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Member Profile: Roseburg Forest Products

AFRC will begin profiling member companies in its monthly newsletter to recognize the significant contributions of the forest products industry to local communities. In addition to the tens of thousands of jobs the industry supports, and the billions of dollars the industry contributes to local economies, AFRC members donate their time and money to make a difference where they work, live, and play.

This month AFRC recognizes Roseburg Forest Products, its owner Allyn Ford, and his wife Cheryl Ford. As reported in the [Register Guard](#), the Fords recently gifted \$7 million to the University of Oregon to bolster the University's physical science programs. The gift will be used to help build 14 new science labs in Pacific Hall, a top priority project for UO President Michael Schill.

The \$7 million gift is in addition to the Ford's gift of \$5 million to the University in 2011, a \$500,000 endowment to pay for arts education for school kids, and more than 750 ongoing college scholarships to students. AFRC would like to recognize and thank Allyn and Cheryl Ford for their generous contributions to the University of Oregon and for their commitment to making our communities and education system better. */Travis Joseph*

AFRC Breaks Ground on Habitat Home

On Saturday, June 25, AFRC celebrated the ground breaking of its sponsored Habitat for Humanity home in Springfield, Oregon. The ceremony officially kicked off the construction of a two bedroom, two bath, home for Nayeli Naverrete Bravo and her daughter Alitza.

When asked about the impact of having a home of her own, Nayeli responded, "A house is not just a building. A permanent home becomes a way of fulfilling my hopes, dreams, and goals for my child. Our home will always be our refuge."

Nayeli has managed to devote time out of her busy schedule to volunteer at numerous Habitat projects, working toward acquiring the necessary 300 "sweat equity" hours as part of the requirement to earn her home. She is also taking homeowner education classes which are preparing her to be a successful homeowner.

AFRC President Travis Joseph commented at the ground breaking, "This project embodies what the forest products industry is all about. Our members work in the woods, care for our public lands to make sure they are healthy and sustainable. We use every scrap of wood to make products every Oregonian depends on every day, including the lumber in our homes. Our

members care deeply about the communities in which they live, work, and play and this project is another reminder of that commitment. We are honored and thrilled to be using our industry's local products and expertise to build a home for Nayeli and her daughter Alitza. They could not be more deserving.”

The ground breaking was well attended by community and industry leaders, including: Springfield Mayor Christine Lundberg, State Senator Lee Beyer, State Representative John Lively, Lane County Commissioner Sid Leiken, Lane County Commissioner Faye Stewart, Willamette National Forest Supervisor Tracy Beck, Steve Swanson of Swanson Group, Rob Freres of Freres Lumber, Valerie Johnson of DR Johnson Lumber, and Habitat for Humanity leaders and volunteers, including Board of Directors President Ryan Bishop. */Travis Joseph*

Legislative Updates from Washington DC

It has been an eventful month in Congress on federal forest legislation and appropriations bills for the U.S. Forest Service and Department of the Interior. AFRC has been actively engaged on both fronts by advocating in Washington, D.C. for necessary funding and additional legal tools needed to significantly increase the pace and scale of active forest management across federal forests.

Legislation

In the [May 26 edition](#) of the AFRC News, we reported on the Senate Energy and Natural Resources Committee's [release of discussion draft legislation](#) entitled “Wildfire Budgeting, Response, and Forest Management Act of 2016.” In the weeks since the release of the draft legislation, AFRC has submitted [formal comments](#) to the bipartisan sponsors of the legislation and shared a series of recommendations for improving the legislation with Senate staff.

On June 23, the Senate Energy and Natural Resources Committee held a hearing on the discussion draft. The hearing was a welcome development since it had been nearly a year since the committee held a hearing on federal forest management reform legislation and six months since a bipartisan, bicameral deal to reform wildfire budgeting and streamline certain federal forest management projects was scuttled last December.

Witnesses at the hearing included Washington's Commissioner of Public Lands, Dr. Peter Goldmark, Montana Wood Products Association Executive Director, Julia Altemus, and Ken Pimlott, Director of CAL Fire. The Administration's views on the legislation were provided by USDA Undersecretary for Natural Resources and the Environment, Robert Bonnie, and Director of Wildland Fire for the Department of the Interior, Bryan Rice. The full list of witnesses, their testimony, and an archived webcast of the hearing are available on the committee's [website](#).

