



## Washington DC Update

*Farm Bill.* On March 4, by a 34-17 vote the House Committee on Agriculture passed a Farm Bill reauthorization, the “Farm, Food, and National Security Act of 2026.” This bipartisan vote represents a significant accomplishment for Chairman Glenn “GT” Thompson (R-PA), who has led the committee since 2023. The last major Farm Bill reauthorization passed in 2018. More detail on the bill is [HERE](#).

The bill includes a robust forestry title, including:

- Directs USDA to develop a Categorical Exclusion for the removal of “high priority” hazard trees on project sizes up to 6,000 acres.
- Increases the size of existing Categorical Exclusions for collaborative restoration, wildfire resilience, and fuel breaks from 3,000 acres to 10,000 acres.
- A new Categorical Exclusion for vegetation management projects in electric utility rights-of-way, exempts projects from ESA and NHPA consultations.
- A new Categorical Exclusion for fuels reduction projects not to exceed 10,000 acres, including not more than 3,000 acres of mechanical thinning, if coordinated with local governments or other entities.
- Amends the Stewardship Contracting Authority to include retaining and expanding existing forest products industry infrastructure as an authorized purpose, increases the maximum term from 10 years to 20 years, and sets a contract cancellation ceiling.
- New requirements for initiating wildfire suppression activities within 24 hours of detection and places new standards for the setting of backfires.
- A fix to the Ninth Circuit’s notorious *Cottonwood* decision to clarify when reconciliation at the plan level is not required.
- Amends the Good Neighbor Authority to remove the prohibition on road construction activities and add counties and other “special districts” as qualifying entities.
- New standards for reporting hazardous fuels reduction accomplishments through agency budget requests.

Democrats were successful in amending the bill but complained that they were not consulted enough in its drafting. Ranking Member Angie Craig (D-MN) suggested that it “does not meet the moment.” Chairman Thompson said, “take the politics, take the Trump derangement syndrome out of it, plain and simple this is a great bill.”

It is an encouraging sign that seven Democrats joined the Committee’s 27 Republicans in supporting the bill. Bipartisan support will be needed to pass the House given the narrow Republican majority and factions within the Republican caucus. It is also not clear how much support the House bill would have in the Senate, which tends to avoid controversial issues.

*Fix our Forests, Permitting Reform.* We understand discussions are underway between key leaders in the Senate and the Trump Administration about potential changes to the Fix our Forests Act to streamline the bill to address issues related to Forest Service implementation. This could help pave the way for advancing the bill to a Senate floor vote as we approach the summer fire season.

Key Senate Democrats have also expressed renewed interest in potential bipartisan permitting reform. There is a large coalition led by the U.S. Chamber of Commerce that has maintained an active lobbying effort urging the Congress to act. The House has already passed the SPEED Act, which AFRC strongly supports.

*Montana's Daines and Zinke Announce Retirements.* Senator Steve Daines (R-Bozeman) and Congressman Ryan Zinke (R-Whitefish) announced they would not run for reelection.

Congressman Zinke, a former Secretary of the Interior under President Trump, Navy Seal, and Montana state legislator cited the need to focus on his health in an announcement that came on Monday, March 2 - just two days ahead of the March 4 filing deadline to run for office in Montana.

Senator Daines, who is finishing out his second six-year term in the U.S. Senate after serving one term in the U.S. House, cited a desire to spend more time with his wife, Cindy, and family. Daines' surprise announcement and request to withdraw his name as a candidate came just minutes before the 5PM filing deadline. Daines immediately endorsed Montana U.S. Attorney Ken Alme, who also filed just minutes before the 5PM deadline. The move effectively handed Alme the Republican nomination and avoided a crowded primary.

Daines has been the most vocal advocate for forest management reforms in the U.S. Senate and serves on the Energy and Natural Resources Committee. Daines also led Republican efforts to take the Senate majority during the 2024 election, which put him regular contact with President Trump. AFRC greatly appreciates the leadership of Senator Daines and his staff, who the Senator praised in his announcement.

Zinke, who played football at the University of Oregon, was also a strong supporter of active forest management and the need to address anti-forestry litigation. He was also a staunch defender of public lands.

Both races could get interesting. Seth Bodnar, who recently stepped down as the President of the University of Montana, just field to run for the Senate as an Independent. Bodnar, who attended West Point, was a Rhodes Scholar, and served as a Green Beret, was encouraged to run by former Montana Democratic Senator Jon Tester as an alternative to the Democratic candidates.

Zinke's seat, which comprises the western one-third of Montana and includes the college towns of Missoula and Bozeman, is generally considered competitive. Zinke had already drawn several Democratic challengers, including Sam Forstag, a smoke jumper. Three Republicans have filed for the seat, including Montana Secretary of State Christi Jacobsen and radio talk show host Aaron Flint, who is also a combat veteran. President Trump immediately endorsed Flint, whose campaign is being managed by a longtime Zinke staffer. In her campaign, Jacobsen highlights a video of Trump praising her candidacy for Secretary of State during a 2024 campaign rally in Montana. /Heath Heikkila

## **National Industry Leaders Launch the Federal Timber Purchasers Coalition (FTPC)**

This month, the Federal Timber Purchasers Coalition (FTPC) was officially launched as a 501(c)(6) organization with the goal of improving the quality, quantity, and operational viability of timber sales from Federal lands.

The FTPC Mission is to serve as a national unified voice of federal timber purchasers and contractors. The Coalition will work to improve the effectiveness, scale, and contract design and implementation of Forest Service and Bureau of Land Management timber programs through partnership and communication with the agencies, and through education and advocacy before Executive and Legislative officials.

The Federal Timber Purchasers Coalition will also carry on the important work of the Federal Forest Resource Coalition (FFRC), which allied with industry, conservation, and local government groups to support a growing and sustainable federal timber program in Washington, D.C. over the last decade.

The launch of the FTPC comes at a pivotal moment as bipartisan leaders and the Administration prioritize active management of Federal forests, expand domestic timber supply to support American workers and manufacturing, and wildfire resilience.

