



Statement of the National Wild Turkey Federation

**SENATE COMMITTEE ON ENERGY AND
NATURAL RESOURCES**

**WILDFIRE BUDGETING, RESPONSE, AND FOREST
MANAGEMENT ACT OF 2016**

June 23, 2016

**Presented by:
Becky Humphries, Chief Conservation Officer**

Chairwoman Murkowski and Senator Cantwell, I am Becky Humphries, Chief Conservation Officer of the National Wild Turkey Federation (NWTf). I appreciate the opportunity to submit this statement of strong support for the “Wildfire Budgeting, Response, and Forest Management Act of 2016” Discussion Draft of May 25, 2016, which addresses the issues of fire-borrowing and active forest management on US Forest Service (USFS) and Bureau of Land Management (BLM) lands. I submit as part of my statement for the record, a letter of June 7, 2016, from 32 national wildlife and hunting conservation organizations in support of the Discussion Draft, and with a commitment to work with both this Committee and the Budget Committee to move this much-needed legislation to enactment. Our conservation community looks forward to working with you to move this bill expeditiously through the Committee and next to the Senate floor.

Founded in 1973, the National Wild Turkey Federation is a national non-profit wildlife conservation organization dedicated to the conservation of the wild turkey and preservation of our hunting heritage. The National Wild Turkey Federation is 230,000 members strong and maintains local chapters in every state. With the successful restoration of the wild turkey complete, the National Wild Turkey Federation has focused its efforts on our “Save the Habitat. Save the Hunt.” initiative, which connects both parts of our mission by recognizing the importance of quality habitat for wildlife conservation and our hunting tradition. Through this initiative, our “Save the Habitat” efforts are largely focused on creating and maintaining healthy forests through active management.

NWTf is unusual among conservation organizations. We don’t simply advocate for what we want, we actually do serious forestry work and put conservation directly on the ground on our federal public lands. The NWTf has over 50 professional conservation staff located across the nation, including 9 professional foresters. These staff work daily with state agencies, federal agencies, and private landowners to implement forest management and other wildlife habitat projects on the ground. The NWTf has a long-standing formal partnership with the USFS dating to 1986. We have worked together to deliver thousands of projects benefiting wildlife and wildlife based recreation. The NWTf has been a leader in Stewardship Contracting, implementing one of the first projects by a non-profit organization a decade ago. Since, we have partnered with the USFS on 81 successful stewardship contracts and agreements. All of these projects demonstrate the benefits of partnership and have resulted in thousands of acres of sustainable forest management. As a result of these agreements, over the last decade the NWTf has consistently been one of the top 20 purchasers of federal timber, ranking as high as fifth. We understand first-hand the power of collaboration and partnerships, the value of categorical exclusions to getting work done in an efficient manner, and the challenges faced by the federal agencies in getting active management implemented on the ground.

Professionally trained wildlife biologists know that forest diversity at the landscape level is the key to proper management to achieve species diversity and robustness. There are four fundamental criteria each forest species needs for survival: food, water, shelter, and space. Depending on how a forest is managed, various amounts of these criteria become available to the wildlife living there. Wildlife managers consider active management the best solution to meet the habitat requirements of the largest variety of species. Active management creates young forest habitat, which provides adequate food sources, nesting habitat, and hiding places for forest

wildlife. Throughout the United States we are losing this diversity on a landscape-level scale, in many cases because our forests are becoming more homogenized and over-mature.

This has resulted in a precipitous decline in species that are dependent on young forest habitat. For example, in the eastern United States, 59% of bird species dependent on young forests have declined in the last few decades, including songbirds like the golden winged warbler, which is a candidate for Endangered Species Act (ESA) listing. Ruffed grouse have nearly disappeared from several national forests across the east and midwest, and the wild turkey has experienced population declines in many areas, often associated with the lack of young forest habitat for nesting and raising their young. In western forests, like the Willamette National Forest in Oregon, current forest management for mature forests benefits 14 species dependent on these forests, while 71 species solely dependent on young forest, and another 116 generalists, suffer as young forest habitat declines. Two popular, charismatic species, the mule deer and elk, both depend on early forest successional stages for forbs, shrubs and other food sources. The USFS has recognized the need for young forest habitat and it allocates funding and guidance to provide such habitat for threatened and endangered species, including the golden-winged warbler, New England cottontail, the gopher tortoise, and red-cockaded woodpecker. However, the pace of creating young forest habitat for these and hundreds of other wildlife species needs to be greatly increased.

We appreciate that the Committee is expeditiously considering the issue of fire borrowing and active forest management on federal forest land to increase the pace of creating young forest habitat. We are very much in favor of most aspects of the Discussion Draft. We offer a couple of recommendations in the remainder of this testimony that we believe would improve the bill.

