



FEDERAL FOREST RESOURCE COALITION

Federal Forest Resource Coalition Testimony on House Natural Resources
Legislative Hearing on Discussion Draft of H.R. __ (Rep. Westerman), To
expedite under the National Environmental Policy Act of 1969 and improve
forest management activities on National Forest System lands, on public lands
under the jurisdiction of the Bureau of Land Management, and on Tribal lands
to return resilience to overgrown, fire-prone forested lands, and for other
purposes

Federal Lands Subcommittee

Wednesday, April 17, 2024

Jim Parma, Eastern Fiber Resource Manager, Bell Lumber & Pole, New
Brighton, MN

Mr. Chairman, Ranking Member Grijalva, and members of the Committee, my name is Jim Parma and I am the Eastern Fiber Resource Manager for Bell Lumber & Pole, a multi-generational, family run company that manufactures utility poles from the renewable forest resources of the U.S., including timber from National Forest System lands across the country. Bell Pole has purchased Forest Service timber sales from more NFS units in more Forest Service regions than any other company, which provides us with a unique perspective on the current challenges facing the Forest Service. Bell's mission statement is: To Radically Love and Influence Lives, along with our corporate values of Stewardship, Excellence, and Entrepreneurial Spirit show our concern for the broader common good.

I am here today as President of the Federal Forest Resource Coalition, a nation-wide, 501(c)(6) organization with members from the panhandle of Florida to Southeast Alaska. Together, FFRC's membership covers more than 650 companies in 38 states. FFRC members include sawmills, plywood and panel producers, biomass energy facilities, and the logging sector. In addition, we work with water authorities who rely on healthy National Forests to

produce sustainable water supplies for major metro areas. Collectively, FFRC members and other purchasers of Forest Service timber have spent over \$900 million in the last five years alone purchasing timber from the Forest Service.

Unfortunately, in recent years we've seen a decline in timber outputs from the National Forest System, and these falling outputs have directly contributed to mill closures in several states. While mills close for a variety of reasons, lack of fiber supplies exacerbates and accelerates the loss of management capacity near our National Forests. Just last week, Neiman Enterprises cut a shift at their Spearfish, South Dakota sawmill. That mill, like many others that have shut down this year, was highly dependent on National Forest Timber. My fellow FFRC board member, Jim Neiman, said that but for the lack of supplies from the Black Hills National Forest, the company would not have reduced their capacity at the Spearfish mill.

We appreciate the leadership the Natural Resources Committee has demonstrated on forest management issues. With a trained forester and engineer as Chairman, this committee is poised to provide the kind of clarity and reform the Forest Service badly needs. We are particularly appreciative of legislation approved by the Committee to require accurate accounting of hazardous fuels treatments, to require aggressive fire suppression when burning conditions are extreme, and to reform Good Neighbor Authority to encourage greater participation by counties, tribes, and the States. These important measures are incorporated into the discussion draft you provided us in advance of today's hearing.

We believe that these provisions, when combined with additional items like the firehosed provisions, reforms to Stewardship Contracting, locally-led restoration, litigation reform, and expanded efforts to use utility corridors as fuel breaks, are a good starting point for reforms at the Forest Service. I will discuss each of these briefly.

Key Provisions:

Stewardship Contracting is one of the key authorities that has allowed the Forest Service to begin making headway in improving forest health, reducing fuel loads, and reinvesting in land management on the National Forest System. Put simply, Stewardship contracts allow the Forest Service to trade the value of timber for forest management and restoration work, including prescribed burning, mastication of hazardous fuels, installation of nest boxes for listed

species, and other beneficial practices. The use of Stewardship contracts has expanded over the years to the point where last year almost one third of all Forest Service timber volume sold last year was accomplished through Stewardship Contracts. Currently, Stewardship Contracting authority provides for seven “land management goals” which include reintroduction of prescribed fire, mechanical removal of hazardous fuels, and improvement of wildlife habitat.

The discussion draft would add an eighth, co-equal goal of “retaining and expanding forest products industry infrastructure” to the program. Since Stewardship Contracting was first pilot tested in the 1990’s, we’ve seen significant reductions in industry capacity, particularly near National Forest System lands where erratic or unreliable timber supplies make running wood using facilities difficult. We have also watched as the Forest Service has struggled to attract new investments in wood using industries – particularly in Arizona where the Forest Service has invested significant resources in hazardous fuels reduction. This has taught us that lack of markets for wood drives up land management costs, reduces receipts to the agency, and limits the ability of the Forest Service to expand treatments to additional acres. The modest reform of adding retention of industry infrastructure – along with 20-year contracts – will help ensure that the Forest Service offers Stewardship contracting opportunities to mills which can help drive down management costs while creating jobs in rural areas.

We also strongly support the proposed changes to ***small timber sales and locally led conservation*** projects. This modest reform would increase the dollar value of timber sales that can sold directly, from the \$10,000 to \$55,000. The \$10,000 figure was written into the National Forest Management Act in 1976, with no provision for inflation adjustment. The discussion draft would correct this oversight by adjusting that figure to \$55,000, roughly the value of the 1976 figure adjusted for inflation, while requiring annual inflation adjustments thereafter. We would encourage the committee to consider expanding the “fireshed management projects” authority to cover more areas of the National Forest System, including any areas designated as insect and disease treatment areas, or areas considered at high risk of wildfires.

