

**OVERSIGHT HEARINGS ON CLINTON-GORE ADMIN-  
ISTRATION'S FOREST SERVICE ROADLESS AREA  
MORATORIUM**

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**OVERSIGHT HEARINGS**

BEFORE THE

SUBCOMMITTEE ON FOREST AND FOREST HEALTH

OF THE

**COMMITTEE ON RESOURCES  
HOUSE OF REPRESENTATIVES**

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

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FEBRUARY 25 AND MARCH 17, 1998, WASHINGTON, DC

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## CONTENTS

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	Page
Hearings:	
February 25, 1988 .....	1
March 17, 1998 .....	97
Statements of Members:	
Chenoweth, Hon. Helen, a Representative in Congress from the State of Idaho	
February 25, 1998 .....	1
March 17, 1998 .....	197
Crapo, Hon. Michael D., a Representative in Congress from the State of Idaho .....	5
Hansen, Hon. James V., a Representative in Congress from the State of Utah .....	5
Herger, Hon. Wally, a Representative in Congress from the State of California .....	10
Prepared statement of .....	12
Hinchey, Hon. Maurice D., a Representative in Congress from the State of New York .....	3
Hutchinson, Hon. Asa, a Representative in Congress from the State of Arkansas .....	16
Oberstar, Hon. James L., a Representative in Congress from the State of Minnesota .....	19
Prepared statement of .....	22
Peterson, Hon. John E., a Representative in Congress from the State of Pennsylvania, prepared statement of [February 25, 1998] .....	10
Statement of [March 17, 1998] .....	99
Schaffer, Hon. Bob, a Representative in Congress from the State of Colorado .....	7
Taylor, Hon. Charles H., a Representative in Congress from the State of North Carolina .....	13
Prepared statement of .....	14
Vento, Hon. Bruce F., a Representative in Congress from the State of Minnesota, prepared statement of .....	9
Statements of witnesses:	
Atkin, Brent, President, Public Lands Council, St. George, Utah .....	86
Prepared statement of .....	162
Amador, Don, Recreationist, Blue Ribbon Coalition .....	74
Prepared statement of .....	208
Banzhaf, Bill, Executive Vice President, Society of American Foresters .....	72
Prepared statement of .....	202
Coleman, Timothy J., Executive Director, Kettle Range Conservation Group .....	90
Prepared statement of .....	242
Davidge, Ric, Anchorage, Alaska .....	141
Prepared statement of .....	291
Dolezal, Larry, Lincoln County Commissioner, Troy, Montana .....	68
Prepared statement of .....	189
Dombeck, Michael, Chief, U.S. Forest Service .....	28
Continuation of statement of .....	34
Prepared statement of .....	160
Prepared statement of .....	163
Gerhrke, Craig, Regional Director, The Wilderness Society .....	83
Prepared statement of .....	231
Hahn, Sharon, Lake County Commissioner, Two Harbors, Minnesota .....	139
Prepared statement of .....	286

IV

	Page
Statements of witnesses—Continued	
Hamilton, Jerry, Silviculturist, Retired, Forest Service .....	93
Prepared statement of .....	267
Holmer, Steve, Campaign Coordinator, Western Ancient Forest Campaign, Washington, DC .....	144
Prepared statement of .....	167
Kiehl, David W., Vice President, North East Hardwoods, Inc., Marienville, Pennsylvania .....	142
Prepared statement of .....	301
Marlenee, Hon. Ron, Consultant, Government Affairs, Safari Club International .....	137
Prepared statement of .....	166
Peterson, Max, Executive Vice President, International Association of Fish and Wildlife Agencies .....	67
Prepared statement of .....	178
Phelps, Jack, Executive Director, Alaska Forestry Association .....	75
Prepared statement of .....	216
Powers, Bob, Legislative Advocate, United Brotherhood of Carpenters and Joiners of America .....	87
Prepared statement of .....	237
Stupak, Hon. Bart, a Representative in Congress from the State of Michigan .....	30
Prepared statement of .....	31
Additional material supplied:	
American Petroleum Institute .....	271
America's Wildlands at Risk: The Need to End Logging in National Forest Roadless Areas .....	306
Leaf, Charles, F., P.E., Platt River Hydrologic Research Center, Colorado .....	169
Letters from Mr. Stupak and Mr. Cheney to Mr. Dombeck and Mr. Solomon .....	282

# **OVERSIGHT HEARING ON CLINTON-GORE ADMINISTRATION'S FOREST SERVICE ROADLESS AREA MORATORIUM**

**WEDNESDAY, FEBRUARY 25, 1998**

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON FORESTS AND FOREST HEALTH, COMMITTEE ON RESOURCES, WASHINGTON, DC.

The Subcommittee met, pursuant to notice, at 10:09 a.m., in room 1334, Longworth House Office Building, Hon. Helen Chenoweth [chairwoman of the Subcommittee] presiding.