Witnesses agreed that solely fixing how wildfire suppression is funded will not address the growing federal forest health crisis and that Congress must also take action on legislative reforms to increase the pace and scale of active forest management. The discussion draft includes provisions to streamline the environmental review process for certain collaborative forest management projects, although not to the extent provided by the House-passed Resilient Federal Forests Act (H.R. 2647).

While there was consensus on the need for federal forest management reforms, there was some disagreement about what constitutes an acceptable solution to fixing the fire funding dilemma. The discussion draft would end the practice of “fire borrowing,” a practice in which the Forest Service is forced to raid management accounts when it exhausts its appropriated fire suppression budget, which is typically based on the ten-year average of suppression costs. However, the legislation does include a budgetary mechanism to address the growth of the ten-year average, which is squeezing many non-fire accounts within the Forest Service’s discretionary budget.

The Obama Administration believes action must be taken to end fire borrowing and relieve the pressure of the growing ten-year average. Committee Chairwoman Lisa Murkowski (R-AK) has sought to keep the focus solely on ending fire borrowing and suggested the Administration was merely interested in budget relief to shift funds to non-management accounts. Another issue that garnered discussion was the impact of obstructionist litigation. Senator Steve Daines (R-MT) has been outspoken about the need to enact reforms to reduce the threat posed by ideologically-driven lawsuits that frequently cripple federal forest management projects, including those developed by collaboratives. Senator Daines quoted statistics from Montana where 21 Forest Service projects are currently being litigated, including 13 projects developed through collaboratives. Similar to other areas of the Pacific Northwest, Montana has been a focus of activist litigation targeting federal timber management projects. Unfortunately, the forest products industry and communities that depend on federal forests have paid the price. The day before the hearing, Weyerhaeuser announced the closure of two mills in Columbia Falls, Montana citing ongoing shortages of logs in the region.

Senator Ron Wyden (D-OR), who has been a key player on wildfire funding and forest management reform issues, asked Undersecretary Robert Bonnie to return to the committee in two weeks with a list of forest management reforms the Administration could support, strengthening the possibility that the Energy and Natural Resources Committee could mark-up the legislation before Congress adjourns for its summer recess in mid-July.

AFRC is encouraging the Committee to move forward with the proposed legislation so negotiations with the House of Representatives can begin in earnest. It is also possible that federal forest management and fire funding reforms could be included in formal negotiations between the House and Senate to resolve differences between their respective energy bills.

Other Senate and House Committee Action

In a somewhat surprising development, on June 22, Senate Agriculture, Nutrition, and Forestry Committee Chairman Pat Roberts (R-KS) [announced](#) the introduction of the Emergency Wildfire and Forest Management Act, which is similar to the House-passed H.R. 2647. The House passed bill (H.R. 2647) was referred to the Senate Agriculture Committee rather than the Senate Energy and Natural Resources Committee and has been pending in the Senate Agriculture Committee since it was passed by the House in July 2015. It is not clear whether the Senate Agriculture Committee will hold a hearing on the legislation, which currently has no Democratic cosponsors.

On June 22, the Senate Indian Affairs Committee approved the Tribal Forestry Participation and Protection Act ([S. 3014](#)) introduced by Senator Steve Daines. The legislation was introduced on May 26, received a committee hearing on June 8, and was approved by the committee just two

weeks later. S. 3014 would create a pilot authority for tribes to plan and implement forest management activities on nearby federal forestlands under the National Indian Forest Resources Management Act (NIFRMA). The lands would still be owned by the respective Federal land management agencies and will remain subject to all relevant environmental laws and forest plan requirements. S. 3014 is similar to the tribal forestry title that was included in H.R. 2647 and includes several provisions sought by AFRC, including a requirement that timber be sold through competitive bidding.

Meanwhile, on June 15 the House Natural Resources Committee approved two bills that would authorize state management of National Forest System (NFS) lands and the creation of an Alaskan state forest from two million acres of the Tongass National Forest. [H.R. 2316](#) (Rep. Labrador – R-ID) would allow up to four million acres of NFS lands to be selected and managed as community forestry demonstration areas by state-appointed advisory committees. [H.R. 3650](#) (Rep. Young – R-AK) would direct the U.S. Forest Service to convey up to two million acres of eligible NFS lands to a state meeting certain criteria. It is believed that Alaska is the sole state meeting the criteria.

