

Remarks to the Oregon Forest Industries Council

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Good morning. I would like to start by thanking you for inviting me here today. As you know, I spent most of my adult life in public office here in Oregon and one of the issues that occupied a great deal of my time and interest was the area of natural resource management – and, in particular, forest management. My focus was on creating sustainable solutions to the seemingly intractable conflict between natural resource extraction and long term environmental stewardship. And although not always successful, these efforts were based on a belief that our economic, environmental and community values are interdependent rather than mutually exclusive.

These efforts included the Oregon Plan for Salmon and Watersheds, the Eastside Forest Health Strategy and Blue Mountain Demonstration Project, my work through the Western Governors Association on the Ten Year Fire Plan, the successful negotiation of a management plan for the Steens Mountain and the development of the Enlibra Principles with former Utah Governor Mike Leavitt.

As a result of these experiences – both the successes and the failures – I have become increasingly convinced that our current natural resource policy making and problem solving structure is failing us. It does not satisfy the values of the stakeholders over time but, rather, serves only to maintain the status quo and create conflict and polarization among our citizens.

The evidence of a failed system is all around us: the controversy over the management of the Tillamook state forest; the conflict over salvage logging in the Biscuit fire; meeting the challenges posed by non-point source pollution; the growing water shortages in the West; protecting and recovering species under the ESA – especially on private land; and restoring the health of our forests.

The controversy over the Tillamook – like that surrounding the salvage effort in the Biscuit – is only the most visible symptom of a broken system.

Here we have a voter initiative with millions of dollars in play because we have failed to create policies that resolve conflicts rather than merely manage them. The environmental community has easy access to the ballot initiative – through which they are seeking to change the BOF management plan to increase habitat protection. The industry has easy access to the current legislative leadership which it also used last session to try to modify the adopted plan to increase the priority for timber harvest.

And regardless of the outcome of the ballot measure next month, this issue will not be resolved. If it passes, the industry will be in court and in the legislature trying to change the outcome. If it fails, the environmental community will do exit polls, improve the measure and have it back on the ballot again in two years. This back and forth, conflict based model is not solving the problem, it is not moving the state toward sustainable natural resource policies, and is certainly not ensuring the long-term viability of the timber industry in Oregon.

These are complex issues involving tensions between economic pressures, ecological needs, and community values. It is increasingly clear, however, that they cannot be resolved by using the existing paradigm. This morning I would like to use the issue of forest health to illustrate my contention that the underlying problem lies not so much with the people engaged in the debate but rather with the institutions and organizational structures through which they are seeking to resolve their disputes. The problem lies with our “operating system,” if you will.

This year – which marks the 200th anniversary of the departure of the Lewis and Clark expedition from St. Louis – seems a fitting time to take stock of our land and of each other; to reflect on how we got here, to consider the past and what lessons it might teach us about how best to meet the future.

The ongoing conflict surrounding natural resource management should concern us for a number of reasons. First, because of the values which are at stake: on the one hand, the majestic beauty and spirituality of our natural lands and the powerful landscapes which help define us as westerners – and on the other hand, the jobs and important economic activity which depend on these same natural resources.

We should also be concerned at a deeper and more fundamental level as well because this conflict and the acrimony which surrounds it are disrupting the important relationships which underlie strong, vital communities. People are labeled in this debate --labeled as environmentalists or ranchers or timber operators – labels which define only our differences and none of our common goals and aspirations.

I believe that thriving, prospering communities depend on the ability and the willingness of the members of the community to recognize the fundamental interdependence between their economic, environmental and community needs; to see these needs as integrated parts of a larger whole, rather than as separate, competing entities.

And it is a recognition of this interdependence which is largely lacking from the debate over our natural resources. The debate is cast in terms of absolutes, in terms of mutually exclusive values, which creates a zero sum situation -- a politics of scarcity, if you will, in which there must always be a winner and a loser. And nothing illustrates this better than the escalating conflict over the management of our Western forests.