FTPC leadership and members will be engaged in helping implement the direction in the President's 2025 timber Executive Orders ([EO 14225](#), [EO 14223](#)) and passing bipartisan legislative reforms to increase active management included in the Fix Our Forests Act and Farm Bill.

*Background and Next Steps.* The FTPC was originally formed in 1962 (called the Federal Timber Purchasers "Committee") at the behest of then-Secretary of Agriculture Orville Freeman who sought a group to be the principal point of contact and communication between the Forest Service and the forest products industry relating to timber sales and timber sale contracts.

Over the last 50+ years, the Committee served as an informal, but effective, forum for the Forest Service, BLM, and federal timber purchasers to convene and discuss issues relevant to the federal timber program. For decades, and across Democratic and Republican Administrations and Congresses, the Committee worked together to solve technical and contractual challenges to help improve stewarding federal forests and the working relationship between federal agencies and private sector partners on the ground.

Since its creation in the 1960s, the Committee was managed under the umbrella of various forest products industry trade associations, including most recently by FFRC. In January 2026, the FFRC Board of Directors voted unanimously to transition FFRC into FTPC complete with an organizational name change, updated Bylaws and Articles of Incorporation, and a new governance structure. FTPC will now be governed by a five-person working Board of Directors with national reach and representation, including:

- **Travis Joseph**, FTPC President-elect of the Board, President/CEO of the American Forest Resource Council
- **Tim O'Hara**, FTPC Vice President-elect of the Board, President of the Forest Resources Association
- **Ben Wudtke**, FTPC Board Member, Executive Director of the Intermountain Forest Association
- **Max Braswell**, FTPC Board Member, Executive Vice President of the Arkansas Forestry Association

- **Richard Schwab**, FTPC Board Member, Schwab Brothers Hydraulics, representing the American Loggers Council

The newly launched and reinvigorated Federal Timber Purchasers Coalition formalizes and builds upon the important work of the original Committee. FTPC will be a nationwide membership organization consisting of individuals and businesses “engaged in harvesting of federal timber or in the processing of logs from federal lands into lumber or other forest products in the United States.”

FTPC membership inquiries should be sent to [adrienne@fedforest.org](mailto:adrienne@fedforest.org). FTPC will host its next Spring Meeting in Denver, Colorado the week of May 11. Registration and meeting details will be shared in the coming weeks. /Travis Joseph



**The AFRC Podcast**

The AFRC Podcast is a monthly discussion examining key issues and news relating to forestry, forest products and public lands management.

This month's guest is Dr. John Bailey, Professor of Silviculture and Fire Management at Oregon State University and Chair of the Society of American Foresters Committee on Forest Policy. We discuss how climate change and severe wildfire are reshaping forestry, the renewed SAF position statement on forest management and climate, and why mitigation, adaptation, active management, and wood products all play a role in sustaining resilient forests.

Click here to listen to Episode 54. Our podcast is also available on Spotify and Apple Podcasts

*Episode 54: OSU's John Bailey talks climate, carbon and sustainable forestry*

The AFRC Podcast

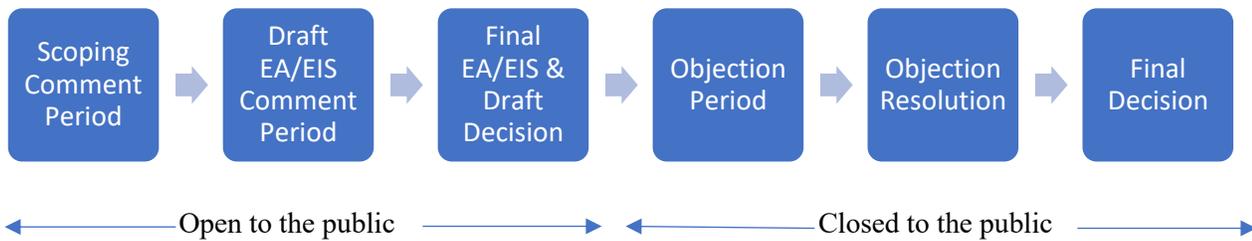
AFRC

## **Forest Service Proposes Rule to Amend the Objection Process**

The Forest Service is proposing to amend its project level regulations pertaining to the Predecisional Administrative Review Process, more commonly known as the Objection process.

Current regulations enable individuals and organizations who previously provided written comments on a Forest Service proposed project to submit predecisional “objections” prior to project approval. The substance of these regulations originated in the 2003 Healthy Forest Restoration Act (HFRA) and were later applied to non-HFRA projects in subsequent Appropriations Acts. Since then, the Objection process has had a fairly significant impact on final project design and implementation.

Since 2013, the garden variety public process for Forest Service project development consistent with the National Environmental Policy Act (NEPA) looks something like this:



The mere framing of ‘*Objection*’ tailors the Administrative Review Process to one facet of the public: those who oppose an action. As such, “valid” Objections are typically limited to those designed at stopping the proposed action or reducing it in size and scale. Another flaw of the Objection process is its exclusionary nature—only individuals or organizations who file valid Objections are permitted to participate in the Objection process, including the resolution stage which typically includes meetings with Forest Service decisionmakers and objectors to “seek resolution.”

Non-objectors who participated in the previous stages of public engagement are permitted to attend those meetings (if requested) but are typically prohibited from speaking or actively participating in any other way. The final flaw in the process comes when a Final Decision is issued. If that Final Decision incorporates Objection points and reduces the scope and scale of the proposed action, no further Administrative Review options are available to non-Objectors: the Decision is final.

Since AFRC views the Administrative Review period as just another step in the public involvement process, we have attempted to maintain our involvement by filing *supportive* Objections. Last month’s Proposed Rule explicitly prohibits Objections “labeled or submitted as an “objection” but entirely supportive in nature” (218.11(a)(9)).

