

**Legislative Hearing on H.R. \_\_\_\_\_, H.R. 1294, H.R. 818, H.R. 1345, H.R. \_\_\_\_\_, and H.R. \_\_\_\_\_**

*Thursday, April 11, 2013 10:00 AM*

Subcommittee on Public Lands and Environmental Regulation  
1324 Longworth House Office Building, Washington, D.C. 20515

**Statement of Tommie Martin, Gila County Supervisor, District One**

Good Morning Chairman Bishop, Ranking Member Grijalva, distinguished members of the Public Lands and Environmental Regulation Subcommittee. I am so pleased to speak with you this morning about my views on federal land management in the West, in particular in Arizona. Thank you for the invitation.

Introduction

Since 2004, I have represented the citizens of District One on the Gila County Board of Supervisors. Gila County, Arizona, located in the center of Arizona just northeast of Phoenix, is a rural county with a population of 53,144, of which 12% are unemployed and 21% are living at or below 200% of the federal poverty level. Within the County's boundaries of 4,795.74 square miles, there is the Tonto National Forest with seven Federally-designated wilderness areas totaling 920 square miles and one Wild and Scenic River (the Verde), and three Federal Indian Reservations (Tonto Apache, San Carlos Apache and White Mountain Apache).

Gila County government operates under the economic constraint that 96% of the land within our boundaries is exempt from local taxation because it is under federal and/or tribal management. Of the remaining 4% of the land base, 2.5% is property used for mine tailings which is taxed at a significant reduction. We operate on a full tax base of only 1.5% of the land.

Of that 1.5%, 1% lies in the desert and rangelands of the southern part of the county and the ½% lies in the northern forested section. The heavily forested northern ½% represents up to 70% of the county's total assessed valuation and is 100% at risk from catastrophic wildfire. In a bit, I will discuss how we as a County have been involved since 2006 in mitigating this risk.

In Gila County, we work tirelessly to protect our natural resources. But we also recognize the importance of preserving, and maintaining access to, the western way of life that is evident in our multi-cultural activities, recreation, and natural resource-dependent industries located on federal lands. We believe that if we take care of the land, the land will take care of us. Over-protective federal land policies create an unsustainable environment for our western culture and economy.

Not only must we deal with the steep challenge of managing a wide range of local governmental needs on such a limited tax base, we must also deal with the complications presented by the land management decisions made by our federal land management agency neighbors. For example, the risk to our citizens from wildfire grows annually. While we work closely with the US Forest Service (USFS) to better manage the resource under their control, we are severely constrained in our ability to influence outcomes.

In addition, our ability to maintain a robust and diverse economy in Gila County has been eroded over the last forty years, in large part due to the restriction of access to resources on the federal lands (as well as overzealous interpretation of NEPA by the federal planning processes). Because of this, the once vibrant logging and ranching industries in Gila County are now nearly extinct. Nearly all of the mines are closed. And many, many mineral bearing acres are now permanently locked away in the 920 square miles of Gila County's seven designated wilderness areas.

And our latest challenge is that the federal government is treating what is essentially its property tax payment for federal lands in counties (which, as you know, is referred to as Payment in Lieu of Taxes and Secure Rural Schools funding from which we provide school funding and road maintenance services) as a discretionary obligation subject to the sequester and other general budget cuts. The federal government cannot balance its budget on the backs of the counties providing services. The federal government must meet its obligation to pay what is essentially a tax liability just as all its citizens are required to pay.

Now, let me switch gears. Prior to becoming Gila County Supervisor, I enjoyed a 25 year career in Natural Resource Management, working primarily as a contract specialist in collaborative holistic resource management. My career path let me work throughout the American West, western Canada, Mexico and eastern Africa -- primarily in the countries of Ethiopia and Somalia.

This career choice arose out of my personal history.

### Personal History

When my ancestors came to Gila County in the later part of the 1800's, the now densely forested lands were described to me by my great-grandmother as "open, rolling, grassy hillsides with stringers of trees in the upper elevations and stringers of chaparral in the lower climes. She drove the wagon that her family came to the area in and said that she could take that wagon in any direction and the boys could run a horse in any direction in what she talked about as a "ponderosa savannah". Never once did she describe it as a forest -- she said there may have been 30 trees to the acre in the most forested areas (we now have up to 3,000 per acre in the same area she was describing)

The streams were perennial and full of a native brown trout (since my grandfather's day we have lost over 1,000 miles of these same streams) and the forest was full of now long-gone birds and wild animals like wild canaries, grizzly bear and wolf.

