

WRITTEN STATEMENT FOR THE RECORD
OF
TOM TROXEL
DIRECTOR,
BLACK HILLS FOREST RESOURCE ASSOCIATION

RAPID CITY, SOUTH DAKOTA

BEFORE THE FIELD HEARING OF THE
UNITED STATES HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON FORESTS AND FOREST HEALTH

on

FOREST HEALTH CONDITIONS and FOREST MANAGEMENT PRACTICES
on the BLACK HILLS NATIONAL FOREST

AUGUST 31, 2005

I. INTRODUCTION

Good morning, Chairman Walden and Representative Herseth. I am Tom Troxel, Director of the Black Hills Forest Resource Association. I am a graduate forester. I have worked for the Black Hills Forest Resource Association for the past 16 years. On behalf of our members, I appreciate this opportunity to testify before the Subcommittee.

I wish we were here today to discuss the management successes of the Black Hills National Forest, of which there have been many, rather than to discuss the seriousness of the current forest health problems.

The Black Hills National Forest has frequently been at the center of national forest policy since its formation. The first timber sale on any of the national forests, Case No.1, was sold on the Black Hills National Forest to Homestake Mining Company in 1899. In 1983, the Black Hills National Forest was the first to complete a forest plan, and in 1989 the Black Hills National Forest was also the first to initiate revision of a forest plan.

Understanding current forest health conditions on the Black Hills National Forest requires some review of the forest plan revision. The revised forest plan was completed in June 1997. That decision was subsequently appealed by several organizations. In October 1999, Deputy Chief Jim Furnish, in his capacity as Reviewing Officer for Chief Mike Dombeck, determined that the revised forest plan "does not fully meet all aspects of the intent and requirements of the NFMA ... with regard to the diversity of plant and animal communities, and species viability", even though Forest and Regional staff had worked with Washington Office staff throughout the revision process. This unprecedented decision threw the Black Hills National Forest into a tailspin, out of which it has still not recovered. The Dombeck/Furnish decision led to a negotiated, multi-party Settlement Agreement, in which the Forest Service agreed to complete a short-term Phase I Amendment in 2001 and a long-term Phase II Amendment in 2002 to address the identified deficiencies. The Forest Service now expects to complete the Phase II Amendment in September 2005. Unfortunately, the effects of the Dombeck/Furnish decision coincided with a major drought, several years with major fires, and a major mountain pine beetle outbreak.

II. FOREST HEALTH CONDITIONS IN THE BLACK HILLS NATIONAL FOREST

Measuring forest health by the number of acres burned by forest fires or the number of trees killed by mountain pine beetles is simplistic, but nevertheless, useful. Since, 2000, over 180,000 acres have burned and over 1 million trees have been killed by mountain pine beetle in the Black Hills. If the Black Hills National Forest were a patient in a hospital, its condition would be listed as "critical".

Both the acreage of forest fires and the number of trees killed by mountain pine beetle are a function of numerous variables, including drought. However, the most significant variable, and the one over which we have the most control, is the underlying condition of the forest itself.

Reducing the risks of mountain pine beetle in the Black Hills National Forest isn't rocket science. Dr. John Schmid, arguably the world's leading researcher on mountain pine beetle has maintained a series of plots in the Black Hills for years. His

bottom-line finding is that the duration and intensity of mountain pine beetle infestations are primarily a function of the number of trees in the stand -- the more trees, the higher the risk of mountain pine beetles.

Similarly, in 2004, Dr. Russ Graham, a Forest Service Research Forester, compiled a report summarizing the scientific basis for changing forest structure to modify wildfire behavior and severity. As summarized in the report, biomass accumulates faster than it decomposes in the dry forests of the western United States, such as the Black Hills National Forest. Fire is the ecological force that restores this balance. Fuel treatments, including thinning, cannot guarantee benign fire behavior, but can reduce the probability that extreme fire behavior will occur. Fuel treatments can be designed to restore forest conditions to a more resilient and resistant condition than now exists in many forests, and subsequent management could maintain these conditions.

III. RECOMMENDATIONS

Following are some ideas that would have a positive effect on the health of the Black Hills National Forest:

Forest Planning

There is no excuse for not incorporating long-term forest health strategies into every forest plan. The 1997 Black Hills National Forest forest plan revision did not prioritize long-term forest health, in part the result of revising a forest plan during a period of above average precipitation and low mountain pine beetle and fire activity. Alternative G, the selected alternative for the revised forest plan for the Black Hills National Forest had the lowest predicted mountain pine beetle hazard of the alternatives considered over the next 50 years, but still predicted that the number of acres of High Mountain Pine Beetle Risk would increase by 200,000 acres during that period.

The Black Hills National Forest has given a much higher priority to forest health in the Phase II Amendment, although due mostly to the insistence of the State and County Governments which have Cooperating Agency status. Since the Phase II Amendment has not been completed, I'm unable to speak to how well the final outcome addresses forest health.

