## Washington DC Update

The House and the Senate have now both adjourned for the August recess as members of both parties increasingly focus on the midterm elections where control of both chambers hangs in the balance.

*House and Senate Pass Competing Continuing Resolutions.* Prior to adjourning, each chamber passed a different Continuing Resolution (CR) to extend appropriations beyond the November election and avoid a government shutdown starting on October 1. On July 23, the House voted 220-205 to pass a “clean” CR that largely extends existing funding levels through December 4.

The Senate passed its own CR at 3:37 AM on Saturday, August 8 by vote of 90-6, just before adjourning after a busy week that culminated in the narrow confirmation of Todd Blanche to serve as Attorney General. The Senate CR extends government funding through December 11, blocks a new Trump Administration rule related to federal grants, and places limits on defense spending or defense equipment contracts that exceed current funding levels.

The House-passed CR is likely dead in the Senate, so the House may have to concede to the Senate-passed CR if Republicans want to avoid another government shutdown before the election. Congress remains at odds on many issues, including spending levels for a long-term funding bill, the Trump Administration’s request for billions in supplemental funding for the war with Iran, and the National Defense Reauthorization Act.

*Senate Farm Bill Hits Snag.* On August 6 the Senate Agriculture Committee convened to consider Chairman John Boozman’s (R-AR) “Farm Bill 2.0.” Unfortunately, the bill did not have the votes to advance out of committee in the face of united opposition from Democrats who want a two-year delay in new rules for the Supplemental Nutrition Assistance Program (SNAP – AKA “Food Stamps”) that will impact some states differently. Chairman Boozman’s bill included a one-year delay. As reported in the July 2026 Newsletter, like the House Farm Bill, the Senate Farm Bill includes important federal forest reforms.

Republicans were missing two members, including former Republican Leader Mitch McConnell (R-KY) who continues recovering from a fall, and did not have the votes to move the bill out of committee. Chairman Boozman pledged to bring the bill up again in September, although Committee Democrats don’t seem overly motivated to support the bill. Republicans can’t move the bill through the full Senate without Democrat support to reach the necessary 60 votes. */Heath Heikkila*

## Bentz, Merkley Introduce Bipartisan Wildfire Reduction Market Expansion Act

Late last month, Rep. Cliff Bentz (R-OR) and Sen. Jeff Merkley (D-OR) introduced the bipartisan, bicameral Wildfire Reduction Market Expansion Act, legislation designed to expand the definition of woody biomass under the Renewable Fuel Standard (RFS).

The bill would allow residual material from forest products manufacturing and active forest management projects on Forest Service, Bureau of Land Management, state, private, and Tribal lands to qualify under the RFS. Expanding eligibility would help create new markets for low-value wood, support rural economies, create jobs, and accelerate forest restoration and wildfire risk reduction efforts.

The legislation has attracted broad bipartisan support, including House Natural Resources Committee Chairman Bruce Westerman (R-AR), Rep. Bennie Thompson (D-MS), and Sen. Cindy Hyde-Smith (R-MS). More than 86 organizations nationwide, including AFRC, have endorsed the bill. /*Travis Joseph*


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

**Jonathan Wood is Vice President of Law and Policy at the Property and Environment Research Center, or PERC. He is a leading voice on modernizing environmental laws like the Endangered Species Act and the National Environmental Policy Act to improve conservation and the management of our national forests. In this episode, we discuss the Endangered Species Act, grizzly bear recovery, critical habitat, congressional efforts to improve project implementation, and the growing importance of partnerships in federal forest management.**

**Click here to listen to Episode 59. Our podcast is also available on Spotify and Apple Podcasts**

## USDA Announces Investments in Wood Products Industry, Biomass, New Market Opportunities

On August 3, USDA Rural Development's Rural Utilities Service (RUS) announced the availability of $410 million through its new Powering Affordable Reliable Technology (PART) Program, aimed at increasing rural power generation and strengthening grid reliability. The program presents a significant opportunity for woody biomass and cogeneration facilities.

PART offers partially forgivable loans for infrastructure projects that generate electricity from hydroelectric, geothermal, and biomass energy sources. Individual awards may range from $1 million to $100 million. USDA will accept Letters of Interest from September 8 through October 9. Additional information is available on the program website and in the Notice of Funding Opportunity.

