



June 26, 2017

The Honorable Rob Bishop, Chairman
Natural Resources Committee
123 CHOB
United States House of Representatives
Washington, DC 20515

The Honorable Raul Grijalva, Ranking Democrat
Natural Resources Committee
1511 LHOB
United States House of Representatives
Washington, DC 20515

Dear Chairman Bishop and Representative Grijalva:

On behalf of the National Wild Turkey Federation (NWTF) and its 230,000 members, we urge you to take swift Committee action on H.R.2936 the Resilient Federal Forest Act of 2017. The NWTF is a leader in wildlife habitat conservation in North America and is dedicated to the conservation of the wild turkey and preservation of our hunting heritage. We are currently working towards our 10-year Save the Habitat. Save the Hunt. initiative in which we aim to conserve or enhance 4 million acres of critical habitat, recruit 1.5 million hunters and open 500,000 acres for outdoor enjoyment.

Active forest management is crucial to establishing healthy and sustainable forests and decisions for forest management should be based on sound science. As such, the common sense solutions offered in H.R.2936 are imperative to the health and future of our nation's forests and important to the NWTF to help achieve our objectives. In total, H.R.2936 has many reasonable solutions to the challenges that the managing agencies face to increase the pace and efficiency of active forest management on our nation's federal lands. We take this opportunity to highlight those solutions that we believe will make the most immediate difference and offer recommendations as to how we believe the bill can be further improved.

We support increased availability for Categorical Exclusions (CE) in order to deal more effectively and efficiently with threats like pests and disease and for addressing urgent wildlife needs like critical habitat for endangered species. We are especially supportive of the CE that will allow for activities that enhance early successional forests for wildlife habitat. Unlike some critics of CEs who will suggest, they do not exempt the action from the National Environmental Policy Act (NEPA), rather they apply the NEPA review to like or similar actions to expedite the process. These are administered under Council on Environmental Quality regulations and other guidance. Increased use of CEs is one of the best opportunities we have in the short term to increase the pace of active forest management.

Funding the cost of fighting catastrophic wildfires outside of the agency budget is paramount to the agency's ability to deliver on other aspects of their mission. We are supportive of a fix that will allow catastrophic wildfires to be considered a disaster. Until agencies are freed from the burden of fighting catastrophic wildfires through their annual budgets we will be unable to make meaningful progress towards proactive forest management. We recommend capping the firefighting budget at the current 10-year average to protect further erosion of the U.S. Forest Service budget in other important mission delivery areas.

We support the bill's provisions for large scale reforestation on fire-impacted lands. While public input and review is essential to public lands management, currently it can result in delayed action and result in an inability to accomplish the necessary objectives. We believe the deadlines set for plan development and public input, as well as the prohibition on restraining orders and preliminary injunctions strike a reasonable balance. We

National Wild Turkey Federation

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recommend that this provision of the bill clarify that proper ecological restoration is allowed as a mechanism to salvage forests post catastrophic events as reforestation may not always be the best action for the ecological good.

The NWTF strongly supports arbitration as an alternative to litigation. This will conserve valuable U.S. Forest Service resources and expedite work getting done on the ground. Additionally, we support the provision that does not allow plaintiffs challenging a forest management activity to receive any award or payment obligated from the Claims and Judgment Fund.

We support the approach for allowing evaluation of only action/no-action alternatives for collaborative Forest Plans, Resource Advisory Committee and Community Wildfire Protection Plan projects. Limiting the number of alternatives will expedite the development of environmental assessments and allow work to get done on the ground more quickly. We also support the requirement to look at consequences of a no-action alternative as a no-action decision would still have an impact on the resource.

We understand budget concerns counties face and are supportive of a portion of retained receipts from stewardship contracts going to the counties. Stewardship Contracting is an important tool for active forest management. Ultimately this change will remove one impediment to utilizing Stewardship Contracting and help garner support from the counties. We recommend modifying this section to reflect that payment should come only from retained receipts on completed projects, versus strictly from timber value within ongoing projects. This will maintain the "exchange of goods for services" function of Stewardship Contracting while also preserving the balance of timber dollars and the investment of matching funds from organizations like the NWTF to expand the scope and scale of projects, thus accomplishing more active management and fire protection across the landscape and within counties.

We appreciate the recognition of the importance of funding planning activities for forest management. We are concerned that the provision could potentially provide justification for the U.S. Forest Service staff to refrain from fully utilizing product value and partner match dollars for on the ground work. While we feel the 25% threshold is too high, the provision of allowing some of the stewardship project revenues to cover the costs of planning additional projects could be beneficial and incentivize project planning.

We also appreciate the common-sense amendments to the Endangered Species Act (ESA) that will improve the process of protecting endangered and threatened species and their habitat. The bill overturns the "Cottonwood" court decision, which directs that if additional critical habitat is designated under an approved Forest Plan or Resource Management Plan, a section 7 programmatic re-consultation of the entire Forest Plan needs to be done. The U.S. Fish and Wildlife Service and the Obama Administration argued that the section 7 consultation needs only to be done on the portion of the project covering the additionally designated acreage of critical habitat. The remedy in this bill will greatly reduce the debilitating process that the federal court decision directs. The bill also affirms current U.S. Fish and Wildlife Service policy that no ESA section 7 consultation is required if the U.S. Forest Service or Bureau of Land Management determines through informal consultation that the proposed action will not likely have an adverse affect on species or critical habitat. We further support the 90 day threshold on a CE established by this bill because it will conserve agency resources and expedite management activities on the ground.

We commend Congressman Westerman, the co-sponsors, and Chairman Bishop for their dedication to restoring and maintaining our federal forests under management informed by science, and offering the appropriate reforms to management practices. We respectfully urge that you expeditiously report H.R. 2936 out of Committee and to the House floor.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca A. Humphries". The signature is fluid and cursive, with a large initial 'R' and 'H'.

Rebecca A. Humphries
Chief Executive Officer