Livable Communities

Crag provides services to local communities with an eye towards increasing their strength and political power and establishing a progressive base. As part of this program, we are tackling injustice and working to protect the health and vibrancy of communities throughout the Pacific Northwest.

Protecting Oregon’s Wild Coast

by Courtney Johnson, Staff Attorney

Crag celebrated with long-time client Oregon Shores Conservation Coalition last month when the Land Use Board of Appeals (LUBA) rejected approvals for a proposed destination resort on a remote and wild section of the Oregon Coast in Curry County. This area, a few miles north of Brookings, is so isolated that black bears have been seen on the beach—a rarity given extensive human development of our coastal areas.

The proposed project was no small affair—an 18-hole golf course, golf practice facilities, a 9-hole junior golf course, 175 overnight guest rooms, a golf lodge with restaurant, spa lodge, recreation center, and equestrian center. Conservation groups Oregon Shores Conservation Coalition, Oregon Coast Alliance, and Kalmiopsis Audubon Society worried that the development would attract trespassers, human and animal alike, to the adjacent National Wildlife Refuge. They also believed the development would exacerbate erosion and groundwater depletion in the area.

After Curry County approved the development, Crag filed an appeal with LUBA on behalf of Oregon Shores. Staff Attorney Courtney Johnson argued that the county failed to analyze the risks from the many existing landslides and steep slopes on the property, failed to adequately protect coastal shorelands, and failed to follow its own code in ensuring that adverse impacts to nearby lands be avoided. LUBA agreed. This project may still move forward eventually, but for now this section of the Oregon Coast will remain wild.

Public Lands

Crag works to ensure accountable management of your public lands and to protect them from unsustainable development and destructive overuse.

Conservation Groups Say “No” To Lift-Assisted Mountain Biking at Timberline

by Andrew Mulkey, Paralegal

In support of a host of local conservation and recreation organizations—the Friends of Mt. Hood, Bark, Mazamas, Northwest Environmental Defense Center, the Sierra Club, the Native Fish Society, Portland Chapter of Native Plant Society of Oregon, and the Federation of Western Outdoor Clubs—Crag submitted comments on a recent Forest Service proposal to allow construction of a lift-assisted mountain bike park at Timberline Lodge on Mt. Hood. The proposed network of pay-to-ride mountain bike trails would require clearing approximately 13 acres of alpine forest. In combination, the high elevation of the proposed trails and the mountain’s ashy soils make the task of controlling erosion and sediment runoff extremely difficult. Sediment produced by the trails would harm already impaired habitat for threatened steelhead trout, as well as Chinook and coho salmon. Increased bike traffic on the slopes during summer and fall would also exclude elk from key feeding grounds.

Members of area conservation and recreation organizations are willing to work with the Forest Service to identify appropriate locations for more downhill trails, but they stand firm in their opposition to a network of exclusive bike trails high on the slopes of Mt. Hood. The Forest Service first pitched the trails as a way to reduce the incidence of user-constructed trails on National Forest land. But it is unlikely that pay-to-ride trails will stop the illicit construction of free-ride trails elsewhere. Crag is currently awaiting the release of a final proposal as this public process unfolds.

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Cleaning up Logging Road Pollution
by Chris Winter, Staff Attorney & Co-Executive Director

Across the West, extensive networks of logging roads crisscross the landscape, carving up hillsides and causing severe sedimentation in salmon habitat and drinking watersheds. Stormwater is a major component of that problem, and many of the roads are built to intentionally route polluted rainwater straight into the stream system when other options are available. Large landowners know how to improve the road systems to reduce the environmental damage, but they often times simply ignore the problem.

Last year, Crag, working with the Northwest Environmental Defense Center and the Washington Forest Law Center, won a key victory when the Ninth Circuit Court of Appeals held that discharges of polluted stormwater must be covered by permits under the Clean Water Act. We focused the case on the Tillamook State Forest, because the Oregon Department of Forestry is heavily logging these public lands and, in the process, causing extensive pollution of important salmon streams in the Coast Range.

Since the initial victory, the timber industry and ODF have made every effort imaginable to get out from under the common sense requirements of the Clean Water Act. First, they filed petitions for reconsideration of the Ninth Circuit’s decision. In August, the court rejected those petitions. Now, they are making noise about an appeal to the Supreme Court. They have also gone to Congress seeking to have the timber industry exempted from the requirements of the Clean Water Act. They claim the sky is falling, but really it’s just rain. Stay tuned ...