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Subcommittee on Public Lands and Environmental Regulation
Natural Resources Committee United States House of Representatives
Oversight Hearing on “State Forest Management: A Model for Promoting Healthy Forests, Rural
Schools and Jobs”

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On behalf of the State of Idaho, I want to thank Chairman Bishop and the Subcommittee for this opportunity to share my thoughts with you about how state management of forest lands is more effective than federal management and has the potential to generate more revenue. It is an honor and a privilege to be here today.

Idaho’s total land size is approximately 53.5 million acres, of which the federal government owns and manages approximately 34.5 million acres.

The USDA Forest Service (Forest Service) is Idaho’s largest federal land manager, with approximately 20.4 million acres – about 4.4 million acres of wilderness, 9.3 million acres of inventoried roadless areas and 16 million acres of forest land. The State of Idaho owns just under 1.3 million acres of forest land, and private landowners own an additional 2.8 million acres.

According to information available from the Forest Service and the Bureau of Land Management (BLM), the total volume of sawtimber on all federal forested land in Idaho equals approximately **167.6 billion board-feet of timber** on the 17.2 million acres of federal forested lands administered by those two agencies.

Even though the Forest Service is the largest forest land manager in Idaho, the State and private forests provide over 90 percent of the wood milled in our state. Timber harvests on federal lands in Idaho are the lowest they have been since 1952, and less than 1 percent of national forests are logged nationwide each year.

In 2012, the Forest Service harvested an estimated 100 million board-feet of timber in Idaho. In stark contrast, the State of Idaho harvested 356 million board-feet and private forest owners harvested 634 million board-feet.

Estimates available at this time indicate the Federal government paid approximately \$195 million to suppress wildfires in Idaho in 2012. Nationally, the cost of 2012 fires was approximately \$1.6 billion.

Outside of costs for fire suppression, the BLM and the Forest Service spent approximately \$275 million to manage their lands in Idaho in 2012. The BLM spent approximately \$117 million and the Forest Service spent approximately \$158 million. These numbers do not include the Forest Service's costs associated with research (nearly 100 scientists and employees in Boise, Moscow, and other locations in Idaho), the Forest Service's portion of the National Interagency Fire Center (nearly 100 full-time staff), and other regional office Forest Service employees.

As you can see from this data, the largest forest land manager in Idaho is woefully trailing in its harvest activities. This adds to our concerns because Idaho has some of the most productive forests in the nation. Idaho forests grow 2.3 times more wood than is harvested each year, resulting in overgrown, unhealthy federal forests.

Even more troubling is the amount of forest lands that burn each year. It appears to folks in Idaho that the federal government would rather see a valuable resource go up in smoke than harvest it and create some much-needed jobs for rural communities.

Idaho experienced a historic wildfire season in 2012, bringing the discussion about public land management into sharp focus. The true cost of Idaho wildfires is more than just dollars spent on suppression. It includes impacts on the environment and public health, loss of life and property, and lost opportunities for improving the lives of our citizens through the economic benefits offered by healthy, actively managed forests and rangelands.

There were about 9.1 million acres burned nationally in 2012. Of that, 1.75 million acres burned in Idaho, meaning our state accounted for about 20 percent of the acres burned nationwide, but on state-protected lands in Idaho, fire occurrence for 2012 was only 44 percent of the 20-year average, and the acres burned were only about half of the 20-year average.

Current federal land management processes have resulted in uncertain decision making, destabilization of resource-dependent communities, and deterioration in environmental quality on federal lands. It also is important to bear in mind that the activities of some environmental groups greatly exacerbate this problem. In short, the system is broken, and significant changes to these processes are necessary.

With that being said, I am not telling you anything you don't already know. In fact, the Government Accounting Office reported (in GAO-RCED-9965) "The most extensive and serious problem related to the health of national forests in the Interior West is the over-accumulation of vegetation, which has caused an increasing number of large, intense, uncontrollable, and catastrophically destructive wildfires."