For hundreds of years, the forests of Eastern Oregon and much of the Intermountain West were blessed with huge stands of old growth pine covering millions of acres. For much of the last century, however, forest management policy was characterized by active fire suppression, widespread livestock grazing, the harvesting of valuable old growth pine, and a resistance to active management by conservation groups.

The legacy of these management practices -- especially on public lands – is forests overstocked with stands of young fir and pine, the loss of older fire-resistant trees, thousands of acres of dead and dying timber infested with insects, and a high risk of catastrophic fire – a risk which has become a reality on more than one recent occasion.

This situation has led to a significant reduction in watershed health and the destruction of habitat for sensitive species coupled with a catastrophic decline in employment for timber dependent communities. Yet efforts to address this widely recognized problem have been thwarted by the conflict between those who wish to harvest timber and those who wish to preserve it – and by their distrust of each other and of the state and federal land management agencies themselves.

Each side in the debate operates from their own deeply entrenched positions, pointing at the other as the culprit. We saw this conflict erupt during last summer's devastating fire season with each side blaming the other for the vulnerable state of many of our western forests. And we are seeing it escalate during this year's presidential election in which both candidates have seized upon the highly charged issue of wild fire to attack one another and to solidify political support in the West.

Yet the real underlying challenge here is not fire, but the deteriorating state of our forest ecosystems. Wild fire is but a symptom -- one of many symptoms of the declining health of our forests. Other symptoms include insect infestations, the invasion of noxious weeds, overstocked stands of young pine and fir, a decline in water quality and the loss of habitat.

And unless we focus our efforts on addressing the primary problem -- forest health -- and unless we adopt a new set of tools and structures that can move us beyond the current conflict model -- our forest ecosystems will continue to deteriorate and the West will continue to burn each summer -- regardless of who is elected president in November.

I doubt very much if Thomas Jefferson envisioned this kind of natural resource conflict when he sent Lewis and Clark up the Missouri River in May of 1804 en route to the Pacific Ocean.

Thomas Jefferson, after all, was the chief proponent of what has been called The "politics of engagement," -- a model in which people work together in a spirit of cooperation to find common ground and solve problems for their mutual benefit. In this model, people relied on one another rather than on a centralized bureaucracy.

Jefferson's view -- which he argued in the debate over the drafting of the U.S. constitution -- was opposed by the federalists, led by Alexander Hamilton, James Madison and John Jay. The federalists espoused a "politics of disengagement," wherein problems were solved not by cooperation among individuals, but rather were managed by a strong central government, which carefully balanced private interests, one against the other.

Throughout most of the century following this crucial debate, Jefferson's politics of engagement prevailed as our young nation expanded into the

lands which had been explored and charted by Lewis and Clark – an expansion actively promoted by the federal government.

By the end of the 1800's, however, as the Industrial Revolution overtook America, the Federalist viewpoint eclipsed that of Jefferson. What emerged was a strong central government, which, in many respects, reflected what was happening in the workplace. Like American industry, this new governance structure was also hierarchical and was designed to manage conflicts among individuals – not through cooperation but by serving as a referee among competing interests. Along with it came the politics of disengagement and a growing dependence on third party decision-makers to solve problems: the legislature, the bureaucracy and, more recently, the courts.

This change in governance structure, however, did not change the policies which encouraged the development of the West. In the 19th century, the focus was on moving settlers westward, using, as the lure, the seemingly inexhaustible supply of land and natural resources. In the 20th century, the focus shifted to water, starting with the 1902 Reclamation Act, the Boulder Canyon Project and the construction of the twenty nine dams in the Columbia River basin between 1938 and 1976.

At the time these policies were put into place, they made sense; they were defensible; they helped to advance a larger national purpose. It was a time of perceived abundance. It seemed unimaginable that the resources of this vast nation could possibly be exhausted or that there could be a dark side to the significant and very real economic benefits that these activities brought to the region and to its people.