Two days later, on August 5, the U.S. Forest Service announced $105 million in wood products and forest utilization grants supporting 177 projects across 44 states. The funding includes:

- $31 million for 113 Wood Innovations projects;
- $17 million for 23 Community Wood projects; and
- $57 million for 41 Wood Products Infrastructure Assistance projects.

A complete list of recipients and project descriptions is available through the Forest Service Wood Innovations Program Grants website.

Together, these investments reflect some of the priorities outlined in the Markets Matter Action Plan, developed by the U.S. Endowment for Forestry and Communities.

The Action Plan emerged from the Markets Matter Convening held May 19-21 in Madison, Wisconsin, where more than 200 participants from across the forestry, conservation, manufacturing, and investment sectors gathered to discuss strategies for expanding markets for low-value wood. AFRC President Travis Joseph participated in the event and contributed to the discussions shaping the framework.

The plan identifies three immediate priorities:

1. Advance enabling policy to support market development, including legislation such as the Wildfire Reduction Market Expansion Act;
2. Mobilize public and private capital to accelerate investment; and
3. Position forest resilience as an investment opportunity capable of delivering economic and environmental returns.

The Action Plan also includes a three-year implementation roadmap and a public scorecard process to measure progress and accountability over time. /*Travis Joseph*

## Grasshopper Fire Shows the Cost of Delayed Forest Management

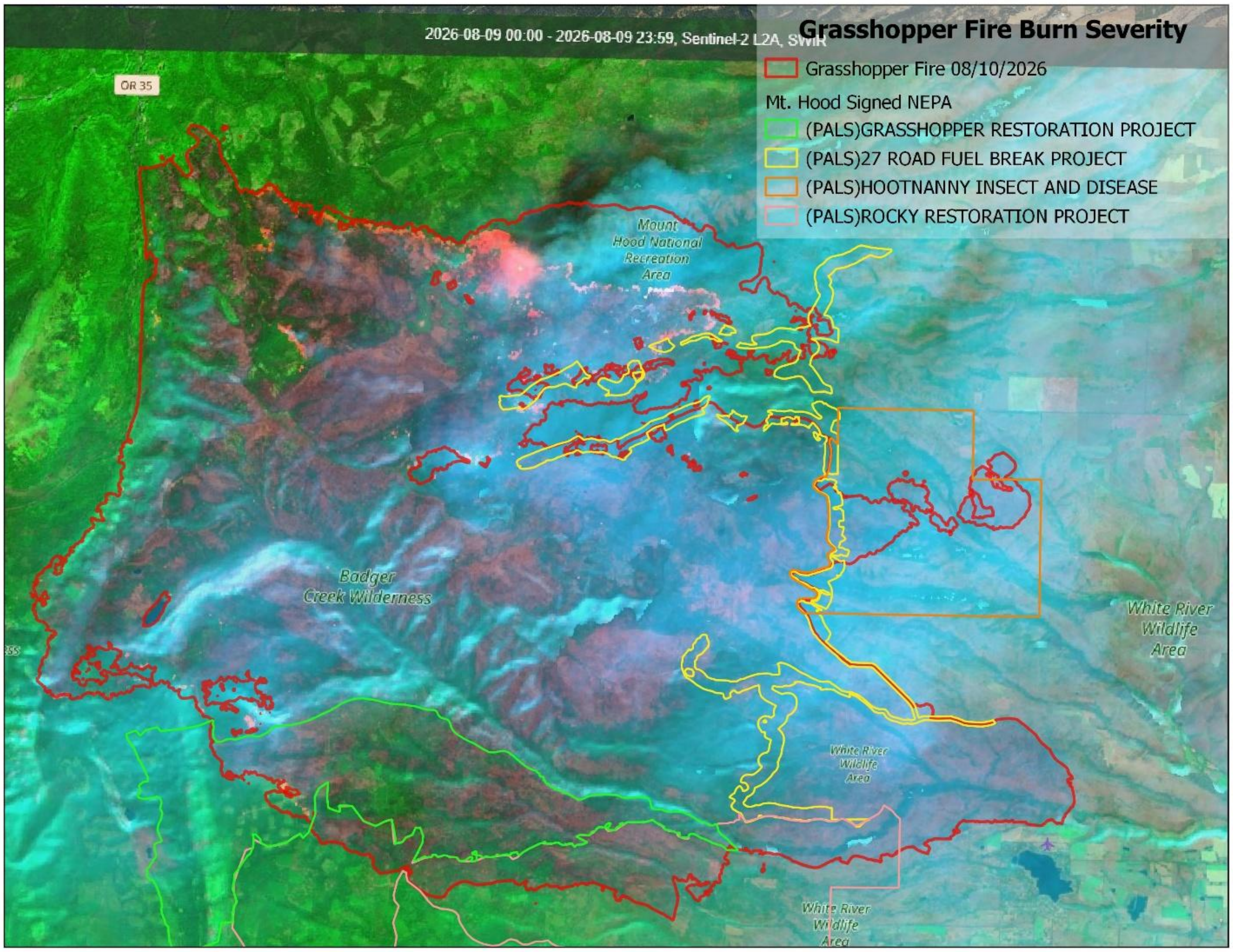
Years before the Grasshopper Fire burned across the Mt. Hood National Forest, federal land managers and local stakeholders identified the need to reduce hazardous fuels and improve forest conditions on the eastside of the Forest. Thousands of acres were planned for treatment through collaborative forest management projects, but litigation delayed that work before fire reached the area this summer.