We must refocus on the desirable outcomes of federally managed lands. Those outcomes include maintaining and enhancing proper environmental stewardship; enhancing fish and wildlife habitat; promoting community stability and resiliency; stabilizing land management agency budgets; improving certainty and accountability with resource management decisions; and managing federally administered lands in a fiscally responsible manner.

One of the primary problems leading to gridlock in the management of federally administered lands is the complex array of statutes and regulations, some of which conflict. Some modification of these mechanisms is needed to clarify the purpose and enhance effective outcomes. But by the same token, these agencies have not utilized the tools that Congress has provided through initiatives like the Healthy Forests Restoration Act.

Long-term leasing of federal lands could be extended greatly, not only as it has been done for mineral leasing, but also for other commercial uses such as logging. The State of Idaho has lengthened its maximum lease terms from 10 years to 20 years.

Another idea for improving federal management was outlined by the Idaho Federal Lands Task Force in 1998 under the leadership of then-Governor Phil Batt. Governor Batt recommended using the “Trust Model,” which guides the management of state lands in many states. A trust clarifies in absolute terms the fundamental objectives in managing those lands, the beneficiaries and, by extension, the mission and responsibilities of the trustees and managing agencies. The clarification of “mission” and “objectives” is in stark contrast to federally administered lands where the mission and objectives for management have been confused and contorted after a century of statutory and regulatory change and an unhealthy dose of judicial activism.

A trust consists of three essential elements. First, there must be a tangible property interest. Second, there must be a clear expression of intent whereby a settlor defines the purpose of the trust and “manifests an intention to impose duties which are enforceable in the courts.” Finally, there must be a beneficiary – an entity delineated by the settlor as the recipient of the benefits of the trust. A key advantage of a trust is that, since it is a legally defined entity, its structure and mission cannot be changed without legal action and significant effort. This provides stability in planning and decision making, and is a necessary element of the foundation of long-term resource management.

The mission is clear. The trustee is obligated to manage trust resources for the benefit of the beneficiary. Mission clarity gives trustees and trust managers a well-defined purpose to guide decision making. The clarity of the trust mission significantly differs from the existing process of uncertain and often conflicting objectives and goals leading to the cumbersome and often delayed federal land management decision making.

It would be inappropriate to suggest an abrupt move to a different management system for federal lands without first testing the organization, management and result of that system on a smaller scale. A pilot project could demonstrate in a more direct fashion how an alternative approach would be applied on the ground.

The development of a trust pilot project would require delineation of the elements of the trust, as well as the trustee and trust managers.

A “National Forest Trust” could be created through a trust instrument and executed by the settlor of the trust, the U.S. Congress. The trust instrument would be specific legislation passed by Congress setting aside a specific national forest, and establishing the intent of the trust, the trustees, the beneficiaries, as well as the structure for the trust management.

This concept is not new. The Trust Model is in widespread use – 135 million acres of state land in 22 states. There is clarity of mission. Perpetuity principle enhances sustainable resource management to conserve the principle assets of the fund. It is enforceable through fiduciary responsibility of trustees and managers to beneficiaries, and managers are accountable to report financial transactions. Public involvement opportunities are the same as under the current situation. There would be a stable source of funding for resource management and local communities without lawsuits and broad appeal processes fomenting uncertainty.

Because it is based on principles of clarity, accountability, enforceability and perpetuity, trust land management may be an effective approach to achieving sustainable resource management. The “Trust Model” works well for Idaho’s endowment lands. We have a sustainable, healthy resource on State lands which provides income for the public school children and the eight other beneficiaries of the trust.

In closing, I urge you to take a look at the state management trust model. Congress has provided direction to the Forest Service since the inception of the agency, and it is time for added direction – certainly redirection. Wildfires are increasing in severity and size; insects and disease are killing large tracts in our forests; forest stands are overgrown and seral species are impacted; and communities and commerce are disrupted. Now is the time for positive action before we lose more of our valuable forest resources.

Mr. Chairman and members of the Subcommittee, thank you for your time and careful consideration of this critical issue.