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## **2012 AFRC Annual Meeting Recap**

This year's Annual Meeting was held April 10-12 at Skamania Lodge in Stevenson, Washington and was one of the largest in AFRC's twelve year history. The meeting is always held the week following Easter Sunday during the spring Congressional recess, which allows members of Congress to attend.

At this year's Welcoming Reception, Rob McKenna, Washington State Attorney General and the Republican candidate for Governor, running against former Democratic U.S. Representative Jay Inslee, spoke about the importance of the forest products industry for Washington's economic well-being and of the revenue trust beneficiaries derive from the DNR timber sale program.

Wednesday's program began with keynote speakers Representatives Peter DeFazio (D-OR) and Kurt Schrader (D-OR). DeFazio and Schrader are sponsors of the draft O&C Trust, Conservation and Jobs Act that would put 1.5 million acres of Oregon's BLM O&C timberlands into a trust to be managed for a consistent flow of revenues back to counties and a predictable harvest of timber for local industries. The Act also sets aside older forest stands and other areas for conservation purposes. DeFazio spoke passionately about his efforts to move the legislation forward in the House of Representatives. Schrader discussed his support for forest management funding for the Forest Service and BLM and his work on the Boiler MACT rule. He noted his co-sponsorship with Representative Jaime Herrera Beutler (R-WA) of legislation to resolve the Clean Water Act Forest Roads issue by codifying the EPA's 35-year treatment of forest roads under the Clean Water Act.

The keynoters were followed by a State Lands Panel comprised of Doug Decker, Oregon State Forester; Dave Groeschl, Idaho Department of Lands; and Bob Harrington, Montana DNR Forestry System. Each of them outlined the importance of their state's timber sale programs which, combined, produce over a half billion board feet of timber and provide much-needed dollars to beneficiaries.

Dr. Peter Goldmark, Washington Commissioner of Public Lands, spoke at lunch. Goldmark outlined the efforts he and his agency are making to achieve their annual timber harvest of 650 million board feet from the DNR-managed lands, as well as undertake major planning efforts such as the Olympic Experimental Forest Plan and development of a Marbled Murrelet Long-Term Conservation Strategy under the State Lands HCP.

Leslie Weldon, Deputy Chief of the Forest Service; Ed Shepard, BLM State Director for Oregon and Washington; and Erica Rhoad, House Appropriations Committee staff spoke on Federal Forest Management Outlook and Opportunities. Weldon said her agency is slowly ratcheting up harvest on Forest Service lands in an effort to hit 3 billion board feet in the near future. Shepard reported that since Interior Secretary Salazar pulled the Western Oregon Plan Revisions in 2009, his agency is embarking

on a new three-year planning effort for the 2.6 million acres of BLM timberlands while trying to maintain a 200 mmbf harvest on the O&C lands. Rhoad spoke about the Forest Service's need to get more acres treated. Her committee recognizes the importance of the timber sale program for both the Forest Service and BLM and was able to keep Forest Service and BLM budgets flat in a time when other agencies were reduced.

The afternoon concluded with our popular breakout sessions which provide attendees an opportunity to meet with federal and state agency representatives to discuss relevant issues pertaining to local forest and industry matters. This year's participants included Tom Martin - Forest Service Region 1; Marlene Finley - Forest Service Region 4; Deb Whitman - Forest Service Region 5; Kent Connaughton - Forest Service Region 6; Ed Shepard - BLM; and Cullen Stephenson and Paul Bialkowsky - Washington DNR. AFRC greatly appreciates the effort made by these key staff of the public timber agencies to attend and participate in our meetings.

In her keynote speech the next day, Representative Jaime Herrera Beutler spoke about the importance of forest products jobs in her Southwest Washington-based district. She also talked about her work with Representative Schrader to blunt the impact of the Ninth Circuit's Clean Water Act Forest Roads ruling on the industry.

Pete Stewart from Forest2Market gave an excellent presentation regarding the current status and outlook for the forest products industry. He provided projections of future housing start numbers and exports of both lumber and logs, and showed what regions of the country have additional capacity for milling infrastructure and additional supplies of raw material.

Jamie Barbour, Program Manager, Pacific Northwest Research Station and Janine Salwasser, Institute for Natural Resources, described the [Integrated Landscape Assessment Project](#), a joint effort of their agencies. The project creates a variety of analytical and graphical tools that generate tables, graphs, and maps that land managers and planners can use to integrate and prioritize management activities. They expressed the hope that it will be used by those wanting to know what treatments on what landscapes will best meet agreed-upon goals and objectives.

