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April 2018

2018 Annual Meeting Showcases Success

AFRC held its 2018 Annual Meeting at Skamania Lodge from April 3-5. It provided a great opportunity to highlight the successful efforts of AFRC, our members, and partners to promote active management of public forests and all the associated environmental, economic, and social benefits. As always, the Annual Meeting was also a great opportunity for approximately 150 leaders from the forest products industry, land management agencies, elected officials, and other local and regional officials to network and further develop professional and social connections.

We were honored to have Congressman Greg Walden (R-OR) and Congressman Bruce Westerman (R-AR) join us for the Welcoming Reception on Tuesday, April 3. Congressman Walden provides critical leadership on our issues in Washington, D.C. and has tremendous influence as the Chair of the powerful House Energy and Commerce Committee.

The Annual Meeting was formally kicked off by Nick Smith, Executive Director of Healthy Forests, Healthy Communities, who highlighted some of the encouraging efforts underway to positively shape public perception of our industry. Wednesday's agenda was packed solid with elected officials, including Congressman Bruce Westerman, who has been a key leader in Congress advocating for legislation to restore active management to our federal forests.

In his morning keynote, Congressman Westerman provided an insider's view of the recent Omnibus Appropriations bill that included a package of forest management and fire funding reforms. A former Arkansas Razorback football player with a strong Southern accent, Congressman Westerman set an optimistic tone for the conference. He likened his approach in Congress to his days playing football where their focus as a run-first team was getting at least 3.5 yards per play – in other words, to keep moving the ball down the field. We were very appreciative that the Congressman made the long trip to attend the meeting and that he also took time to tour the Columbia Vista mill and do a woods tour.

The focus of the agenda shifted to efforts underway within the Forest Service to review and streamline some of the internal barriers to increase forest management and restoration activities. Chris French, Associate Deputy Chief, provided an overview of their Environmental Analysis and Decision Making (EADM) process and how the agency hopes to achieve significant time and cost savings in project planning and environmental analysis activities through regulatory reforms and better internal systems. Mr. French is a smart, natural leader who is working hard within the agency to make the necessary changes to get ahead of the growing forest health challenge facing the National Forest System. AFRC looks forward to working with Chris French and others in the agency in support of this critical effort.

Matt Comisky, AFRC's Washington Manager, and Heath Heikkila, AFRC's Director of Government Affairs, then convened a panel discussion focused on advocacy efforts in support of the active, sustainable management of Washington Department of Natural Resources (DNR) state trust lands consistent with their strong trust mandate. The panel was comprised of two state legislators, Reps. Brian Blake (D-Aberdeen) and Jim Walsh (R-Aberdeen), and two representatives of the beneficiary community, Rod Fleck from the City of Forks, and Russ Pfeiffer-Hoyt of the Mt. Baker School Board. The discussion provided a great overview of the legislative, administrative, and coalition-building efforts underway and key issues such as Marbled Murrelet Long-Term Conservation Strategy, Sustainable Harvest Calculation, a trust valuation of DNR lands, and ensuring local schools benefit fully from DNR timber harvest revenues. The panelists were all encouraged by the increased oversight coming from the Legislature, which is the ultimate trustee of these lands.

Our luncheon speaker again this year was Hilary Franz, Washington's Commissioner of Public Lands. Hilary (she prefers being addressed by her first name rather than any formal title) provided an overview of her priorities and accomplishments from her first year at the helm of DNR. She spoke about DNR's focus on restoring the health of state and private forests in Washington, as well as federal lands through the Good Neighbor Authority (GNA) agreement she signed with the Forest Service last year. Hilary also outlined DNR's commitment to the economic well-being of rural Washington through their Rural Communities Partnership Initiative. She also acknowledged some of the challenges the agency faces, including the Marbled Murrelet Long-Term Conservation Strategy that received significant debate during the 2018 legislation session and continues to receive considerable attention from our industry and the beneficiaries. Hilary's energy and passion for solving difficult natural resources challenges remains evident and we look forward to partnering with DNR on sound solutions to the challenges our forests and communities face.