As of August 12, the lightning-caused Grasshopper Fire has burned more than 77,000 acres and is 23 percent contained. The fire has burned through much of the planned Grasshopper Restoration Project area and is affecting other nearby projects developed to reduce wildfire risk.

The Wasco County Forest Collaborative worked with the Forest Service to develop the Grasshopper Restoration Project, 27 Road Fuel Break, and Hootnanny Project. Together, the projects proposed forest health and wildfire reduction treatments across more than 11,000 acres. The landscape was identified as a priority under the Forest Service Wildfire Crisis Strategy initiated by the Biden Administration.

Oregon Wild sued the Forest Service over the Grasshopper project under the National Environmental Policy Act. The Forest Service ultimately settled the case by removing less than two percent of the proposed treatment area and applied additional restrictions to active management. Taxpayers also paid Oregon Wild $55,000 in attorney fees under the Equal Access to Justice Act. None of the proposed treatments were initiated before the fire started.

The consequences will become visible once the fire is contained, but early images indicate a high-severity fire across much of its footprint that likely destroyed many of the resources that the Grasshopper Restoration Project was designed to protect: wildlife habitat, timber products, and overall forest health and resiliency. The fire has also threatened the Highland Ditch irrigation system, which supplies water to approximately 3,600 acres of agricultural land.




*Grasshopper Fire Map shows Sentinel-2 Satellite imagery captured on 08/09/2026. Areas without green vegetation indicates where the Grasshopper Fire has burned at high severity.*

AFRC President Travis Joseph addressed these circumstances in a recent opinion editorial, arguing that the risks on this landscape were well understood long before the fire began. He noted that local stakeholders and land managers spent years developing projects intended to address those conditions, yet litigation and delay kept much of that work from reaching the ground before wildfire arrived:

> *The lesson from the Grasshopper Fire and the Emigrant Fire is not that forest management failed. It is that forest management was delayed until it was too late. It is a reminder that even when a vast majority of the public – and the professionals legally tasked with stewarding our lands – agree about what needs to be done to protect our forests and communities, it just takes one lawsuit to unravel hard-won consensus.*
>
> *Congress should take a hard look at a system that rewards grandstanding and delay, while communities, watersheds, wildlife habitat, and public forests bear the consequences. When*

*litigation repeatedly overrides the judgment of foresters, scientists, land managers, and local collaboratives, the result is not better stewardship.*

The Barlow Ranger District remains heavily engaged in suppression while beginning to manage material generated by firefighting operations. Fuelbreak construction ahead of the fire has produced commercial decks of green material. Firefighters are also felling snags along major access routes to improve safe ingress and egress. Where appropriate, that material is being hauled and stockpiled for future deck sales.

The potential for a broader salvage effort remains uncertain. A Burned Area Emergency Response team must first assess fire effects and severity once conditions allow safe access. Those findings will help determine what opportunities exist to recover fire damaged timber.

