



Associated Oregon Loggers, Inc.

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Legislative Concepts to Address Older Growth in Oregon's Federal Forests

Public Comment by Rex Storm, Certified Forester, Associated Oregon Loggers, Inc.
before the July 14, 2008 meeting of
Federal Forestland Advisory Committee
Salem, Oregon

Chairman Hobbs and Committee members, my name is Rex Storm, Forest Policy Manager for Associated Oregon Loggers (AOL), located in Salem. I make these comments on behalf of more than 1,000 member companies of AOL, representing logging and allied forest management operators working across Oregon to manage the productive forests that make Oregon a great place to live & work. My proud 15-year tenure as a forester and Certified Silviculturist with the US Forest Service in Oregon and Idaho lends to my perspectives shared with you about national forest management. I'm also speaking as a Certified Forester, and 30-year member of the Society of American Foresters (SAF). As an SAF member, I am bound by a strict Code of Ethics of the profession of forestry.

Today, I am commenting about Senator Wyden's proposed draft *Forest Restoration and Old Growth Protection Act*. In summary, we believe that as written this proposal would limit agency development of economically viable projects; and furthermore it would obstruct the achievement of the stated goals of the proposal. We encourage the Senator to continue his work toward finding solutions for improving federal forest management. Our reasons for this conclusion are as follows:

1. **As written, the proposal would serve to block the achievement the stated purposes of the proposal, rather than promote them**—although AOL agrees with some of these purposes. The effect of implementing most of the detailed requirements would cause an additional conundrum of unintended consequences for the agencies to wade through just to accomplish the simplest of projects.
2. **The proposed additional layers of statutory requirements, which delve into extremely prescriptive details, would virtually hamstring natural resource managers** with costly added surveys, vague definitions, restrictions, and litigation. These extraordinarily prescriptive restrictions harmfully strip the professional discretion from the natural resource professionals. Such a theft of this professional discretion would be condescending, and be very divisive among forest professionals, managers, agency stakeholders, and policymakers. This extraordinarily prescriptive about-face would be an unprecedented and harmful statutory change.
3. **The proposal would add layers of oversight, process, planning, protest and monitoring** that would compound the already high cost of developing projects. Because projects would cost more to prepare and be economically unviable, the restoration work would not occur. At the same time that the proposal would add new layers of analysis, it surreptitiously would reduce agency accountability for accomplishing important output objectives.

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4. **The proposal impact on O&C and national forest land management would be devastating.** With the ending of the ‘Secure Rural Schools’ funding, Oregon counties are looking for the Western Oregon BLM lands, and national forests statewide, to fill their original purpose of providing revenue to the counties in lieu of taxes. Furthermore, the proposal would abruptly abrogate several long-standing federal forest laws, including but not limited to the MUSYA, NFMA, O&C, Organic Act, and so forth. This complication, combined with contradiction with existing forest plans, would assure complete legal gridlock on the federal forests-as litigants.
5. **The proposed creation of collaborative groups, observer programs, and scientific review would add significantly to the time and cost needed to complete and implement projects.** The premise that such collaboration would somehow magically improve trust amongst the general public is a laughable and dishonest. The agencies have been thoroughly involving the public in projects for decades—yet today there are divergent views of how federal forests should be managed.
6. **As written, the proposal creates more problems than solutions.** Many proposed statutory definitions and terminology is vague—albeit poetic—and would confound agency management and promote further litigation from opponents. For example, the notion that tree age and diameter are worthy of statutory prescription would mandate that agency professionals would have to hand measure and core every tree, in every stand proposed for any management action—an infeasible situation.

Barriers & policies that warrant changing to improve federal forest management:

Implementing the Northwest Forest Plan economic and social promises—For thirteen years the promised economic and social outputs expressly stated as fundamental elements of the NWFP have been grossly unfulfilled. There is a severe current backlog, and pending future deficit of resource outputs that are harming rural forest counties, communities, businesses, industries, and statewide economies. Simply implementing the promises of the Northwest Forest Plan would be a significant improvement for Western Oregon.

