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Oppose H.R. 1526, the “Healthy Forests for Healthy Communities Act”

This bill is a combination of various legislative proposals, all of which act as Trojan horses for mandating or incentivizing destructive logging and other intensive development across vast swaths of our public land. These projects would have limited to no public input and would hand over unprecedented control of federal land management to the States. With its unsustainable logging and industrialized development requirements, this bill would also decimate the vital benefits that our public forest lands provide, such as clean drinking water, recreation, and fish and wildlife habitat. **We strongly urge you to oppose H.R. 1526.**

Title I, Title III, and Title IV of H.R. 1526

Three of H.R. 1526’s Titles strive to reinstate the discredited system of linking logging to revenue for counties. This volatile and unreliable resource extraction model was eliminated over a decade ago with the bipartisan passage of the Secure Rural Schools and Community Self-Determination Act of 2000 (otherwise known as “Secure Rural Schools” or “SRS”). H.R. 1526 would decimate our National Forests and BLM public forest lands for special interests without addressing the true, long-term needs of rural communities.

Title I: H.R. 1526 (Doc Hastings)

- Requires the Secretary of Agriculture to designate “Forest Reserve Revenue Areas” on every national forest within 60 days, which must include “all National Forest System lands identified as commercial forest land capable of producing twenty cubic feet of timber per acre.” This sets an unprecedentedly low bar for lands to qualify for these logging zones and would cover a significant amount of the national forest system.
- The only exemptions from automatic designation as a Revenue Area are for designated wilderness, where the removal of vegetation is specifically prohibited by Federal statute, and National Monuments. Exemptions do not include inventoried roadless areas, wilderness study areas, old growth, or other conservation lands, so these lands would be opened to logging.
- In Revenue Areas, the Forest Service would have a **fiduciary obligation to produce a mandated minimum amount of commercial timber (at least 50% of the designated Forest Areas must be logged each year) for the financial benefit of local “beneficiary” counties**, who would receive 25 percent of the revenue generated from logging sales.
- In order to meet this mandatory logging volume requirement, the Forest Service would have to increase extraction activities to unprecedented and unsustainable levels, effectively resulting in widespread clear-cuts and other intensive logging of our national forests. The Forest Service would also be forced to spend whatever it takes to comply with the required logging levels.

Title III: H.R. ____, “O&C Trust, Conservation, and Jobs Act” (DeFazio-Walden-Schrader)

- Turns over management of an unspecified amount of BLM forest land (out of a pool of over 2.1 million acres) in western Oregon to a Governor-appointed “board of trustees,” who would **manage the lands for the sole purpose of maximizing annual revenues from timber production** for the benefit of 18 counties where these lands are located.
- The forests would remain public lands in name only but the Board would control management and could require any harvesting levels, including clearcutting, to provide county revenues and **without having to comply with federal environmental laws.**

Title IV: H.R. 1294, “Self-Sufficient Community Lands Act of 2013” (Labrador)

- At the request of state-appointed boards (“advisory committees”), consisting of local elected officials and timber, grazing, and recreational/off-road vehicle interests, the Forest Service must establish **at least 200,000 acres for a requested National Forest to be managed by such boards for the sole purpose of developing the land** at will to generate revenue for counties.

- The boards **do not have to comply with federal environmental and “other federal” laws** and do not have to consult with the Forest Service before initiating any projects on board-controlled areas (referred to as “community forest demonstration areas”).
- Many ecologically sensitive areas are subject to inclusion in board-controlled areas, including wilderness study areas, old growth stands, wildlife habitat, and vital watersheds.

Title II of H.R. 1526

Title II of H.R. 1526 is a combination of H.R. 818 (Tipton) and H.R. 1345 (Gosar) that purports to address “forest health” and wildfire risk by providing vast new authorities for logging and development that eviscerate longstanding common sense protections. This Title would open up bigger and more backcountry areas of our national forests and public lands to be logged and developed for virtually any purpose – in many cases regardless of whether such projects effectively address fire, insects, or other threats. As a result, this Title would divert scarce federal agency resources away from conducting projects where communities and people live in the wildland-urban interface (otherwise known as the “WUI”), thus potentially increasing fire risk for areas where public safety needs are greatest. This Title would authorize:

- Governors (without having to consult with the Forest Service or BLM) to designate broadly defined “high-risk” areas of federal land. Once areas are designated, Governors shall submit to the Forest Service or BLM for implementation of “fuels reduction” projects in these areas.
- Projects are broadly defined so that **virtually any type of project can occur, regardless of whether such projects address wildfire prevention, and specifically authorizes commercial logging, livestock grazing (even though grazing encourages the spread of highly flammable cheatgrass), and projects that impact threatened and endangered species habitat.**
- Virtually any part of a forest, including sensitive backcountry areas like wilderness study areas, old growth stands, inventoried roadless areas, can be designated for development, thus **diverting the already scarce resources of the Forest Service and BLM away from prioritizing projects** in the WUI, where public safety demands are greatest.

