

## Illegal Logging

*Excerpts from "A Review of the American Forest & Paper Association's Sustainable Forestry Initiative," American Lands Alliance, November, 2003.*

Some SFI companies have problems with legal compliance, on-the-ground. Enforcement actions for water quality violations in Virginia were taken against Canal Wood Corp, Georgia Pacific, Smurfit-Stone Container Corp., Coastal Lumber Co., Champion International, and Weyerhaeuser between January, 1999, and July, 2000.<sup>i</sup> Weyerhaeuser was found guilty of several forest practice rules violations in Washington in 1999, and is currently being sued for allegedly failing to follow the state's new salmon protection rules.<sup>ii</sup> In the mid-1990s, the Idaho Sporting Congress found that Boise Cascade had 2,224 violations of federal and state environmental regulations.<sup>iii</sup> Plum Creek Timber has reportedly violated Idaho state forestry rules by logging in fish-bearing streams.<sup>iv</sup>

Pacific Lumber also received 128 citations for over 200 violations of California's forestry rules from 1996 to 1999, and has been found guilty of illegally logging endangered marbled murrelet habitat.<sup>v</sup> In 2002, Pacific Lumber violated a court order to halt logging on 210,000 acres subject to a pending lawsuit.<sup>vi</sup> Pacific Lumber is also being sued by the Humboldt County District Attorney for allegedly submitting fraudulent data in timber plans and environmental reports.<sup>vii</sup>

Companies in Canada may also be violating Provincial limits on clearcutting. Abitibi-Consolidated, for example, has created at least 10 clearcuts in Ontario that exceed 640 acres (260 ha), the maximum allowed size.<sup>viii</sup>

The SFI may also consider some regulatory exemptions to be a valid form of regulatory compliance. As discussed in Section V, several SFI-certified companies have been eliminating substantial populations and habitats of threatened and endangered species using federal Endangered Species Act exemptions known as Incidental Take Permits.

Timber theft continues to be a serious problem on U.S. National Forests. Sierra Pacific Industries (SPI), for example, has allegedly: colluded with log scaling companies to underestimate the amount of logs SPI has removed from National Forests; manipulated timber sale contracts; engaged in collusive timber sale bidding; and illegally exported timber from National Forests.<sup>ix</sup> SPI has also been found guilty of illegally logging trees on National Forests adjacent to SPI land, and removing logs from National Forests without proper permits.<sup>x</sup> Weyerhaeuser was also allegedly involved in timber theft from National Forests in the mid-1990s.<sup>xi</sup>

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<sup>i</sup> Virginia Forest Watch. 2000. Factsheet based on VA Dept. of Forestry data. September, 2000. Virginia Forest Watch, Charlottesville, VA.

<sup>ii</sup> WA Dept. Natural Resources. Press Release. WA Dept. Natural Resources, Olympia, WA.

<sup>iii</sup> Idaho Sporting Congress, Boise, ID.

<sup>iv</sup> Idaho Conservation League. 1997. Press Release, May 8, 1997. Idaho Conservation League, Boise, ID.

<sup>v</sup> Heaton, K. 1999. "Setting the Record Straight: Environmental Implications of the American Forest and Paper Association's Sustainable Forestry Initiative in Comparison with the Forest Management Certification Program of the Forest Stewardship Council." Heaton, Natural Resources Defense Council, San Francisco.

<sup>vi</sup> EPIC. 2002. "Contempt for the Golden Ruling: PL Faces Contempt Charges," Wild California. Fall/Winter, 2002. Environmental Protection Information Center, Garberville, CA.

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vii *The San Francisco Chronicle*, "Northern Logging Plan Tossed: Humboldt Pact Doesn't Ensure Environmental Protection, Judge Rules," May 20, 2003.

viii Tan (2003).

ix San Francisco Bay Guardian (2000).

x San Francisco Bay Guardian (2000).

xi *Seattle Weekly*, "Who Killed the Timber Theft Task Force?" (July 9, 1998).