The Proposed Rule also removes sections that explicitly discuss resolution meetings but does not prohibit them from occurring. It also shortens comment periods for EAs and EISs and creates page limits for Objections and Objection responses from the Forest Service. Comments are being accepted until March 9. More information on the Proposed Rule can be found [here](#). /*Andy Geissler*

### **BLM Proposes O&C Plan Revisions as Bentz Introduces O&C Renewal Act**

The Bureau of Land Management on February 19 published a [Notice of Intent](#) (NOI) to revise the Resource Management Plans (RMPs) that govern the 2.4 million acres of O&C lands in western Oregon. The magnitude of wildfires, declining forest health, and reduced timber supply were each identified as factors contributing to the need for a revision. The need for change is also tied directly to the O&C Act’s mandate to determine the productive capacity of O&C lands and to manage them consistently with the law.

O&C lands are unique from other federally managed forest lands as they are governed by the O&C Act for a permanent supply of timber based on the principles of sustained yield. Revenues generated from the sale of timber are shared with county governments to support essential public services such as law enforcement, road maintenance, and public health programs. After twenty years of management under the Northwest Forest Plan, the BLM most recently revised their RMPs in 2016. Those revised RMPs set aside 80 percent of the O&C lands from the sustained yield timber production that is mandated by the O&C Act.

The NOI indicates that the BLM has developed a preliminary alternative that would manage BLM lands to provide a sustained yield of timber production consistent with the maximum productive capacity of the lands. Lands potentially reserved from sustained yield timber production are identified as lands not capable of supporting timber production, congressionally withdrawn lands such as wilderness, non-forested areas, and streamside buffer areas.

Restoring active management across appropriate portions of the O&C lands has the potential to strengthen forest health, reduce wildfire risk, and support family wage jobs tied to the forest products sector across western Oregon.

The NOI also indicates that the BLM will proceed through this planning effort in an expeditious manner that will rely on forming analytical conclusions from previous planning analyses. They anticipate that this revision will necessitate the preparation of an Environmental Impact Statement and are accepting public comments through March 23. Comments that identify issues related to the management of O&C lands and other planning criteria are explicitly solicited.

In related news, Congressman Cliff Bentz recently introduced the [O&C Renewal Act](#) (H.R. 7603), legislation that would amend the O&C Act to reaffirm the original intent of Congress that these lands be managed for sustained yield timber production. The bill clarifies the definition of timberlands consistent with prior statute and directs the BLM to complete updated RMPs within two years. It also ensures that O&C Counties are included as cooperating agencies in the planning process, providing local governments with a meaningful role in shaping the management of lands that directly affect their economies and public services.

The legislation is intended to align federal policy with the statutory mandate of the O&C Act while supporting the ongoing RMP revision effort. Together, the introduction of the O&C Renewal Act and the BLM's decision to revise the current plans represent an important opportunity to restore responsible, active management to these highly productive forests while strengthening rural communities across western Oregon. /Andy Geissler

## **AFRC Files *Amicus Curiae* Brief in Support of the BLM's Siuslaw HLB Landscape Plan**

On February 20, AFRC filed an [amicus curiae brief](#) in the Ninth Circuit in support of the BLM and its Siuslaw HLB Landscape Plan (Siuslaw HLB Plan). See *Cascadia Wildlands, et al. v. Adcock, et al.*, No. 25-4161 (9th Cir. Filed July 3, 2025).

The BLM developed the Siuslaw HLB Plan to provide a multi-decade strategy for the Siuslaw Field Office to contribute approximately 7 million board feet each year from the Harvest Land Base (HLB) toward the BLM's harvest obligations under the O&C Act. The Siuslaw HLB Plan was designed to cover 13,225 acres of HLB lands and harvest 1,404–2,305 acres per decade. The Siuslaw HLB Plan would have represented a substantial share, approximately 13 percent, of the Eugene Sustained Yield Unit's annual allowable sale quantity under the O&C Act. The BLM issued an environmental assessment (EA) and tiered its analysis to the 2016 Final Environmental Impact Statement supporting the BLM's Northwestern and Coastal Oregon Resource Management Plan (2016 RMP FEIS).

On September 8, 2022, Plaintiffs Cascadia Wildlands and Oregon Wild challenged the Plan in the District Court of Oregon under the National Environmental Policy Act (NEPA) and the Administrative Procedure Act. The crux of Plaintiffs' claims was that the BLM failed to take a hard look at a variety of

environmental issues and should have prepared an environmental impact statement (EIS) instead of an EA. On April 24, 2025, District Court Judge Kasubhai vacated the Siuslaw HLB Plan and ordered the BLM to issue an EIS on remand. The Government then appealed the decision to the Ninth Circuit.

AFRC's *amicus* brief primarily highlighted two key issues. First, the detailed analysis provided by the BLM in the 2016 RMP FEIS was sufficient to support tiering in this instance and with respect to other projects.

Second, AFRC's brief explained that, in light of decisions issued from both the Supreme Court and the Ninth Circuit after the District Court's ruling, the Ninth Circuit should reverse the District Court's ruling on appeal. Specifically, approximately a month after the District Court's ruling, the Supreme Court issued its seminal opinion in *Seven County Infrastructure Coalition v. Eagle County, Colorado*, 605 U.S. 168 (2025) (*Seven County*). *Seven County* represents a "course correction" under NEPA to return to the "bedrock principle" of judicial review in NEPA cases—deference to the informed discretion of the responsible federal agencies.

In August 2025, the Ninth Circuit applied *Seven County* to a very similar case to the Siuslaw HLB Plan. *Cascadia Wildlands v. United States Bureau of Land Mgmt.*, 153 F.4th 869 (9th Cir. 2025). In *Cascadia Wildlands*, the Ninth Circuit held that the BLM took a hard look at the impacts from the agency's Big Weekly Elk Forest Management Project and held that it was appropriate to tier its EA to the 2016 RMP FEIS to satisfy NEPA. AFRC highlighted other similarities between the BLM's analyses in the two cases that should lead to a similar result in this litigation.

