

Testimony of

Becky Humphries
Chief Conservation Officer
The National Wild Turkey Federation



on

Legislation to Address Forest Policy Reform and
Encourage Active Forest Management

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Subcommittee on Federal Lands
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Mr. Chairman, Members of the Subcommittee, I am Becky Humphries, Chief Conservation Officer of the National Wild Turkey Federation, and I appreciate the opportunity to testify on the issue of active forest management. 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.

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 animals 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. The U.S. Forest Service has recognized the need for young forest habitat and they allocate funding and guidance to provide such habitat for threatened and endangered species such as the golden-winged warbler, New England cottontail, gopher tortoise, and red-cockaded woodpecker. These benefits extend to numerous other species of wildlife, and result in a greater diversity of plants and animals.

The National Wild Turkey Federation’s work on the Oconee National Forest and the Piedmont National Wildlife Refuge in Georgia provide an example of these benefits.

From 2007 through 2012 the National Wild Turkey Federation worked with the U.S. Forest Service and the U.S. Fish and Wildlife Service to actively manage over 21,000 acres of loblolly pine habitat on federal lands. The primary objective of the work was to increase pine savannah and young forest habitat to improve habitat for, and reduce wildfire risk to, the endangered red-cockaded woodpecker. This was achieved through timber harvest, the removal of invasive, exotic plant species, and an increase in the use of prescribed fire. As a result of the extensive sustainable forest management practices employed during this project, the number of potential breeding pairs of red-cockaded woodpeckers in the project area increased by nearly 27%. In addition, habitat improvement and population increases were noted for other species including the southern flying squirrel, bobwhite quail, wild turkey, and a variety of migratory songbirds. Long-term maintenance costs and threat of wildfire, forest pests, and disease were also reduced through these efforts.

The management of healthy forests is made economically viable through the harvest and sale of forest products and timber. The activities also help offset the costs associated with other forest and wildlife management activities such as reforestation, invasive species control, prescribed fire, timber stand improvements, etc. Without the funding that sustainable forest management provides the landowner (including the federal government), we are likely to see less forest management, which, in turn, will exacerbate the problems of wildfire, decreased forest health, endangered species, and water quality. Additionally, without the revenue that active forest management provides, we are likely to see increased land conversion to non-forested uses and the loss of the basic operational capacity (i.e., loggers and mills) to accomplish on-the-ground, sustainable forest management that results in healthy, resilient forests important for a wide variety of ecological benefits.

We can't rely solely on state and private lands to continue to supply the timber industry with the fiber necessary to meet our forest product needs. Our nation's federal lands also play a vital role in maintaining healthy forests that are resilient to threats at a landscape level. The sustainability of this industry is critical for us to economically

maximize the benefits of a healthy forest and fight the threats of wildfire, insects, and disease. Furthermore, if the health and vitality of our federal forests are not addressed, devastating wildfires and insect and disease epidemics will spread to adjacent state and private forestlands, thereby undermining other efforts to maintain healthy forests. Without the forest products provided by our federal lands, the ability to manage for healthy forests across a landscape, regardless of ownership (i.e. federal, state, or private), is severely threatened. We believe the draft legislation this committee is considering will help to ensure that timber harvest, and the creation of young forest habitat for wildlife, remains viable on both federal and non-federal lands.

Our current funding model for fighting catastrophic wildfires helps illustrate this point. Over the last 30 years the length of the fire season has increased by more than 2 months. In addition, the intensity of many fires has increased largely due to an increased fuel load that is a result of less timber harvested and reduced active forest management. During the same time period, the cost of wildfire suppression has increased an average of more than 22% annually and now accounts for half of the U.S. Forest Service's annual budget. Hundreds of millions of dollars are spent annually to fight forest fires. Unfortunately, these fires often result in scorched earth that all agree is not good for wildlife, water quality, recreation, or local economies and jobs. Alternatively, we could and should increase the pace of sustainable forest management. Active forest management to prevent wildfires costs less than suppression and is proven to be extremely effective at preventing wildfire, as well as helping with fire containment and suppression efforts. By reducing the obstacles to sustainable forest management on our federal lands not only can we reduce the likelihood of wildfires and the costs of fighting them, but we can also realize additional benefits of improved public safety, the protection of private and public property, quality wildlife habitat, improved water quality, fewer invasive species, enhanced recreational opportunities, and more robust local economies.