My family homesteaded and ran livestock on the homestead permit. They owned a saw mill and logged. They prospected and located mines. Once the United States Forest Service was established, we ranched on leased federal lands, all the while bringing cattle, goats, and pigs to eat the understory and grasses and naturally till the soils. The animals constantly moved to maximize the grazing and avoid stressing any one area because the pioneers, with their nomadic style of livestock handling, knew intuitively that overgrazing was caused by time and not animal numbers.

Finally there is “science” to support this approach, but back then it was common sense. They understood that they needed the land to support them, and they had to take care of the land. Lightning strikes caused fires in the summer when the land was drier than during the rainier winters, but because the animals – wild and domesticated – grazed the land and reduced the potential fuel for the fires, the forest fires were not the deadly threat they are today. In fact, such fires served to maintain the forest ecosystem. In addition, today the USFS prefers to burn large swaths during the dead of winter in their “returning fire to the ecosystem mantra.” But that is exactly the time of year when all the little critters are snug in bed with their winter food storage. Just in time to get burned out of house and home and either starve or become coyote bait. This is more of what I call “failed federal policy” reaching all levels of the ecosystem.

With the advent of the USFS, and then the Bureau of Land Management, came two of their dictates that became particularly devastating to our dry forests and rangelands (as opposed to the wet forests and rangelands of the eastern seaboard and the western peninsula of the US, and much of Europe) – a situation they neither recognized nor understood. They both stopped an historic, almost ever-present fire within the forested areas and then they fenced up the open land stopping the nomadic livestock use of the browse and grasses that mimicked the historic use by wildlife. They also changed the wildlife free-range with these fences and have devastated whole herds through time.

And so began 100 years of rule upon rule, policy upon policy (and continues to this day) to make these initial dictates “work” in an environment that has and will continue to die because of them. We are seeing the end game in our forests now, in fact.

And over time, our ability to use the federal lands for support of our families became limited. Logging, mining, and grazing federal lands in Gila County has all but been completely eliminated. Environmental regulations and lawsuits created a business environment that shut down the industries that supported our families for generations. In the name of “science,” the logging mills are gone – that is both the infrastructure and the capability. As the federal leases for grazing were eliminated or severely curtailed, families that ranched for generations lost their herds and their livelihoods and sold out to folks that could afford a ranch for a lifestyle and did not have to depend upon them for a livelihood.

As the forests were allowed to grow unchecked by the natural system, streams dried up and the water table was taxed due to 100 times as many “straws” taking up water – an acre with 30 trees vs. an acre with 3,000 trees turns every little dry spell into a drought. The drier conditions, and the artificial droughts, stressed the dense forest and laid the trees open to pests and disease. And the wildfire fuel build-up is unprecedented. The threat we live in – virtually a sea

of gasoline – is unfathomable and completely created by poor federal land management because of 100 years of failed federal policy. The stress on the ecosystem by this burden created by federal land management decisions over the last 10 decades, now compounded by a warming climate, must be addressed. We must start to restore our western landscapes for their own sake – for their health, functioning and productivity.

But we must also restore them because they ARE our nation's basic wealth source – and our ONLY renewable wealth source. Managing renewable natural resources should NOT cost our nation money – it should, in fact, make money for our nation. Managing them as our federal government now does squander our basic wealth source – either we do not add wealth to the country's coffers or we outrageously cause cost in areas like 'management', fire suppression and subsidized thinning.

### Challenges

As described above, we face many challenges living and surviving in our current environment. These challenges are both environmental and public safety oriented, as well as economic. In order to meet the challenges posed by a grossly-overgrown disease-laden forest, we must look at the environmental and economic causes together. This land was healthy and thriving not that long ago, and adding to the nation's treasury through the economy. It can be restored. But the needed restoration will require a major overhaul of federal land management policy and implementation. We have seen some improvements, but we have a long way to go.

