

Ruling clears way for \$1.4 billion timber lawsuit by 15 counties against the state of Oregon



Timber harvests on state lands, including this parcel in the northern part of L.L. Stub Stewart State Park, could increase if 15 counties prevail in their class-action lawsuit against the state of Oregon. (Benjamin Brink/The Oregonian) (Benjamin Brink)

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A Linn County Circuit Court judge's ruling has cleared the way for 15 Oregon counties and dozens of taxing districts to move ahead with a **class-action lawsuit** seeking \$1.4 billion over logging harvests on state-managed lands.

KATE BROWN

Judge Daniel Murphy's decision certifying a class consisting of the counties and some 130 taxing districts means a lawsuit filed in March can proceed to trial early next year.

The suit alleges that the state has for decades **placed conservation goals** ahead of sustainable harvest levels on state-managed timberlands. The counties allege that the state's own figures show they have been deprived of at least \$1.4 billion needed to fund basic services.

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Timber harvest in Oregon's Willamette Valley. The state's timber industry is a major source of revenue for the state, but it has also been a source of controversy. The state's timber industry has been a major source of revenue for the state, but it has also been a source of controversy.

By Tom Ichniowski
The Oregonian



KATE BROWN

The Oregon County Board has cleared the way for 15 Oregon counties and towns of having a lawsuit to move forward with a class-action lawsuit for about \$1.4 billion over logging practices on state-managed lands.

The Board's decision certifies a class consisting of those counties and towns that filed a lawsuit in March and proceed to trial with their case.

The suit alleges that the state is not following proper logging practices and that the state's timber industry is a major source of revenue for the state, but it has also been a source of controversy. The counties allege that the state's timber industry has been a major source of revenue for the state, but it has also been a source of controversy.

The counties are not getting the benefit of the bargain made back in the 1930s and 1940s, when we entered into agreements with the state to manage these lands in a way that would produce the greatest permanent value," **Linn County Commissioner Roger Nyquist** said. This tug-of-war has been going on for more than 15 years and lands us in the spot we're in today."

The counties and taxing districts involved all rely on logging money derived from harvests on state lands. They can opt out of the lawsuit if they choose, Nyquist said, but the "vast majority" are expected to support the action.

A spokeswoman for **Gov. Kate Brown** referred questions about the case to the Oregon Department of Justice. A DOJ spokeswoman said it is not the department's policy to comment on pending litigation.

If the counties prevail and get the money they are seeking, Linn County's share would be about \$90 million, payable by the state in a lump sum, Nyquist said.

"We would have preferred that the state uphold their agreement," Linn County Commissioner Roger Nyquist said.

"If we win, it would be a huge victory," he said.

"But I want to be clear. We aren't chasing a pot of gold at the end of the rainbow here. We would have preferred that the state uphold their agreement."

A win by the counties will not translate to massive clearcuts on the more than 823,500 acres of timberlands managed by the Oregon Department of Forestry, Nyquist said.

They don't have to clearcut anything to properly manage their forests," he said. "Everyone who owns a pair of hiking boots need not worry that we are going to destroy their resource."

Besides Linn County, the counties affected by the lawsuit include Benton, Clackamas, Clatsop, Columbia, Coos, Douglas, Josephine, Klamath, Lane, Lincoln, Marion, Polk, Tillamook and Washington.

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