

# LOCALNEWS

## Franken pushes bill to protect timber industry

### Legislation retains states’ ability to regulate logging road runoff

**BY LAUREL BEAGER**  
Editor

A bill to help protect jobs in Minnesota’s timber industry by ensuring that individual states — and not the Environmental Protection Agency — maintain the ability to regulate logging road runoff is supported by U.S. Sen. Al Franken.

The Silviculture Regulatory Consistency Act would uphold the EPA longstanding rule recognizing that individual states are best suited to regulate water quality impacts from forest management and forest roads.

“Minnesota’s ability to independently regulate our forests is important to the survival of the state’s timber industry and to the jobs and rural communities that depend on it,” said Franken, D-Minn. “This bipartisan



**Al Franken**

legislation will clarify that the Clean Water Act was not intended to regulate stormwater runoff on forest roads and allow state and local governments and private forest landowners to continue successfully managing Minnesota’s forests.”

While Koochiching County Land Commissioner Dennis Hummitzsch said the issue hasn’t really impacted Minnesota logging operations, it could in the future.

“This hasn’t to my knowledge been a big issue in Minnesota, but it has the potential,” Hummitzsch told The Journal this week. “This has been a big and

tempestuous issue out West, mostly on federal forest lands in hilly mountainous regions in the U.S.”

But, added Hummitzsch, “Anything to reduce federal regulation would be a good thing.”

Lori Lyman, Boise Inc. public affairs manager, said the company appreciates Franken’s support of the act, Senate 971.

“If enacted, this legislation will preserve forest roads as non-point sources of pollution under the Clean Water Act,” she stated. “This is an important issue for jobs in rural forest communities and is important to Boise Inc. and the industry in the state.”

The Koochiching County Board sent a letter earlier this year to Minnesota’s federal delegation asking them to oppose considering

logging roads as a non-point pollution source.

Commissioner Rob Ecklund said the bill looks good and agreed that what “is starting out West always works this way.”

“We’d rather have it be individual states regulate their own runoff and silviculture practices than have a big, giant Washington agency dictating to the entire U.S,” said Ecklund.

The bill would aid efforts to increase timber harvests and forestry jobs by preventing unnecessary litigation on a question that the U.S. Supreme Court settled in the EPA’s favor earlier this year. The bill, like the Supreme Court decision, upholds the EPA’s existing policy, which does not require water discharge permits for forest roads.

Despite the EPA and Supreme Court decisions,

however, some groups have promised to continue litigation, which will needlessly delay needed forest restoration work without action by Congress.

The bill was introduced by Sens. Ron Wyden, D-Ore., and Mike Crapo, R-Idaho, and Reps. Jaime Herrera Beutler, R-Wash., and Kurt Schrader, D-Ore., after the Ninth Circuit Court of Appeals overturned EPA’s 37-year-old silviculture rule and held that ditches and culverts along state and county forest roads are point sources under the Clean Water Act and therefore should be regulated by the EPA.

In addition, Ecklund said he’s pleased the bill is a bipartisan effort. “If he and Crapo are into something together, it’s a good thing because they don’t always agree,” he said.

“This bipartisan legislation will clarify that the Clean Water Act was not intended to regulate stormwater runoff on forest roads and allow state and local governments and private forest landowners to continue successfully managing Minnesota’s forests.”

**Al Franken**  
United States senator

### COURT REPORT

The following people have been sentenced for aggravated misdemeanor or felony crimes in Koochiching County District Court. This information is provided to The Journal by court staff.

■ Alexander E. Bapp, 23, International Falls, was sentenced July 8 for felony third-degree possession of drugs. He was given a stay of imposition of sentence and placed on five years supervised pro-

bation. He was ordered to pay \$75 in fees and must submit to random testing and searches. He must supply a DNA sample and follow all after care recommendations.

■ Jeffrey Doucette, 35, International Falls, was sentenced July 8 for felony third-degree sale of drugs. He was sentenced to 21 months at the Minnesota Correctional Facility, St. Cloud, which was

stayed on court conditions. He was placed on 10 years supervised probation and ordered to pay \$500 fine and fees. He was ordered to supply a DNA sample and submit to random testing and searches. He was ordered not to enter bars or liquor stores or attend gatherings where they are being used or served. He must follow the recommendations of a chemical assessment.

■ Samantha M. Lugo, 19, International Falls, was sentenced July 8 for gross misdemeanor obstruct legal process — interfere with a peace officer. She was sentenced to eight months jail and ordered to pay \$433 restitution. The sentence is to run concurrently with a previous sentence.

■ John E. Lund, 56, Big Falls, was sentenced July 8 for felony fifth-degree drugs

— sale. He was given a stay of imposition of sentence and placed on supervised probation for five years. He was ordered to serve 30 days jail, pay \$575 fine and fees and serve 40 hours with the Sentence to Serve program. He was ordered supply a DNA sample and follow the recommendations of a chemical assessment. He may not consume alcohol or drugs, may not enter bars

or liquor stores and may not attend gatherings where alcohol is served. He must submit to random searches and testing.

■ Thomas F. Lamont, 60, Waseca, was sentenced July 8 for driving after cancellation of license — posing a threat to public safety. He was given a stay of adjudication and placed on six months probation. He was ordered to pay \$275 fees.

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