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Upstate Forever · Virginia Forest Watch · WildSouth · Wild Virginia

June 13, 2016

The Honorable Lisa Murkowski
Chairwoman
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

RE: Comments on the Wildfire Budgeting Response and Forest Management Act discussion draft

Dear Chairwoman Murkowski and Ranking Member Cantwell,

On behalf of the undersigned organizations from the Southeastern U.S. and our members, thank you for the opportunity to submit comments on the draft discussion of the “Wildfire Budgeting, Response, and Forest Management Act of 2016.”

We commend you on working in a bipartisan manner to improve wildfire response and reduce fire risks. In particular, we support your effort to end the need for the U.S. Forest Service to borrow fire suppression funds from other areas. Although wildfire risks and impacts are greatest in certain parts of the West, the current fire funding practices are affecting national forest management across the country, including in the Southeast. Therefore, many of us have long supported the Wildfire Disaster Funding Act (WDFFA), and urge the Committee to consider WDFFA’s more straightforward approach.

Since any serious attempts to address wildfire impacts over the long term should also address housing and other development in the highly fire-prone areas of the country, we are glad to see the Committee is considering these issues in this draft. As Chief Tidwell said at a March 8 Senate Energy and Natural Resources Committee hearing, a primary driver of rising wildfire suppression costs is housing development in the wildland urban interface.

Understanding the serious nature of wildfire issues, we are sympathetic to the desire to ensure the necessary authorities and funds are available to fight and address wildfires. Therefore, it is our view that adding unrelated provisions to fire response/prevention legislation would be a distraction from more significant, urgent threats to forests and communities and only invites controversy and slows the effort to meaningfully address wildfire. Any wildfire bill should focus

exclusively on fire suppression and prevention where it is most needed, and any management provisions that must come with a wildfire bill should focus solely on reducing real threats of fire to at-risk communities.

We are concerned this draft strays from that focus by including new, unrelated authorities for wildlife and forest management. Section 301 proposes to alter the National Environmental Policy Act (NEPA) to allow the Forest Service to consider only the proposal and a no-action alternative for certain projects, if designed within a collaborative or covered by a community wildfire protection plan. The list includes projects with the purpose of “improving wildlife habitat to meet management and conservation goals....” This addition does nothing to control fire, poses a particular threat to our Southeastern national forests, and could actually weaken collaboratives. The list also includes vaguely described projects for “restoring forest health and resilience.”

While the national forests in the Southern Appalachians are relatively small, these forests provide enormous benefits to society. For example, consider the 4.7 million acres of national forest land in the Southern Appalachian mountains of Virginia, Tennessee, North Carolina, South Carolina, Georgia, and Alabama. Sheltering the headwaters of the South’s major rivers, these forests contribute to public drinking water supplies for about 11 million people in these six states, as well as millions more downstream in other states and in the Washington, D.C. metro area. These forests are located near population centers in the South and Mid-Atlantic – about half of the U.S. population lives within a day’s drive – and receive over 11 million visitors annually. These public forestlands offer key access and opportunities for outdoor recreation, including fishing, hunting, hiking, camping, mountain biking, canoeing and kayaking, and provide essential habitat for fish and wildlife.

These uses generate major economic benefits, too. Outdoor recreation in those six states generates \$89.8 billion in consumer spending and \$25.7 billion in wages and salaries, and directly supports 931,000 jobs, as well as other economic benefits.

These forests also are at much less risk from wildfire than forests in dry regions of the West. On average, the Southern Appalachians receive over 50 inches of precipitation annually. In 2015, for example, wildfire on national forest lands in these six states constituted less than 1% of total national forest lands burned nationwide. Yet fire-related legislation is being proposed with a nationwide, one-size fits all approach.

Not only is our region a poor fit for the fire aspects of this legislation, our forests would be harmed by the unrelated wildlife and forest management provisions. In our experience, virtually all timber harvest and other forest management in our region is proposed for the asserted purposes of benefiting certain wildlife species and/or improving forest health. Therefore, this proposal to allow EAs for such projects to consider only two alternatives could apply to the vast majority of large projects in our national forests. Especially in complex Southern Appalachian hardwood forest ecosystems, there are many options for the location, scale, and methods of wildlife and forest management. It is essential to consider alternatives, with environmental analysis and public input, in order to strike the right balance among various goals and to avoid or minimize negative impacts on other forest uses and benefits. Weakening

and streamlining the analysis of these projects could lead to lost opportunities to consider less harmful alternatives and to adverse impacts on water quality, fish and wildlife, popular recreation areas, and other economic and local cultural values that might have been avoided. We ask the committee to reconsider the inclusion of this wildlife management provision and the vague forest health and resilience provision.

Further, in our region, productive formal and informal collaboratives on national forest management have occurred alongside the existing NEPA process for environmental and public review. Many of us have participated in such efforts. These working groups have assisted in finding common ground among various interests and the Forest Service, thereby reducing conflicts and expediting restoration and other appropriate forest management. Therefore, we fail to see any need or benefit to weakening the existing NEPA process for collaboratively-developed projects studied in environmental assessments. If such changes are being considered, however, we would ask that collaboratives be required by Section 301 by changing the “or” to an “and” at the end of sec. 301(a)(1)(A).

It is also our experience that, in a sound collaborative process, original proposals are modified and refined in an iterative way, resulting in an improved final project that can garner more broad support. Modified or additional alternatives that met the project’s purpose and need, reduced adverse impacts, and had greater public support have been considered in NEPA analysis and chosen by the Forest Service. Therefore, we request the committee consider including language that would allow additional alternatives suggested by collaboratives to be studied, in addition to action and no-action analysis, to avoid artificially confining the inherently iterative process of collaboration.

We also wish to note that previous legislative attempts to address wildfire contained similar unrelated management provisions, which generated substantial opposition. Specifically, the prior consideration of a new categorical exclusion (CE) from detailed NEPA review for logging to create early successional habitat has been a great concern. We are pleased to see that no CE for early successional habitat has been included in this draft. However, we wish to reiterate our concerns with such an approach. For the reasons discussed above, forest and wildlife management on Southern Appalachian forests must occur at an appropriate scale and with consideration of many factors and impacts. Even the current forest management plans in the Southern Appalachians have projected annual harvest levels ranging from approximately 1,477 to 3,270 acres, depending on the size of the forest. A CE for large timber cuts could result in unacceptably exempting almost all logging in these national forests from public and environmental review, to the detriment of water quality, fish and wildlife, recreation, other values, and related economic benefits.

Finally, we would like to offer a comment on the proposed pilot program for ponderosa pine and dry-mixed conifer forest restoration. Given that these ecosystems do not occur in our regions, we express no opinion on the ecological value of such a program. However, we would like to see the eligibility requirements for this program clarified. As currently drafted, all National Forest System and public lands that are exposed to fire risk may be eligible for this program. If the intent of the pilot is to limit the program to the ponderosa pine ecosystem, we ask that the committee clearly tailor the eligibility requirements to this ecosystem.

Thank you for your willingness to accept comments on the draft proposal. We are encouraged by your collaborative efforts and look forward to working with you to craft effective wildfire policy that reduces the threats faced by the most at-risk communities.

Sincerely,

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Chattooga Conservancy
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The Clinch Coalition
Wise, VA

Cherokee Forest Voices
Johnson City, TN

Upstate Forever
Greenville, SC

Coosa Riverkeeper
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Virginia Forest Watch
Ashland, VA

Georgia ForestWatch
Dahlonega, GA

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MountainTrue
Asheville, NC

Wild Virginia
Charlottesville, VA