Rescind the ‘Interim Eastside Screens’ (diameter-limits)—The USFS Regional Forester over ten-years ago issued these so-called “temporary” measures across all eastern Oregon national forests—then stating that they would be in effect for 18-months. The Regional Forester can readily replace these costly “diameter limits”, and other obstructive restrictions, with improved guidance offering greater professional discretion to line managers. This “diameter limit” prohibition makes many essential forest health treatments economically infeasible, and it has been a magnet for litigation.

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Rapidly salvage dead & dying timber—As fuel loads, fire hazard and unhealthy federal forest conditions continue to mount, it makes sense that the USFS and BLM should create an imperative policy to provide the legal sufficiency that would expedite restoration treatments to remediate *a greater acreage of forests* damaged by catastrophic wildfire, pests, disease and storms—including dead & dying mature/old growth forests. The current failure to rapidly expedite commercial salvage removals has built further fuels and forest health problems—and wasted federal taxpayer dollars.

NEPA reforms are necessary to streamline management—There today is a costly, time consuming and downright obstructive maize of statutory, administrative and policy hurdles confronting federal forest management actions. These obstacles must be streamlined—otherwise no amount of funding would ever be sufficient.

Statutory updates to conflicting environmental laws—Several contradictory, ineffective and costly natural resources laws are in urgent need of updates to streamline their original intent, including the Endangered Species Act, Clean Water Act, and the National Environmental Policy Act.

Reduce the number of “De Facto” Prohibitions—The federal agencies face a real & present danger—an enemy, if you will—a confounding maize of administrative restrictions that tie the hands of professional foresters and managers—including prescriptive limitations surrounding individual trees, site-specific treatments, forest-wide edicts, and other stifling dictates that hobble natural resource professional discretion. Such restriction result in the “defacto” prohibition of necessary professional tools and technology essential to conduct forest management treatments.

FFAC Provide Written Comment on Blue Mountain Plan—The USFS is currently preparing a forest plan revision for the three Blue Mountains national forests in northeast Oregon. During early 2009, there will be opportunity for public comment concerning the plan revision draft. This would be a timely opportunity for the FFAC to influence a major policymaking spanning 5.5 million acres of eastern Oregon federal forestlands.

Due Diligence to Complete National Forest Plan Revisions—As has become institutionalized poor performance of the US Forest Service, Oregon’s national forests are now functioning without current Forest Plans. The Forest Plans completed largely near 1990, were to remain applicable for 10-15 years. Not a single Plan revision is expected in the next year... or two. The Forest Service must create a means to complete all Oregon’s forest plan revisions by 2011.

Redouble Workforce Investment—The Forest Service and BLM over the past 18-years have disinvested in their workforce, as repeated downsizing and reorganization has created dysfunctional staffing and workforce skill-sets out-of-balance with work priorities. The agencies are struggling with problems such as: depleted operational skills, waning moral, disconnected merit performance, shortage of entry-tier employees, a surplus of anticipated retirements, high administrative costs, stifling analysis & documentation, and disjointed budgets and accountability.

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Please consider our concerns as you deliberate federal forest policy recommendations. The future forest sector vitality & sustainability of Oregon's forests, across all ownerships, are increasingly threatened by poorly managed federal forests. **The greatest barriers are those excessive layers of statutory and administrative barriers, which stifle the professional agency managers and obstruct them from managing sustainable and healthy federal forests. Regrettably, Senator Wyden's legislative proposal would further add to this smothering burden of statutory obstacles that confound federal forest agencies and their management activities.**

Thank you for this opportunity to speak concerning federal forest policies regarding legislative concepts in Oregon's federal forestlands. Oregon's forest stakeholders need your leadership to help prosper improved directions for federal forest management. I lend our support and assistance to your proceedings in the coming months.