Forest Plan Implementation

If the Phase II Amendment contains the best possible forest health strategies, but the Black Hills National Forest doesn't have the resources to implement those strategies, then we - the Forest Service, the States, the Counties, and the public - will have wasted our time and money. Two aspects of forest plan implementation are Budgets and Analysis Paralysis:

Budgets

-Adequate funding seems to be a perennial issue. Management of the Black Hills National Forest should be considered an *investment*, and the costs of that investment should be compared to the costs of fire suppression, rehabilitation and restoration. I did a cursory analysis of the costs and revenues for the Thrall Timber Sale, which is part of the Prairie Project that was designed specifically to reduce the risk of forest fires west of Rapid City. The net cost was \$260 per acre, which is only 28% of the \$901 per acre cost of suppression and rehabilitation needs identified to date for the Ricco Fire. That investment of \$260 per acre looks pretty smart compared to fire costs of \$901 per acre.

-In 2004, the Black Hills National Forest had timber sale receipts totaling \$12.4 million. Ideally, the Forest could keep more of those receipts and reinvest them back into management of the Forest. The recently expanded Knutsen Vandenberg (KV) authorities (Sec. 412 of FY 2006 Interior Appropriations Bill) have the potential to be very helpful and I'm hopeful the Black Hills National Forest will fully capitalize on those expanded authorities. Congress should also review the authorities for the Salvage Sale Fund (SSF) with the objective of allowing the Forest Service to use Salvage Sale Funds in areas at imminent risk of fire or mountain pine beetle. As the program is currently administered, the Forest Service cannot use Salvage Sale Funds until trees have already been attacked and killed by mountain pine beetle or fire. A better alternative would be to aggressively use the Salvage Sale Fund for preventive maintenance and proactive thinning of at-risk stands to prevent mortality.

- Forest health projects shouldn't rely completely on timber sale funding -- every resource, from watershed to recreation to wildlife to fuels, depends upon healthy forests and should help to carry the financial load. Preventive management should have high priority. Rather than spending money on fighting wildfires and "chasing bugs," we should be in the business of proactively minimizing both. In particular, there should be better coordination between the timber sale program and the fuels reduction program with the anticipation of increased acres treated and reduced costs for both programs.

-The Forest Service must give more emphasis to their costs of doing business. The Black Hills National Forest's timber sale funding has risen sharply over the last five years while outputs have remained virtually constant. Frankly, reducing the costs of the timber sale program hasn't been a high priority recently, in large part due to the uncertainty and priority on forest planning. Now, with the Phase II Amendment nearly completed, it's time for the Forest Service to focus on ways to reduce timber program costs and achieve more on-the-ground results.

-Finally, according to some analyses, the Washington Office and Regional Offices retain 40% of the Forest Service's budget, with only 60% getting to the Forests and Ranger Districts where project implementation of forest plans actually happens. Congress should review the Forest Service's overhead costs, and require the Forest Service to ensure that more funding goes to Forests and Ranger Districts.

Analysis Paralysis

As part of the Healthy Forests Initiative, the Forest Service has reinstated timber sale categorical exclusions and made improvements to the appeals process. However, the Forest Service still does not have the tactics that would allow it to move as nimbly or aggressively as needed to respond to fires or insect outbreaks in the Black Hills National Forest, especially when acreages of more than 250 acres are affected.

Salvage of fire-killed trees is the common-sense response that most landowners would make to capture the economic value of dead trees and to start the process of restoration. It only makes sense to use fire-killed trees for lumber, and especially to substitute fire salvage for green timber harvest. Salvage of fire-killed trees will also reduce the risk of a re-burn 10 or 20 years into the future, as happened on the 2002 Kraft Springs Fire just across the state line in Montana. However, salvage of fire-killed trees following a forest fire on the Black Hills National Forest is no longer a routine "next step" as it was 20 years ago. Fire salvage is now subject to its own special "analysis paralysis", and prompt salvage has become the exception rather than the rule. Fire salvage is particularly vulnerable in the Black Hills because the fire-killed trees remain economically merchantable for such a short period of time. Of the 21 fires greater than 100 acres on the Black Hills National Forest since 2000, the Forest Service salvaged fire-killed trees on only 4. Of those, the Forest Service completed new NEPA analysis on only 2. There were many opportunities to salvage fire-killed timber on the others, and many private landowners did just that, but the Forest Service simply could not respond before the fire-killed trees were no longer merchantable.

Even using the new Categorical Exclusion authorities, the Forest Service cannot request public comments, complete the necessary surveys, make a decision, publish a 10-day advertisement, and award a timber sale contract to salvage a single acre of fire-killed timber in less than 90 days. In contrast, all of the Forest Service's actions to suppress a fire and implement emergency rehabilitation are designed to move quickly. Two suggestions are:

-Allow the Forest Service to consider salvage of fire-killed trees as part of the total response of fire suppression, rehabilitation, and restoration. Currently, the Forest Service must consider salvage of fire-killed trees as a separate, independent project even though it is an essential component of long-term restoration.

-Provide a mechanism for a FEMA response, or a FEMA type approach, from initiation of suppression action to completion of restoration. Why not expect the Black Hills National Forest to develop and then quickly implement pre-approved contingency salvage plans, similar to what FEMA had worked out well in advance of Hurricane Katrina?

