



## Washington DC Update

*Forestry in the Farm Bill.* Every five years, Congress is charged with developing and passing a "Farm Bill" that serves as an omnibus, multiyear law governing an array of natural resource programs. It provides an opportunity for policymakers to comprehensively and periodically address agricultural and food issues. The Farm Bill also contains a forestry title and has served as a major vehicle for important federal forest management policies and reforms, including an expansion of Good Neighbor Authority, Stewardship Contracting and new categorical exclusions to expedite certain forest treatments.

The last Farm Bill was enacted into law in December 2018 and expires in 2023. Failure to renew the Farm Bill would result in significant disruptions to the nation's food systems. However, Congress has been known to pass short-term extensions of the previous Farm Bill when it is unable to come together to approve new legislation.

Despite the political environment and a split U.S. House and Senate, there is broad, bipartisan support to move a substantive Farm Bill this year. As wildfires continue to devastate Western communities, both Republicans and Democrats have expressed interest in advancing policies in the Farm Bill to accelerate forest health treatments. Both the House and Senate Agriculture Committees will hold forestry hearings in early March, with U.S. Forest Service Chief Randy Moore scheduled to appear before the full Senate Agriculture Committee alongside Natural Resources Conservation Service (NRCS) Chief Terry Cosby and Farm Services Administrator Zach Ducheneaux on March 1.

The House Agriculture Committee Forestry Subcommittee is uniquely positioned to advance solutions to western forestry issues. Its chair, Rep. Doug LaMalfa (R-CA) represents a district that has been hard-hit by severe wildfires and is a strong supporter of the forest products industry. Other western members of the

## AFRC Annual Meeting – Register and Book Your Room at Skamania Lodge

Registration is open for the AFRC Annual Meeting, to be held April 11-13 at Skamania Lodge in Stevenson, Washington. Rooms are available at a discount rate until March 12, but we expect them to sell out soon! Register for the meeting and book your room today. More information on the agenda, registration and lodging can be [found here](#).

From the AFRC Golf Open to the popular Public Forests Managers' breakout sessions, our Annual Meeting is a premier event for forest professionals across the West. We will once again bring together leaders in industry and government for focused discussions and interactive panels on public lands management.

Join us for unique opportunities to network with colleagues in the industry, learn about key issues and policy innovations affecting public forest management, and meet with key federal land management executives and decision makers. We look forward to seeing you at Skamania Lodge!

subcommittee include Ranking Member Andrea Salinas (D-OR) and Reps. Marie Gluesenkamp Perez (D-WA), Lori Chavez DeRemer (R-OR) and Gabe Vasquez (D-NM). AFRC is working closely with the Federal Forest Resource Coalition and other partners to submit industry priorities for the Farm Bill as the omnibus package begins to take shape.

*Bipartisan letter to Chief Moore.* In early February, a bipartisan group of 19 U.S. House members [sent a letter](#) to Forest Service Chief Randy Moore, asking questions regarding the agency's timber program and its implementation of the Infrastructure law. The letter, led by Rep. Dan Newhouse (R-WA) and Rep. Derek Kilmer (D-WA), expressed the importance of providing more timber to support the nation's vulnerable forest products infrastructure that is essential to restoring forest health and reducing wildfire risks:

*“Our federal forests are overstocked with trees, which increases wildfire risk and stress on the trees – making them more susceptible to insects and disease – so it is imperative the Forest Service work alongside Congress to actively manage our forests, remove overgrowth, and ensure sawmills and other forest sector infrastructure remain open.”*

The letter asks, among other things:

- What is the strategy to increase the amount of timber harvested?
- How will the Forest Service ensure that each Region and Forest is assigned timber sale targets and meets these targets?
- How has the Forest Service proactively engaged with sawmills and forest contractors near National Forest System lands to ensure that timber sales are economically viable?
- How much standing sawtimber exists on acres of National Forest System lands that are designated as Insect and Disease Treatment Areas, as well as on the “priority firesheds” designated by the Forest Service in the first year of the 10-year wildfire strategy?

In addition to Newhouse and Kilmer, the letter was signed by House Agriculture Committee Chairman G.T. Thompson (R-PA), Rep. Kim Schrier (D-WA), Rep. James Moylan (R-Guam), Rep. Tom McClintock (R-CA), Rep. Lori Chavez-DeRemer (R-OR), Rep. Lauren Boebert (R-CO), Rep. Chris Stewart (R-UT), Rep. Burgess Owens (R-UT), Rep. Matt Rosendale (R-MT), Rep. Pete Stauber (R-MN), Rep. Jay Obernolte (R-CA), Rep. Dusty Johnson (R-SD), Rep. Ryan Zinke (R-MT), Rep. Cliff Bentz (R-OR), Rep. Russ Fulcher (R-ID), Rep. Doug LaMalfa (R-CA), Rep. Michael Guest (R-MS), Rep. Marie Gluesenkamp Perez (D-WA), and Rep. Jim Costa (D-CA).