Phil Aune concluded the program with an outline of the National SAF Meeting which will be held in Spokane, Washington this fall.

AFRC thanks all of our members, guests and presenters for their participation in making this a very successful event. Mark your calendars now for our 2013 meeting April 2-4 at Skamania Lodge. / *Tom Partin*

## **County Payments Reauthorization**

What do providing timber payments to county governments in lieu of harvesting timber and a bill to reauthorize national surface transportation funding programs have in common? One would think very little, but only in Congress could the two be married!

As previously reported, on March 8 the Senate voted 82-16 to add a one-year extension of the Secure Rural Schools (SRS) and full funding for the Payments in Lieu of Taxes (PILT) programs as an amendment to legislation to reauthorize the federal surface transportation programs for highways,

highway safety, and public transit. On March 29, however, the House of Representatives passed a three-month extension of the current transportation program authorization to buy more time to work on a longer-term bill, which in turn delayed any reauthorization of county payments.

After returning from the two-week spring recess, Republican leaders in the House brought forth another short-term extension of Highway Trust Fund programs to the floor, which would last from July 1 to September 30. On April 18, the House voted 293-127 to approve the extension, which also included provisions to force the Obama Administration to approve the Keystone XL oil pipeline, streamline environmental reviews for transportation projects, direct penalties from the Deepwater Horizon oil spill to Gulf Coast states, and block EPA regulations of coal ash as a hazardous substance. However, the SRS one-year extension was not included. The inclusion of these policy provisions was meant to give the House increased leverage when a House-Senate conference committee is convened to negotiate differences between the short-term extension passed by the House and the 18-month Senate transportation reauthorization.

The prospects for an agreement between the House and Senate on a long-term reauthorization of transportation programs are highly uncertain. The Senate has the one-year extension in its bill and the house has excluded it. On March 18, Secretary of Transportation Ray LaHood predicted that Congress would fail to reach an agreement on a long-term agreement and would instead opt for another extension to last past the November election. The fate of any SRS reauthorization will likely hinge on whether an agreement on a long-term reauthorization can be reached when conferencing between the Senate and House takes place. The last SRS payments were made in January and counties are in the midst of a last-ditch effort to reauthorize them before June when public sector layoffs and possible county bankruptcies become imminent.

Two forestry bills proposed in the House to restore more active management back to our National Forests and Oregon's BLM O&C lands and help fund the county payments gap have seen little action. The National Forest County Revenue, Schools, and Jobs Act, H.R. 4019, sponsored by House Natural Resources Committee Chairman Doc Hastings (R-WA), passed the Natural Resources Committee on February 16 but it is unclear if or when it will be brought to the floor for a vote. Meanwhile, significant uncertainty remains on the prospects of moving the O&C Trust, Conservation, and Jobs Act, which was released in February as a discussion draft by Representatives Peter DeFazio, Greg Walden (R-OR), and Kurt Schrader.

Forestry legislation is desperately needed to restore the health of forests and rural communities while also providing counties a long-term solution for the payments they need to remain solvent. It is unclear if Congress will finally confront this reality or kick the can down the road again by reauthorizing county payments. It is also possible that nothing will be done and county budgets will be awash in red ink. Stay tuned for more developments! / *Tom Partin*

## **Murrelet Long-Term Conservation Strategy**

The Washington Department of Natural Resources and the U.S. Fish and Wildlife Service have [announced](#) public informational meetings on their joint proposal to develop a marbled murrelet long-term conservation strategy as required by the State Lands Habitat Conservation Plan (See, [AFRC March 23 Newsletter](#)). Meetings will be held:

April 30, Olympia: Room 175, Natural Resources Building, 1111 Washington St.  
May 3, Sedro Woolley: NW Region Office, 919 N. Township St.  
May 8, Cathlamet: River Street Meeting Room, 25 River St.  
May 9, Forks: Olympic Region Office, 411 Tillicum Lane

All meetings will be from 6:00 p.m. - 8:00 p.m.

These meetings are part of Phase I of a joint environmental assessment process between the two agencies. The scoping notice and a copy of a Purpose, Need and Objectives Statement endorsed by the Board of Natural Resources on March 16 is on DNR's [SEPA webpage](#). More detailed information on the process can be found on DNR's [marbled murrelet website](#).