The appeals process, while improved, is still a cumbersome, time consuming and expensive means of resolving issues. Two particular concerns are 1) putting the Forest Service in the position of judging legality of its own projects and 2) the absence of a process to quickly make, incorporate and implement a changed decision when appropriate. If a decision is remanded, the responsible Line Officer cannot repair the flaws, go through another appeal period and implement the project in less than 6 months.

Finally, I applaud the work of the Task Force on Improving the National Environmental Policy Act (NEPA) by members of the Resources Committee. This review is badly needed as issues related to NEPA implementation continue to emerge and evolve. Some of these include Cumulative Effects, Significance, Alternatives, and requirements for an Environmental Assessment versus an Environmental Impact Statement. Congressional or CEQ clarification would help restore the original intent of NEPA as a reasonable analysis and disclosure process instead of a legal logjam against management of the national forests.

Maintaining a Viable Forest Products Industry as a Management Tool

A healthy forest products industry is critical to achieving long-term forest health objectives on the Black Hills National Forest.

The Black Hills National Forest is more fortunate than many other national forests in that a vibrant forest products industry continues to operate in the Black Hills. However, the forest products industry infrastructure cannot be sustained unless the Black Hills National Forest can increase the timber sale program to the Allowable Sales Quantity (ASQ) and make up a significant portion of the accumulated ASQ shortfall. The ASQ in the revised BBNF forest plan is 83.8 million board feet, down from 118 million board feet in the 1983 forest plan. Unfortunately, the Forest Service has fallen far behind even that reduced level of management, with effects on both the forest and the forest products industry. The growth on the Black Hills National Forest is 189 million board feet annually; with recent harvest levels less than one-half of the annual growth, a forest that is overstocked and at risk of mountain pine beetles and fires is becoming more overstocked every year, leading to even higher risks of mountain pine beetles and fires. Increasing the timber sale program to the ASQ level and making up a significant portion of the accumulated shortfall will have benefits for the health of the Black Hills National Forest and the Black Hills forest products industry.

Reforestation

Section 4 of the National Forest Management Act of 1976, which addressed reforestation on the national forests, included the following statement: "It is the policy of the Congress that all forested lands in the National Forest System shall be maintained in appropriate forest cover with species of trees, degree of stocking, rate of growth, and conditions of stand designed to secure the maximum benefits of multiple use sustained yield management in accordance with land management plans". Section 4 went on to require annual reports to Congress of reforestation needs and an estimate of the necessary funds to reforest the backlog that existed at the time. With this Congressional mandate and subsequent financial support, the reforestation backlog was eliminated in due time.

The national forests again have a reforestation backlog. In April 2005, the GAO published an analysis of reforestation needs on the national forests. According to the report, reforestation needs are accumulating on the national forests because the acreage affected by natural disturbances has increased in recent years. However, the GAO found

that the Forest Service has not clarified its policies, practices, or priorities for reforestation, and funding sources have not risen in step with reported needs. On the Black Hills National Forest, thousands of acres of suitable timberlands that have burned in the last five years are not reforested, and the Black Hills National Forest has no strategy for reforestation of those acres.

Under current budget formulation practices, Forest Service units are required to operate within a constrained budget amount, and can request increased funding for reforestation only by reducing funding for other programs. That approach isn't working. The Congress should again require the Forest Service to identify reforestation needs and the funding necessary to complete reforestation, in order for Congress to consider appropriations of the necessary funds for reforestation.

Local decisionmaking

Forest Service Line Officers have cautioned time and time again that a comment from a resident of Hill City, SD gets no more consideration than a comment from a resident of New York City. Forest health conditions on the Black Hills National Forest were so bad in 2002 that the State of South Dakota filed a lawsuit to force the Forest Service to take more proactive action. That can only be seen as a failure of the Forest Service to recognize the needs of neighbors and local governments. The people who live, work and play in the Black Hills National Forest deserve the largest voice in the decisions that will affect them the most. I am a big advocate of granting local governments cooperating agency status on forest plans, and making them full partners in planning and decisionmaking. However, I don't believe that goes far enough. I am intrigued by the concepts of Charter Forests and other processes whereby States can more fully engage in national forest management decisions. I encourage you to carefully consider those concepts as part of future policy-making efforts.

IV. CONCLUSION

In summary, I want to thank you for allowing me to testify today. The magnitude of immediate and long-term forest health problems on the Black Hills National Forest is a major concern of the members of the Black Hills Forest Resource Association. These forest health problems will affect all resources and all users of the Forest, and will have significant ecological implications. Without policy changes the situation will only continue to deteriorate. There is no question that managing the federal lands in the West is complex and contentious. To be honest, I'm not convinced that the federal government can adequately implement forest health policies for the national forest lands in the West, and I'm sympathetic to those who are calling for a larger, more significant State role. Land management, regardless of the ownership, requires a significant investment. Structured correctly, that investment could yield very positive returns, and could result in a forest legacy that will make our grandchildren proud.