This fire borrowing has very real consequences. For example, in the Rio Grande National Forest in the USFS Region 2, catastrophic wildfires suppression routinely “borrowed” funds from the Forest Service’s budget (up to 60% in 2014). This borrowing has severely hampered staff time and operating dollars from being focused on active forest management efforts that are planned and budgeted.

The West Fork Complex Fire of 2013 involved over 115,000 acres on both the Rio Grande National Forest and the San Juan National Forest to the west. Fire behavior and intensity burned at levels that were drastically above the norm for this type of fire in a spruce fir zone, prevented defensible space from being established for fire fighters and created a high fire burn severity on over 60% of the burn scar. This fire event was exacerbated by the nearly 500,000 acres of the fire zone that was involved in a spruce beetle infestation, nearly all of which was in the “brown stage”, which elevated the risk and intensity of the wildfire dramatically.

Although the current Forest Plan authorized silvicultural activities to occur and NEPA-ready projects were available, forest management activities on the Rio Grande National Forest have been drastically reduced for nearly a decade as a result of “fire borrowing”. This phenomenon is prevalent across Region 2 National Forests.

The NWTF sincerely appreciates the proposed fix to the fire-borrowing issue, which is long overdue. Catastrophic fires are increasing in number, and the cost of fire suppression - largely

because of these catastrophic fires - now exceeds 50% of the USFS budget. The NWTF supports the provisions in the Discussion Draft that will address the problem of account transfers out of important fish, wildlife, recreation, watershed, habitat and forest management accounts, including fire prevention, when wildfire suppression costs exceed the appropriated amounts for the USFS and BLM. While the majority of catastrophic fires occur in the west, the impact from the borrowing from other accounts is felt nationally. Significant cooperative projects between the NWTF and the USFS or BLM are put on hold or cannot be realized because of loss of these funds to fire suppression.

The NWTF understands and respects that the wildfire fix is the jurisdiction of the Budget Committee and that Budget Committee Leaders appreciate the severity of the problem and have worked well with your Committee on this draft. NWTF respectfully requests that this Committee and the Budget Committee continue working on this issue and that consideration is given to setting the ceiling for fire suppression funding at last year's wildfire suppression 10-year average, above which the agencies may access disaster funding. The percentage of the budgets of the U.S. Forest Service and Department of the Interior dedicated towards wildfire suppression has grown substantially in the last several decades. Using a rolling 10-year average as outlined in the Discussion Draft is an improvement for sure, but it will result in a continued decline in staff resources and budget authority for other activities including fish and wildlife management and forest management directed to fire prevention. Unless fire suppression funding is capped, this will continue to contribute to the challenges of overstocked forests in all parts of the country, which is also reflected in certain types of wildlife habitat decline.

The NWTF strongly supports the provision in Title III (a)(2)(E) that expedites forest health projects in plans developed by collaboratives to improve "wildlife habitat to meet management and conservation goals, including State population goals." Federal land forest projects can significantly affect the ability of state fish and wildlife agencies to attain or sustain wildlife population objectives. The degree of the federal-state coordination can vary, and differing mandates can complicate state fish and wildlife agency efforts to meet publicly supported outcomes for wildlife populations, habitat, hunting and other wildlife related recreation. This provision should incentivize and enhance the state-federal cooperation to reach these outcomes on federal forests within state borders, as agreed to by the state fish and wildlife agencies and the USFS or BLM.

The NWTF also supports all of the Draft's purposes which qualify a project developed by a collaborative for expedited NEPA review. We fully support incentivizing and facilitating the use of collaboratives to develop forest management projects as reflective of the interests of all stakeholders in the Forest Plan or Resource Management Plan. Restricting the NEPA alternatives to either action or no action consideration will begin to break through the paralysis that has settled on federal land management by an increasing number of unfounded lawsuits. Management of our federal lands needs to be returned to federal and state professionals, after appropriate public engagement and review, in order to reduce the time and cost of delivering conservation on the ground.

We provide a couple of examples to illustrate this. First, the Rio Grande Watershed Emergency Action Coordination Team in Colorado is a community group formed to address general concerns regarding public safety and environmental health concerns after the West Fork and

Papoose Fires. It was established to bring together local, state, federal and non-government organization partners to develop an effective, coordinated approach for immediate actions to directly address fire-caused natural hazards resulting in the need for the protection of human life and property and the natural health of the Rio Grande Watershed and its environment.

Additionally, collaboration between NWTF, the Wildlife Management Institute, and the USFS in the Green Mountain National Forest, resulted in utilization of a Challenge Cost Share Agreement to fund work on the ground to help the USFS meet forest objectives for young forest habitat. The NWTF will be administering contracts with contractors to fund the work utilizing USFS and Wildlife Management Institute funds in summer 2016 and into 2017.