The Grasshopper Fire shows why timing matters in federal forest management. Years of planning and environmental review cannot reduce wildfire risk if needed treatments remain tied up until fire overtakes the landscape. The same urgency will now apply to post fire management as the Forest Service evaluates opportunities to recover damaged timber and begin the next phase of post-fire recovery work. /*Corey Bingaman and Nick Smith*

## Oregon District Magistrate Judge Upholds Youngs Rock Rigdon Project on the Willamette National Forest

On August 5, Magistrate Judge Potter of the District of Oregon issued her Findings and Recommendation (F&R) to uphold the Forest Service's Youngs Rock Rigdon Project (Youngs Rock Project or Project). *See Oregon Wild, et al. v. Warnack, et al.*, No. 6:24-cv-00949-MK (D. Or. filed June 13, 2024). The Youngs Rock Project is located on the Willamette National Forest, southeast of Oakridge, Oregon and authorizes treatments on approximately 6,500 acres—2,242 acres of commercial harvest, 4,900 acres of non-commercial harvest, and 276 acres of meadow restoration. The Project is anticipated to generate approximately 55 to 63 million board feet from five timber sales. The Project serves multiple purposes, including providing a sustainable supply of forest products; improving stand and landscape diversity, structure, and resiliency; and strategically reducing hazardous fuels. The Forest Service completed a detailed Environmental Impact Statement and received input and support from the Southern Willamette Forest Collaborative before approving the Project in December 2023. Plaintiffs (Oregon Wild and WildEarth Guardians) filed their lawsuit in June 2024, and AFRC intervened in the litigation in December 2024. *See* January 2025 Newsletter.

Plaintiffs raised multiple challenges against the Project, all under the National Environmental Policy Act (NEPA). Magistrate Judge Potter relied on the United States Supreme Court's seminal *Seven County* opinion to defer to the Forest Service's reasonably explained action and the agency's fact-dependent, context-specific, and policy-laden choices. Magistrate Judge Potter recommended rejecting Plaintiffs' arguments that the Forest Service: failed to analyze a reasonable range of alternatives (including failing to consider Oregon Wild's proposed alternative); failed to take a hard look at impacts to the Northern Spotted Owl (NSO); failed to take a hard look at impacts to fuels reduction and fire risks; and failed to take a hard look at impacts to carbon storage and emissions.

First, Magistrate Judge Potter acknowledged that the Forest Service considered a no-action alternative, two action alternatives, and explained why several other alternatives were evaluated but eliminated from further consideration. Magistrate Judge Potter rejected Plaintiffs' argument that the two action alternatives were "virtually identical." Instead, Magistrate Judge Potter correctly recognized that, while the two alternatives involved the same total acreage of treatment, they meaningfully differed in terms of scope and type of treatment. Among other differences, Magistrate Judge Potter noted the stark difference in the amount of thinning proposed in each alternative and the nearly 20 million board feet difference in volume expected from the two alternatives. Magistrate Judge Potter also explained that the Forest Service devoted significant analysis to respond to Oregon Wild's proposed alternative and explained why it was not consistent with the Project's scope or purposes.

Second, Magistrate Judge Potter found that the Forest Service took a hard look at impacts to the NSO. Magistrate Judge Potter acknowledged that the Forest Service provided seasonal restrictions and required spot checks and surveys during operations to mitigate possible disruption effects. Magistrate Judge Potter also explained that the Forest Service evaluated cumulative effects from foreseeable projects in the area and concluded that no take of occupied owl sites would occur. Magistrate Judge Potter also rejected Plaintiffs' argument that the Forest Service relied on outdated information. As Magistrate Judge Potter recognized, the Forest Service conducted consultation with the U.S. Fish and Wildlife Service and generated a 2019 Biological Assessment/Biological Opinion for the Project. It also considered the new information following multiple fires in the region and analyzed in a subsequent 2023 Biological Opinion, to the extent appropriate given that the 2023 analysis was published after the EIS but before the Record of Decision. Magistrate Judge Potter explained that the agency concluded that the new information did not change the Forest Service's analysis regarding impacts to the NSO.

Lastly, Magistrate Judge Potter rejected Plaintiffs' arguments regarding fire risk and carbon storage. Magistrate Judge Potter highlighted the Forest Service's analysis on those issues and identified where the Forest Service responded to Plaintiffs' concerns during the NEPA process. Therefore, there was no competing science that the Forest Service failed to disclose or failed to analyze as required by NEPA.

This decision is timely as wildfires are currently burning across Oregon. Planning for the Youngs Rock Project began a decade ago, and the Project is part of the larger 2019 Rigdon Landscape Analysis that was developed with the help of the Southern Willamette Forest Collaborative to identify areas for restoration opportunities. Recently, we have seen other collaboratively supported Projects challenged and halted by anti-forestry groups like Oregon Wild, only to see those project areas later be destroyed by wildfire—most notably the Grasshopper Restoration Project that is currently burning on the Mt. Hood National Forest (*see related article in this month's newsletter*). We hope the Youngs Rock Project can move forward without delay, and avoid a similar fate as the Grasshopper Restoration Project area.