Our final Keynote address of the day was provided by U.S. Senator Steve Daines (R-MT), and the Senator did not disappoint. Senator Daines has been a champion in the Senate for restoring more active management to federal forests in Montana and across the country. Daines was largely responsible for securing a legislative fix to the nonsensical *Cottonwood* decision that threatened to stymie critical federal forest management projects across the Ninth Circuit and beyond over a mere procedural shortcoming. As a successful businessman who grew a major company's presence in China and built a new business back home in Montana, Senator Daines has a unique perspective about our country's unique advantages, including our abundant natural resources. The Senator did reiterate his continued commitment to securing additional management reforms and spoke about the lasting impact President Trump's judicial nominations will have on the Courts.

The day's agenda concluded with regional "breakout sessions" providing participants with an opportunity to meet directly with Forest Service and BLM leadership in Regions 1,4,5, and 6 to discuss some of the issues impacting their regional timber sale programs. Below are highlights from the breakout sessions.

Region 1

The Region's target for FY18 is 390 MMBF with approximately 30 percent composed of fire salvage. The Region received \$7.3 million for burned area restoration work such as trails, roads, fences, etc. NEPA will be contracted through the Good Neighbor Authority program for the Hannah Flats project effectively taking advantage of streamlined Idaho contracting processes. Region 1 continues to be an innovative leader nationally and is developing standardized processes and templates to address EADM results. An additional improvement will be the standardization of spreadsheets across all forests that will be similar to the periodic sale announcements.

Region 4

The Region's target for FY18 is 155 MMBF. The Region is undergoing significant changes that include a process for updating and preparing five-year action plans and clearly identifying product markets and opportunities. Numerous other processes and practices, including NEPA and forest products, are currently under review for streamlining and modernizing. The results of these efforts will be available in the near future.

Region 5

The Region's target for FY18 is 370 MMBF. The north zone target is 162 MMBF; central is 125 MMBF; southern Sierras is 75 MMBF and southern California is 8 MMBF. The region has sold 23 percent of their target through the second quarter. Discussion items included zone groupings of forests for vegetation accomplishment (sharing of personnel for efficiency), the need for completion of an updated California Spotted Owl Strategy (that incorporates the Malcolm North Sept. 2017 Nesting Habitat Research), an updated Southern Sierras Pacific Fisher strategy, and the need to reduce the burden of Limitations to the Operating Period of Timber Sales and Stewardship Contracts since some contracts limit normal operations to late summer/early fall (the driest part of the year at highest risk of wildfire). There was also a discussion about contracting for project preparation skills and use of the Ag Conservation Experienced Services Program that allows hiring Forest Service retirees age 55+.

Region 6/BLM

Region 6 Acting Deputy Regional Forester, Beverly Li gave an overview of the FY18 timber program and regional priorities. Lisa Northrop will be the new Deputy Regional Forester and Aly Warren is the new Assistant Director of Natural Resources. Marie Louise "ML" Smith disclosed information regarding the agency's Forest Products Modernization efforts and urged AFRC members and staff to be vocal in this effort. Other items discussed were KV/K2 collection changes, volume estimation and short log vs. long log cruising, salvage efforts, and efficiency efforts in EADM.

Jamie Connell, BLM State Director and Lee Folliard, BLM Branch Chief of Forest Resources, discussed their FY18 timber program and state priorities. Discussions were also held on the BLM's new Resource Management Plan, the utility of a recent analysis on planning efforts, and the State Office's support of tiering back to the Resource Management Plan.

AFRC appreciates the Forest Service and BLM staff who help make these important meetings possible.

Thursday's agenda was opened by Steve Swanson, President/CEO of the Swanson Group, and Cameron Krauss, Senior Vice President of Legal Affairs for Seneca Sawmills, with a presentation that focused on recent developments related to the U.S.-Canadian softwood lumber dispute. Steve and Cameron have been involved in the issue for many years and are key players in the U.S. Lumber Coalition.