The following is a short list of the major reasons I see for the serious decline in our forests' health and the related health of the communities dependent on the forests for their livelihood – unchecked overgrowth:

- Reduced timber sales, and the resulting reduced payments to the counties of 25% of the value of the sales. The timber sales put people to work and help support our local economies and governments.
- Insufficient funding for thinning allows chronic overgrowth and building of wildland fire fuel that presents a terrifying threat to our county's residents.
- Hijacked use of the National Environmental Policy Act (NEPA) requirements delay needed thinning efforts. We have been witness to the Forest Service and the environmental groups battling over tree diameters while we burn. This cannot continue.
- Entrenched bureaucracy limits the flexibility needed to reach the creative solutions our landscape requires. The willingness to work collaboratively that is so uniformly and positively discussed in Washington needs to be effectively implemented in the field.

### Opportunities

I am fond of saying that the federal budget does not have the needed resources to clean up the forest, but the economy does – i.e., there is not enough money in the Treasury to solve this problem – but there is in the Economy. We need to let the land once again support itself, and our western culture and ranching families.

While the challenges are steep, there are a number of positive movements that can help guide more effective federal land management and best practices of local governments. Here are a few examples:

- Collaboration is critical to restore forest health. We cannot afford to keep fighting about who has the right approach. My world-wide, multi-cultural experiences and my involvement with both 4FRI and the Forest Service's Collaboration Cadre has shown me that we can save time and money in making land management decisions with all parties around the table from the beginning of the process to the end and by having an open and respectful dialogue. By that I mean that Forest Service management – from the Forest Supervisors to the Regional Supervisors to Washington – must be on board.
- Stewardship contracts can allow the forests to pay for their own restoration. This is an effective mechanism to put the forests back to work. To best implement stewardship, I believe that the contracts must be self-sustaining, that is, not dependent on federal or state subsidies to make the business work. From what I have seen from my experience working around the White Mountain Stewardship contract, as well as 4 FRI, the Forest Service must cultivate and ultimately choose self-sustaining businesses, but I am not sure the Forest Service has the expertise to evaluate the business viability. I recommend that Congress require that the Forest Service evaluate, in an open manner, the economic health of the potential contractors, as well as that of their proposals.
- Continue to include cellulosic targets in EPA biofuel standards. On forests like the Tonto, where there is little high quality lumber, but lots of "fuel," the option of turning the growth thinned from the forest for biofuels is very attractive. Recently, attention has turned towards creating an economically viable cellulosic ethanol process. As in all developing industries, federal targets help create a market. If a cellulosic biofuel market can be developed, the Tonto Forest's thinning program could become self-sufficient.

### Gila County's Response to Catastrophic Wildfire

As promised earlier, let's visit about Gila County's response to having 70% of its assessed value being 100% vulnerable to wildfire –

The geographical area known as Arizona's "Rim Country", which is northern Gila County, has experienced several massive and destructive forest fires over the years – beginning with the Dude Fire in 1990.

Following the February Fire of 2006, I approached the local Ranger District of the US Forest Service to see if there was any way the County could help mitigate these fires.

The Forest Service suggested the best help Gila County could give would be to figure out how to locate or provide "enough sources of adequate water that are helicopter-available for first strike resources so that all small fires can become non-fires and all medium fires can be held in place long enough for additional fire-fighting resources to arrive."

To make a long story short, Gila County used what we call our "redneck ingenuity." Our Public Works Department bought 20,000 and 50,000 gallon fuel bladders from Desert Storm military

surplus. They had about 80 feet of surplus 10-foot diameter culvert which they then cut into 10-foot lengths, plumbed with a 3 inch pipe and drain plug, welded on a steel bottom, hose-clamped used 3 inch hard plastic pipe around the top (to protect helicopter buckets and snorkels) and produced what we call a "Hick's tank" that holds another 6,000 gallons of helicopter-available water. Initially, there was +/-232,000 gallons of helicopter-available water ready for immediate fire-fighting use.

Just imagine - a quarter of a million gallons of "new," close, very strategically located, first response wildfire fighting water that can be accessed both by helicopters of all size buckets and nozzles, and also by regular fire-fighting apparatus! Our County Road Department provides support by placing these bladder-tank units and keeping them filled with water.

These set-ups are located behind locked gates and are signed "*Wildfire Protection Water – Do Not Disturb. Our ability to help protect your safety depends upon your helping us protect the safety of this water source.*" The Sheriff's Posse is making regular rounds to check on them.

When all was said and done, the 25 set-ups have cost us right at \$750,000 from our General Fund (property tax dollars from that very limited pool of 1 ½% private land in our County) and we spent another \$250,000 of those same dollars to match 5 local communities in establishing a fuel break on their prevailing wind southwest sides for fire defensible space. While not completely protected from the tinderbox that our surrounding forest has become after 100 years of failed federal policy, our communities now do have a fighting chance of battling and surviving a forest fire. And we hope the odds of this County losing 70% of its assessed value in one fire are substantially lessened for now.