*USDA announces new ‘Joint Chiefs’ investments.* The U.S. Department of Agriculture (USDA) announced it will invest more than \$48.6 million this year through the Joint Chiefs' Landscape Restoration Partnership for projects that mitigate wildfire risk, improve water quality, restore forest ecosystems, and ultimately contribute to the department's efforts to combat climate change. This is in addition to the \$490 million the Biden Administration announced last month to address wildfire risk on priority, at-risk landscapes on national forests. (See [January 2023 Newsletter](#)).

This year, the Forest Service and NRCS will invest in projects, including 14 new projects, bringing together agricultural producers, forest landowners, and National Forest System lands to improve forest health using available Farm Bill conservation programs and other authorities.

Thanks to additional funding provided in the bipartisan infrastructure law, the new Joint Chiefs projects will benefit national forests through targeted thinning, hazardous fuel treatments, fire breaks, and other treatments. In the far west these include national forests in California, Idaho, Montana, and Oregon. Additionally, USDA is investing \$31.2 million in 25 existing projects. A full list of Joint Chiefs projects is [available here](#). /Nick Smith

<h2>The AFRC Podcast</h2>  <p><b>Episode 18: Sierra Pacific Industries announces major expansion in Eugene, Oregon</b></p> 	<p>The <a href="#">AFRC Podcast</a> is a monthly discussion examining key issues and news relating to forestry, forest products and public lands management.</p> <p>Sierra Pacific Industries (SPI) announced plans to make major new investments at the company's existing Eugene, Oregon manufacturing site. Once complete, the expansion will nearly double the company's production capacity to a total of 650 million board feet. The facility will continue to employ over 300 people, though the economic impact of this expansion will be felt throughout Lane County and the entire state. Todd Payne, SPI's President of Lumber, joins the podcast to provide details on the expansion, and what it means for the company's workers, communities and Oregon's economy.</p> <p><a href="#">Click here to listen to Episode 18.</a> Our podcast is available on Spotify! Also now available on Apple Podcasts!</p>
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## Washington Legislative Update

It has been a busy month for AFRC and our member companies engaging in the 105-day Washington Legislative Session, which convened on January 9 and is now nearing the half-way mark.

*DNR Carbon Offset and Ecosystem Services Legislation* ([SB 5688/ HB1789](#)). On February 3, nearly four weeks into the legislative session and without any public input or stakeholder involvement, the Department of Natural Resources (DNR) introduced sweeping new legislation, SB5688 and HB1789, granting it broad authority to enter into 125-year contracts with private interests to sell “carbon offsets” and other “ecosystem services” from all state lands - including state trust lands that are required under law to generate revenue for schools, counties, and other public services.

Commissioner of Public Lands Hilary Franz has [testified](#) that the legislation is needed to allow DNR to participate in carbon offset and ecosystem services markets to help fund reforestation, silviculture treatments, and avoid conversion projects to benefit working forests and our carbon emission reduction goals. Franz has suggested that the legislation will increase the acreage and timber harvest from DNR state trust lands, although supporters of the bill [believe the intent](#) is to remove more state trust lands from sustainable timber management through carbon offset revenues.

SB5688 and HB 1789 both passed out of their legislative policy committees on February 17, the policy committee cutoff date. However, Democrats and Republicans acknowledged the bill remained flawed after receiving strong public opposition and testimony from the forest sector, state trust land beneficiaries, and others.

SB 5688 was not amended before being passed on a party-line vote by the Senate Environment, Energy & Technology Committee. It did not receive action in the Senate Ways & Means Committee prior to the February 24 fiscal committee cutoff, so it appears that HB 1789 will be the vehicle moving forward.

Members of the House Ag and Natural Resources Committee amended HB 1789 with [language](#) developed by DNR and Rep. Joel Kretz (R-Wauconda) in response to the many concerns that were raised. Unfortunately, the revised language would not prevent DNR from participating in carbon markets that will reduce timber volumes and revenues from state trust lands.

HB 1789 was passed by the House Capital Budget Committee on a party-line vote on February 22 and is now before the Rules Committee, the last step before being brought up for a vote on the House floor. AFRC has drafted amendment language that would prevent DNR from participating in controversial carbon markets that will impact harvest volumes and revenues and sideboard to protect short-term and long-term harvest volumes.