Bill Imbergamo, Executive Director of the Federal Forest Resource Coalition, and Heath Heikkila, discussed our industry's advocacy efforts in Washington, D.C. In addition to discussing our recent legislative victories on a forest management and fire funding package, they outlined the current legislative and administrative priorities and updated attendees on the transition effort within the Trump Administration. Finally, with many pundits predicting a change in November's midterm elections, Heath and Bill provided an election preview and discussed our industry's bipartisan approach in Washington, D.C.

The meeting wrapped up with an overview of AFRC's Legal Program by Lawson Fite, AFRC General Counsel, and Sara Ghafouri, AFRC Staff Attorney. Lawson and Sara have racked up an impressive string of legal victories in support of Forest Service and BLM projects and the timber that flows to AFRC's member mills. They provided examples of some recent successes and the strategic approach taken by our industry in court, which includes the involvement of counties, collaboratives, and other non-industry entities in the defense of good forest management projects.

AFRC greatly appreciates everyone who attended and participated in the annual meeting to make it a success. We also had a bittersweet opportunity to celebrate the contributions of Ross Mickey, AFRC's Federal Forest Manager, who plans to retire later this year after spending over 30 years advocating for the industry with AFRC and its predecessor associations. Finally, we appreciated all the well wishes for AFRC President Travis Joseph, who was unable to attend the meeting due to a needed medical procedure. We are pleased to report that Travis' recovery is on track and we expect him to return to the office in May.

We look forward to seeing everyone at next year's Annual Meeting, which will be held at Skamania Lodge, April 23-April 25, 2019. */Heath Heikkila*

Washington, D.C. Updates

There have been a few developments on federal forests issues since Congress returned from its Spring Recess. On April 14, the Trump Administration announced the long-anticipated nomination of Jim Hubbard to serve as the Under Secretary of Agriculture for Natural Resources the Environment, the key sub-cabinet position overseeing the U.S. Forest Service. Mr. Hubbard is a former Deputy Chief for State & Private Forestry of the Forest Service and served 20 years as the Colorado State Forester.

AFRC joined dozens of other groups on a [letter](#) to the Chairman and Ranking Member of the Senate Agriculture, Nutrition, and Forestry Committee in support of Mr. Hubbard's nomination and urged a quick confirmation so he can begin working on many of the key issues facing the health of our federal forests and rural communities. Hubbard brings a unique perspective to a

position as someone who has worked in both federal and state governments and will likely be a strong advocate for partnering with state forestry agencies under the Good Neighbor Authority. Beyond the need to provide additional agency leadership following the recent resignation of Chief Tony Tooke, Hubbard will also likely be engaged in the Forest Service's EADM effort to increase agency efficiencies and reduce the cost of environmental analysis and decision-making processes. The Forest Service is expected to propose rule changes to reduce the time and cost of agency planning and environmental analysis activities, which often take years and consume tens of millions of dollars, leaving little money to accomplish on-the-ground work. This effort has largely been driven by career staff within the Forest Service, which is in an encouraging sign about the growing recognition within the agency about the need for change.

While no confirmation hearings have been scheduled yet, we expect Mr. Hubbard to be questioned about the Department's plan for increasing critical federal forest restoration efforts now that Congress has adopted a budget fix to end the practice of "fire borrowing" and protect the agency's non-fire management accounts from the continued growth of wildfire suppression spending.

Interim Forest Service Chief Vicki Christensen, a former Washington State Forester, received similar questions when she appeared before the Senate Energy and Natural Resources Committee for an April 24 hearing on the Trump Administration's Fiscal Year 2019 budget request for the Forest Service.

Senator Steve Daines focused on the need for additional management reforms, including alternatives to litigation through pilot binding arbitration for collaborative forest management projects. Interim Chief Christensen expressed the Administration's support for litigation reforms like binding arbitration. Meanwhile, Senator Ron Wyden (D-OR) pressed Christensen to provide a "game plan" for ramping up forest health treatments within six weeks now that the agency has been "liberated" from the fire funding budgeting issues.