The proposed ***litigation reforms*** are also badly needed. According to data provided to us by the Forest Service, over 1.8 Billion Board Feet of Forest Service timber was under litigation in the fall of last year. That’s more than

half a year's worth of timber sales in an average year. The threat of litigation forces the Forest Service to engage in needlessly detailed analysis of modest timber projects, which take place on lands designated under current forest plans as being suitable for timber production. The requirements in the discussion draft still allow project level litigation, but also ensures that needed management can take place in a timely fashion.

We particularly applaud the provisions clarifying that there is no need for additional consultation on forest plans, particularly if the project itself has not raised any concerns about listed species. As you are aware, this misguided case law was opposed by the Obama Administration, which appealed it to the Supreme Court. Congress should take the initiative and make these reforms law to free up agency resources and prevent absurd results. One such result was the National Forests in New Mexico having their project level fuels reduction work halted so the Forest Service could reconsult with the Fish & Wildlife Service on plans that were, in some cases, well over 30 years old. This delay took place while those plans were under revision. Once the injunction was resolved, the Forest Service went ahead with a prescribed burn under red flag conditions, which subsequently exploded into the Hermit's Peak Fire – the largest fire in New Mexico history.

The provisions encouraging the use of *utility corridors as firebreaks* is very positive, and in our view ought to be expanded. Significant research and experience show that fuel breaks, including shaded fuel breaks, can be extremely effective in reducing fire spread and protecting wildland firefighters and adjacent communities. FFRC has supported similar provisions including the fuel break categorical exclusion provided in the Infrastructure Act. We look forward to working with the Committee to encourage broader use of this and other legislatively-created categorical exclusions.

We are also strongly supportive of *Good Neighbor Authority* provisions in the Discussion Draft. Allowing the retention of some receipts under GNA by agency partners, including tribes, counties, and states, will encourage further participation in and investment in Good Neighbor programs at those levels. We note that these reforms have received bipartisan support in both this Committee and in the House Agriculture Committee.

What This Bill Doesn't Do: It is critical to note what this bill doesn't do, in addition to the modest but important reforms mentioned above. This

legislation does not authorize timber harvest in the over 36 million acres of designated Wilderness on the National Forest System. It does not open any of the 58 million acres of Inventoried Roadless Areas to timber harvest. It doesn't open the over 17 million acres of Wild & Scenic River Corridors to timber harvest. The timber industry that relies on National Forest timber is fine with this – we would like to see the roughly 24 percent of the National Forests designated as “suited for timber production” managed to produce economically viable supplies of timber. We can do that, while creating critically important wildlife habitat, reducing fire danger, and generating additional receipts to pay for additional land management activities like prescribed burning.

This legislation also does not waive a single Forest Plan Standard or Guideline. These provisions are developed through a locally-led planning process that allows for broad public input but is driven by forest managers and the communities closest to the resource. It doesn't waive any habitat protections required by statute or regulation. The Forest Service must manage within those constraints, and we believe there is far more work that could be accomplished with the targeted reforms in the current discussion draft.

Additional Reforms: The last two decades have taught America many bitter lessons about forest management and wildfires. After precipitous declines in timber harvest from the National Forests during the 1990's, we've now seen the results of under-managed forests combined with climate change and increased settlement in the Wildland Urban Interface; Overstocked forests are vulnerable to catastrophic fire, which destroys wildlife habitat, damages watersheds, and threatens communities. The result is significant carbon emissions and major challenges to reforestation. While Congress has provided significant new authorities and funding to address the wildfire challenges, there are additional proactive reforms Congress can adopt that would clarify the Forest Service's multiple use mandate, reduce the need for repetitive and exhaustive NEPA, and further reduce frivolous litigation.

We would urge the committee to review the bipartisan Promoting Effective Forest Management Act, introduced in the Senate by Energy & Natural Resources Chairman Joe Manchin (D-WV) and Ranking Member John Barrasso. That bill would, among other things, set numeric targets for mechanical thinning at the Forest Service, require the use of expedited authorities on some acres, and encourage the Forest Service to promote staff in place. We

also commend to your attention the Expediting Forest Restoration and Recovery Act introduced by Sen. John Thune. This bill requires, rather than allows, the Forest Service to use expedited NEPA on acres designated at high risk to fire, insects, or disease, and it expands the number of acres eligible for expedited NEPA.

Conclusion: The National Forest System is a conservation achievement of which all Americans should be proud. More than half of the National Forests are already in low to no management designations like Wilderness Areas, Wild & Scenic River corridors, and Inventoried Roadless Areas. Less than 28 percent of the National Forest System is designated as “suitable for timber production.” Yet with all of these restrictions, management on National Forests remains a daunting challenge.

Congress should consider simplifying the forest planning process, providing additional resources for forest plan monitoring, and making it clear that they expect timber management to take place on suited acres. The discussion draft before you today makes significant strides in reducing litigation and ensuring accountability. We urge you to think big and consider these more fundamental reforms as well.

And while we recognize that this goes beyond your jurisdiction, we’d be remiss if we did not point out that the appropriations process has proven to be an active impediment to good forest management (and much else besides). While Congress has the right to demand accountability of the Forest Service, the legislative branch must also take responsibility for clarifying the mission of the agency *and* funding it in a timely manner.

On behalf of the more than 300,000 American who rely at least in part on Forest Service timber for their livelihoods, I want to thank you for the opportunity to appear before you today.

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