*Requiring Board approval of DNR leasing decisions (SB 5254).* SB 5254 is sponsored by Senator Kevin Van De Wege (D-Sequim) and would require that the Board of Natural Resources approve certain leasing decisions. The legislation was inspired by DNR's "Carbon Project" to withdraw 10,000 acres of state trust lands from sustainable timber harvest to instead lease these lands to a private company to sell carbon offsets on voluntary, unregulated carbon markets. SB 5254 narrowly cleared the Senate Agriculture, Water, Natural Resources & Parks Committee on February 9 and the Senate Ways and Means Committee on February 24. It is now pending before the Senate Rules Committee. DNR strongly opposes the legislation.

*DNR Trust Land Transfer legislation (SB 5372 / HB 1460).* DNR's proposed legislation to expand the Trust Land Transfer (TLT) program is also advancing in the legislature. Nearly 71,000 acres of state trust lands have been lost since the inception of the TLT program. AFRC is working to secure key limitations to prevent further loss of working state trust lands.

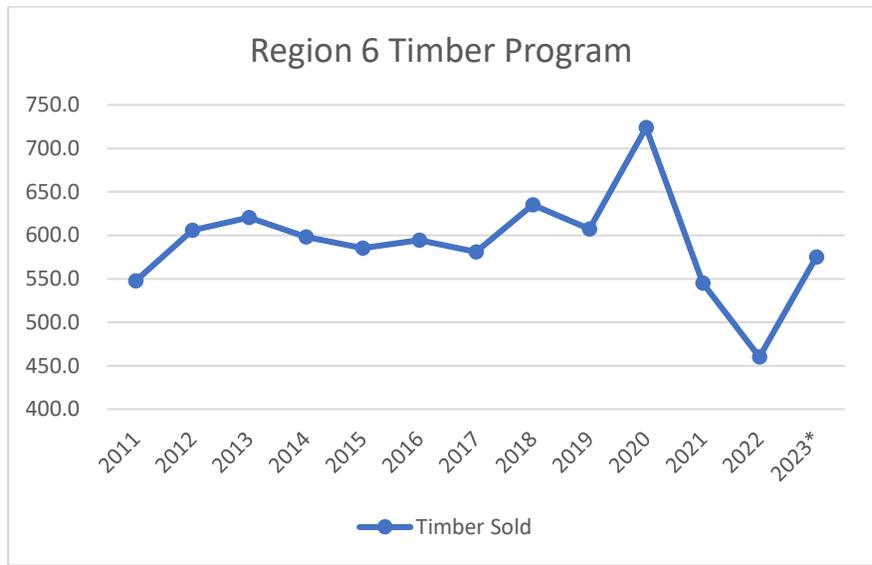
SB 5372 did not advance out of the Senate Ways and Means Committee, so HB 1460 will likely be the vehicle moving forward. HB 1460 was passed by the House Capital Budget Committee on February 16 when an amendment from Rep. Kevin Waters (R-Stevenson) to address several of our primary concerns was rejected on a party-line vote. HB 1460 passed the full House of Representatives on February 27.

AFRC will be working with leaders in the Senate, including Senators Christine Rolfes (D-Bainbridge Island) and Shelly Short (R-Addy), in the hopes of amending the bill to prevent further loss of working state trust lands. /Heath Heikkila

## **Forest Service Announces FY23 Timber Targets**

This month, the Forest Service Washington Office announced FY 2023 timber harvest targets for each Region in the country. This announcement is a welcome sign following last year when, for the first time in decades, the agency failed to set any Regional targets. Not likely by coincidence, 2022 saw sharp declines in timber outputs from multiple Regions that led to a national reduction of 12% from the agency's recent highwater mark of 3.3 billion board feet in 2019. If accomplished, this level of outputs for 2023 would put the agency back on the trajectory of growth that has been steady since around 2011.

Region	FY23 Final Targets (MBF)
1	425,000
2	210,000
3	225,000
4	159,000
5	485,000
6	575,000
8	680,000
9	680,000
10	11,000
<b>Grand Total</b>	<b>3,450,000</b>



\*projected

Of particular note is the projected timber output level from Region 6. An increase in those outputs in 2023 to a level more closely resembling the Region’s past accomplishments is encouraging following a sharp two-year decline since 2020. /Andy Geissler

**U.S. Fish and Wildlife Service Announces Proposal to List the California Spotted Owl under the Endangered Species Act**

On February 23, the U.S. Fish and Wildlife Service (FWS) announced its [proposal](#) to list two distinct populations segments (DPSs) for the California Spotted Owl (CSO) (*Strix occidentalis occidentalis*), a species distributed across California and Nevada, under the Endangered Species Act (ESA). 88 Fed. Reg. 11,600 (Feb. 23, 2023).