By the 1970's, however, it was becoming increasingly apparent that the way in which these benefits were being secured came at a price: these activities were having a detrimental impact on the environment. There was a growing public concern and this collision of legitimate values led to an escalating conflict. The primary battlegrounds for this conflict were the U.S. Congress, state legislatures and the courts.

Our governance structure responded in exactly the way it had been designed to respond – by trying to manage this conflict through a framework of federal statutes and regulations. Among them were the Clean Air Act passed

in 1970, the Clean Water Act passed in 1972 and the Endangered Species Act passed in 1973.

Now, over three decades later, it is worth noting that the objective of these laws was not to resolve the underlying conflict, but rather to manage it by attempting to balance the competing interests. The politics of disengagement. And precisely because the objective was to manage rather than to resolve the conflict, conflict has, not surprisingly, continued.

Environmental interests sue the natural resource industries and governmental agencies for failing to meet federal standards and regulations. They strive to strengthen environmental laws through legislative action. In return, economic interests that are subject to federal regulation, challenge these regulations in the courts and seek to repeal or weaken them through legislative action.

Each side tends to look for opportunities to advance their agenda when the Administration in Washington, D.C. is in their favor, while the other side relies on the courts to form a defensive front against changes that might imperil their interests. What is increasingly clear is that this approach only perpetuates the problem but does nothing to move us toward long-term resolution.

First, our dependence on third party decision makers has taken individuals and communities out of the problem solving loop – giving us license as stakeholders – regardless of which side of the debate we are on -- to pursue our own narrow interests at the expense of lasting solutions. It fosters an “us versus them” mentality which inevitably creates winners and losers,.

Second, the primary tools of this third party governance structure -- law, regulation and enforcement -- are simply incapable of solving many of the problems they are being asked to solve. They were designed to address a different set of challenges in an era of perceived abundance. They were designed to manage problems by compelling behavior.

What they were not designed to do is to bring people together to actually solve problems; they were not designed to operate in an era of limits which creates a tension between environmental, economic and community values; they were not designed to respond to complex problems which cannot be resolved without the participation of many people.

Consider, for example, the challenge of maintaining water quality. At the time our current governance tools were developed and for many decades thereafter, the major threat to water quality was caused primarily by point source pollution coming from easily identifiable sources – a problem lends itself well to management through regulation and enforcement.

Today, however, the major threat to water quality is “non-point” source pollution – in other words, runoff – not just from forests and fields, but from lawns, rooftops streets and highways in urban and suburban Oregon.

Reducing non-point-source pollution requires a long-term commitment to change behavior -- by everyone living in the watershed -- many of them living in the city. That cannot be achieved through legislation, regulation, enforcement or litigation. It can only be achieved through a place-based consensus process in which people share a common stake in the problem and gain some ownership in the solution.

Or consider the structure of western water law – the doctrine of “first in time, first in right” – which was originally developed for the hard rock mining industry in the 1800’s. Now, over 150 years later, it allows us, through litigation, to manage the water rights, but not the water resource. Lawsuits do not create resolution – they create winners and losers, and they do not create more water. Yet we continue to cling to this antiquated management tool, even as the last drop of water disappears into the parched earth.

How long would Microsoft last if Bill Gates clung to a operating system that was ten years old, or five, or even two years old? Yet we cling to operating systems that are over a century old and wonder why we cannot resolve the natural resource challenges of the 21st century. We sue each other, we label each other, we battle it out in the halls of Congress while our rural mills close, our forests burn, and ever more species edge toward the brink of extinction.

We must find the wisdom and the courage to move beyond the governance structures and problem-solving tools we inherited from the past and create new ones for the future. And although these tools do not yet exist, it is our challenge to develop them.

So this morning, let me offer a few thoughts on where we might start, using the issue of managing our public forest lands here in the West. If we can get beyond the polarization and political grandstanding, it becomes apparent that our current approach suffers from three fundamental problems.