Following any objections from Plaintiffs, District Court Judge Aiken will review Magistrate Judge Potter's F&R and issue a final ruling on the merits of the lawsuit. AFRC is hopeful that Magistrate Judge Potter's F&R will be adopted and the benefits of the Forest Service's collaboratively supported work will play out on the landscape. */Greg Hibbard & Sara Ghafouri*

## FWS and NMFS Rescind Their Rule Defining "Harm" Under the ESA

On July 14, the U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) (collectively, the Services) submitted a joint rule rescinding the definition of "harm" under the Endangered Species Act (ESA). *See* 91 Fed. Reg. 43300 (July 14, 2026). AFRC submitted comments in support of the proposed rule rescinding the harm definition.

*Why did the Services rescind the harm definition*? The Services explained that, under the ESA, Section 9 prohibits "take" of an endangered or threatened species, which is defined under Section 3 to mean "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.'' 16 U.S.C. § 1532 (emphasis added). The ESA's Section 7, on the other hand, separately addresses habitat protection through the obligation that the agency does not jeopardize the continued existence of a listed species or destroy or adversely modify designated critical habitat for that listed species. In 1975, FWS expanded the meaning of "harm" to include significant habitat modification or degradation. In 1981, FWS modified the definition of harm to mean ''an act which actually kills or injures wildlife. Such act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering." NMFS did not define harm until 1999 but relied on FWS's 1981 definition.

In the seminal United States Supreme Court case, *Babbitt v. Sweet Home Chapter of Communities for a Great Oregon*, 515 U.S. 687 (1995), small landowners, timber companies, families dependent on the forest products industries in the Pacific Northwest and Southeast, and organizations that represented their interests challenged the harm definition. The Supreme Court upheld the definition of harm but, in doing so, the majority decision relied on the *Chevron* doctrine, which previously provided that agencies are entitled to deference in their interpretation of an ambiguous statute so long as it is reasonable. Notably, Justice Scalia authored a famous dissenting opinion indicating that "take" is limited to affirmative conduct intentionally directed at the species.

The Services justified the rescission of the harm definition based on following: the plain meaning of the term "take"; Justice Scalia's dissent in *Sweet Home Chapter of Communities for a Great Oregon* and the Supreme Court's recent decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), which overturned agency deference under the *Chevron* doctrine. The Services concluded that the existing harm definitions are inconsistent with the structure of the ESA and "do not match the single, best meaning of the statute."

By finalizing the rescission of the regulatory definition of ''harm,'' the Services are not redefining harm and, instead, are relying on the plain text of the statute. The Services state that "nothing in this final rule is intended to require that any prior permit or incidental take statement issued by the Services that relied on the prior definition of 'harm'' be reevaluated on the basis of this final regulation." That means, "permits or incidental take statements finalized prior to the effective date of this rule will not be required to be reevaluated under this final rule." The final rule rescinding the harm definition will become effective September 14, 2026.

<u>*Why does the rescission of the harm definition matter*</u>? Going forward, federal actions that modify habitat for a listed species will no longer be treated as a form of "take" under the ESA's Section 9 and, therefore, would not require an incidental take permit under the ESA's Section 7. However, the rescission of the harm definition does not mean that consultation with the Services is no longer required for Forest Service or BLM projects that modify the habitat of listed species. The action agency would still need to consult with the Services, under certain circumstances, to ensure that an activity will not jeopardize the existence of a listed species or result in the destruction or adverse modification of designated critical habitat for that listed species, because that is a separate ESA requirement that is unrelated to the obligations to avoid "take."

<u>*What's next*</u>? There are currently several lawsuits challenging the Services' rescission of the harm definition in Washington, California, and South Carolina. *See e.g.*, *Swinomish Indian Tribal Cmty. v. Nat'l Marine Fisheries Serv*., No. 2:26-cv-0247 (W.D. Wash. filed July 14, 2026,); *Puyallup Tribe of Indians v. National Marine Fisheries Service et al*., No. 3:26-cv-05788 (W.D. Wash. filed July 14, 2026); *Ctr. for Biological Diversity v. Burgum*, No. 2:26-cv-02474 (W.D. Wash. filed July 14, 2026); *Envt'l Protection Info. Ctr. v. Nat'l Marine Fisheries Serv*., No. 3:26-cv-07176 (N.D. Cal. filed July 14, 2026,); *Defenders of Wildlife v. U.S. Fish and Wildlife Service et al.*, No. 3:26-cv-07507 (N.D. Cal. filed July 20,