FWS proposes to list the Coastal-Southern California DPS as endangered and the Sierra Nevada DPS as threatened with a section 4(d) rule that exempts the prohibition of “take” under the ESA for forest fuels management activities that reduce the risk of large-scale, high-severity wildfire.



Photo by Rick Kuyper/USFWS

This listing determination follows a 2021 stipulated [settlement agreement](#) in a case that challenged the Trump administration’s finding that listing was “not warranted” for the CSO. *See Sierra Forest Legacy et al. v. U.S. Fish and Wildlife Service*, 5:20-cv-05800-BLF (N.D. Cal.). AFRC was part of the Coalition for Owls, Resources, and the Environment, participating in the litigation as Defendant-Intervenors. Per that stipulated settlement agreement, on or before February 15, 2023, FWS was required to submit a new “12-month finding as to whether the listing of the California spotted owl as threatened or endangered is (a) not warranted; (b) warranted; or (c) warranted but precluded by other pending

proposals, pursuant to 16 U.S.C. § 1533(b)(3)(B).”

FWS has now determined that the greatest ongoing threats to the CSO include habitat loss resulting from large-scale, high-severity wildfires, competition, and hybridization with non-native barred owls, tree mortality due to drought and beetle infestations, and temperature and precipitation changes related to climate change. According to FWS’s [press release](#):

“The Coastal-Southern California DPS does not have a strong ability to withstand normal variations in environmental conditions, persist through catastrophic events, or adapt to new environmental conditions throughout its range, which led the Service to propose listing the DPS as endangered. The Sierra Nevada DPS has a reduced ability to adapt to changing environmental conditions due to habitat loss and fragmentation from wildfires. However, this DPS can still withstand normal variation in environmental conditions, and some parts of the population remain in stable condition, which led the Service to propose listing it as threatened with a 4(d) rule.”

As stated by FWS above, large-scale, high severity wildfire is the biggest threat to the CSO. The inclusion of a 4(d) rule permitting “take” of the Sierra Nevada DPS specific to forest management designed to reduce the risk of such wildfire indicates FWS’s support for forest health and fuels reduction treatments that may have short-term adverse effects to the CSO.

In 2017 and 2020, a Memorandum of Understanding was signed by Sierra Pacific Industries, the California Department of Forestry and Fire Protection, the National Fish and Wildlife Foundation, and the Forest Service to coordinate on certain actions that involve



Map from 88 Fed. Reg. 11,600.

wildfire fuel reduction efforts and CSO conservation. Because most of the land inhabited by the CSO is managed by the Forest Service and Sierra Pacific Industries, FWS acknowledges that “[i]mplementation of their fire risk reduction plans could help improve California spotted owl habitat in the coming years.” AFRC will submit comments on the proposal which are due April 24. /Sara Ghafouri

**AFRC Defends the Eastside Screens Amendment and 15 Scientists File a Letter Disputing Plaintiffs’ Allegations of Scientific Controversy**

On February 21, AFRC and the Eastern Oregon Counties Association filed [an opposition brief](#) in the challenge to the Forest Service’s Eastside Screens Amendment by anti-forestry groups Greater Hells Canyon Council, Oregon Wild, Central Oregon LandWatch, Sierra Club, Great Old Broads for Wilderness, and WildEarth Guardians. See *Greater Hells Canyon Council et al. v. Wilkes et al.*, No. 2:22-cv-00859-HL (D. Or.).

As previously reported, one of the Eastside Screens’ wildlife standards was a blanket prohibition on the removal of trees over 21-inches at diameter breast height (dbh) in situations where the late old structure (LOS) forest was below its historic range of variability *and* where the proposed harvest activity was outside of the LOS.

	Scenario A1	Scenario A2	Scenario B
HRV Status / Whether Proposed Harvest is in LOS	Any one type of LOS Forest (multi or single canopy) is below HRV / Proposed harvest is within LOS	Any one type of LOS Forest (multi or single canopy) is below HRV / Proposed harvest is outside of LOS	Both types of LOS are at or above HRV / Proposed harvest is either within or outside of LOS
Timber Harvest Constraints	Harvest is allowed to either: (1) maintain or enhance LOS, or (2) manipulate one type of LOS to move stands into the LOS stage that is HRV-deficient. 21-Inch rule does not apply. <sup>4</sup>	21-Inch rule applies.	Harvest may occur, but LOS conditions may not fall below HRV

*\*Eastside Screens Chart Summarizing Wildlife Standards taken from Government’s Opposition Brief (Dkt. 56).*

But in practice the 25-year old Eastside Screens necessitated numerous project-specific amendments to forest plans in order to accomplish necessary forest health projects, a process that was an inefficient, piecemeal approach to forest management (See [January 2021 Newsletter](#)).