First, there is no common policy objective that can unite stakeholders in working toward a long term solution. Instead, because they have fundamentally different objectives for the outcome of forest management, they are continually at odds. The industry is interested in the commercial harvest of trees, while environmentalists want to preserve forest ecosystems and diverse habitat. As long as these objectives are viewed as mutually exclusive values, the debate will be dominated by the politics of scarcity which will always produce winners and losers.

Second, we still lack a credible base of scientific evidence on which to base our management decisions. Today, “scientific evidence” is all too often used to justify opposing political positions. Industry has “science” that justifies one policy position and the environmental community has its own “science” to justify another. We have seen this kind of “dueling science” in the Klamath Basin and, more recently, in the debate over salvage logging in 500,000 acres burned in 2002 by the Biscuit Fire in Southern Oregon.

Finally, the governance structure by which we seek to manage our public forests was not designed to manage ecosystems. It is based on political and bureaucratic boundaries rather than on natural boundaries like watersheds or forest ecosystems.

Consider the fact that public forest lands in Oregon alone are managed by three different agencies under three different management plans. Federal forest lands come under the jurisdictions of two different departments: The Department of Agriculture (USFS) and the Department of the Interior (BLM). These departments – and indeed the agencies within them – have different legislative mandates, different constituencies and answer to two separate Cabinet Secretaries. Furthermore, they compete with one another for resources in the federal budget process. State forest lands come under the jurisdiction of the Oregon Department of Forestry which has yet another legislative mandate and answers to the State Board of Forestry.

Resolving these problems requires a new vision – a vision I call The Oregon Forest -- in which all public forest lands in the region would be managed under a single unified plan guided by a single overarching policy objective: watershed health as the measure of overall forest ecosystem health. Forest practices would be guided by credible scientific evidence in the context of the policy objective. The management structure would be regional and would reflect natural rather than political boundaries, thus unifying management decisions across the landscape.

This vision encompasses what I believe to be three fundamental elements of sustainable forestry: 1) a single overarching policy objective which drives the management plan; 2) decisions based on interdisciplinary science; and 3) management at the landscape level.

Let me start with the need for a common policy objective. If we can step back from the political debate, it becomes apparent that a healthy forest ecosystem is essential to meeting the objectives of all the stakeholders. In other words, we cannot provide sustainable forest products, assure clean water and provide diverse habitat for species unless we first have a healthy functioning ecosystem.

Furthermore, since the health of the watershed within a forest can be used as a reflection of the health of the overall forest ecosystem, maintaining watershed health can serve as the common policy objective that can encompass the interests of diverse stakeholders.

By watershed health, I mean a consideration of the surface water, ground water, vegetation and land as a whole system which produces clear, clean sustainable flows of water, and thus supports water supply, aquatic habitat, and the healthiest possible vegetation whether it is for commercial timber harvest or the development of old growth forest structure.

Focusing on watershed health does not mean that we are elevating the importance of one value above another. Rather, maintaining watershed health as a measure of forest ecosystem health can serve as a common denominator for all the values we want our public forests to support. In other words, social, environmental and economic values are all interwoven and are dependent first on a healthy, functioning forest ecosystem which can act the guidepost by which we shape our management efforts.

Now obviously, building a management strategy around a healthy, functioning forest ecosystem – as measured by watershed health – requires that we have credible scientific evidence on which to base our management decisions. In other words, we need a way to get beyond the “dueling science” to a credible determination of exactly what the scientific evidence actually concludes.

Although a process by which to accomplish this does not currently exist in the natural resource arena, there is an analogous process in the health care arena that is worth considering. This process is known as a “systematic evidence review” -- the most rigorous form of evaluating a large body of medical evidence.

