

February 22, 2013

State Trust Forest Management Hearing

Rob Bishop (R-UT), House Subcommittee Chairman on Public Lands and Environmental Regulation has scheduled an oversight hearing for February 26, entitled “*State Forest Management: A Model for Promoting Healthy Forests, Rural Schools and Jobs.*” The hearing will focus on the importance of proper forest management to generate revenues to fund schools, emergency response teams, local transportation projects, and other programs vital to rural communities. Certain state managed forests, which are not subject to onerous federal regulations and can rely more on local land managers rather than distant federal bureaucrats, generate significantly more revenue per acre at a far less cost than federally managed lands.

Further, most state timber programs are set up with a trust mandate meaning the state has an obligation to their beneficiaries such as schools, libraries, and hospitals to provide not only a sustainable timber sale program, but also a consistent stream of revenue to keep these entities solvent.

Bishop stated in an introduction to the hearing that, “The federal government ought to manage and utilize its lands and resources in a way that provides a greater benefit to local communities. Greater access and responsible use of our resources provides much-needed local revenue, which funds schools, local infrastructure, and our first responders. In contrast, state forests are often in better condition than federal forests. In some cases, like that of Washington State, they are able to generate two hundred times the revenue on a quarter of the land base.”

Several pieces of legislation were introduced last year in Congress that included this trust mandate concept on the federal forest landscape including H.R. 4019, the “National Forest County Revenue, Schools, and Jobs Act.” The intent of the bill was to set aside a certain amount of Forest Service working forest lands into a Trust to be managed for a predictable flow of timber to the forest products industry and revenues to the counties. With the sunset of the Secure Rural Schools and County Self-Determination Act, this Trust concept would be a practical approach to keeping both our counties and forests healthy. / *Tom Partin*

Senators Advocate Payment Reauthorization

On February 15, Senators Ron Wyden (D-OR) and Max Baucus (D-MT) put out a [press release](#) announcing their intention to reauthorize at least one additional year of the Secure Rural Schools Act (county payments), while buying time to craft a long-term solution for rural communities. Their press release offers no indication of what that longer term solution might be, but many expect them to seek permanent funding of county payments through some form of a national oil and gas revenue sharing scheme.

The two Senators chair high profile committees, Wyden—Energy and Natural Resources and Baucus—Finance Committee. While the announcement was not unexpected, it is disappointing to see yet another effort to kick the can down the road instead of addressing the underlying issue of sustainable federal forest management helping to fund struggling counties.

County payments have been in place since 1994 in the Pacific Northwest and 2001 nationwide while timber harvest volumes and revenues have continued to decline. What we need most are meaningful solutions to restore sustainable, active forest management to our federal lands for the benefit of the forests and rural communities. Fortunately, we expect several such proposals to emerge again this Congress. Most efforts contain a 2-3 year transition period from county payments to timber receipts. It helps that many counties are making a stand and telling their Congressional delegations that timber jobs and reducing unemployment is more important now than county payments. / *Tom Partin*

Commentary on O&C Solution

The primary stumbling block to creating a “solution” for how the O&C lands should be managed is the inability of Congress or the Administration to decide how these lands should contribute to the wellbeing of western Oregon rural communities. The most liberal federal appeals court in the nation, the Ninth Circuit, has already confirmed Congresses original intent that these lands should be managed to provide a long term sustained output of timber, jobs, and revenues to the counties of western Oregon. The O&C Act mandates that these lands be managed to maximize their long-term sustained timber yield of 960 million board feet per year. If these lands were managed this way, \$300 million dollars would be generated each year. Currently, the BLM is only providing about 17% of the timber it should and far less than this in revenues due to the high management costs they are incurring under the present management direction.

In order to rectify the discrepancy between how the BLM is currently managing the O&C lands and how Congress intended them to be managed, Congress, the Administration or the Courts must decide if the original intent should be upheld or create a new mandate. This is a policy decision. Most of the efforts that have occurred in the last 20 years have ignored the unique nature of these lands and treated them the same as National Forests managed by the Forest Service. They have also ignored the checkerboard nature of these lands where the BLM generally manages less than 50% of any given watershed. This checkerboard pattern of ownership drastically changes the effects that management has on water quality and endangered fish and wildlife.

Governor Kitzhaber recently issued a [report](#) that analyzed a management scenario where only 50% of the O&C lands would be managed as originally intended and 50% would be off limits to management. Because of the already fragmented nature of these lands, this has no effect on long term spotted owl or marbled murrelet habitat when coefficients of error are considered. Since these lands would be managed under Oregon Forest Practices Act and comply with the Governors Salmon Plan, the effects on water quality and fish habitat would also remain unchanged.