We also hope that we have bought enough time for Industry to come back into play and let the products of the forest pay for its restoration. Again, we do not have enough money in the Treasury to solve this problem – but we do have enough money in the Economy. We MUST figure out how to use the Economy to pay for this restoration while also providing the environmental goals of a sustainably healthy, productive and functioning forest.

But I digress - since initial placement in 2006, the dip tanks have been used hundreds (probably thousands) of times by helicopters extracting water to fight fires.

One of our success stories happened on June 20, 2010. That was the same day the Schultz Fire started in Flagstaff. With the same fuel loads and the same weather conditions and within the same hour the Shultz Fire started - a fire began near Kohl's Ranch. Helicopters dipped out of a bladder-tank system placed just weeks before at the Zane Grey site. That fire was held to 4 scorched acres while the Schultz Fire burned 15,000 acres, caused at least one death, and lead to extensive flooding the following season.

We now have dozens of these stories – each year our 'fire-water system' is used to put out hundreds of fires.

Our most recent success was the Poco Fire north of Young in the summer of 2012. By their own admission, the USFS predicted they had another 500,000 acre fire on their hands due to terrain, fuel load, weather conditions and time of year. Again, by their own admission, the fact that they

were able to hold it to +/-30,000 acres was due entirely to Gila County's fire-water set-up and its commitment to minimize every fire.

Eventually, I believe minimizing fires needs to be accomplished with what is called "environmental economics" whereby the clean-up of the forest pays for the restoration. This leads into discussions about social, economic and environmental sustainability (or the "triple bottom line"), biomass industries, economic development, and so on. This is where the Four Forest Restoration Initiative (4FRI) comes in.

But for now, our bottom Line is that we have experienced over 100 fire-starts each fire season since 2006. Eighteen of them were classified "catastrophic potential" by the USFS. One of them burned 150 acres up the face of the Mogollon Rim before it was put out. One became the 800 acre Water Wheel Fire. The Poco grew and was held at +/-30,000 acres. ALL of the rest were held to 8 acres or less. There have now been thousands of helicopter water dips taken out of these tanks.

We are happy to share our data, pictures, ideas and personal stories with anyone interested in this type of cooperative catastrophic fire prevention.

We also know that, long-term, there is not enough money in the Treasury or the pockets of the local citizenry to solve this problem – but that there is most certainly enough money in the Economy to do so.

We also know that, long-term, there is not enough money in the pockets of the local citizenry to solve this problem – but that there is most certainly enough money in forest products for industry to do so.

We also believe it is past time to stop being so willing to let our forests and watersheds catastrophically burn, and start being willing to let them earn.

#### Comments Legislative Proposals Before the Subcommittee

##### "Restoring Healthy Forests for Healthy Communities Act"

Chairman Hastings's clearly appreciates that American communities would prefer to receive receipts from a working landscape, but that until we are allowed to effectively work the land again, that a bridge is necessary. For this same reason, I support the reauthorization of Secure Rural Schools (SRS) authority, especially in light of reduced timber harvests in the foreseeable future. Chairman Hastings' draft legislation will assist counties like Gila County manage our resources. I support this draft bill.

Regarding more efficient implementation of NEPA, I offer two suggestions. First, I have found that lack of available funding for the required environmental analyses causes significant delays, so I suggest that the bill include a specific funding authorization for the needed NEPA analysis. Second, the 180 day deadline for completion of a NEPA analysis will be helpful, but it will only be effective if the agency completing the NEPA analysis cannot delay the tolling or start of the

180 day period, which in this bill is the publication of the notice. I suggest including guidance in the bill to clearly describe when the notice is required to be published.

“Catastrophic Wildfire Prevention Act of 2013”

Representative Gosar’s bipartisan bill addresses many issues of great importance to Gila County and I strongly support it. Stewardship contracting is a valuable tool necessary to allow the forests to pay for their own restoration. Reauthorization of stewardship contracting is critical, as is authorization for 20 years contracts; I support both. Under existing authority, which permits 10 year contracts with a provision to extend another 10 years upon further approval, it is difficult for business to secure financing and create a viable business plan. I understand that 20 year contracts are necessary to allow businesses to recoup the needed infrastructure investments.