Appropriations

On June 16, the Senate Appropriations Committee approved its version of the Fiscal Year 2017(FY17) Interior, Environment Appropriations bill, which funds the Forest Service, Department of the Interior, and Environment Protection Agency. In the [May AFRC Newsletter](#) we outlined some positive provisions in the FY17 House Interior Appropriations bill, including a \$25 million increase for the Forest Service timber sale program, a \$20 million increase in hazardous fuels reduction activities, required report language setting expectations for a four billion board foot (bbf) timber sale program (up from 3.2 bbf this year), and full utilization of the K-V authority. The Senate Interior Appropriations bill would increase the Forest Service timber sale budget by \$10 million to \$369 million. The hazardous fuels reduction program would see a \$15 million increase, and the roads program would receive a \$7 million increase under the Senate proposal.

The Senate Interior Appropriations bill would fully fund the Forest Service’s ten-year wildfire suppression cost and provide an additional \$490 million to the agency in emergency suppression funding. The House Interior Appropriations bill includes a 3,000-acre forest management Categorical Exclusion (CE) similar to a provision included in H.R. 2647. The Senate Interior Appropriations bill includes a streamlined proposed action/no action alternative for collaborative forest management akin to the authority included in the Senate Energy and Natural Resources Committee’s discussion draft legislation.

Unfortunately, the management of the BLM’s O&C lands would see another significant reduction under the Senate Interior Appropriations bill. Last year, the Senate sought to cut the program by \$8 million, and Congress ultimately settled on a \$6 million reduction in the final FY16 appropriations bill. The Senate proposal would cut the program by another \$5 million in FY17. The House would reduce the program by less than \$1 million, which is equal to the Administration’s requested level. Similar to the House, the Senate Appropriations Committee included report language signaling its displeasure with the BLM’s pending Resource Management Plans (RMPs) for Western Oregon:

“The Committee is concerned about the Bureau’s ability to generate an adequate and predictable supply of timber and the resulting county revenues in Western Oregon under the agency’s proposal to limit sustained yield management to just 20 percent of the forest land. The Committee is concerned that the Bureau’s recent management and pending plans are inconsistent with the agency’s principal obligation under the Oregon and California Act and bellies the agency should reconsider its current direction.”

While AFRC agrees with the sentiments expressed by the Committee, the Association will be working with the Oregon Delegation, and the leadership of the Appropriations Committees in both chambers, to provide the BLM the resources it needs to plan and implement timber sales.
/Heath Heikkila

Court Win: Lost Creek-Boulder Creek Landscape Restoration Begins

In a major legal victory, on June 14, federal District Court Judge Edward Lodge [denied](#) a request for a temporary restraining order of the Lost Creek-Boulder Creek landscape restoration project on the Payette National Forest. Implementation of the Fourth Rock Stewardship Contract, the first piece of the project, began the following day, June 15. The Lost Creek-Boulder Creek case is one of the first projects to be litigated after being developed under the Collaborative Forest Landscape Restoration Program (CFLRP). The project aims to restore approximately 80,000 acres in the Payette using varied silvicultural treatments, including over 20,000 acres of commercial timber harvest.

AFRC intervened on behalf of Adams County and the Payette Forest Coalition (PFC), a collaborative group that drove development of the project (see [January 2016](#) newsletter). AFRC members Idaho Forest Group and Boise Cascade are members of the PFC, along with environmental organizations Trout Unlimited, Idaho Conservation League, and Secesh Wildlands Coalition. All of the members of the PFC came together to support the project by consensus. Idaho Forest Group was designated the high bidder on the Fourth Rock Stewardship Contract in September 2015.

The plaintiffs, three groups that rejected the collaborative process, alleged the Forest Service improperly failed to consult on bull trout critical habitat at the Forest Plan level, improperly relied on a draft wildlife conservation strategy, improperly changed the desired condition for forested lands within the project area, and failed to follow the proper procedures regarding the minimum road system in the project area. Although the Fourth Rock Contract was bid out last fall, plaintiffs did not seek a restraining order until two weeks before the implementation start date.

Judge Lodge denied the request to halt the project, finding that the plaintiffs were not likely to succeed on their claims. The court also found that the broad interests alleged by plaintiffs in the entire project area did not demonstrate particular legal injury from this contract. The restorative purpose of the project weighed strongly against irreparable harm. Additionally, the court ruled, “Logging is not per se sufficient to warrant an injunction, despite the fact that certain trees will be permanently removed from the forest.”

The court found the public interest favored the project:

“The Project’s intended purpose in restoring forest conditions, reducing wildfire risks, and improving watershed and wildlife habitat all benefit the public...the Project’s logging and related activities are in the public’s interest in this case because they provide employment and economic benefits to the surrounding communities.”