Citing climate change, poor forest management, drought conditions, and the unprecedented scale of recent wildfires, in 2021 the Forest Service approved a modest amendment the [Old Tree and Large Tree Guideline](#), which converts the previous standard into a guideline and requires the retention of trees 150-years-old or older and the retention of large trees—i.e., grand or white fir tree 30-inches dbh or larger and any other species 21-inches dbh or larger. AFRC supports this guideline because it gives land managers the flexibility to remove larger, less fire-tolerant trees in forest restoration and wildfire mitigation projects and will result in better active forest management and healthier forests.

Since the Forest Service’s adoption of the Eastside Screens Amendment, the agency has developed several projects that implement hazardous fuels reduction and forest resiliency treatments. Some projects are in the Wildland Urban Interface, where the wildfire threat to communities is heightened. If the challenge to the Eastside Screens Amendment is successful it would likely halt forest health treatments on at least 209,000 acres of fire-prone federal lands.

In our opposition brief, AFRC explains that the Eastside Screens Amendment was carefully developed and is necessary to protect communities by improving forest resiliency to the impacts of climate change, drought, insects and disease, and increasingly intense wildfires: “By all accounts, the [Amendment] will provide equal or improved protections for old and large trees and improve forest health and resilience to wildfire on forest lands across eastern Oregon and eastern Washington.”

In their motion for summary judgment, anti-forestry groups assert, among other things, that the Eastside Screens Amendment’s purpose and need and its effects are “highly controversial” in the scientific community, such that the preparation of an Environmental Impact Statement is necessary under the National Environmental Policy Act (NEPA) (See [October 2022 Newsletter](#)). AFRC’s opposition brief explains that no such scientific controversy exists and that the anti-forestry groups’ disagreement with the Amendment does not qualify as a “controversy” for purposes of NEPA. Moreover, AFRC’s opposition brief provides numerous scientific citations that criticize the findings of Drs. Hanson, DellaSala, and Baker that were heavily relied upon by the anti-forestry groups in their brief.

Given that Drs. Hanson, DellaSala, and Baker have been widely contradicted by the scientific community, Dr. James Johnston, a professor at the College of Forestry at Oregon State University, filed an [amicus curiae brief](#) with the Court, sharing a letter signed by 14 other forest ecologists who work for public universities and non-profit organizations, including Drs. Jerry Franklin and Norm Johnson known as the architects of the Northwest Forest Plan.

Most notably, the letter disputes the argument that there is any controversy over the historical forest conditions and the effect of the Forest Service’s Eastside Screen Amendment, stating: “Many of Plaintiffs’ arguments about scientific controversy appear to be a straw man “designed to confuse salient issues rather than accurately characterize the state of the science. We believe that Plaintiffs’ arguments are designed to give the impression of scientific controversy where no meaningful controversy among scientists exists.”

The letter also explains how the scientific papers relied upon by plaintiffs from Drs. DellaSala and Baker are “full of mischaracterizations of other scientists’ research and contain[] no meaningful or empirical rebuttal of our findings or our colleagues’ findings.” Participation from scientists in cases like these is uncommon, which signals that the 15 forest ecologists felt strongly that the court should be provided with an accurate portrayal of the state of the science. Unsurprisingly, the anti-forestry groups are opposing the participation of Dr. Johnston, given some of the powerful statements in the letter. Briefing on motion is ongoing and, therefore, Magistrate Judge Hallman has not yet ruled on the motion to appear as an amicus.

Oral argument on the motion for summary judgment is scheduled for May 1 at 1:30 p.m. in Pendleton, Oregon. Western Resources Legal Center attorneys Caroline Lobdell and Aaron Bruner will argue on behalf of AFRC and the Eastern Oregon Counties Association. /Sara Ghafouri

## **AFRC Defends the South Fork Stillaguamish Vegetation Project Before the Ninth Circuit**

On February 13, [oral argument](#) was held on the challenge to the South Fork Stillaguamish Vegetation Project in Seattle, Washington, before Ninth Circuit Judges William Fletcher, Richard Paez, and Lawrence VanDyke. AFRC represents Hampton Lumber Mills-Washington, Hampton Tree Farms, and Skagit Log and Construction as Defendant-Intervenors-Appellees. AFRC's General Counsel, Sara Ghafouri argued on their behalf. *See North Cascades Conservation Council v. U.S. Forest Serv.*, Case No. 22-35430 (9th Cir.). Plaintiff-appellant, North Cascades Conservation Council (Council), appealed the decision from the U.S. District Court for the District of Western Washington, which upheld the Project in April 2022.