I support payments to the counties from the stewardship contract, especially as I understand that stewardship contracting is a mechanism the Administration wants to expand. But I question the value of payments based on 25% of the timber sales receipts from stewardship contract. I do not believe the value to be comparable to the value of a timber sale, as timber sales are designed to pull high value product from the forest, while stewardship is designed to thin and restore the forests. Clarifying this value question will be important over time to ensure that counties are appropriately provided for where stewardship contracts are more widely used than timber contracts.

Finally, I have two questions. First, who makes the determination of an “at-risk forest?” I suggest that local officials have some role in that process. Second, I appreciate the need for deadlines in the NEPA process, as we have all seen long delays blamed on NEPA, but I question whether or not this bill has given the agencies enough time to complete a meaningful analysis, which should include input from local officials. I suggest that the subcommittee consider taking into consideration the size of the parcel that is being analyzed in determining the length of time allowed to complete an environmental assessment or an EIS.

### Conclusion

On behalf of the residents of Gila County, I express my gratitude to the Subcommittee for taking up this very important set of issues. The West is in crisis, and there are only signs of it getting worse. Federal land management policies must change direction immediately. We have no time to waste. I urge the Subcommittee to move this legislation and work with the rest of Congress and the Administration to enact the changes discussed today to save the West.



**Attachment to Gila County Supervisor Tommie Martin's  
April 11, 2013 Testimony Before the  
House Subcommittee on Public Lands and Environmental Regulation**

- 1. Gila County location map**
- 2. 80 years of change**
- 3. Smokey burning during the Willow Fire (2012)**
- 4. Fire-fighting water site map**
- 5. Water tank**
- 6. Water bladders and helicopter**
- 7. Helicopters and water tanks**
- 8. Strategic Targets for Biomass supply**





GILA COUNTY

GILA COUNTY

ARIZONA  
G-854BB

CROMAN

NBHCK



# 80 Years of Change in a Ponderosa Pine Forest

These photos, all taken from the same point, show changes resulting from fire exclusion and harvesting of large pines. Fire scars show that, between 1600 and 1895, low-intensity fires burned through this forest every 3 to 30 years. Fires have been excluded from the area since 1895.



About half of the large pines were harvested from this site before this photo was taken.

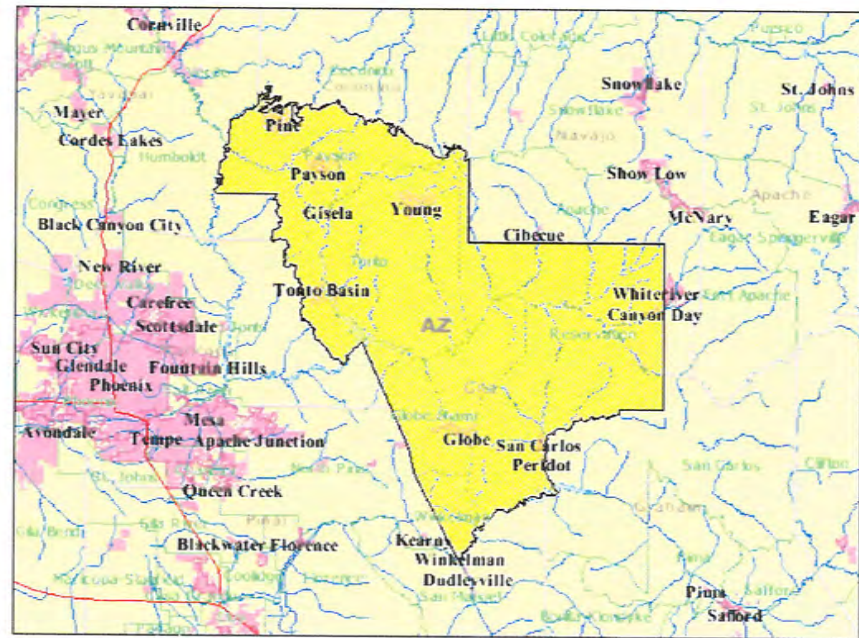


→ About a third of the remaining large trees were harvested in the 1950's, including this large pine.





