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- 12 Bennett, Beth. 2001. The Eagle Creek Free State – An interview with Oregon activists. *Clamor Magazine*. Issue 11. November/December 2001. Accessed October 2007.
<http://www.clamormagazine.org/issues/11/feature1.php>
 - 13 Wyden, Ron. 2002. Wyden announces cancellation of Eagle Creek Timber Sale. Office of Senator Ron Wyden press release. 8 August 2002. http://wyden.senate.gov/media/2002/04082002_eaglecreek.html
 - 14 Arrow, T. 2000. Proposed Eagle Creek Timber Sale agreement. Presented to the Forest Service by attorney for Tre Arrow. 13 July, 2000.
 - 15 Moltzen, Roberta. 1998. Letter from Roberta Moltzen, Mt. Hood National Forest Supervisor to Joe Keating, Oregon Wildlife Federation. 5 June 1998.
 - 16 USDA Forest Service. 2001a. Eagle Timber Sales chronology of events. 6 July 2001
 - 17 Larsen, Gary. 1999. Attachments to letter from Gary Larsen, Mt. Hood National Forest Supervisor, to Vanport Manufacturing. 10 September 1999.
 - 18 USDA Forest Service. 2000c. Memo regarding proposed Eagle Creek timber sale agreement.
 - 19 Keating, Joseph. 1998. Letter from Joseph Keating, Oregon Wildlife Federation to Roberta Moltzen, Mt. Hood National Forest Supervisor. 18 July 1998.
 - 20 Moltzen, Roberta. 1998. Letter from Roberta Moltzen, Mt. Hood National Forest Supervisor to Joe Keating, Oregon Wildlife Federation. 5 June 1998.
 - 21 Oregon Natural Resources Council. 1999. The Eagle Timber Sales: ONRC responds to Forest Service Assertions.
 - 22 Hall, Jeremy. 1999. Letter from Jeremy Hall, Northwest Field Representative ONRC to Interested Party. 2 September 1999.
 - 23 USDA Forest Service. 1999a. A comparison of ONRC's claims of environmental violations on the Eagle Timber Sales to the facts. Attachment C to letter from Mt. Hood National Forest to Senator Ron Wyden. 10 September 1999.
 - 24 Moltzen, Roberta. 1998a. Letter from Roberta Moltzen, Mt. Hood National Forest Supervisor to Paul Ketchum, Conservation Director, Audubon Society of Portland. 23 June 1998.
 - 25 Moltzen, Roberta. 1998b. Letter from Roberta Moltzen, Mt. Hood National Forest Supervisor to Richard Brown, Resource Specialist, National Wildlife Federation. 23 June 1998.
 - 26 USDA Forest Service. 2001a.
 - 27 Stop Eagle Creek Timber Sale website. 1999. Eagle Action. 20 May 1999. Accessed November 2007.
<http://members.tripod.com/JoeCitizen7/eagleaction/index.html>
 - 28 Sullivan, Randall. 2002. Hunting America's most wanted eco-terrorist. *Rolling Stone*. 12 December, 2002.
 - 29 USDA Forest Service. 2000d. Memo about public involvement and issue resolution in Eagle protest file.
 - 30 Brown, Alex. 2007. Personal communication.
 - 31 West, Chris. 1999. Letter from Chris West, Forestry Committee Chair, Clackamas River Basin Council, to Clackamas River Basin Council. 21 October 1999.
 - 32 Maerlich, Max. 1999. Letter from Max Merlich, Vice President Forest Operations, Columbia Helicopters, to Gary Larsen, Mt. Hood National Forest Supervisor. 13 October 1999.
 - 33 Bell, Teresa. 2000. Logging protester surrenders. KGW-TV MSNBC. 8 July 2000.
 - 34 Watchdog. 2000.
 - 35 USDA Forest Service. 2001a
 - 36 Bell, Teresa. 2000.
 - 37 Larsen, Gary. 1998. Information memorandum for the Secretary – revised Eagle brief. 28 May 1998.
 - 38 Moltzen, Roberta. 1998c. Letter from Roberta Moltzen, Mt. Hood National Forest Supervisor, and Gary Larsen, Deputy Forest Supervisor to all Mt. Hood National Forest Employees. 28 April 1998.
 - 39 USDA Forest Service. 1999-2000. Internal briefing papers and memos for Eagle timber sales.
 - 40 Timber/West. 2001. Ugly win for eco-terrorists. August 2001. Accessed October 2007.
http://www.forestnet.com/timberwest/archives/Aug_01/in_the_news.htm
 - 41 Fong, Paula. 1999. Letter from Paula Fong, Contracting Officer, to Vanport Manufacturing, Inc. 10 September 1999.
 - 42 Larsen, Gary. 1999. Letter from Gary Larsen, Mt. Hood National Forest Supervisor, to Vanport Manufacturing, Inc. 10 September 1999.
 - 43 USDA Forest Service. 1999b. Analysis of potential for blowdown Eagle timber sale and

-
- correspondence. Eagle Timber Sales file.
- 44 Bradley, Dan. 1998. Letter from Dan Bradley, General Manager, South Fork Water Board, to David Turnoy, ONRC. 1 July 1998.
 - 45 USDA Forest Service. 1999c. Eagle Timber Sales issues, Mt. Hood National Forest - Response to key points in December 14, 1999 [conservationist coalition] letter addressed to Harv Forsgren, Regional Forester. Eagle Timber Sales file.
 - 46 City of Lake Oswego City Council. 1998. Resolution 98-57.
 - 47 West, Chris. 1999.
 - 48 Back, B. 2002. Eagle Creek timber sale canceled, but opposing sides remain entrenched. *Portland Business Journal*. 10 April 2002.