The National Wild Turkey Federation has been a leader in the Stewardship Contracting realm. We have partnered with the U.S Forest Service on 81 successful

Stewardship End-Result Contracting projects in the last decade. All of these projects demonstrate the benefits of partnership and have resulted in sustainable forest management. For example, in New Mexico, the National Wild Turkey Federation is partnering with the U.S. Forest Service in the eastern Zuni Mountains of the Cibola National Forest on the Bluewater stewardship agreement. Since 2010, 5,000 acres have been treated to create a healthy, resilient forest by reducing the timber density of the stand, and in turn improving the future ability to proactively manage the forest with fire. This both decreases future fire risk in the area and creates quality habitat for the wild turkey and other wildlife. The National Wild Turkey Federation and our partners, including the sawmill Mount Taylor Machine, have provided matching funds to the project which has expanded the number of treated acres by 20 percent. Mount Taylor Machine almost exclusively receives its product from the national forest and without this project likely would have been forced to close, putting their 35 employees in the small community of Milan, New Mexico out of work. The project is so important to both the forest and the community that the Mount Taylor Machine has donated a portion of its hauling expenses to ensure the project can continue. The U.S. Forest Service acknowledges that without the National Wild Turkey Federation's capacity to administratively handle this project the work would not have been possible. The National Wild Turkey Federation has also participated in the Puerco Cooperative Forest Restoration Project that has collected necessary data for a landscape scale National Environmental Protection Act analysis that will allow for the expansion of similar forest management work in the western Zuni Mountains of the Cibola National Forest.

The partnership opportunities provided by Stewardship End-Result Contracting allow the U.S. Forest Service to respond more quickly to natural disasters. In 2009, a catastrophic ice storm devastated much of Land Between the Lakes National Recreation Area in Kentucky and Tennessee. Through a stewardship agreement, The National Wild Turkey Federation helped restore access to the 170,000-acre recreation area by facilitating multiple logging crews to open roads and clean up debris. Since that time, our partnership efforts have continued, focusing on forest health and wildlife

habitat by reducing forest density, removing invasive plant species, restoring native grasses and trees, and improving and maintaining access for visitors. Through the stewardship agreement, the local National Wild Turkey Federation chapter provides approximately \$20,000 worth of in-kind services and nearly 600 hours of volunteer time annually, expanding the scope of work that could otherwise be accomplished using only federal money. Together we accomplish nearly 6,000 acres of treatments annually.

Despite these examples of progress, the National Wild Turkey Federation believes that many administrative policies and processes continue to slow the rate of implementation to an unacceptable pace, greatly increasing the cost of implementation. We are thankful to this subcommittee for tackling the job of updating forest policy to address the long understood concerns of the forestry and conservation community. I'd like to highlight a few thoughts that the National Wild Turkey Federation has concerning the draft bill.

1. *Categorical Exclusion Expansion* - The National Wild Turkey Federation supports any actions that will help streamline the process and speed up the pace of work. We believe that there are certain actions that clearly deserve categorical exclusions in order to deal with issues like pests and disease, hazardous fuels, critical habitats for threatened or endangered species, salvage facilitation, protection of municipal water sources, increased water yield. The tool is especially important for activities that improve, enhance, or create early successional forests for wildlife habitat and other purposes specified within the forest plan. Collectively, the U.S. Forest Service and its resource managers have a long history and considerable experience managing our forest resources. The treatments mentioned above are routine, reoccurring activities with known, minor impacts and therefore fall under the purpose of categorical exclusions. They should not require the typical extensive environmental assessments. We believe these categorical exclusions are necessary and will help increase the pace and scale of management and restoration of our nation's forests. The acreage size limits in the bill should allay any concerns

about the potential for overtreatment. We are especially pleased with the categorical exclusion for meeting forest plan goals relative to early successional forests. Such forests provide habitats that are critical for many wildlife species, including the wild turkey.

