

Congress Must Address the Dire Condition of Our Forests

Many of our National Forests are in dire condition, and Congress must take urgent action to address this worsening crisis.

Catastrophic wildfires have once again wreaked havoc this year, leaving nearly 5 million acres burned, destroying hundreds of homes, unleashing untold amounts of carbon dioxide into the air, and, most tragically, claiming several lives. These unacceptable outcomes are hardly new; they have been harsh realities for many years running. And with tens of millions of dead and damaged trees across many National Forests, the problem will only grow worse.

As Forest Service professionals who dedicated our professional lives to protecting these forests, we have closely examined the science related to the causes and facilitators of catastrophic wildfire. The science overwhelmingly shows that excessive fuel loads, overly-crowded tree stands, and trees weakened by drought, insects and diseases all contribute to the severity of wildfires. In our judgment, more active management to address these factors, including more responsible and timely harvesting, is unquestionably needed.

While the Forest Service is working to increase treatments on at-risk acres, we urge Congress to address the many barriers to achieving the level of management that is necessary. Funding for hazardous fuels reduction has grown considerably over the past decade, but more investments in reducing excessive fuels and improving the health of our forests is critical. And it is crucial that Congress treat the worst catastrophic wildfires as natural disasters to make them eligible for emergency funding.

In addition, Congress should reduce red tape and accelerate science-based forest restoration projects. We urge support for putting projects developed by diverse collaborative stakeholders on the fast track. And because many projects involving timber harvests have multiple benefits, such as enhancing habitat and increasing recreation, we also urge Congress to streamline such integrated management projects in the same fashion as projects designed specifically to reduce hazardous fuels and address insect and disease damage.

Further, we implore Congress to go a step further by discouraging obstructionist litigation that continues to slow too many forest restoration projects. Over the past decade a small number of fringe groups have filed hundreds of lawsuits against projects in western National Forests. There are roughly thirty active lawsuits impacting projects in Montana and California, alone. Most of these lawsuits are against projects that were developed by diverse collaboratives.

Such chronic litigation undercuts the tireless work of collaborative participants and slows needed restoration work. It also forces the Forest Service to divert limited personnel to attend to the lawsuits, as well as bulletproof new projects with excessive, time-consuming analysis, both of which delay the development and implementation of new projects and result in large costs to taxpayers. We urge Congress to require courts to give maximum deference to the

expertise of Forest Service and Fish and Wildlife Service specialists, and to make it harder for courts to halt forest restoration projects with an injunction

In addition, we urge Congress to codify into law the Obama Administration's position in *U.S. Forest v. Cottonwood Environmental Law Center*, which involves the regulatory process federal agencies must follow after the listing of an endangered species or designation of critical habitat. The Forest Service and U.S. Fish and Wildlife Service perform robust, and necessary, endangered species analysis for each and every project, but the Ninth Circuit Court's decision in this case created additional regulatory burdens that will only slow the development and implementation of important forest restoration projects. The Supreme Court recently chose not to hear the Administration's appeal, leaving the agency at risk of facing additional regulatory burdens.

We applaud recent actions by Montana Senator Steve Daines and California Senator Dianne Feinstein for working together in a bipartisan fashion to call for faster management tools and discouraging litigation by establishing a pilot arbitration program to resolve conflicts and carry out projects faster.

Finally, we urge Congress to promote new markets for wood products coming from our National Forests. Wood has tremendous potential as a renewable source of energy, and new technologies allow for safe and reliable use of wood in tall structures. We encourage Congress to find responsible incentives to help ensure that the wood removed from our National Forests is put to such sound, innovative uses.

These much-needed reforms will reduce the risk of catastrophic wildfires and improve the environmental stewardship of our National Forests. They will also create and protect forest jobs and enhance the economies of our forested communities. We urge Congress to enact these commonsense solutions before the final embers of this year's devastating fire season are extinguished.

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