# GILA COUNTY







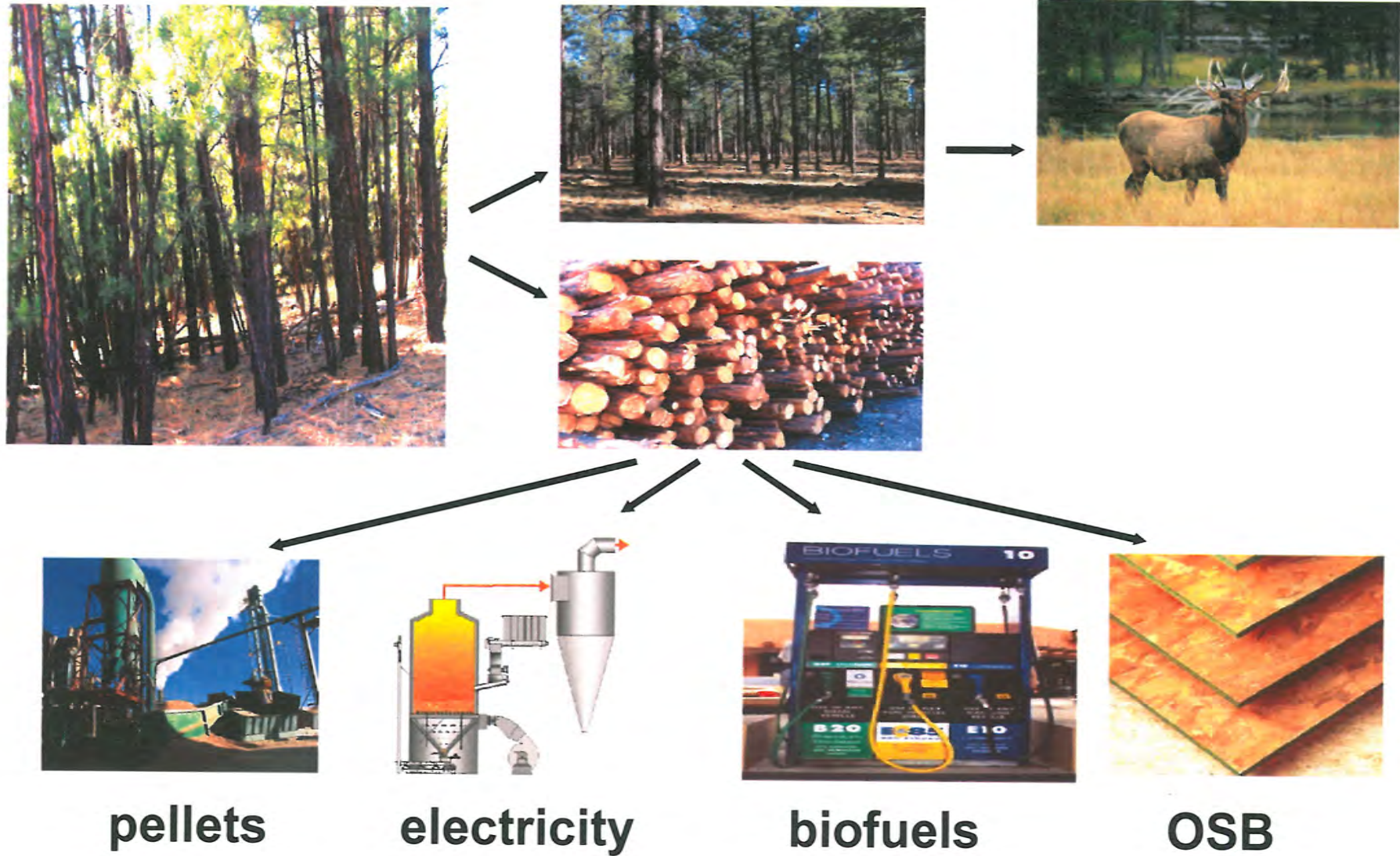
188 UNDER CONSTRUCTION  
34 MILES AHEAD  
EXPECT DETOURS-DELAYS

SPEED  
LIMIT  
55



# Strategic Target:

## *Comprehensive Biomass Value Chains*





**WILDFIRE  
PROTECTION WATER  
DO NOT DISTURB**  
OUR ABILITY TO HELP  
PROTECT YOUR SAFETY  
DEPENDS UPON YOU HELPING  
US PROTECT THE SAFETY  
OF THIS WATER SOURCE

**PROPERTY OF  
GILA COUNTY  
WARNING**  
NO TRESPASSING OR  
PROPERTY DAMAGE.  
VIOLATORS WILL BE  
PROSECUTED UNDER A.R.S.  
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