The South Fork Stillaguamish Project on the Mt. Baker-Snoqualmie National Forest involves commercial thinning on 2,000 to 3,300 acres of second-growth stands within Late Successional Reserves, 1,060 acres of non-commercial thinning, and the decommissioning of 18.6 miles of road. The Bonanza Thin Timber Sale and the Mallardy Thin DXP Stewardship contracts were awarded to Hampton, and the Green Grouse Stewardship contract was awarded to Skagit Log and Construction. The Project relies on only open, stored, and temporary roads, all of which will be decommissioned. (See [June 2021 Newsletter](#))

The Council claims the Project is inconsistent with the 1994 Northwest Forest Plan's requirement that there will be "no net increase in roads" within Key Watersheds and the 1990 Forest Plan's requirements for primary cavity excavators, such as woodpeckers. The Council also made additional claims under NEPA, the Endangered Species Act, and National Forest Management Act, which AFRC asserted were waived on appeal. During oral argument, the Council argued that temporary roads result in a net increase in road mileage because they could last the Project's entire duration of 10 to 20 years and therefore must be concurrently offset to comply with the Northwest Forest Plan's no net increase requirement. Overall, the Council only addressed the roads issue under the Northwest Forest Plan and conceded many of their sub-arguments with respect to roads.

Questioning from the Judges focused entirely on roads associated with the Project, including the type, classification, duration, and requirements. Judges Fletcher and VanDyke both asked about the duration of the Project and other authorized treatment activities with a shorter timeframe. The Council argued there is nothing preventing the Forest Service from leaving temporary roads open during implementation of the entire Project, taking issue with how the Forest Service conducted its road inventory, how the agency characterized roads, and how that information was presented in the Project's analyses.

However, the Council conceded that all temporary roads will be decommissioned at the end of the Project. The Council could not, when asked, direct the Court to a specific road that was misclassified and, therefore, would not be decommissioned by the Forest Service or a temporary road that had been held open for too long of a duration. Judge Fletcher also asked whether the Council would be satisfied if the government was willing to commit to closing temporary roads upon conclusion of each treatment activity and timber sale authorized under the Project, the Council said that would satisfy their concerns.

Judge Fletcher similarly asked government counsel whether the Forest Service would be willing to commit to closing temporary roads at the end of each activity authorized under the Project. The government responded that they would make such commitments and emphasized that "[e]very single mile of temporary road created for this project will be decommissioned" and there will actually be a net *decrease* in road miles at the end of the Project. But the government also explained that there is no "too"

long limitation in the Northwest Forest Plan for temporary roads to be held open—only that there should be “no net increase,” meaning a need to look at the total roads at the end of the Project.

AFRC provided the Court with specific citations that the temporary roads must be decommissioned after use, not at the end of the Project’s duration, with details about temporary road construction, phased road decommissioning, and the Project’s stewardship and timber sale contracts. AFRC pointed the Court to multiple citations within the Forest Service’s Project analyses and the administrative record. AFRC also explained to the Court how contractors carry out their road operations, specific to each contract and the needs for harvesting and treatment operations, and the usual and customary practices undertaken to open, use, and then decommission a road.

Though difficult to predict how the Ninth Court will rule, questions from the Judges seemed as if they understood that this is a very beneficial Project. Judge Paez’s concluding remarks acknowledged that the Project will result in a decrease in road miles and do “good” work thinning in stands under 80-years-old, posing that vacatur of the Project may not be appropriate when the Council seems to only ask for assurances on temporary road closures within Forest Service contracts and/or the Project’s authorization analyses. /*Sarah Melton*

