

# Idaho Statesman

## Oregon Libertarian Randal O'Toole opposes state land grab

By Rocky Barker

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Randal O'Toole was tea party before tea party was cool.

The Oregon economist has written several books that make his case that the free market works far better than government to address society's problems. The Libertarian scholar wants to bring an end to land use planning and zoning. He was an early voice calling for solving the wildfire problem in the American West by forcing homeowners to take responsibility for protecting their own homes and dramatically limiting what the Forest Service spends on fires.

He spoke Thursday and Friday at Boise State University as a guest of Boise State Students for Liberty.

O'Toole is a senior fellow with the Cato Institute, perhaps the pre-eminent libertarian think tank in the country. In fact, his involvement with Cato derailed the candidacy of his liberal Democratic friend Andy Stahl for Lane County commissioner in Oregon in 2012.

Stahl, a long-time forest activist who played a critical role in the campaign to shut down old-growth logging in Oregon and Washington in the 1980s, seemed a good fit for green Eugene. But O'Toole gave his friend \$500; Stahl lost as his opponent used the donation to link him to the Koch Brothers and other right-wing funders of the Cato Institute.

So, O'Toole should like the effort by Idaho and other states to demand the federal government turn over public lands to the state, right?

Wrong.

First, O'Toole doesn't buy the legal theory that is the shaky foundation on which the proposal lies. More importantly, O'Toole doesn't think simply turning over the forests and rangeland to the states will make the lands managed any better.

"What I am convinced of is that if we want sound land management, we have to have sound institutional design," O'Toole said.

Like House Speaker Scott Bedke, O'Toole uses Idaho state land management as an example of sound design. Idaho's approach is based on fiduciary trust, where the trustees — the Idaho Land Board — are required to turn a profit for the beneficiaries — a series of colleges, schools and other state institutions.

Where O'Toole and Bedke break is on who the beneficiaries should be.

The federal lands today, like it or not, belong to all Americans. Bedke and the Legislature see the beneficiaries as Idahoans.

O'Toole's vision would be a for-profit trust that manages the public lands with a nonprofit trust as the beneficiary. The nonprofit trust would protect the nonmonetary values of the trust, such as scenic areas, clean water, wildlife, biodiversity and wilderness.

Sales of timber, minerals, recreational access and recreation fees are among the resources that the trustees would sell. Hunters and anglers would pay for access; the nonprofit trust would provide funds to reduce costs for people with lower incomes or, perhaps, those who live closest to the lands.

“So it seems to me that our solution for the federal lands is not to turn them over to the states, but to turn them into fiduciary trusts so they are managed in a way that is better for the land, better for the taxpayers and better for the land users,” O'Toole said.

Two versions of O'Toole's forest trust idea are included in the Restoring Healthy Forests for Healthy Communities Act that passed the House and is stalled in the Senate. One idea is by Idaho Republican Rep. Raul Labrador and the other by Oregon Democratic Rep. Peter DeFazio.

O'Toole rejects both. The beneficiaries of those ideas are Northwest timber-dependent counties, which he doesn't think deserve the money. So O'Toole isn't holding his breath that trusts as he envisions them will come about any time soon.