Although the appeal is months away from resolution, AFRC is hopeful that the Ninth Circuit will apply the recent precedent to reverse the District Court's decision, allowing the Siuslaw HLB Plan to move forward for the benefit of our forests and communities. /Greg Hibbard

### **AFRC and AOCC Intervene in Challenge to Last Chance Project**

On February 17, AFRC and the Association of O&C Counties (AOCC) [moved to intervene](#) in a challenge to the BLM's Last Chance Forest Management Project (Last Chance Project). *Klamath-Siskiyou Wildlands Center et al. v. Burgum et al.*, No. 1:25-cv-2296 (D. Or.) (Filed Dec. 9, 2025).

The Last Chance Project is located northeast of Grants Pass, Oregon in Josephine County and is a crucial project designed to offer multiple benefits: (1) meet the Medford District's declared allowable sale quantity under the O&C Act; (2) increase resistance to stand-replacing fire; and (3) promote the development of northern spotted owl habitat. In total, the Last Chance Project is expected to generate 81.4 million board feet. To date, two timber sales have been awarded—the Take a Chance Timber Sale and the Paul's Payoff Timber Sale. The sales were awarded to AFRC members Murphy Company and Boise Cascade, respectively. Additional sales are expected to be offered in the coming months.

The Last Chance Project is on its second iteration. The BLM originally authorized it in September 2024. After it was challenged by the same plaintiffs in November 2024, the BLM voluntarily agreed to conduct further NEPA analysis. In response, the plaintiffs voluntarily dismissed their claims without prejudice. The BLM issued a revised Environmental Assessment and Finding of No Significant Impact in the spring of 2025, which are the subjects of this second round of litigation.

Klamath-Siskiyou Wildlands Center, Oregon Wild, and Cascadia Wildland (Plaintiffs) challenged this latest version of the Last Chance Project in December under the Endangered Species Act, the Federal

Lands Policy and Management Act, and the National Environmental Policy Act. Murphy Company moved to intervene in January, and the Court granted its intervention on February 18. The Court has yet to rule on AFRC's and AOCC's motion, but we expect a ruling soon.

In the meantime, the case is moving along at a quick pace. On February 13, Plaintiffs filed a motion for preliminary injunction to halt activities under the Last Chance Project, including the Take a Chance and Paul's Payoff Timber Sales. The Federal Government, Murphy Company, and Proposed Defendant-Intervenors AFRC and AOCC submitted their response briefs on February 27, and Plaintiffs' reply is due March 9. Judge Kasubhai will hold oral argument in Eugene on March 17. AFRC remains hopeful that the important work under the Last Chance Project will be permitted to move forward while the litigation runs its course. /Greg Hibbard

## Two National Forests Plan to Treat High Priority Travel Corridors

The Flathead and Idaho Panhandle National Forests are taking steps to treat two of the most heavily used travel corridors on their forests in an effort to reduce the risk of wildfire and danger trees that line these roads.

The Idaho Panhandle National Forests held a stakeholder meeting late last year to kick off discussion on how best to treat the Highway 57 corridor, which runs approximately 35 miles from Priest Lake, Idaho to the community of Nordman, adjacent to Priest Lake. This corridor is one of the most heavily used recreational routes in the state and provides critical ingress and egress for many residents who live in the area. Heavy stands of dead and dying timber line the highway, creating hazards from falling trees and increasing the risk of catastrophic wildfire.



Highway 57 corridor with dead trees ➡



Highway 57 treatment discussions

Those participating in the meeting included staff from the Forest Service, Idaho Department of Lands (IDL), Idaho Department of Transportation, Northern Lights Electric Inc., Stimson Lumber, AFRC, members of the local collaborative, and the National Forest Foundation, which is helping facilitate the project. The initial plan calls for Highway 57 to be treated as a Good Neighbor Authority project overseen by IDL. Tentatively, the Forest will use the 3,000-acre categorical exclusion for planning purposes, focusing on the protection of roads, powerlines, and other infrastructure. The Forest and IDL are currently identifying the highest priority treatment areas that will both reduce fuels and improve safety along key ingress and egress routes for local citizens in the event of wildfire. The project is expected to go out for a

short scoping period later this summer, and the Forest hopes to use an Emergency Situation Determination to quickly implement work along Highway 57 once planning is completed.

The Flathead National Forest has begun planning the 67,536-acre Granite Moccasin project area, located south of Glacier National Park in Flathead County, spanning approximately 40 miles along U.S. Highway 2. This narrow canyon corridor includes the Burlington Northern Santa Fe Railway line, a natural gas pipeline, electrical transmission lines, and other utility and communication facilities. The Middle Fork of the Flathead River, which flows through this canyon, is also a popular recreation destination.

The communities of Essex, Pinnacle, and Fielding lie within the project area, alongside scattered private inholdings adjacent to National Forest lands. Approximately 30,380 acres of the Granite Moccasin project area are within the wildland urban interface. Because this area lies in and around Glacier National Park, recommended wilderness areas, a Wild and Scenic River corridor, and inventoried roadless areas, developing an effective treatment strategy has been challenging.



*Dense stands of timber along Highway 2*

The Forest ultimately selected a plan to treat a total of 4,700 acres using both commercial and non-commercial methods. These treatments would focus on expanding clearings along utility lines, managing dense stands in riparian areas along the Middle Fork of the Flathead River, and conducting fuels reduction work in the wildland urban interface near the communities listed above. This project is being planned and analyzed using the Authorized Emergency Actions under Section 40807 of the Infrastructure Investment and Jobs Act. The Forest hopes to implement work in this area quickly.

Both of these projects deserve public support and demonstrate the efforts being made by both forests to reduce the risk of catastrophic wildfire, improve safety along travel corridors, and maintain a high level of recreational value for the public. AFRC strongly supports implementation of both projects. */Tom Partin*

### **Rogue River-Siskiyou NF Plans Hazard Tree Removal in Moon Complex Fire**

On September 3, 2025, a lightning event sparked six fires in and near the Wild Rogue Wilderness, about 11 miles northeast of Agness, Oregon. Due to the rugged terrain and limited access, firefighters were unable to control the fires directly, opting instead to establish control lines along roads adjacent to the wilderness. On September 26, five of the fires merged to create the Moon Complex.