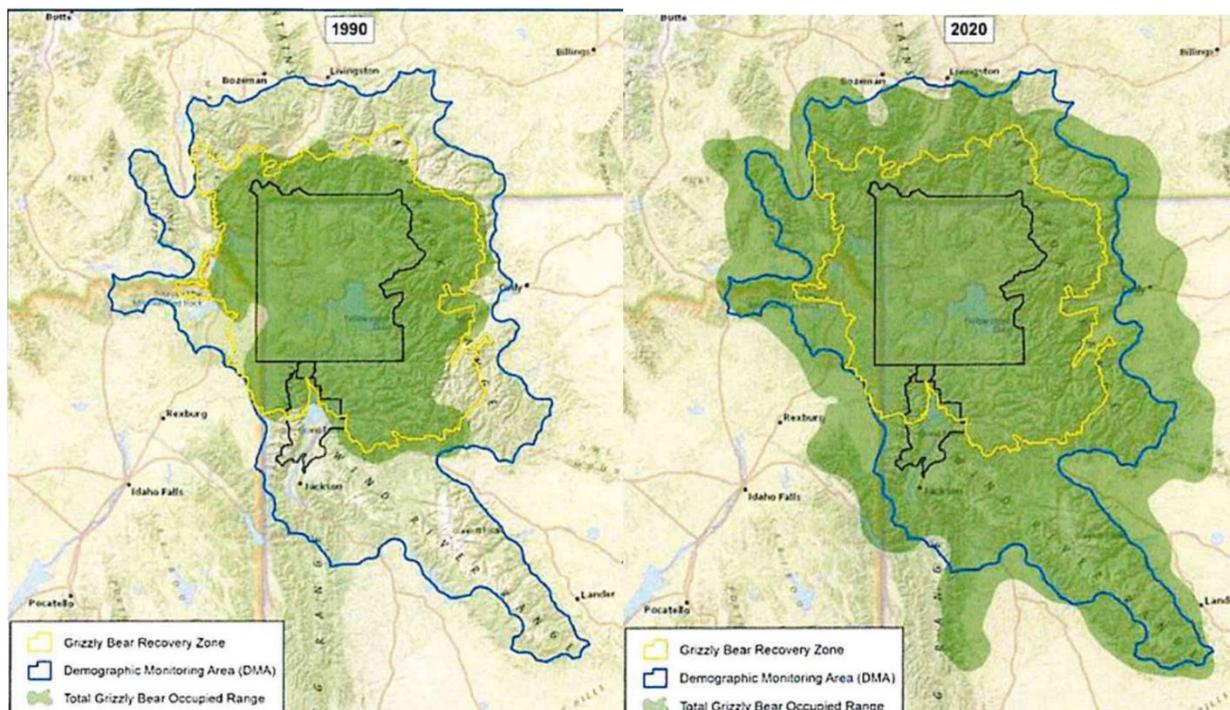
## **U.S. Fish and Wildlife Service Considers Petitions to Delist Certain Grizzly Bear Populations**

The U.S. Fish and Wildlife Service (FWS) is initiating a [status review](#) to determine whether actions described in petitions to delist the grizzly bear in the lower 48 states are warranted. FWS received three petitions related to the grizzly bear and has determined that two of those petitions pertaining to the Northern Continental Divide Ecosystem (NCDE) and the Greater Yellowstone Ecosystem (GYE) present substantial scientific information indicating that the petitioned actions (delisting) may be warranted. FWS determined that a third petition from the state of Idaho proposing delisting across the entire lower 48 states does not warrant such review. The grizzly bear is currently listed as threatened in the lower 48 states.

The states of Montana and Wyoming submitted petitions to delist the NCDE and GYE respectively. Montana’s petition asserts that the recovery goals regarding the grizzly’s population have been met since 2013, and that population has continued to grow to over 1,000 bears since then. FWS’s 2021 Status Review categorized the condition of the NCDE and the resiliency of its habitat factors as “high.” That Review also rated the resiliency of the GYE as “high.” The petition from Wyoming makes similar assertions, specifically noting the expansion of the bear’s range since 1990 as illustrated below.

Although much of the bear’s expansion on the GYE encompasses private land, overall land ownership across both Ecosystems is primarily public with the National Park Service and the Forest Service managing the majority of those lands across Glacier, Grand Teton, and Yellowstone National Parks and the Flathead, Helena-Lewis and Clark, Shoshone, Bridger-Teton, Lolo, Kootenai, Caribou-Targhee, Custer-Gallatin, and Beaverhead-Deerlodge National Forests. Management direction on those National Forests includes mechanisms to limit future habitat degradation or loss, including practices to limit motorized access, limit grizzly bear access to human-related attractants, and limit disturbance to grizzly bears. In particular, the revised Management Plan on the Flathead National Forest and Plan Amendments to the Helena-Lewis and Clark, Lolo, and Kootenai National Forests included specific habitat management direction for the NCDE population. FWS’s 2021 Status Review indicates that “Federal land managers have adopted land management plans that contain legally binding and enforceable science- and

research-based measures and management practices designed specifically to conserve the grizzly bear in the lower-48 States.”