Written comments on Phase I will be accepted through May 30. A copy of AFRC's comments will be available on AFRC's website prior to May 15. */Jacob Groves*

## **Balance of Powers**

A Supreme Court victory by AFRC's predecessor 20 years ago has helped uphold Congressional legislation to delist the gray wolf.

A Ninth Circuit Court of Appeals decision issued March 14, [Alliance for the Wild Rockies v. Salazar](#), affirmed a ruling by Montana District Court Judge Donald Malloy that Congress did not unconstitutionally interfere with the prerogatives of the judicial branch when it enacted the Wolf Rider (Section 1713 of the Department of Defense and Full Year Continuing Appropriations Act of 2011). The rider ordered the Secretary of Interior to reissue a rule which had been struck down by the courts. The rule delisted a distinct population of gray wolves in the northern Rocky Mountains. The rider provided that the agency was to act "without regard to any other provision of statute or regulation" and that the reissuance would "not be subject to judicial review."

In determining that the enactment of the Wolf Rider was not unconstitutional, both Judge Malloy and the Circuit Court panel relied on the Supreme Court's 1992 ruling in [Robertson v. Seattle Audubon Society](#) which held that, although Congress cannot dictate the outcome of pending litigation, it can act to change the *law* applicable to a specific case, thereby altering the basis on which the court must decide the outcome. The *Robertson* case upheld the validity of Section 318 of a 1990 appropriation bill which allowed logging in spotted owl habitat which had been enjoined by the Ninth Circuit.

This latest Ninth Circuit case, relying as it does on earlier efforts by AFRC's members to invoke the balance of powers among the judicial, administrative and legislative branches of government, shows the importance, over more than two decades, of our work. */Scott Horngren*

## **House Ag/Forestry Hearing**

On March 27, the House Agriculture Subcommittee on Conservation, Energy, and Forestry held a hearing on management of the National Forests. Tom Tidwell, Chief of the Forest Service, outlined his agency's plan to restore the federal forests. Other witnesses included: Gary Barth, Director, Business and Community Services, Clackamas County, Oregon City, Oregon; Gregory Hoover, Department of Entomology, Pennsylvania State University, University Park, Pennsylvania; Chuck Watkins, Chief

Operating Officer, Rex Lumber, Graceville, Florida; and Gary Zimmer, Coordinating Biologist, Ruffed Grouse Society, Laona, Wisconsin.

The public witnesses focused their comments on the need for more active management on our National Forests to benefit wildlife, forest health, and rural economies. Subcommittee members on both sides of the aisle, including Representative Kurt Schrader, quizzed Tidwell on why his agency has failed to make more significant progress to meet the needs of the forests and communities. Barth outlined how timber management on his county's 3,000 acres of forest land returned more revenue to Clackamas County than the entire 1.1 million acre Mt. Hood National Forest returned to the U.S. Treasury in timber receipts.

Tidwell acknowledged that his agency understands the value of a strong forest products industry to help accomplish restoration work in an efficient and cost-beneficial manner and to provide jobs to local forest communities.

Other issues raised by the witnesses were possible impacts from the new Forest Planning Regulations, damages being caused to forests by increasing insect infestations and epidemics, and the future of county payments and how better and more management on our National Forests would provide a more sustainable future for rural economies. In response to repeated questions from Representative Steve Southerland (R-FL), Chief Tidwell said that he recognized the plight of communities near National Forests and his agency had a sense of urgency in finding solutions. / *Tom Partin*

### **H.R. 4089 Bill--Interesting**

On April 17, the Sportsmen's Heritage Act of 2012, H.R. 4089, passed the House of Representatives by a vote of 274-146. The bipartisan legislation was introduced by Representatives Jeff Miller (R-FL), Dan Benishek (R-MI), Jeff Flake (R-AZ), Don Young (R-AK), Mike Ross (D-AR), Dan Boren (D-OK), Bob Latta (R-OH), and Heath Shuler (D-NC).

The legislation promotes recreational fishing, hunting, and shooting on lands under the jurisdiction of the BLM and Forest Service. It includes lands designated as Wilderness or administratively classified as Wilderness eligible or suitable and primitive or semi-primitive areas, and requires the managing federal agency to consider any impacts to hunting and fishing stemming from land management plans.