Farm Bill. On April 18, in a party-line vote, the House Agriculture Committee approved a proposed Farm Bill reauthorization (H.R. 2). The legislation includes a robust forestry title that would provide the Forest Service additional forest management authorities, including four new Categorical Exclusions for federal forest management activities for early seral, critical response, and salvage activities, as well as provisions to streamline interagency consultations under the Endangered Species Act.

Any controversy generated by the forest management provisions was overshadowed by partisan rancor over the bill's proposed cuts to the food stamp program. Colin Peterson (D-MN), the Committee's Ranking Democrat and a supporter of federal forest management legislation such as the Westerman bill (H.R. 2926), opposed the Republican proposal and predicted that Congress is heading towards an extension of the current Farm Bill. The Chairman and Ranking Member of the Senate Agriculture, Nutrition, and Forestry Committee have committed to moving a bipartisan Farm Bill reauthorization forward, but many observers question the likelihood of this happening in the current political climate in Congress as it prepares for the midterm elections.

/Heath Heikkila

AFRC Presses Its Case Against the Unlawful Expansion of Cascade-Siskiyou National Monument

AFRC filed its opening brief on April 16 in the challenge to the expansion of Cascade-Siskiyou National Monument. AFRC filed suit against the Monument expansion in March 2017 because President Obama's proclamation violated the O&C Act and exceeded his Antiquities Act authority. ([December 2017 Newsletter](#)).

In our opening brief, AFRC shows how the President lacked authority to expand the Monument. The Proclamation expanding the Monument is diametrically opposed to the direction of the O&C Act, which reserved the vast majority of the expansion acres for sustained-yield timber production. The [Property Clause](#) of the U.S. Constitution reserves power to Congress, not the President, to make rules and regulations regarding public lands, so the President must act pursuant to a delegation from Congress. And where the President lacks authority to act on his own, and as here his actions violate Congressional will, the President's actions are void as "*ultra vires*," or beyond his power.

This is an application of the famous "[Steel Seizure](#)" case where the Supreme Court invalidated President Truman's 1952 seizure of steel mills to support Korean War military production. The Steel Seizure decision is famous in legal circles for the opinion of [Justice Jackson](#), who had been FDR's Attorney General and was the chief prosecutor of the International Military Tribunal at Nuremburg. Jackson wrote, "When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb. . . ." Thus, Presidential powers in such instances "must be scrutinized with caution, for what is at stake is the equilibrium established by our constitutional system." With the Cascade-Siskiyou expansion, the President claimed the power to override the authority of Congress which reserved the lands for timber production. AFRC seeks to enforce the separation of powers in this case.

AFRC's brief also shows how the O&C Act expressly repealed all inconsistent acts, which includes the Antiquities Act, and that delegation principles require reading the Antiquities Act narrowly to avoid constitutional questions. AFRC is ably represented in this case by Diane Meyers and David Bechtold of Northwest Resource Law. The Association of O&C Counties also filed a brief in its case challenging the expansion.

Briefing will continue through September. It is possible that President Trump will act on the December 2017 recommendation of Secretary Zinke to revise the Monument's boundaries. However, no actions have been taken thus far on any monuments outside Utah. */Lawson Fite*

Chetco Bar Fire Salvage EA Released

The Rogue River-Siskiyou National Forest has published the Chetco Bar Salvage Project Draft Environmental Assessment which analyzes the effects of conducting post-fire salvage of timber on approximately 2.5% (4,090 acres) of Forest Service lands impacted by the fire. The agency limited the scope of potential salvage units to those lands designated as Matrix by the Northwest Forest Plan. Lands designated as Matrix are the only lands upon which the Forest Service can manage for timber resources based on the principles of long-term sustained-yield. Those lands designated otherwise make up 85% of the land impacted by the fire and did not receive consideration for any post-fire salvage treatments. The remaining 12.5% are lands designated as

Matrix but the Forest Service determined salvage was not appropriate. Reasons for treatment deferral within lands designated as Matrix include: low severity burn with minimal tree mortality, low stocking, unmapped riparian reserves, uneconomical products (i.e. tanoak and madrone dominated stands) and potential impacts to wildlife. If implemented fully, the proposed treatments could generate up to 71 MMBF of timber.