That same day, the fire escaped the wilderness, surpassing the initial containment lines. In total, the Moon Complex burned 19,520 acres – 86% of which occurred within the wilderness boundary. While the fire’s severity was, generally, low to moderate; approximately 3,107 acres burned at high severity. The fire impacted several miles of Bear Camp Road and some connected spur roads, leaving overhead hazards along a critical control line for future fires escaping the wilderness.



In response, the Gold Beach Ranger District is preparing the Moon Fire Recovery Project Environmental Assessment which aims to remove roadside hazards along this important road system which separates Agness from the wilderness. Due to the nature of the rapidly-deteriorating material and strategic importance of the roads, the Forest is utilizing the Emergency Situation Determination (ESD) authority to expedite some of the planning hurdles which have delayed similar efforts by the Agency in recent years.

Under this authority, the Forest will analyze only a single action alternative and a no-action alternative, and their completed EA will not be subject to predecisional review. Otherwise, the Forest will follow all other existing laws and regulations while planning and implementing this project. Through this expedited effort, the Ranger District is hoping that a contractor can begin operating on this project this summer.

To ensure the project’s success, the Forest strived to make the resulting sale as simple as possible for potential bidders. Any dead or dying trees within 1.5 tree lengths, and in danger of striking the roadway, will be removed along eight miles of Forest System roads. Non-commercial material will be treated later via a separate resource contract. Douglas-fir will be the predominant species targeted, although sugar pine and ponderosa pine are fairly abundant, and some incense cedar is present. Some road repair will be necessary, although only one culvert will need to be replaced. Total project area is approximately 300 acres; and approximately 44% of the project area will be ground-based.

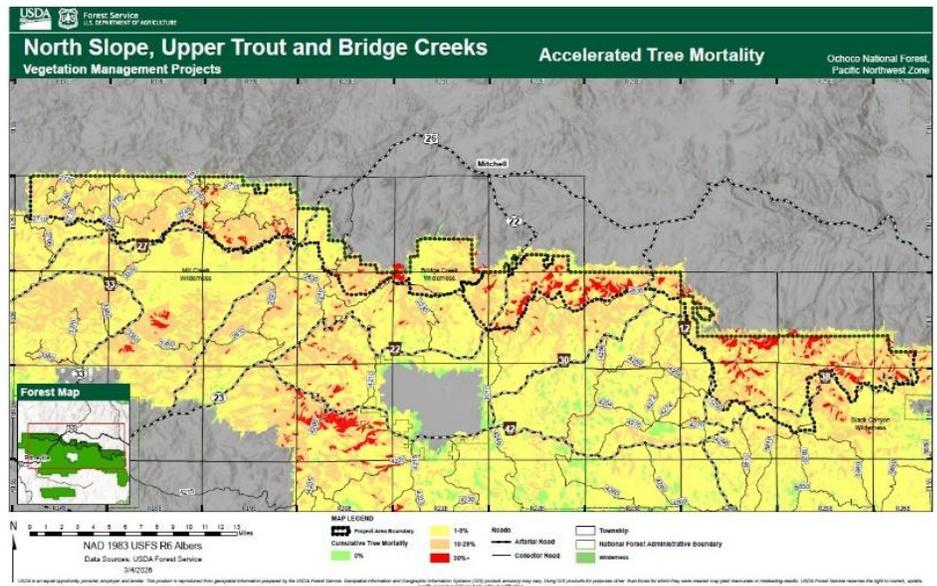
The Forest is aware that this project can only be successful if they can remove the dead and dying hazard trees while they have merchantable value. We applaud the Forest for utilizing the ESD and for keeping the project simple while still ensuring protection of the natural character of this area. We are confident that this will give the Forest the greatest opportunity for success in recovering this landscape, promoting resilience, and protecting the nearby community.

As we mentioned, this project will not be subject to predecisional review. As such, this scoping period is the public’s only opportunity for submitting comments to the project before a Decision is signed. If you’d like to support the Forest in this effort, it would be timely to offer your support by Friday, March 20 [here](#).  
*/Corey Bingaman*

## Ochoco NF Introduces Two Vegetation Management Projects

On March 3, the Ochoco National Forest held a public meeting to introduce two vegetation management projects intended to help meet current direction under Executive Order 14225, Immediate Expansion of American Timber Production. Forest officials acknowledged the projects may generate interest and concern among some members of the public and hosted the meeting to answer questions and gather input.

Large areas of the Ochoco National Forest have experienced significant and ongoing tree mortality in recent years. Forest Service staff explained that the current policy direction provides an opportunity to accelerate treatments in these affected areas while also increasing timber production. Maps presented at the meeting showed concentrated areas of mortality across the forest landscape.



The [Paulina North Slope Vegetation Management Project](#) encompasses approximately 52,700 acres located about 48 miles east of Prineville, Oregon. The proposal includes 7,830 acres of commercial timber harvest and 3,921 acres of noncommercial vegetation treatments.

The [Upper Trout and Bridge Creeks Vegetation Management Project](#) covers approximately 55,000 acres about 38 miles northeast of Prineville. The project includes roughly 10,000 acres of commercial harvest and about 3,200 acres of noncommercial thinning treatments.

Both projects are designed to improve forest health, reduce hazardous fuels, and enhance firefighter ingress and egress through the creation of shaded fuel breaks. The projects are also expected to generate substantial commercial timber volume and are scheduled to be implemented within one year in accordance with current direction. Public comments are welcome and encouraged. To be considered timely, comments must be received by midnight Pacific Time on Friday, April 3. *Irene Jerome*

## Washington Court of Appeals' Ruling Requires Change in Future DNR SEPA Analyses

On February 17, the Washington Court of Appeals issued a mixed ruling in the challenge to the Washington State Department of Natural Resources' (DNR) Wishbone Timber Sale. *Center for Sustainable Economy et al. v. Washington Department of Natural Resources et al.*, No. 86667-2-I (Wash. Court of Appeals, Division I). Center for Sustainable Economy, Legacy Forest Defense Coalition, and Save the Olympia Peninsula (Plaintiffs) challenged DNR's Determination of Non-significance (DNS) under the State Environmental Policy Act (SEPA).