It is a highly disciplined process that begins with carefully selecting the key research questions. Once the research question has been framed, a comprehensive global search of the medical literature is undertaken to identify all studies that have been conducted which are relevant to the question. The studies are evaluated based on a common set of well recognized criteria designed to identify the quality of the research. The quality studies are then selected and used to synthesize what the evidence says about the key question. Sometimes the report finds that there is no credible research evidence on the key question or that the evidence that does exist is inconclusive.

It is important to recognize that the process involved does not in any way dictate how the information will be used by policy makers or by stakeholders. But it does produce an objective report concerning what the existing evidence says on the key question. And separating the objective review of the evidence from the more subjective decisions concerning how to apply the evidence is critical if the process is to have credibility.

The use of systematic evidence reviews is a well established process in the medical field. I believe that creating a similar process for evaluating the evidence related to the effects of forest management on watershed health and forest ecosystem health is a critical step in our new strategy. In other words, we need to develop a common body of evidence that is supported and trusted by all the stakeholders in the debate.

The final step in moving toward this vision requires the alignment of our governance structures along natural boundaries and that we consolidate them under a single unified management entity.

Under such a scenario, all management decisions would be guided by a single common policy objective and would be made across the landscape at the regional level in compliance with existing federal and state environmental standards. To ensure accountability in meeting these standards, accurate and ongoing monitoring of watershed health would be required.

A big idea? Absolutely. But, to paraphrase Albert Einstein, “We cannot solve today’s problems by using the same level of thinking we were at when we created them.” We cannot let our thinking be constrained by a status quo which produces conflict and political gridlock, rather than sustainable forest management.

In the example I have shared with you this morning what we need to be asking ourselves is this: “If anything were possible, how would we be managing our public forest lands?” Would we design a system that looks like the one we have in place today? Or would we design it differently?

As we look across the range of our current natural resource disputes, I am asking you to think about what a new management paradigm might look like -- a management paradigm which addresses the current lack of a common policy objective, the problem of “dueling science” and the dysfunctional governance structure on which we have come to rely.

In spite of the contention and polarization which currently surrounds the issue of natural resource management – in spite of the acrimony and lack of trust – I still believe that the underlying problem here lies not so much with the people engaged in the debate but rather with the institutions and organizational structures through which they are seeking to resolve their disputes.

If I may leave you with one thought, it is simply this: that we cannot underestimate the importance of community or the power of place in shaping the future of this region. In spite of our areas of disagreement, we share a common heritage a common geography, and will surely leave a common legacy.

Yet as our population increases, as we become more ethnically and culturally diverse, as growth begins to alter our landscape and bring into question the limits of our resources -- we are facing new challenges in knowing who we are as Westerners .

We are losing our sense of common purpose and of connection and of community, which have been part of the glue that binds us together as a region and that keeps us from cracking apart into dozens of separate pieces.

Yet that is exactly what is happening -- and that, above all else, is what we must reverse. We must never forget that the West is more than just a special place -- it is a special place to live.

It is the rare quality of life that this region has to offer that has attracted people here from across the nation and around the world. This place is somewhere people want to be.

And if we lose that quality of pace -- that livability -- we essentially lose not only our identity, but our heritage as well. And livability means more than just a healthy natural environment, it also means healthy communities where people have jobs and job security and a sense of purpose and commitment to one another.

We need new structures, new tools, and new approaches. Yet we cling tenaciously to the old ones in spite of the overwhelming evidence all around us that they are not doing the job, that they are no longer working, and that they are disenfranchising people that otherwise could and would find a common interest in moving forward together.

It is my hope – and my challenge to you and to all of the stakeholders in the debate – that after the heat of this campaign cycle we can find common cause in exploring and finding alternatives to our current broken “operating systems.” I don’t pretend that it will be easy.

It means embracing the possible rather than just clinging to the familiar. And it means leading rather than just reacting. Because if we choose to do nothing then by default we are letting our future become a matter of chance rather than a matter of choice. And I believe we are better than that.

This is our home. This is our challenge. This is our responsibility.