The court also placed emphasis on the PFC’s role in the project, finding “the collaborative efforts of all Defendants in developing the Project is in the public’s interest,” as well as that, “the public has an interest in supporting the collaborative process that was used in this case to develop the Project.”

AFRC appreciates the work on this project by the members of the PFC and the Forest Service. The Association will continue to work with partners, federal agencies, and the community to make progress in forest restoration, and to support productive collaboration efforts. */Lawson Fite*

AFRC Asks Supreme Court to Take Up Forest Plan Consultation Case

On June 10, AFRC and the Western Resources Legal Center jointly filed an [amicus brief](#), on behalf of AFRC and allies, urging the U.S. Supreme Court to take the case of [United States Forest Service v. Cottonwood Environmental Law Center](#). The Solicitor General of the United States filed a petition for certiorari asking the Court to decide whether Forest Plans are ongoing actions subject to a continuous requirement to initiate Endangered Species Act (ESA) consultation. The Ninth Circuit [decided](#) that there is such a requirement. It ruled that the Forest Service was required to reinitiate plan-level consultation on 11 forest plans that overlapped with critical habitat for the Canada lynx. The critical habitat was designated two years *after* the Lynx Amendments to forest plans were finalized.

As a result of the Ninth Circuit’s ruling, forest management actions over millions of acres are in doubt. Many forest management projects have been enjoined pending new ESA consultation on lynx. The legal precedent is of great concern to AFRC and its allies because of the potential to delay actions over a wide area anytime a new species is listed or new critical habitat is designated.

Both AFRC and the Solicitor General argue that the Ninth Circuit’s longstanding interpretation that forest plans are agency “action” subject to reinitiation of ESA consultation has been effectively overruled by the Supreme Court in [Norton v. SUWA](#). The Tenth Circuit recently concluded as much in [Forest Guardians v. Forsgren](#), and AFRC hopes the Supreme Court will take the case to provide consistency between the circuits, eliminate a claim requiring consultation on forest plans, and reduce administrative delay of future timber projects. This so-called “circuit split” is a strong reason for the Supreme Court to take the case.

Also joining the brief were the Public Lands Council/National Cattlemen’s Beef Association, BlueRibbon Coalition, Montana Wood Products Association, Montana Logging Association, Federal Forest Resource Coalition, Associated Logging Contractors – Idaho, Associated Oregon Loggers, Washington Contract Loggers Association, California Forestry Association, Douglas Timber Operators, and Intermountain Forest Association. AFRC appreciates their participation and support. */Lawson Fite*

Idaho Panhandle Salvage Moves Forward

The Idaho Panhandle National Forest had a severe 2015 wildfire season with a total of 193 fires on the Forest and 48,717 acres burnt. Twenty-seven of the fires were over 100 acres, with the three largest fires being the Grizzly, Tower, and Marble. The Forest deployed Rapid Assessment Teams in early October to assess the opportunities for salvage, and prepared environmental assessments (EAs) for Grizzly and Tower, and a Categorical Exclusion (CE) for Marble. The Forest Service teams worked diligently through the winter assessing nearly 6,000 acres for possible salvage.

Since the projects will not be sold until early summer, the Forest requested an Emergency Situation Determination (ESD) from the Chief of the Forest Service for the Grizzly and Tower fires to expedite the selling and harvest dates to begin salvage efforts. On June 2, the ESD was granted on the basis of stand deterioration and the need to quickly capture the economic value of the timber early in the summer and eliminate/mitigate the hazard along National Forest roads.

The CE for the Marble Fire Salvage has been signed and the project will be sold in mid-July when the higher elevation areas in the sale dry out. A decision was signed on the Tower Fire Salvage on June 23. Two sales were advertised this week and are scheduled for bid opening on July 8. The final decision on the Grizzly Fire Salvage is expected soon with the first two sales anticipated to be advertised in early July.

In addition to these three post disturbance restoration efforts, the Forest has also sold salvage decks and anticipates selling a lot of firewood. AFRC would like to thank and congratulate the Forest for all of its hard work to get this important work done and putting economically viable timber sales up for sale. The wood from these sales will help to maintain the forest products infrastructure, provide jobs in the local communities, and generate revenues to the Forest for reforestation. / *Tom Partin*

Murrelet Update

The Washington Department of Natural Resources (DNR) is continuing its work on the Marbled Murrelet Long Term Conservation Strategy (MMLTCS). The Board of Natural Resources (BNR) was presented with its most significant update since the October 15, 2015 special meeting presentation. (see [October newsletter](#)). Since then, the BNR and staff have developed a new alternative, run all of the alternatives through the [“Analytical Framework”](#) and Dr. Peery has completed his population viability analysis.