Despite the apparent disparity between proposed treatment acres (4,090 acres) and non-treatment acres (166,231), the Chetco Bar Salvage Project represents a refreshing shift in how the Forest Service views the role of timber salvage in the wake of large fires (recall the 2015 Stouts Fire and **zero acres** of salvage pursued by the Umpqua National Forest). More than anything else, the disparity illustrated above is likely more of a function of restrictive land management plan language and the litigious environment that the Forest Service operates in.

Regardless, AFRC supports the role that timber salvage plays in post-fire fuels reduction as well as in ensuring a sustainable timber supply on National Forest Land and we will be urging the Rogue River-Siskiyou to move forward with the full implementation of the proposed 4,090 acres of salvage. Aspects of the agency's mission of multiple use management have surely been fulfilled through the passive-management approach on 97.5% of impacted lands, making the active-management on the remaining 2.5% justifiable and defensible.

More importantly, AFRC hopes to continue to advocate for the acceleration of active vegetation management on Forest Service land that would establish and maintain a stable, predictable and elevated timber supply while also reducing the uncharacteristically high level of fuels that exacerbate the intensity of wildfires. /*Andy Geissler*

Oregon Society of American Foresters Annual Meeting

The Oregon Society of American Foresters (OSAF) Annual Meeting took place April 18-19 at Central Oregon Community College with the theme "Bikes, Beer, and Burning in Burgeoning Bend." The meeting focused on recreation, hydrology, and fire in the wildland urban interface (WUI). The Bend area was the main focus however, forest management in other regions of the state was also discussed. The first day consisted of a field trip to Phil's Trailhead, Shevlin Park, and Quicksilver Contracting Co. Mill. The second day was chalked full of speakers from diverse backgrounds who discussed management strategies, scientific articles, and national/regional forest management strategies.

Day 1

The first stop was Phil's Trailhead where John Allen, Lisa Machnik, and Pete Powers from the Deschutes National Forest, and Sally Russell with the Deschutes Collaborative discussed Collaborative Forest Landscape efforts, specifically the West Bend Project. The Deschutes staff talked about their relationship with the collaborative and the project's goals and objectives. The collaborative's representative expanded upon their involvement with outreach to the community and interaction with the Forest. Because of the trail systems within the project area and the proximity of the project to Bend, the collaborative spearheaded a large informative and educational campaign where commercials, beer coasters, posters, etc. were disseminated throughout Bend to inform the public of the purpose and need for a fire adapted and resilient forest.

The second stop Shevlin Park, was all about prescribed fire in the Bend WUI. Pete Caligiuri, Alex Enna, and Jeff Amaral discussed how portions of the park have been burned to control fuel loading. The park is a prominent place for many people in the community with hundreds of visitors a day, thus it was essential to get social license, coordinate with scheduled events, and make extra preparations before burning a low intensity ground fire in the park. The burn was successful with fire and vegetation objectives being met.

The last stop of the day was the Quicksilver Contracting Co. Mill. Here we met with John Williams, Quicksilver Contracting; Janel Ruehl, Central Oregon Intergovernmental Council: Biomass Working Group; and Dylan Fritz, Interfor, about the industry's perspective on management on the Deschutes. Quicksilver specializes in biomass, taking sub-merchantable material from stewardship sales or other restoration work and turning it into chips or shavings to be sold elsewhere. Interfor primarily utilizes sawlogs but can process smaller diameter logs as well. If these two entities were not in the area, the ability of the Forest Service to get restoration work done on the Deschutes would be significantly hindered.