This benign sounding bill generated heated opposition from environmental groups who argued that the bill would open up Wilderness areas to logging, mining, gas leases, and motorized vehicles. Republicans added language clarifying that the legislation would not make any changes to these existing restrictions. More importantly, the House also approved an amendment that would require the President to secure the approval of a state's governor and legislature before designating any new national monuments under the Antiquities Act.

While the bill enjoyed bipartisan support in the House, it offered a reminder of the debate that exists over what activities are allowed in Wilderness areas, and the unhealed wounds of national monuments designated solely by the President under the Antiquities Act. / *Tom Partin*

## **Dicks to Retire**

Representative Norm Dicks (D-WA) announced last month that he will not be running for re-election this November, and will retire following 18 terms representing the 6<sup>th</sup> District in Washington State. The 6<sup>th</sup> District encompasses downtown Tacoma and the Olympic and Kitsap Peninsulas.

Dicks has a long history of working with the forest products industry, particularly during the 1980's and 1990's, during the height of the controversy surrounding the listing of the Northern Spotted Owl as a threatened species.

A long-time member of the powerful House Appropriations Committee, Dicks rose to chair the Interior Appropriations Subcommittee and currently serves as the Ranking Member of the full Committee. He has been a strong advocate for sustainable management of our federal forests to benefit rural communities and wildlife and worked to increase the budgets of the Forest Service and BLM.

Congressman Dicks will be missed in the House and AFRC wishes him all the best in his retirement. /  
*Tom Partin*

## **Ed Shepard to Step Down**

Ed Shepard announced on March 12 that he will be stepping down as State Director of the BLM for Washington and Oregon effective June 1.

Prior to becoming State Director in 2006, Shepard served as assistant director for renewable resources and planning in the Washington, D.C. office. In his nearly forty years with the agency, he has held a variety of positions, including Manager of the Coos Bay District and Area Manager in the Roseburg District. It was during his tenure as State Director that the Western Oregon Plan Revisions were completed. Although the agency has never been allowed to properly implement the Plan Revisions, the work that went into them is a monument to Ed's leadership and dedication to getting the job done well.

AFRC expresses its appreciation for Ed's many years of dedicated service to the management of BLM's forest lands and wishes him all the best in his retirement. /*Tom Partin*

## **New Forest Supervisors**

Sherry Tune has been named the new Mendocino Forest Supervisor. She replaces Tom Contreras who becomes Forest Supervisor for the Angeles National Forest. Sherry was previously the Monterey District Ranger on the Los Padres National Forest. Prior to serving on the Los Padres, Tune was deputy District Ranger on the Coronado National Forest. She has been with the Forest Service since 1978.

Rob MacWhorter has been named the new Supervisor of the Rogue River-Siskiyou National Forest, replacing Scott Conroy who retired last January. Rob began his Forest Service career in 1978 in Klamath Falls. Since then, he has been on the Eldorado, Deschutes, Mt. Hood, Ochoco, Fremont, and Plumas National Forests. His most recent post was Forest Supervisor of the Dixon National Forest, Cedar City, Utah. He holds degrees in Forest Resource Management and Ecological Systems Management from West Virginia University School of Forestry and has done graduate level work at the University of Montana.

AFRC welcomes Sherry to the Mendocino and Rob to the Rogue River-Siskiyou. /*Rick Svlich and Andy Geissler*

## **Hawkinson to FRA**

On April 9, [Forest Resources Association](#) Chairman Dick Carmical announced Deb Hawkinson will become President of FRA when Richard Lewis retires July 2.

Hawkinson has served as Executive Director of the Hardwood Federation since 2007. She was previously Director, Issues Management, for the American Forest and Paper Association and worked in the Federal Affairs office for Weyerhaeuser.

AFRC looks forward to working with Deb in her new role. We wish our long-time friend Richard Lewis the very best as he retires. /*Ann Forest Burns*

## **Ellen Engstedt Simpson**

Ellen Simpson, former Executive Vice President of the Montana Wood Products Association, passed away on March 23. In 1999, she joined the Montana Wood Products Association and served as executive vice president until her retirement in 2010. Ellen previously worked as legislative staff at the Montana Environmental Quality Council.

During her time at the Montana Wood Products Association, she was a dedicated advocate for the timber and wood products industries. Honors included induction as a Montana Department of Natural Resources Forestry Pioneer, and the Forest Resources Association Western Region 2011 Forestry Activist Award. Ellen was an active member of the Federal Timber Purchasers Committee and served on the American Forest & Paper Association's Public Resources Committee. /*Tom Partin*