On March 28, 2024, the King County Superior Court agreed with Plaintiffs' challenge, reversed DNR's decision, and remanded the matter back to the agency to conduct additional analysis to comply with

SEPA. Specifically, the Superior Court held that DNR violated SEPA by failing to (1) assess the site-specific climate change impacts from the Wishbone Timber Sale; and (2) conduct an alternatives analysis under RCW 43.21C.030(2)(e) of SEPA, which requires an alternative analysis for “any proposal which involves unresolved conflicts concerning alternative uses of available resources.” Plaintiffs claimed that the lands identified for harvest could alternatively be used to generate revenue through carbon sequestration. DNR appealed the Superior Court’s decision and AFRC and Washington Forest Protection Association submitted a joint [amicus curiae brief](#) in support of the Wishbone Timber Sale and DNR.

In its published opinion, the Court of Appeals reversed the Superior Court’s climate change holding but affirmed the need to remand for DNR to complete an alternatives analysis to satisfy SEPA. The Court held that DNR’s climate change analysis was proper under SEPA. DNR relied on its climate change analysis in its 2019 Final Environmental Impact Statement that supported the most recent Sustainable Harvest Calculation for western Washington (2019 FEIS). In the 2019 FEIS, DNR concluded that its management of western Washington timberlands sequestered more carbon than it emitted. DNR relied on that conclusion in its determination that the Wishbone Timber Sale would not have significant impacts on climate change. The Court found that DNR’s reliance on the 2019 FEIS was not clearly erroneous.

The Court, however, held that DNR violated SEPA by failing to conduct an alternatives analysis pursuant to RCW 43.21C.030(2)(e). The Court found that there is a conflict regarding the trees currently subject of the Wishbone Timber Sale because there is a choice between uses—carbon sequestration or harvest—that required DNR to make a choice between uses.

SEPA’s alternatives analysis requirement is less prevalent than the requirement to compare alternatives in its federal counterpart, the National Environmental Policy Act (NEPA). Although the Court of Appeals’ ruling will impact DNR’s SEPA analyses for future timber sales, it is unclear whether NEPA-level alternatives analyses will be the new norm moving forward.

The Court of Appeals concluded its opinion by denying Plaintiffs their attorney fees under the Washington State Equal Access to Justice Act (EAJA). The Court held that the Plaintiffs’ SEPA claims did not qualify for fees under EAJA.

Due to the mixed nature of the Court of Appeals’ ruling, either Plaintiffs or DNR may petition the Washington State Supreme Court for discretionary review of the ruling. AFRC will continue to monitor the case and support the Wishbone Timber Sale and DNR as appropriate. /Greg Hibbard

## **Washington Legislative Update**

The Washington Legislature is less than a week away from wrapping up its 60-day legislative session. Democrats hold large majorities in both chambers and are advancing additional tax increases after last year’s record increase. The highest profile bill would institute a first-ever income tax of 10% on all annual income above \$1 million.

Overall, AFRC is pleased with how the session has unfolded for our priorities so far. As reported in the [February AFRC News](#), Commissioner of Public Lands Dave Upthegrove and DNR had two key agency-request bills this session, which Upthegrove believed would give him additional flexibility to reduce harvest levels from DNR state trust lands.

- [HB 2170](#) – authorizing DNR to enter carbon offset and ecosystem services markets.
- [SB 5838](#) – adding a tribal representative to the Board of Natural Resources.

HB 2170 died early in the session due to strong opposition from the forest products sector, local governments, schools, and other trust land beneficiaries concerned about likely impacts to trust land revenues and rural economies without benefiting our climate.

An amended version of Senate Bill 5838 passed the Senate adding two tribal members to the Board of Natural Resources (BNR). The Washington State Association of Counties and others raised concerns about adding a non-beneficiary to BNR, which is currently comprised of six beneficiary representatives. The bill received a hearing in the House Agriculture and Natural Resources Committee, but it did not advance out of the committee.

Another tribal bill, [HB 2281](#), also garnered attention this session. HB 2281 sought to impose a prohibition on state construction and acquisition activities that tribes believe could impair tribal traditional cultural practices and places while granting a right of action to sue the state. However, it became increasingly clear that the bill was connected to an effort by one individual tribe to stop DNR timber harvests as a mechanism to force the transfer of state trust lands to that tribe. The bill advanced out of two committees on party-line votes but ultimately failed to pass the House before cutoff.

It is important to note that DNR and other Washington state agencies are already leaders in tribal consultation, which our industry supports.

[House Bill 2348](#) would update outdated process requirements for DNR timber sales and passed the Senate on March 4. It now heads to the Governor's desk.

*Budget deliberations.* In addition to bringing remaining policy bills up for final floor votes, budget writers are in negotiations to hash out differences between the Operating, Capital, and Transportation budgets.

So far, DNR appears to be in a good position to secure an additional \$60 million in wildfire preparedness and resilience funding, Commissioner Upthegrove's highest budget priority. However, the agency faces potential cuts to its recreation, workforce development, and environmental justice programs. The House budget was particularly harsh – perhaps sending a signal to the agency.

The Senate Capital budget includes a proviso requiring DNR to submit a report to the legislature with a five-year projection of revenues from state trust lands and fund balances for the agency's operating accounts, which is funded from a share of the revenues it generates.

Neither the House nor the Senate Capital budgets included funding to set aside more DNR state trust lands from sustainable timber harvests, a welcome development after several years of disappointing budget provisos advanced by anti-forestry groups. However, we know that anti-forestry groups continue advocating for concerning proposals, so we won't know for certain until after the final budgets are released. /Heath Heikkila

## **WA DNR's Decisions — and the Lack of Decisions — Have Consequences**

It is often said that failing to make a decision is itself a decision — and that inaction is a form of action. The current state of the DNR timber sale program is a clear illustration of that principle. While much attention has been paid to the volume of timber offered for sale, two other metrics matter just as much to DNR and the beneficiaries it serves: revenue and removals.