2026); *Nat'l Wildlife Fed'n v. U.S. Fish and Wildlife Serv*., No. 2:26-cv-02897 (D. S.C. filed July 17, 2026). In the Center for Biological Diversity et al. Complaint, Plaintiffs allege that the recission violates the plain language and the purposes of the ESA; violates the ESA by failing to engage in consultation regarding the impacts of the rescission on listed species and their critical habitat; lacks any "reasoned basis" and is arbitrary and capricious under the Administrative Procedure Act; and violates the National Environmental Policy Act because the Services failed to consider and disclose significant impacts. AFRC will be monitoring the various cases closely. /*Sara Ghafouri*


## Oregon District Court Partially Enjoins the BLM's 42 Divide Forest Management Project

On July 17, Oregon District Court Judge Kasubhai partially granted Plaintiffs' (Cascadia Wildlands, Oregon Wild, and Umpqua Watersheds) request for a preliminary injunction against the Bureau of Land Management's (BLM) 42 Divide Forest Management Project (42 Divide Project or Project). *Cascadia Wildlands et al. v. U.S. Bureau of Land Mgmt*., No. 6:26-cv-00126-MTK, 2026 WL 2069994 (D. Or. July 17, 2026). The 42 Divide Project is located approximately 20 miles southwest of Roseburg, Oregon—authorizing up to 6,309 acres of commercial treatments and 850 acres of understory and pre-commercial thinning. The authorized activities will take place in multiple land use allocations, including Late-Successional Reserves (LSRs) and three Harvest Land Base (HLB) suballocations: Low Intensity Timber Area (LITA), Moderate Intensity Timber Area (MITA), and Uneven-aged Timber Area (UTA). The Project is important to provide a sustained yield of timber (generating about 38 million board feet), restore fire-adapted systems, and contribute to the conservation and recovery of threatened species. AFRC and the Association of O&C Counties (AOCC) jointly intervened in defense of the Project in late March. *See* April 2026 Newsletter. AFRC members Swanson Group, Rosboro, Scott Timber Co., and 3H Forestry & Land Management, collectively have purchased five of the six sales the BLM offered under the Project, and implementation of their respective sales was imminent.

Plaintiffs challenge the Project under two Acts—the Federal Land Policy and Management Act (FLPMA) and National Environmental Policy Act (NEPA). The Court granted the preliminary injunction under only one of Plaintiffs' FLPMA claims, finding serious questions with whether the BLM complied with its 20-Year Northern Spotted Owl (NSO) Standard that applies to stands within the LSR. The 20-Year NSO Standard provides in NSO habitat areas that are not currently providing nesting-roosting habitat, the BLM cannot apply silvicultural treatments that "preclude or delay by 20 years or more the development of [NSO] nesting-roosting habitat in the stand and in adjacent stands, as compared to development without treatment."

Judge Kasubhai likened this case to a challenge to the Medford District's Integrated Vegetation Management Project (IVM), where Magistrate Judge Clarke found modeling issues in the BLM's analysis under the 20-Year NSO Standard. *See Klamath-Siskiyou Wildlands Ctr. v. United States Bureau of Land Mgmt.*, No. 1:23-CV-01163-CL, 2024 WL 2941529, at *10 (D. Or. May 24, 2024), *report and recommendation adopted,* No. 1:23-CV-00519-CL, 2025 WL 975176 (D. Or. Mar. 31, 2025). AFRC and AOCC also participated in the challenge to the IVM Project, which is still pending before Judge Aiken for a final ruling on remedy. With respect to the preliminary injunction, Judge Kasubhai held that the BLM did not demonstrate that this Project was different than the IVM Project where both Projects would bring the average stand relative density down from around 65 percent to 20-45 percent, with 10-25 percent of the unit in gaps. Judge Kasubhai determined that Plaintiffs had "at least raised serious questions" as to whether the BLM complied with the 20-Year NSO Standard and was particularly troubled by the assumptions built into the modeling that "do not appear to be supported in the record anywhere."