FWS is currently requesting new scientific and commercial data and other information regarding the grizzly bear in the NCDE and GYE and factors that may affect its status in those ecosystems, including the adequacy of existing regulatory mechanisms to address threats now and in the foreseeable future. Based on the status review, FWS will issue a 12-month petition finding, which will address whether or not the petitioned actions are warranted. AFRC will be providing written input in response to this solicitation. /Andy Geissler

### ***AFRC in the News***

- Travis Joseph was featured in a [KVAL TV](#) news story on the Oregon Logging Conference.
- AFRC’s work on the Eastside Screens litigation was featured by the [Capital Press](#).
- Nick Smith comments in the [Seattle Times](#) on revenue reductions to state trust land beneficiaries under the Washington Department of Natural Resources’ carbon bill.

### **Colville and Nez-Clear to Receive Additional Wildfire Funding**

Last month, the Forest Service identified 11 additional National Forest landscapes that will receive funding to help carry out their 10-year strategy for confronting the wildfire crisis in the West. The Colville and Nez Perce-Clearwater National Forests were among the 11 chosen to receive additional funding to treat priority landscapes on their Forests. These 11 additional landscapes join the original 10 highest priority landscapes that were identified in April 2022.

Funding for the first 10 landscapes came from the Bipartisan Infrastructure Bill which allocated \$5 billion in additional funding to the Forest Service over 10 years including \$1.8 billion for fuels and vegetation treatments in the Wildland Urban Interface. Funding for these latest 11 landscapes will come from the Inflation Reduction Act.

*Colville Northeast Washington Vision.* This landscape is adjacent to the Colville Reservation in northeastern Washington, communities within this landscape include Tonasket, Republic, Colville, Chewelah, Metaline Falls, Ione, and Newport. Critical infrastructure in the landscape includes State Routes 395 and 20 and large energy facilities, including biomass and hydropower. The scope of work will reduce fuels to limit wildfire impacts and the risk of catastrophic wildfire and improve prospects for postfire recovery. Current fuels treatment projects will be expanded to broaden the scale of active forest management. The local wood products industry—already an integral partner—will become larger and more versatile. Communities and critical infrastructure will be better protected and receive better support for postfire recovery. The goal is to treat an additional 2,000 acres per year with a total of 20,000 acres over the next 10 years. The expected funding for 2023 is an additional \$2.16 million for the Colville.

*Nez Perce-Clearwater-Lower Salmon.* This landscape is adjacent to the Nez Perce Reservation and other rural communities, and provides cultural and natural resources, including food, water, timber, and recreation. The area includes watersheds of the Clearwater, Salmon, and Snake Rivers, as well as Idaho County—the state’s largest county and 85% federally owned. This area is also critical for the local timber industry, which also depends on roads and other infrastructure at risk from wildfire.

The Forest plans to use Good Neighbor Agreements with the Nez Perce Tribe, Idaho Department of Lands, and Idaho Department of Fish and Game, to reduce hazardous fuels and restore watersheds. The work will be accomplished with the timber industry to help with mechanical timber removal. Work on this landscape will reduce fuels in and near high-risk fireheds, treat acres identified in the “Idaho Forest Action Plan,” and restore watersheds critical to communities and habitat for threatened and endangered fish. The expected funding for 2023 is \$34 million and the project goals include treating 5,000 acres in FY 2023 with a total of 55,000 acres expected to be treated over 5 years, including 2,500 acres of stream and wetland restoration.

*Okanogan-Wenatchee and Kootenai Projects Also Moving Forward.* The Okanogan-Wenatchee and Kootenai National Forests were two of the first 10 western Forests targeted to implement the 10-Year Wildfire Crisis Strategy. AFRC and our members work with these Forests and support this work. The Central Washington Initiative (CWI) on the Okanogan-Wenatchee is expected to receive \$102.6 million for fiscal years 2022, 2023, and 2024. The Forest and Washington DNR will work jointly to accomplish wildfire risk reduction work on 35,000 acres per year of National Forest System and other lands within the CWI landscape. The Kootenai Complex aims to treat hazardous fuels across 150,00 acres around rural Wildland Urban Interface communities. The Forest is expected to receive \$19.3 million in 2022, 2023, and 2024. The Forest hopes to treat upwards of 8,000 acres during those years.

AFRC and our members recently met with the Okanogan-Wenatchee, Colville, and Kootenai National Forests and received updates on their efforts to address the 10-Year Wildfire Strategy. All three Forests have committed to reaching their targeted treatment acres and have staffed up to reach those goals. *Tom Partin*