2. *Title II: Large Scale Wildfire Reforestation* - The National Wild Turkey Federation supports the requirements that the U.S. Forest Service: 1) Complete NEPA for all planned reforestation activities; and 2) Implement and complete said reforestation activities on at least 50 percent of the fire-impacted lands in a timely manner following the conclusion of the wildfire. The draft bill specifies a three month window to complete NEPA and two years to complete the reforestation treatments. We support the premise of both requirements, so long as both timelines are reasonable given budgets and capacity. In addition to the deadlines, the National Wild Turkey Federation supports the prohibition on restraining orders and preliminary injunctions with respect to decisions to prepare or conduct reforestation activities following a large-scale wildfire. While public input and review is an essential and necessary element of public lands management, it is imperative that we work to restore wildfire-impacted lands for the ecological health of the immediate area and surrounding landscape, protection of the watershed, economic vitality of the local communities, and the social and aesthetic values that our federal lands provide. Delaying action can result in an inability to accomplish these objectives.

3. *County Payments for Stewardship Contracting* - The National Wild Turkey Federation generally supports changing the way timber revenues are handled through Stewardship Contracting Projects, specifically Integrated Resource Timber Contracts, so as to provide payments to counties. We understand the budget concerns facing counties and certainly don't have all the answers for how to replace lost timber revenue to counties due to lack of management. That said, we recognize that not treating timber revenues generated from Integrated

Resource Timber Contracts the same as regular timber sales has led to unintended consequences on county budgets. As one of the larger users of Stewardship Contracting, we believe this change will remove one impediment to using Stewardship Contracting and help garner and/or maintain support for the program.

The National Wild Turkey Federation is concerned that paying a portion of the stewardship project revenues to counties could, however, negatively impact the outcomes and/or willingness of partners to enter into Stewardship Agreements with the U.S. Forest Service. Stewardship Agreements, a specific type of project authorized under the Stewardship Contracting Authorities, are uniquely different from Integrated Resource Timber Contracts. Stewardship Agreements, unlike Stewardship Contracts, are awarded via a non-competitive process, can only be entered into with a non-profit partner organization, and the partner is required to contribute a minimum of 20% match in order to expand the scope and scale of the project. Stewardship Agreements are often applied in situations with limited timber value, in places where there aren't viable markets or where the U.S. Forest Service lacks capacity to administer/implement the project. As a result, the partner's match is required to make the project feasible and to enable the timber harvest and related wildlife/habitat service work to be completed. As a result of the 81 Stewardship Agreements that the National Wild Turkey Federation has partnered with the U.S. Forest Service on, we have seen many cases where our match was used to expand the scope/scale of the project beyond what would have been possible via a regular timber sale or Stewardship Contract. For these reasons, the National Wild Turkey Federation feels it would be inappropriate to divert a portion of the timber revenues to the counties, in that doing so would decrease the dollars available for on-the-ground work. We suggest that payments to counties be incorporated into the Integrated Resource Timber Contracts but not into the Stewardship Agreements.

4. *Two alternatives approach* - The National Wild Turkey Federation supports the approach of only allowing two alternatives for collaborative, Resource Advisory Committee, and CWPP projects. Limiting the number of alternatives will speed up the development of environmental assessments and allow work to get done on the ground more quickly. We also support the requirement to look at the consequences of a no-action alternative. A decision to not actively manage is a management decision, and therefore still has an impact on the resource.

5. *Allowing use of Collaborative Forest Landscape Restoration and Stewardship Revenues for planning* - The National Wild Turkey Federation certainly recognizes the need for more funds to be devoted to planning activities. These 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. We are not sure if the need reaches the 25% threshold, but we think the provision of allowing some of the stewardship project revenues (i.e., “retained receipts”) to cover the costs of planning additional stewardship contracting projects could be beneficial. This provision could provide an incentive for the continued or increased use of Stewardship Contracting and may be especially helpful for 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. That said, the National Wild Turkey Federation is concerned that this provision, if not closely monitored, could provide justification for U.S. Forest Service staff to refrain from fully utilizing product value (i.e., timber receipts) and partner match dollars for on-the-ground service work. In Stewardship Agreements, we believe all the receipts and match dollars generated during the life of the project should be used for actual service work, rather than being used to plan future projects in which the partner may or may not be involved.