Coupled with those serious questions, Judge Kasubhai found that Plaintiffs' interests in the Project area would be irreparably harmed if LSR units, in particular, were logged. Judge Kasubhai noted that any temporary economic harm does not outweigh the public's interest in preserving LSR units during the pendency of this litigation. Accordingly, the Court granted an injunction only with respect to LSR stands because those harvest units are subject to the 20-Year NSO Standard. The Court declined to require Plaintiffs to post a bond in exchange for the injunction, despite evidence presented by Defendant-Intervenors AFRC and AOCC that Plaintiffs had the finances to post a bond, citing a potential "chilling effect" to litigation.

The Court denied a broader injunction under Plaintiffs' NEPA claims. The Court explained that Plaintiffs had not demonstrated irreparable harm under its NEPA claims. The Court identified a "mismatch" between Plaintiffs' NEPA claims concerned with fire risk and Plaintiffs' alleged aesthetic and recreational injuries. Judge Kasubhai explained that "it is far from clear to this Court that implementation of the planned timber sales while this case is pending would substantially increase the risk of fire" or that any such increase would be irreparable.

AFRC is disappointed that a portion of the Project that overlaps with the LSR has been enjoined, particularly because one of the timber sales within the LSR was purchased by an AFRC member. However, AFRC is grateful that many of the other timber sales, which are outside of the LSR areas, may move forward during the pendency of the litigation. Briefing on the merits of the case will begin in late August and extend into November. AFRC looks forward to defending the entire Project and ensuring that its beneficial volume and treatments will be realized. */Greg Hibbard*

## Fish and Wildlife Service Revises 4d Rule for Grizzly

The U.S. Fish and Wildlife Service (FWS) is making changes to its January 15, 2025, Proposed Rule to revise the protective regulations for the grizzly bear in the lower-48 States under section 4(d) of the Endangered Species Act (ESA).

The proposal is significant, but its practical implications are narrower than some public messaging suggests. It does not delist the grizzly bear, nor does it eliminate the need for federal agencies to comply with the ESA, including Section 7 interagency consultation, when carrying out actions that may affect grizzly bears.

Section 9 of the ESA identifies prohibited actions related to species listed as endangered. However, no such prohibitions are included in the Act for those species listed as threatened. Instead, Section 4(d) of the Act allows FWS to tailor protective regulations for species listed as threatened rather than applying the full suite of endangered species prohibitions included in Section 9.

The Proposed Rule expands on the existing 4d Rule by adding several new categories of "take." Notably, the Proposed Rule establishes take guidance under a new two-tiered system. The first tier would be met following an MOU with FWS that documents a conservation strategy, outlines terms and conditions for take, and defines monitoring and reporting requirements.

The second tier would be met with a similar MOU in addition to the condition that the grizzly bear population has achieved demographic objectives outlined in the conservation strategy. Under each tier, additional allowances would be available to authorized agencies, including incidental take as outlined in Section 10 of the ESA.

The implications of the Proposed Rule on federal forest management are unclear. If the Final Rule focuses primarily on state wildlife-management actions—such as conflict response, relocation, or controlled removal—it may provide meaningful tools for state and tribal wildlife agencies without substantially changing the consultation pathway for federal forest projects.

By contrast, if the final rule expressly addresses low-risk forest-management activities, temporary roads, access management, or other actions that frequently trigger grizzly-related litigation, it could offer more direct relief. Comments on the Proposed Rule are due August 17. Information can be found here. /*Andy Geissler*

## AFRC Meets with Washington and Idaho Forests

Over two consecutive weeks in July, AFRC staff and members visited the Colville, Okanogan-Wenatchee, Idaho Panhandle, and Nez Perce-Clearwater National Forests to receive updates on their timber programs and tour developing Good Neighbor Authority (GNA) projects. AFRC conducts two indoor meetings per year with each Forest and holds a field trip in the summer that focuses on conditions on the ground, economics, and logging feasibility.

*Colville.* The Colville is well on their way to hit their target of 137 mmbf which includes volume from the Chewelah A-Z project owned by Vaagen Bros. Lumber and GNA volume offered by the Washington Department of Natural Resources. Forest Supervisor Josh White recently returned from an acting role as the National Director for NEPA and Planning where he worked to bring efficiencies to NEPA planning and the Objection process.

In lieu of a field trip, Contracting Officer Andrew Gilmore, presented the outline for the Power Smalee A-Z project, the third A-Z project on the Forest. This project will be different than the Mill Creek A-Z and Chewelah A-Z. The key element on this new Foundational Stewardship IRTC includes: *"The benefit of Foundational Stewardship Contracting is that all activities will be at the forest level, using forest staff to include the Forest Timber Sale Contracting Officer, who is local and will better understand the needs of the Forest. Turnaround times and availability of the Forest Contracting Officer will also be a benefit to the contracting process."*

*Okanogan-Wenatchee.* The meeting began at the Methow Valley Ranger District to review the FY2026 timber program. The Forest will sell about 29 mmbf which includes the Eagle timber sale on the Wenatchee Ranger District, the Upper Swauk sale on the Cle Elum Ranger District, and two sales out of the Twisp project on the Methow Valley Ranger District.