A summary of Alternatives A through F along with the Analytical Framework outputs are described in the presentation found [here](#). The presentation includes the acres associated with each alternative by cover class (i.e. Not Long Term Forest Cover, LTFC, Inner Forest, Inner Edge, etc.) and information describing the process to calculate “take” and “mitigation” acres. The calculation examples include tables showing marbled murrelet specific conservation acres for each alternative, and a summary comparison of how each alternative performs for balancing “take” and “mitigation.”

The final portion of the presentation provides a refresher on Dr. Peery’s Population Viability Analysis for each alternative under two scenarios. One for all lands in the range of marbled

murrelet in Washington State and the other for DNR lands only within the same geographic location.

DNR staff reports they are working on the development of the draft EIS documentation and plan to return to the Board with initial potential harvest volume impacts based on the various alternatives. Currently, the Board is scheduled to convene its regular meeting on July 5, followed by two special meetings on July 27 and August 16. /*Matt Comisky*

Public Lands Commissioner Candidate Forums

Forums featuring all seven candidates for Washington State Commissioner of Public Lands will be held:

- July 11 at 7:00 p.m., Olympic High School Performing Arts Center, 1399 Carlyon Avenue, Olympia; and
- July 18 at 6:30 p.m., City Council Chambers, 210 Lottie Street, Bellingham

The League of Women Voters is the primary sponsor of the forums, and AFRC is co-sponsoring the July 11 event, which will be moderated by Austin Jenkins, an Olympia based reporter for the Northwest News Network. The event will be recorded by TVW for later streaming.

The seven candidates, Hilary Franz (D), Karen Porterfield (D), Dave Upthegrove (D), Mary Verner (D), Steve McLaughlin (R), and Steven Nielson (Lib) (see [AFRC May Newsletter](#)) have recently been joined by John Stillings (D). Stillings, a [1984 Olympic silver medalist](#), is an artist who lives in Seattle, who has [stated](#) that his priorities are “better forest health, wildfire prevention, and increasing ground water retention.”

Washington’s primary election is August 2, after which the top two candidates, regardless of party, will advance to the November general election.

The July forums will be an outstanding opportunity for voters to hear all candidates respond to questions regarding the position. AFRC urges it members and friends to attend. /*Ann Forest Burns*

New Acting State Director for Oregon BLM

In October 2015, Jerome Perez left his role of Oregon BLM State Director, a position which he had held for three years, to take the same post in California. Montana/Dakotas State Director Jamie Connell was assigned as acting Oregon State Director while the Department of the Interior sought candidates to fill the position. While candidates are being vetted through the hiring process (which may take until October), Connell has returned to her position in Montana, and Ron Dunton will fill the position of acting Oregon State Director.

Ron Dunton, a native of western Oregon, is currently the Assistant Director of Fire and Aviation based at the National Interagency Fire Center (NIFC) in Boise, Idaho, a position he has held since June 2014. As Assistant Director, he oversees the BLM’s entire Fire and Aviation program, including policy, operational oversight, and collaboration with partner agencies. Prior to his move to the NIFC, Dunton served as the BLM Deputy State Director in Alaska. He served

previously as the Project Manager and Authorized Officer for the BLM's Office of Pipeline Monitoring in Alaska, as a Deputy State Director in New Mexico, and as a Field Manager in the Socorro Field Office, also in New Mexico. AFRC welcomes Ron back to the Pacific Northwest.

/Ross Mickey

Ben Kessler Joins AFRC

AFRC is excited to welcome Benjamin Kessler, who recently joined AFRC's Portland office as a part-time communications specialist. He will work to strengthen AFRC's online presence using social media, manage the website, and help communicate AFRC's message to policy makers, federal agency personnel, and diverse interest groups.

Previously, Benjamin helped bolster communications at the World Resources Institute and the National Geographic Society, both headquartered in Washington, DC. Currently, he splits his time between AFRC and Portland State University, where he is studying for his MFA in Writing. Benjamin is excited to help develop and execute a proactive communications strategy for AFRC and to share the forest products industry's powerful and compelling narrative. */ Travis Joseph*