 - 49 Environmental News Service. 2002. Treesitter falls to her death in Mt. Hood National Forest. *ENS-Newswire*. 13 April 2002. Accessed November 2007. www.ens-newswire.com/ens/apr2002/2002-04-13-01.asp
 - 50 Ferris, Mike. 2003. Oregon's Struggle to Save Ancient Forests Continues. ZMag Vol. 16 N. 2. February 2003. Accessed November 2007. <http://zmagsite.zmag.org/Feb2003/ferris0203.html>
 - 51 Rice, Jim. 2007. Personal communication.
 - 52 Friedman, Mitch. 2006. The Forest Service is dead; long live the Forest Service! *Grist*. 28 February 2006. Accessed October 2007. <http://www.grist.org/cgi-bin/printthis.pl?url=/comments/soapbox/2006/02/28/friedman/>
 - 53 Brown, Alex. 2007. Personal communication.
 - 54 Ibid.
 - 55 Rice, Jim. 2007.
 - 56 USDA Forest Service. 2005. Renewable Resources Handbook 2409.19, Chapter 60. December 2005.
 - 57 Gruen, Rick. 2007. Personal communication.
 - 58 Ibid.
 - 59 Thomas, Jack Ward. 2002. Bush's Forest Plan: Salvage Rider resurrected – facts on the 1995 Salvage Rider. *The Oregonian*. 26 August 2002.
 - 60 Gruen, Rick. 2007.
 - 61 Rice, Jim. 2007.
 - 62 Ibid.
 - 63 Bark. 2005. Bark's timber sale database: Cloak. Accessed November 2007. <http://www.bark-out.org/tsdb/detail.php?sale=cloak>
 - 64 Gruen, Rick. 2007.
 - 65 Ibid.
 - 66 Rice, Jim. 2007.
 - 67 Hall, Jeremy. 1999. A call for ceasefire in the ancient forest wars. *Alternatives – Resources for Cultural Creativity*. Fall 1999. Issue 11. Accessed December 2007. <http://www.alternativemagazine.com/11/hall1.html>
 - 68 Dietz, Diane. 2004. DeFazio: Cut trees, save forests and jobs. *The Register-Guard*. 30 July 2004. Accessed December 2007. http://www.forestcouncil.org/tims_picks/view.php?id=505
 - 69 Rice, Jim. 2007.
 - 70 Bergamini, Robert. 2007. Personal communication.
 - 71 Wondolleck, Julia M. and Steven L. Yaffee. 2000. *Making Collaboration Work – Lessons from Innovative in Natural Resource Management*. Washington, DC: Island Press.
 - 72 Gruen, Rick. 2007.
 - 73 Ibid.
 - 74 Ibid.
 - 75 Ibid.
 - 76 Rice, Jim. 2007.
 - 77 Wondolleck, Julia M. and Steven L. Yaffee. 2000.
 - 78 Gruen, Rick. 2007.
 - 79 Rice, Jim. 2007.
 - 80 Gruen, Rick. 2007.
 - 81 Ibid.
 - 82 Brown, Alex. 2007.

-
- 83 Norris, Lisa. 2007. Personal communication.
- 84 Brown, Alex. 2007.
- 85 Brown, Alex. 2006. Bark's 2006 post-election review. 10 November 2006. Accessed November 2007. <http://www.bark-out.org/content/article.php?section=news&id=325>
- 86 Zuckerman, Peter. 2007. Clackamas County board of commissioners to expand. *The Oregonian*. 5 November 2007.
- 87 Bark. 2007. Why care about travel planning? Accessed December 2007. <http://www.bark-out.org/activities/travelplan.php>
- 88 Gruen, Rick. 2007.
- 89 Brown, Alex. 2007.
- 90 Rice, Jim. 2007.
- 91 Brown, Alex. 2007.
- 92 Gruen, Rick. 2007.
- 93 Rice, Jim. 2007.
- 94 Brown, Jim. 2007.
- 95 P.L. 108-7 (2003 Appropriations Act).
- 96 Redlodge Clearing House. 2007. Process Essentials: New Stewardship Contracting Authorities. Accessed November 2007. <http://www.redlodgclearinghouse.org/legislation/stewardship3.html>
- 97 Friedman, Mitch. 2006.
- 98 Rice, Jim. 2007.
- 99 Lexis Nexis. 2007. Query for "Zero Cut" and "forest" yearly from 2001-2007. Accessed December 2007. <http://www.lexisnexis.com/>
- 100 Berman, Dan. 2007a. Bush admin proposes new planning rule, revises NEPA guidelines. Greenwire. 16 August 2007. Accessed October 2007. <http://www.eenews.net/Landletter/print/2007/08/16/2>
- 101 Berman, Dan. 2007b. New U.S. planning rule unlikely to alter management debate. Greenwire. 17 August 2007. Accessed October 2007. <http://www.eenews.net/Greenwire/print/2007/08/17/16>
- 102 Batten, L. 2001. Foresters support Eagle Creek timber sales. Guest Commentary – copied to e-mail between USFS employees at Clackamas River Ranger District 4 September, 2001.
- 103 Thomas, Jack Ward. 2002.
- 104 Sullivan, Randall. 2002.
- 105 US Forest Service. 2002. Resource Protection Act Assessment. Accessed November 2007. <http://www.fs.fed.us/pnw/sev/rpa/>
- 106 Clemetson, Lynette. 2003. Threats and responses: rally; thousands converge in Capital to protest plans for war. *New York Times*. 19 January 2003.
- 107 Brown, Alex. 2007.
- 108 Leach, William D. and Paul A. Sabatier. 2005. To trust an adversary: integrating rational and psychological models of collaborative policymaking. *American Political Science Review*. November 2005. 99 (4): 491-503.