The group then traveled to view the upcoming Upper Methow project which will cover a landscape of four drainages and about 46,000 acres. While much of the terrain is steep and not accessible, the Forest hopes to be able to treat over 6,000 acres commercially. This landscape lies in the middle of several large wildfires that burned in prior years and is one of the few non-burned areas left on the District. The lower areas in the project are in the Wildland Urban Interface (WUI) and run the risk of wildfire should a fire start in the higher elevations and track downslope which is the usual pattern. The District plans to implement shaded fuel breaks along ingress and egress routes in the WUI.

Learning about Foundational Stewardship

Discussing Upper Methow Prescriptions

The Idaho Panhandle and Nez Perce-Clearwater field trips focused on GNA projects implemented by the Idaho Department of Lands (IDL). IDL has a lofty goal of attaining 100 mmbf of Forest Service timber sales in the coming years.

*Idaho Panhandle.* The Idaho Panhandle is currently working to complete the cleanup of salvage from the blowdown that occurred in December and February. The Forest has had 28 types of sale adjustments, categorical exclusions, or planned sales to deal with the blowdown and are on track to salvage about 23-26 mmbf. With the help of GNA, the Forest will hit their 120 mmbf target.

The field trip included the Grous Mountain project which covers 337 acres, where we discussed the need to reduce fuels in the WUI, the proximity of logging to houses, and the use of the road which homeowners had paved. The project is estimated to yield about 4.5 mmbf of timber and the logging will be all tractor.

Grouse Mountain overview discussions

Muddy Bits logging discussions

*Nez Perce-Clearwater*
The field trip included stops at the Muddy Bits GNA timber sale and Middle Bend project area. At the Muddy Bits site, we discussed the new Forest Plan that has been in effect for a year and a half. The Plan is outcome-based and tied to the desired conditions of 167 elements. The Muddy Bits GNA sale which is scheduled for sale in FY2026 was authorized under the Lolo Insect and Disease EIS. The sale will cover 121 acres and produce about 4.2 mmbf. Logging systems will include both tractor and cable.

The Middle Bend Project area is a large landscape covering three drainages. There will be at least six timber sales from the area with the first to be sold in FY2028. The Forest has a FY2026 target of 79 mmbf, though setbacks to the End of the World G-Z project will make that target difficult to achieve. Notably, they plan to implement the Wepah Fire Salvage that was recently out for public comment.

AFRC would like to thank the Forests, IDL and our members for the informative meetings and productive field trips. */Tom Partin*

## AFRC Members Leave Their Mark on New Forest Service Museum

On July 17, AFRC staff and members Freres Lumber, Vaagen Bros. Lumber, and F.H. Stoltze Lumber attended the ribbon cutting and grand opening of the National Museum of Forest Service History's Conservation Legacy Center in Missoula, Montana.

Founded in 1988, the National Museum of Forest Service History is a nonprofit organization dedicated to collecting, preserving, and interpreting the history of the Forest Service and America's conservation legacy for the education and enjoyment of the public, scholars, and historical researchers.

The new 30,000 square foot Conservation Legacy Center, along with the Visitor Center and Fire Lookout, was built with generous support from AFRC members and forest products businesses across the country.

The project received nearly one million board feet of donated timber, as well as substantial financial contributions from the forest products industry, helping make this long envisioned center a reality.

Designed by architect Tom Chun and built by Dick Anderson Construction of Missoula, the Conservation Legacy Center prominently showcases wood in its design. Thirteen tree like columns support the roof, with each featuring a different species of wood sourced from around the country. The building serves as a cultural and educational center where visitors can learn more about the nation's conservation history and explore more than 50,000 artifacts documenting Forest Service history and memorabilia.


Several hundred people attended the ribbon cutting, including former Forest Service chiefs and many retirees who worked for years to make the museum and Conservation Legacy Center a reality.

AFRC thanks the many members and forest products businesses that supported this important project and encourages anyone traveling through Missoula to visit the museum and experience its interactive displays. /*Tom Partin*