Until one of the three branches of government steps forward and defines how these lands should contribute to the wellbeing of western Oregon rural communities, any effort to create a path forward will be blocked by special interest groups’ unfounded claims that managing the O&C lands as intended by Congress will lead to the extinction of fish and wildlife species, the fouling of municipal water supplies, and the general destruction of ecosystems. / *Ross Mickey*

Congressionalists Want O&C Hearing

On February 13, Oregon Congressmen Peter DeFazio (D), Kurt Schrader (D), and Greg Walden (R) wrote letters to Senator Ron Wyden, Chairman of the Senate Energy and Natural Resources Committee and Congressman Doc Hastings (R-WA), Chairman of the House Natural Resources Committee asking them to hold oversight hearings on the O&C lands, including the bipartisan legislation they introduced last year, and Governor John Kitzhaber's recently completed O&C Lands Report.

In the letter to Senator Wyden the Congressmen stated:

“Some counties in western Oregon are on the brink of bankruptcy and are considering insolvency, or turning over their responsibilities to the state. Rural communities are suffering from chronically high unemployment rates. Our forests are unhealthy. Uncertainty of federal funding is devastating to counties and must be replaced with jobs and economic growth. We know you are intimately familiar with these problems.”

“We believe both our bipartisan proposal and the governor's O&C Lands Report are largely consistent with the “Principles for an O&C solution” your office released in December of last year.”

There has been no formal response from either Chairman, but according to media reports, Wyden issued a statement indicating that he is committed to legislation allowing "sustainable timber harvests, strong environmental protection and more efficient management."

AFRC will continue working closely with members of the House and Senate from both parties to find meaningful solutions to the challenges facing our forests and rural communities. / *Tom Partin*

Kitzhaber and Eastside Funding

Governor John Kitzhaber's 2014-15 biennium budget proposal provides \$4.5 million of Lottery-backed bond proceeds to fund the implementation of forest collaborative projects to increase timber supply to mills in central and eastern Oregon. The state intends that this funding will be contingent on commitments by the Forest Service to provide long-term timber supply for key mills in that part of the state. The budget also provides \$1.6 million in Lottery-backed bond proceeds for efforts to provide a sustainable supply of timber from federal O&C lands.

The Governor is taking this unique step to help fund the federal forest program in part due to a study that was prepared for him and the Oregon Legislature titled “An Economic Assessment of Forest Restoration on Oregon's Eastside National Forests.” The report showed that the Forest Service is currently spending about \$40 million in restoration projects in eastern Oregon, which accounts for a total of 2,310 jobs, generates \$90.5 million in total income, accounts for \$231.5 million in total industrial output, and contributes \$3.6 million in total state income taxes.

The report also showed that since 2006 the total expenditures in eastern Oregon for the Supplemental Nutrition Assistance Program (food stamps) and Temporary Assistance for Needy Families has been increasing at the rate of 22% per year, an expense that is mostly born by the State of Oregon. The Governor believes that as more people become employed and earn more income from expanded investments in our national forests, communities are likely to see a decreased reliance on these social services, and AFRC strongly agrees.

It is a sign of the times when a state has to step up with funding to help the federal government manage millions of forestland acres that should be a profit center for our nation. State management of public timberlands in Washington, Idaho and elsewhere show that we can provide environmental, social and revenue benefits through active forest management.

Hopefully Congress will take action to improve how the federal government manages these forests. In the meantime, Governor Kitzhaber should be commended for his strong leadership. /Tom Partin

Wilderness Reintroduced

On February 14, Oregon Senators Ron Wyden and Jeff Merkley (D) issued a [press release](#) touting the re-introduction of a package of Oregon Wilderness and Wild & Scenic proposals. The package would “protect” over 100,000 acres and includes the Devil’s Staircase, Rogue, Chetco River and Oregon Caves proposals from previous Congresses. Several of these proposals were included in last year’s DeFazio-Walden-Schrader [O&C Trust, Conservation and Jobs Act](#), which AFRC supported as a meaningful, compromise solution for O&C management. Several of these Wilderness proposals were also recommended by Governor John Kitzhaber’s O&C Panel as part of a broader solution to the issues in western Oregon.