**How Does DNR Get Paid?** DNR operates essentially on a cash basis, funding its management work through fees retained from timber revenue rather than through borrowing or consistent legislative appropriations. For Federally Granted trust lands — primarily Common School trust lands — the management fee is 31%. For State Forest Transfer Lands ("County Trust" lands), it is 25%. These fees flow into two primary accounts: the Resource Management Cost Account (RMCA) and the Forest Development Account (FDA), the latter supporting County Trust land management. Forest health work in Eastern Washington generates revenue into the Forest Health Revolving Account, which is capped at a \$10 million fund balance.

At auction, the winning bidder must submit a 10% deposit of their total bid by 4:30 pm on auction day. On a \$2,500,000 sale, that is \$250,000 due immediately. Purchasers also pay into the Access Road Revolving Fund (ARRF), currently \$23 per MBF on the day of sale and \$12 per MBF upon removal. On a typical 2,500 MBF sale, that equates to \$57,500 paid at auction and an additional \$30,000 paid as timber is harvested.

The ARRF account is critical: it funds road maintenance and engineering across DNR-managed trust lands, and approximately 67% of its revenue arrives on auction day. When few sales are offered in a given month, cash inflows to ARRF drop sharply. As auction volumes fell throughout 2024, the ARRF balance neared catastrophically low levels (see Figure 1). Recovery came from three sources: a DNR cost-savings program, approximately \$700,000 in previously uncompleted transfers from the Forest Health Revolving Account, and a nearly 26% increase in ARRF rates

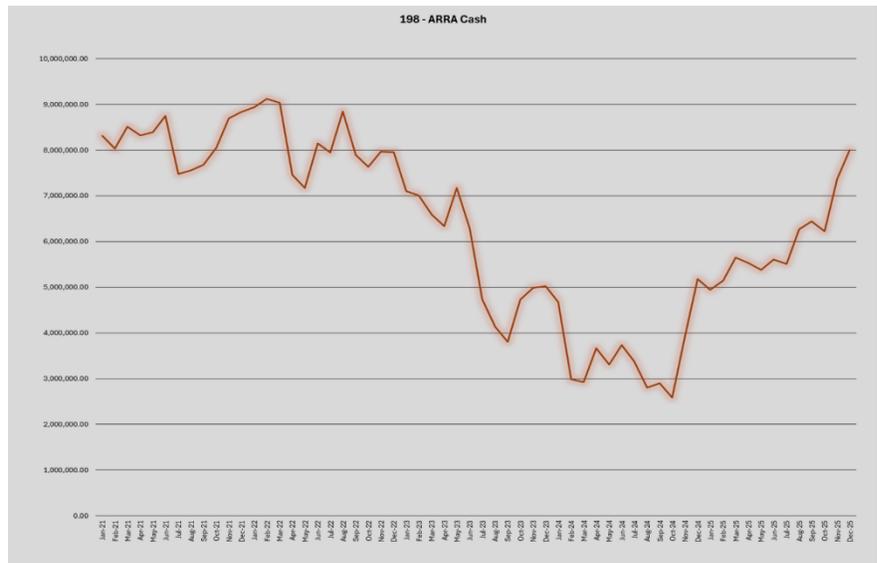


Figure 1 - ARRF (ARRA) Cash Balances from Washington State Treasurer Reports

effective October 1, 2025. What is not widely appreciated is that this rate increase functions as a backdoor management fee increase — one that the beneficiaries have largely been unaware of.

**Why Are Removals So Important?** "Removals" refers to the process of a purchaser shipping logs from a sale area to their destination, such as a sawmill. DNR invoices purchasers each billing period based on the volume removed and the applicable rates. This ongoing revenue stream is what sustains the RMCA and FDA account balances between auctions.

The significant reduction in volume offered in Western Washington during the final year of the Franz administration, followed by a nearly eight-month pause in timber sales under the Upthegrove administration, has taken a serious toll on all three management accounts. Because paused sales are disproportionately concentrated on County Trust lands, the FDA has been hit especially hard. As shown in Figure 2, the FDA cash balance has declined sharply. DNR's own accrual-basis chart, presented at the March Board of Natural Resources meeting, shows the FDA ending December 2025 at just under \$5 million (see Figure 3). The RMCA Uplands account is in somewhat better shape, but it too is on a significant downward trajectory (see Figure 4).