6. Wildfire still needs addressing - The National Wild Turkey Federation appreciates that the Subcommittee wants to move a balanced bill that can pass both Houses and get signed by the President. We have concerns that this effort does not address the wildfire or “fire borrowing” issue. Until federal agencies are freed from the burden of fighting catastrophic wildfire through their annual budgets and the resulting “fire-borrowing,” we will be unable to make meaningful progress towards proactive forest management, which is our most effective and cost efficient way to reduce the number, size and intensity of wildfires. For us this is not a “deal-breaker,” but we urge the Committee to address fire borrowing as they move the legislation forward.

7. Collaboration - The National Wild Turkey Federation appreciates the emphasis on collaboration within this bill. In our experience, projects with strong collaboration are often larger, get implemented more quickly, include more financial partners, and are less likely to be challenged through litigation.

8. Litigation - We support the efforts to limit litigation on projects by requiring those challenging the U.S. Forest Service in court to post bond to cover the government’s legal expenses. We believe this will dissuade groups from litigating only for the sake of delaying action. Earlier this month in this Committee, former U.S. Forest Service Chief Dale Bosworth stated in written testimony, *“While many environmental laws were originally passed for good reason at a time when more checks and balances were needed, the situation has dramatically changed. Now communities are coming together at unprecedented levels to find common ground and to address the increasing threats of insects, disease, invasive species and wildfire. Unfortunately, the sheer multitude of laws, and their expansion by the courts have led to processes almost unintelligible to reasonable people. All of us understand that significantly more restoration needs to occur through aggressive active management.”* The National Wild Turkey Federation agrees with former Chief Bosworth that reform is needed and we applaud this Subcommittee for tackling this complex and sensitive issue.

Beyond the scope of the forestry reform bill, the National Wild Turkey Federation urges the U.S. Forest Service to fully utilize the existing authorities that Congress has provided in order to increase the scope and scale of forest management and restoration. We have a few examples:

- There are examples of cases where the U.S. Forest Service is not implementing projects (e.g., thinnings, timber harvests, prescribed burns, etc.) to the full extent approved/allowed under the completed NEPA documents and forest plans. This means there was time and resources devoted to the various planning stages that isn't being captured/realized during implementation. Furthermore, implementing projects to the fullest extent allowed under NEPA and forest plans is much more cost effective than partially implementing additional treatments elsewhere from a forest health, fire prevention, wildlife habitat, and economic standpoint because the contractors are already working in those stands.

- The U.S. Forest Service's internal policy, outlined by the Chief, does not allow National Forests to utilize Knutson-Vanderberg (KV) receipts for service work outside the original sale boundary. It is our understanding that many National Forests have KV receipts in excess of what is needed for work within the sale boundary. The 2014 Farm Bill, passed by Congress, grants the U.S. Forest Service the authority to use these receipts anywhere within the region where the receipts were generated. The Pinchot Institute's 2014 Annual Report on Stewardship Contracting states that 43 percent of the National Forest System (82 million acres) is in need of restoration. Currently, less than five percent (about four million acres) is accomplished annually. Clearly more needs to be done if we are going to turn the tide and restore the health of our national forests. Therefore, we urge the U.S. Forest Service to alter its policy in order to allow these funds to be used for the management and restoration treatments that our federal forests so desperately need.

To close, the National Wild Turkey Federation has shown through its continued partnership with the U.S. Forest Service and restoration efforts through our "Save the

Habitat. Save the Hunt.” initiative, that we are a strong proponent of active, sustainable forest management. The benefits to numerous wildlife species, their habitats, and forest health are matched with economic benefits that contribute to local economies and social benefits that contribute to strong communities and public recreational opportunities. Additionally, increased active forest management on federal lands will help prevent wildfires and make it easier and less costly to fight fires when they do occur. For all of these reasons, the National Wild Turkey Federation thanks the Subcommittee for this legislation and urges passage of a bipartisan forestry reform bill. Members of this Subcommittee have much to be proud of by beginning the process. Thank you for your time and consideration and your desire to address these critical issues.