The NWTF supports Title III because its intent is to remove some of the traditional barriers that have made it difficult to be proactive in forest management or even responsibly reactive after a catastrophic wildfire. Section 331 directly addresses restoration efforts where there is a need for forest restoration in not only Ponderosa Pine forests but also in “dry site mixed conifer forests” that are deemed “Eligible” according to the criteria outlined. This will allow restoration efforts to be addressed, for example, in spruce forests that have been severely impacted by spruce beetle occurrences when the fire regime is at an extremely undesirable level. Such is the case in southwest Colorado on the Rio Grande, San Juan and Gunnison National Forests where nearly 1 million acres of spruce/fir forests have been devastated by the occurrence of the spruce beetle. These impacted areas are not within a wildland-urban interface, sit at the heads of significant watersheds, are not in “desired condition relative to fire regime” and have a “high or very high wildfire hazard potential”. This language would provide much needed opportunity for collaborative forest reform efforts to receive authorization to move forward and manage these forests with science-based management.

Further, the NWTF supports section 311 because we believe that if the federal government seeks to change a forest harvest regime on Tongass National Forest that will significantly affect timber operators, sawmills, and the local economy, it should be required to inventory the supply of timber under the new harvest regime and the potential impact on the local economy.

With respect to Section 324, the NWTF recognizes the need for additional funds to be devoted towards planning activities. Planning activities are necessary to develop and implement projects, and often resources are limited to get the work and clearances completed in a timely manner. Therefore, allowing some stewardship project revenues (i.e., “retained receipts”) to cover the costs of planning additional stewardship contracting projects could be beneficial. This provision may further justify the continued or increased use of Stewardship Contracting, especially on National Forests that are able to generate significant stewardship project revenues, for those that have limited “shelf ready” projects, and for those that lack capacity to complete the required planning efforts. However, we are not sure if the need reaches the 25% threshold and ask that you explore a lower threshold.

Additionally, on Section 324, we are concerned that diverting a significant amount of retained receipts for planning efforts may not leave adequate funds to accomplish the on-the-ground service work necessary to improve the health of our forests. Therefore, we suggest that use of this provision be closely monitored to ensure that product value (i.e. timber receipts) is used to

fund restoration efforts where ample shelf-ready projects already exist. This is particularly pertinent to Stewardship Agreements, a type of “Stewardship Contracting” in which partner non-profit organizations contribute a minimum of 20% matching funds in order to expand the pace and scale of restoration. Given the significant investment by these non-profit partners, we believe all the timber receipts generated during the life of the project should be fully utilized for actual service work, rather than being used to plan future projects in which the partner may not be involved.

Finally, I would like to make an observation about Categorical Exclusions (CEs) since there is much misinformation in circulation about CEs and their legitimacy. CEs are not exceptions to NEPA. They are defined and utilized under the Council on Environmental Quality (CEQ) regulations 40 CFR Part 1508.4 for activities that individually or cumulatively have no significant effect on the environment. Characterizing them as exceptions to NEPA raises “NEPA exemption anxiety” where none needs to exist. The CEQ regulation definition of CEs is below in full:

” ‘Categorical exclusion’ means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency in implementation of these regulations (Sec. 1507.3) and for which, therefore, neither an environmental assessment nor an environmental impact statement is required. An agency may decide in its procedures or otherwise, to prepare environmental assessments for the reasons stated in Sec. 1508.9 even though it is not required to do so. Any procedures under this section shall provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect.”

This Administration has also issued CEQ policy encouraging federal agencies to take more advantage of the opportunities provided under CEs to expedite NEPA review. While some may categorize CEs as a “NEPA exemption” the facts in CEQ regulations clearly refute that as a mischaracterization.

The encouraging news is that through the use of categorical exclusions, we can make a difference. For example, along State Highway 149, south of Lake City, Colorado, lack of forest management created a highway corridor that was extremely dangerous due to beetle killed timber and the resulting threat of dead-fall or wildfire. Through a Categorical Exclusion that was authorized on the Grand Mesa, Uncompahgre and Gunnison National Forests, a highway safety corridor project was undertaken in the summers of 2014-15 that has made a remarkable difference in forest health and human safety.

Overall, the NWTF thinks that this Discussion Draft is a scientifically sound and realistically reasonable proposal and one that should easily be able to pass and make it to conference with the House. Thank you for the opportunity to submit comments on the Discussion Draft, and we look forward to working with you as the bill progresses. The Committee is praised for its bipartisan work. We urge you to press on in the direction you are headed.