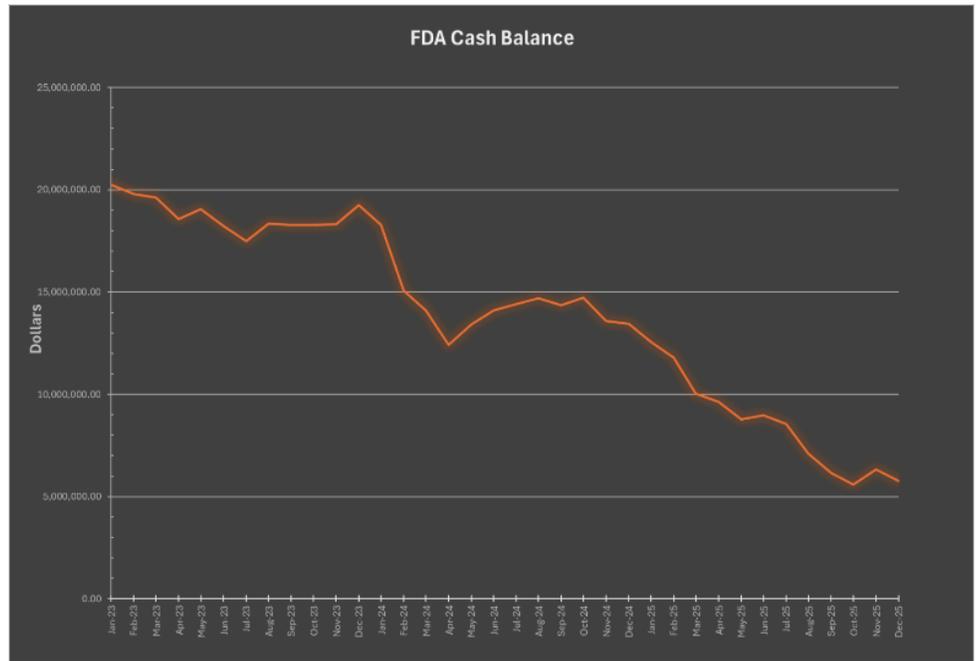


Figure 2 - FDA Cash Balance from Washington State Treasurer Reports

Removals are also down due to factors outside DNR's direct control — weather, lumber market conditions, and the availability of logs from other sources. But the delay in offering sales compounds these market headwinds. Sunk costs accumulate on sales that have been laid out but not moved forward. Staff time continues to be spent reviewing sales for which paperwork is complete, but Board approval has not been granted. Litigation expenses add further drag. Together, these costs undermine both DNR's financial stability and the economic health of the beneficiaries who depend on this revenue.

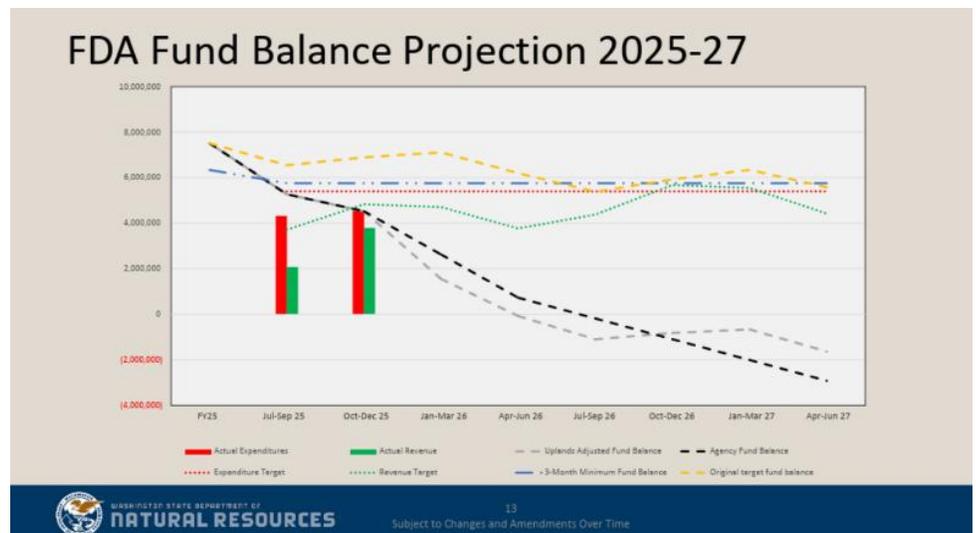


Figure 3 - FDA Fund Balance from March 3<sup>rd</sup>, 2026, Staff Report to Board of Natural Resources.

**The Impact on Beneficiaries.** The numbers at the county level tell a stark story. Skagit County beneficiaries received well over \$8 million per year from 2016 through 2021. By 2025, that figure had fallen to \$2.86 million. In Thurston County, where County Commissioners have actively opposed timber sales in the Capital State Forest, revenue to the county and its taxing districts collapsed from \$6,398,974 in 2022 to just \$830,335 in 2025, an approximately 87% decline. The local school districts of Olympia and Tumwater, the Timberland Regional Library system, and local fire and EMS services have all absorbed the impact of that loss.

Since July 1, 2025, planned Western Washington sale volume has fallen nearly 38%, dropping to 361,000 MBF. After eight of the twelve months of Fiscal Year 2026, DNR has reached only 58% of that already-reduced target. Making matters worse, the sales DNR has been offering are worth less: the statewide average sale value dropped from just over \$406/MBF in February 2025 to just over \$308/MBF a year later, as the agency has been steering away from its more valuable and more contested sales.

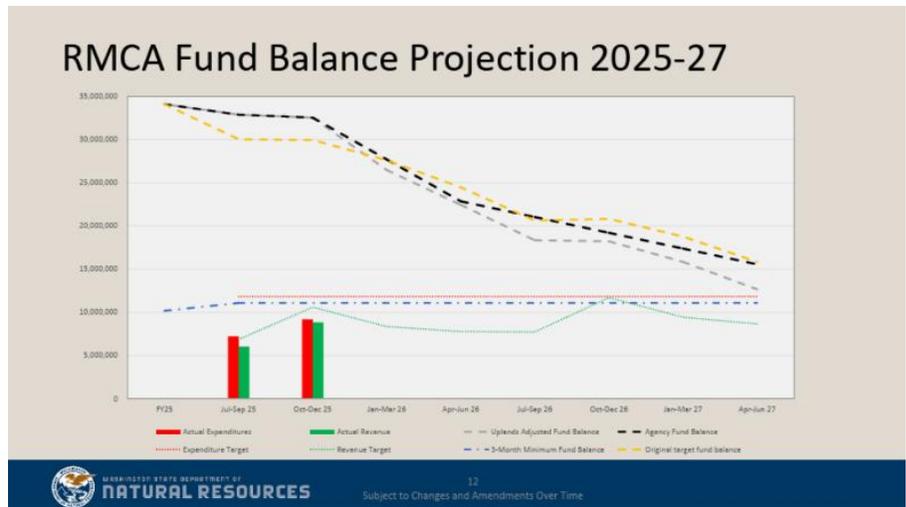


Figure 4 - RMCA Fund Balance from March 3<sup>rd</sup>, 2026, Staff Report to Board of Natural Resources.

**What Comes Next.** Cost savings and accounting adjustments can only delay the inevitable. Unless DNR takes bold steps to move the substantial volume of sales currently on hold, the financial trajectory for the RMCA, FDA, and ARRF accounts will continue downward, and beneficiary revenue will continue to erode. DNR has scheduled a special Board of Natural Resources meeting for March 16 at 1:00 PM to approve timber sales for the March and April auctions. The outcome of that meeting will set the course for the remaining months of Fiscal Year 2026. /Matt Comisky