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Mountain land swap hits hurdle in Senate

Congress - The way the areas on Mount Hood were appraised raises questions about the legislation

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Legislation expanding wilderness on Mount Hood could be imperiled by growing concerns in the U.S. Senate over a proposed land swap intended to settle a long-running dispute over development on the mountain's northern flank.

Under the bill passed by the House, the Forest Service would trade 120 acres of forest in Government Camp for the Cooper Spur ski area and nearby lands. Forest Service officials have opposed the trade, saying it does not serve the public.

Critics say the trade undervalues the public land to the benefit of Mt. Hood Meadows Oregon LP, owner of Cooper Spur. The trade was based on private appraisals paid for by Mt. Hood Meadows, which agreed to end its plans to develop land near Cooper Spur if it could obtain the property in Government Camp.

Bill Wicker, communications director for Democrats on the Senate Energy Committee, said Monday that the committee usually doesn't pass legislation setting the value for federal land based on private appraisals. Wicker said the committee strips out those values, substituting a requirement that the exchange proceed only with federally monitored appraisals.

An analysis of the House bill by a Senate staff aide said it was a "red flag" that the property values would be established by the legislation. The analysis noted the bill also authorized two other land trades, but required those to meet federal standards.

Wicker said if The Oregonian accurately reported in a story in its Sunday editions how the Mount Hood appraisals were done, "that's going to raise bipartisan objections. There will be Republicans and Democrats alike who are going to have a problem with that process."

That could doom the bill's chances for passage this year.

"Trying to repair and pass a land swap bill with this level of notoriety attached to it is going to be an uphill climb," said Josh Kardon, chief of staff to Sen. Ron Wyden D-Ore. Wyden, who sits on the Senate Energy Committee where the bill is assigned, has directed his staff to see whether the Government Camp land trade can be crafted in a way that "passes the smell test," Kardon said.

The land trade was part of legislation written by U.S. Reps. Greg Walden, R-Ore., and Earl Blumenauer, D-Ore., to add 77,500 acres of wilderness to the Mount Hood National Forest. They said last week they wanted to help resolve a legal battle between Mt. Hood Meadows and Hood River Valley residents over the firm's plans for substantial residential development at Cooper Spur.

The settlement ending the dispute was incorporated in the bill along with the privately appraised values for the two land parcels -- \$3.8 million for the Government Camp acreage and \$5.5 million for the Cooper Spur property. Forest Service officials said the private appraisals setting those values weren't done to federal standards.

Dave Riley, general manager of the Mt. Hood Meadows Ski Resort, declined to address the issues raised by Senate aides. "The Senate has yet to introduce a bill, so I can't speculate what they are thinking," Riley said in an e-mail Monday. "We're not interested in re-negotiating the settlement agreement."

The Forest Service had no role in the appraisals and didn't get them until April. Walden and Blumenauer asked the agency to review the appraisals, but pressed ahead with the land trade bill before receiving an answer.

Kardon said Wyden supports settling the land dispute and enhancing wilderness on Mount Hood but he "would have preferred that the appraisal had been conducted with fundamental public safeguards and greater transparency."

Kardon noted that "one objection by any senator will prevent the Mount Hood bill from being considered this year." Wyden's counterpart, Republican Gordon Smith, wouldn't comment Monday about the land exchange.

Spokesman Chris Matthews said Smith was privately working with Wyden on their own version of the Mount Hood legislation, and Smith wouldn't comment until they were ready to release their draft. Matthews said Smith hadn't taken a public position on the Walden-Blumenauer legislation.

Walden and Blumenauer on Monday were rebuked for their role in the land exchange legislation by the Western Lands Project, a Seattle-based group that monitors and critiques federal land swaps.

"The Forest Service doesn't exactly have a perfect record, but at least there is accountability there. They have to follow the law and if they don't, they can be challenged," said Janine Blaeloch, Western Lands director. "In Congress there is virtually no accountability in the way they horse-trade public lands."

Last Friday, Walden and Blumenauer called on the U.S. Government Accountability Office to investigate the appraisal process used on Mount Hood. The GAO said such a review could take six to nine months.

Walden's opponent in the November election Monday endorsed the GA investigation -- but wants it broadened.

Carol Voisin, a Democrat from Ashland, said the investigation should look at Mt. Hood Meadows' role in the appraisals and crafting the legislation and why Walden hadn't questioned the appraisals. She said she was concerned that Walden took campaign contributions from executives in Mt. Hood Meadows as the legislation was pending in the House

"My opponent has always appeared to be clean of any corruption or cronyism," Voisin said in a statement. "However, this does not bode well for that reputation."

Walden last week said the campaign contributions had no influence on his role in the Mount Hood legislation.

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