Day 2

The first half of the day looked at the broader picture. Speakers talked about state and regional issues within the forest sector. John Allen spoke about outreach to do active forest management cultural norms must shift into a proactive vein where doing the work now, will help management of the landscape in the future. Anthony Davis, Acting Dean for OSU's College of Forestry, expressed the strategies underway at OSU to combat forest health challenges. Peter Daugherty, ODF State Forester, discussed current forestry issues around Oregon.

The second half of the day consisted of three focused topics. The first topic was "Fun in the Forest" i.e. recreation. Sustainable tourism, the interaction between recreation needs and wildlife needs, and archeology's overlap with recreation were all discussed. The second topic "Managing Timber Harvests, Recreation, and Fire to Protect Water Quality: How Are We Doing?" was focused around the conflict between forest activities and hydrologic systems. General topics included how timber harvests impact water systems, the complicated nature of managing wildfires and post-fire salvage logging with water quality in mind, and the impact of recreation on water resources. The final topic was "Burning Issues." This topic dove into specific issues around prescribed fire and smoke management, silvicultural prescriptions to create resiliency within fire prone forests, and how spacing can have a significant impact on successfulness of resilient forest practices.

Many of the presenters took it an extra step and discussed how having a WUI can make management decisions more difficult. The OSAF Annual Meeting covered many topics, but the main points were: 1) how to inform the public to get social license to do projects (prescribes burning near town, heavy thinning along trails, etc.) including working with collaboratives, 2) the impact of wildfire and salvage on sedimentation and hydraulic function, and 3) management regimes in the dry ponderosa forests to create resiliency to fire. /Amanda Astor

Payette Holds Solutions Meeting

The Payette National Forest recently held a meeting for Forest Service employees, forest industry contractors, and other interested parties. The goal of the meeting was to increase understanding of problems faced by the different groups and to assist with finding the best options for mutually acceptable solutions. The meeting was well attended by a broad group of interested individuals including representatives from the logging community, Adams County, and the ranching community.

Gerry Ikola, Ikola Logging, and Mark Mahon, Mahon Logging provided an overview of the current challenges facing the logging industry. One of the major factors that the industry is facing is economic hardship due to shortened Forest Service operating seasons. Logging contractors must work 1,800 hours a year to be somewhat profitable, which has not happened in recent years due to numerous contract restrictions, poor unit layout, low volumes and poor quality timber, increased equipment moves and limited understanding of equipment capabilities. NEPA documents that prescribe very specific requirements such as logging systems rather than describe project goals and end results are also problematic.

Participants then broke into small groups and discussed problems and solutions on 1) forest products modernization, 2) designation by prescription, 3) unit size, layout and location, and 4) road construction. The meeting concluded with a commitment to spend more time on the ground learning the challenges faced and goals required by industry and Forest Service alike, to be engaged early in the NEPA process, to be solutions oriented and to meet again next year. Special thanks to Lynn Wilson from the Payette for organizing the meeting. *Arene Jerome*

AFRC Welcomes Communications Director

AFRC is pleased to announce the hiring of Asha Aiello as the Association's Communications Director. Asha was raised in Gold Beach, Oregon – a town that is intimately familiar with the effects of federal forest management practices. She has passion and drive for the rural economies that make up Oregon's vast landscape and the forest products industry, which is the fabric of a growing and successful state.

After attending Oregon State University to obtain a degree in Marketing, she spent over thirteen years working for private and public agencies working in public relations, marketing and community outreach. Asha comes to us from Cabela's where she was the marketing manager, handling all public relations, communication and marketing strategy, ambassador and prostaff relations, and event coordination.

Asha is an avid outdoors woman and when not spending time showcasing AFRC's incredible membership or in the office crafting strategy, she can be found spending time out in Oregon's public lands hunting and fishing. She is an avid sports fan and can be found at any Portland Timbers game. We are proud to welcome her to the team!