Why We Oppose H.R. 1526

- **Liquidates our Natural Heritage and is the Wrong Approach to Address County Funding.** We understand and sympathize with the tight budgets that many local governments are facing. However, these shortsighted proposals may cost taxpayers more than the revenue they generate. They also abandon our nation’s vision of and commitment to a strong system of national safeguards to preserve America’s natural heritage.
- **The Forest Service would be forced to spend whatever it takes to comply with the mandated requirement of logging at least 50% of National Forest areas each year.** In the 112th Congress, Rep. Doc Hastings’ H.R. 4019 was estimated to have cost \$2.6-\$4.6 billion in federal spending, and the timber cut required would have been 33.2 billion board feet, 15 times greater than the actual 2010 national timber cut of 2.1 billion board feet, and nearly 3 times higher than the record single-year timber cut of 12.7 billion board feet in 1987. Similar or even greater cut levels and federal expenditures would likely be required to meet the logging and project implementation requirements set out in Titles I and II of H.R. 1526.
- **Economics Don’t Make Sense.** In addition to the drastically increased federal expenditures likely required to implement this bill, it is unclear whether the timber industry would bid on all of the timber lease sales now required to be offered by the Forest Service (at a minimum logging requirement of 50% of forest areas each year). **An inflated supply could likely lead to the decline of timber prices, effectively driving down the county revenue share created under Title I, therefore resulting in the same if not worse predicament that led to the passage of Secure Rural Schools in the first place.** Moreover, the previous iteration of this bill (H.R. 4019, 112th Congress) would have resulted in over half of the states receiving less revenue share payments as compared to their payments under the Secure Rural Schools Act even while having

to decimate their National Forests with substantially increased levels of logging. For example, New Mexico's national forests would have had to increase logging by 1219% from 2010 cut levels to meet H.R. 4019's revenue target but would have received 75% less in funding. Similar results exist for Utah, Colorado, Nevada, and a number of other states.¹

- **Damages Watersheds and Pollute Drinking Water.** Industrialization of public lands will damage watersheds and pollute drinking water, putting our drinking water supply at risk, as over 50% of fresh water supplies in the West come from federal forests. Intensive logging and other extractive practices dumps sediment into rivers, which can increase costs for local water utilities, cause erosion, and can alter the timing of water availability.²
- **Harms Businesses and Jobs that Depend on Functioning Forests.** The outdoor recreation industry directly supports 6.1 million jobs and contributes over \$646 billion annually to the US economy, including \$39.7 billion to state/local revenues.³ Damaging these resources will directly impact outdoor-related businesses that generate revenue for counties and employ a range of skilled workers including sport and commercial fisherman, hunters, and anglers. The U.S. Forest Service's most recent annual visitor survey showed that Forest Service lands attracted 166 million visitors in 2011, and that visitor spending in nearby communities sustained more than 200,000 full- and part-time jobs.
- **Effectively Privatizes Our Federal Forests.** Titles III and IV of H.R. 1526 would privatize our federal forest lands by transferring management to locally-appointed "Board of Trustees" who are authorized – without having to comply with federal environmental laws – to mandate industrialized logging, clearcutting, and other extraction activities for the sole purpose of providing revenues to counties.
- **Eliminates environmental safeguards.** All of these Titles would entirely waive or significantly limit implementation of important environmental protections, like the National Environmental Policy Act ("NEPA"), the Endangered Species Act ("ESA"), the Clean Water Act ("CWA"), and years of community developed land management plans under the National Forest Management Act and Forest and Rangeland Renewable Resources Planning Act.
- **Vast New Authorities Not Needed to Address Fire and Forest Health.** Current authorities sufficiently exist to facilitate fire and insect treatments. The Healthy Forest Restoration Act ("HFRA") of 2003, passed by a Republican-controlled Congress at the urging of President George W. Bush, provides broad authority to the federal government to conduct a wide range of logging projects for reducing hazardous fuels and treating insect and disease outbreaks using already minimal and expedited NEPA and public participation procedures, administrative appeals, and judicial review provisions. In addition, the Forest Service has a variety of administrative tools it utilizes to address forest health and fire-related threats.
- **Mandates Backcountry Projects That Will Divert Scarce Resources Away from Communities and Property.** In passing HFRA, Congress intentionally prioritized projects to take place in forest-adjacent communities (otherwise known as the wildland-urban interface or "WUI") and within high-risk watersheds containing municipal drinking water supplies. However, Title II would authorize and incentivize projects in remote backcountry areas of our public land, thereby diverting increasingly scarce resources away from the WUI and potentially increasing fire risk for communities and property. Although Title II purports to protect forests from fires, in reality, it will only serve to fast-track intensive logging, grazing, and other development with limited-to-no public review, federal oversight, or prioritization for public safety.

¹ Headwaters Economics, CAN MANDATED TIMBER HARVESTS SAVE COUNTY PAYMENTS? AN ANALYSIS OF THE DRAFT FEDERAL FOREST COUNTY REVENUE, SCHOOLS, AND JOBS ACT 3, 7 (Feb. 16, 2012), available at http://headwaterseconomics.org/wphw/wp-content/uploads/CountyPayments_House_Analysis_Feb2012.pdf.

² Restoring watersheds where possible from destructive logging can cost taxpayers – including counties – hundreds of millions of dollars a year in lost revenues and vital ecosystem services. For example, in 1996, Salem, Oregon was forced to spend nearly \$100 million on new water treatment facilities after logging fouled the Santiam River with mud and silt. Salem is not alone; up to 124 million people nationwide receive drinking water from national forest watersheds, with an estimated \$4 to \$27 billion annual value.

³ Outdoor Industry Association, THE OUTDOOR RECREATION ECONOMY (2012), available at http://www.outdoorindustry.org/images/researchfiles/OIA_OutdoorRecEconomyReport2012.pdf?167.