AFRC does not support any additional set asides unless they are included with, or preceded in passage by, meaningful forest management legislation. These proposals have not yet been reintroduced by members of Oregon’s House delegation, who also appear to be committed to a comprehensive solution. /Tom Partin

Stewardship, Good Neighbor Authority

Two pieces of unfinished business from the previous Congress have been reintroduced. One proposal from Representative Ben Ray Lujan (D-NM) would provide a permanent reauthorization of the Stewardship Contracting authority, which expires later this year. While Stewardship Contracting has been an important and heavily used tool to implement forest management projects, there are larger policy issues that may enter into the discussion on reauthorization, including 25% payments to counties. The Federal Timber Purchasers Committee (an industry coalition) developed some suggested improvements to the authority. However, it is unclear if Congress will consider additional changes or make the authority permanent.

Senator John Barrasso (R-WY) the Senate Energy and Natural Resources, Public Lands and Forests Subcommittee Ranking Member, introduced a bill to expand the “Good Neighbor” authority to the rest of the country. Currently, Utah and Colorado have had pilot “Good Neighbor” authority, which allows state agencies to conduct hazardous fuels and other land management activities on National Forests bordering state and private lands. Growing concerns about the Forest Service’s ability to increase the pace of forest treatments in an era of flat or declining budgets are likely to increase calls for common sense proposals like the Good Neighbor authority. /Tom Partin

Forest Planning Rule Directives

On February 15, the Forest Service announced the availability for public review of its [proposed 2012 Planning Rule Directives](#). The directives take the form of Forest Service Manual and Forest Service Handbook provisions which will govern the implementation of the 2012 Planning Rule.

A 60-day public comment period will begin once the directives have been published in the Federal Register. AFRC is developing comments which will be made available on our website.

AFRC is part of a broad group of regional and national associations which [filed a lawsuit](#) last August to overturn the 2012 Planning Rule (see [AFRC Newsletter, August 28, 2012](#)) because it violates a number of statutes, including the Organic Act, the Multiple-Use Sustained-Yield Act and the National Forest Management Act. That case is currently in the briefing stage in federal district court in Washington, D.C. /*Ann Forest Burns*

Jewell Nominated

On February 6, President Obama announced the nomination of Sally Jewell to replace departing Secretary of Interior Ken Salazar. Jewell, who once worked as an engineer in the oil and gas industry, is the CEO of Recreational Equipment Inc. (REI), a nation-wide co-op which sells a variety of outdoor gear. Jewell has been a leader in President Obama's Great Outdoors initiative, which seeks to introduce more Americans -- particularly youth -- to public lands. President Obama said Jewell "knows the link between conservation and good jobs. She knows that there's no contradiction between being good stewards of the land and our economic progress; that, in fact, those two things need to go hand in hand." Jewell has also served on advisory boards to the National Park System and on the board of regents for the University of Washington.

Jewell won praise from former interior secretary Dirk Kempthorne, who consulted her views when he led the department under President George W. Bush. He said she was well suited to manage Interior's "vast portfolio," which includes Indian lands and offshore drilling "because she is effective and time-tested on taking a variety of issues, deciphering them, determining what is the most important and making a decision." Some elected officials and citizen groups are concerned that Jewell's professional background may cause her to favor recreation over other multiple uses that rely on public lands.

Senate confirmation hearings have not been scheduled. Salazar predicts Jewell will earn an easy confirmation. As Interior Secretary, Jewell will oversee the Park Service, the U.S. Fish and Wildlife Service (FWS) and the BLM. The FWS has jurisdiction over threatened and endangered species and migratory birds, while the BLM manages millions of acres of forests and woodlands. /*Tom Partin*

2013 Annual Meeting

It's time to get your registration in for AFRC's 2013 Annual Meeting being held April 2-4 at Skamania Lodge in Stevenson, Washington. The theme of our meeting is "2013: Moving Forward with Optimism."

Besides key elected officials, we are pleased to have Robert Bonnie, Senior Advisor for Environment and Climate to Secretary of Agriculture Tom Vilsack. We have worked with Robert during the past four years and have found him to have a good vision of where the Forest Service needs to be heading with its land management program.

We will also feature a panel of the top legal talent that represents AFRC as we defend timber harvesting on public lands. They will bring you up-to-date on recent cases and even some victories.

Agency personnel will be with us to provide updates on public timber programs at the national, regional and Washington State levels. The breakout sessions will allow members to have a frank dialogue with people from Forest Service Regions 1, 4, 5 and 6, the BLM and the Washington DNR.

The meeting will begin on April 2 with our golf tournament followed by the opening reception. April 3 will feature a full slate of meetings, social hour and dinner. The meeting will conclude on April 4 with a half day of meetings and AFRC's Board of Directors meeting and luncheon.

Registration and hotel information is available on our website: www.amforest.org.