Mrs. CHENOWETH. [presiding] The Subcommittee on Forests and Forest Health will come to order.

## **STATEMENT OF HON. HELEN CHENOWETH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO**

Mrs. CHENOWETH. The Subcommittee is meeting today to hear testimony on the Clinton-Gore administration's Forest Service roadless area moratorium. I'd like to just say that forests don't take time out for Washington bureaucrats. So why is the Clinton-Gore administration taking a timeout from sound forest health management practices? The administration claims that its moratorium on roadless area entry is a timeout on timber harvesting, but this is much larger than just timber harvesting. The ripple effect of the timeout affects the health of the national forests, the families and surrounding communities, who rely on the forests for their livelihoods.

This timeout on the national forests is exceedingly harmful. While the country awaits the Clinton-Gore administration to get its act together and unchain our professionals, a wide range of wildlife, hunting, fishing, conservation, and recreation groups have expressed their concern about the administration's timeout. Under this moratorium everyone loses, except maybe some of the most extreme environmental groups who care little about people.

Recreationalists have expressed their concern that they will lose access to the lands they hunt on. Conservationists have expressed their concern with the damage this poorly thought-out policy will have on the land. And the list of problems with this moratorium goes on and on.

Why, then, is the Clinton-Gore administration moving forward with a policy that violates current law, has not gone through the NEPA process, and will do nothing to improve the forest environment? The answer is clear: There is nothing more than a political motivation that prompted this decision in order to appease the most radical elements of a single interest group. In developing

their policy, they completely shut out the Congress, beyond the ground forest managers, and the American people. The broad-brush moratorium overriding the Forest Service's land management plans will undermine and make meaningless the agency's own procedures for decisionmaking, which were developed to comply with the National Forest Management Act, the National Environmental Policy Act, and many other laws.

In a second generation of press leaks, the administration has tried to re-spin this story to focus on needed road repairs, and now they say that the maintenance backlog has doubled in the last 5 years to over \$10 billion. They recently discovered an additional 60,000 miles of ghost roads that they didn't even know existed. One administration spokesperson likened the maintenance backlog to the crazy aunt in the basement that nobody wants to talk about. Well, we're willing to talk about it, but it seems like the crazy aunt in the administration is too busy giving press briefings.

More recently, the Clinton-Gore administration announced its clean water action plan. They explained their initiative is needed in order to deal with the very large backlog of maintenance needs on existing forest roads. Under this new Clinton-Gore initiative, the Environmental Protection Agency will now require a Federal clean water permit before the Forest Service can conduct any maintenance on the forest roads.

It is patently clear to this Member that any money given to the Forest Service to improve forest roads will be spent on EPA permits. There is no reason for Congress to spend money to support another set of conflicting Federal permit requirements. The administration must get its act together.

We will have many, many questions for Chief Dombeck on his road maintenance needs. I hope he will have some answers, but at this point we are extremely skeptical of his approach. Indeed, by starting the debate on road maintenance with a surprise moratorium on access and by raising public concerns among those who depend upon access to the public lands for their economic well-being and recreational opportunities, the Forest Service has made it less, rather than more, likely that maintenance problems can be addressed.

Their approach so far is akin to starting an Olympics speed-skating event by shooting themselves in both feet. The Clinton-Gore moratorium violates the two most important things that the Forest Service is charged to do. The first is to protect our forest resources and manage them in a sustainable manner, in order to pass them on to our next generations. The second is to make wise use of taxpayer funding.

This policy, made in the back rooms of Washington, is nothing more than a political payoff to a core constituency. It is both bad for the environment and bad for the people. It is now time for Congress and the American people to stand up and put a stop to the Clinton-Gore administration's continual assault on environmental law, resource protection, and public participation.

I now recognize Mr. Hinchey for any statement he may have. Mr. Hinchey?

**STATEMENT OF HON. MAURICE D. HINCHEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK**

Mr. HINCHEY. Well, thank you very much, Madam Chairman. Let me say that I'm delighted to have this opportunity to participate with you again on these important issues, and I thank you for your continued attention to the issues that come under the jurisdiction of the Subcommittee that you head.

Today's hearing concerns the Forest Service's proposal for an 18-month moratorium on road construction in some current roadless areas of the lands under its jurisdiction. We are not here to consider any specific legislation, but rather to hear from the Forest Service directly about its proposal and to hear comments representing some, though not all, views on that proposal.

We should take note at the outset that the Forest Service has requested public comment on the proposal, in accord with the regulatory process, and I am sure that the comments the Forest Service receives will represent in total an even broader range of views than what we may hear today.

This issue has been debated for years on the House floor, usually in the context of the Interior appropriations bill. As you know, Madam Chairman, the Democratic members of this Subcommittee asked last year that you hold hearings on the subject of forest roads policy, so we welcome this opportunity and thank you very much for doing so.

The Forest Service has a responsibility to manage the lands under its jurisdiction in keeping with its own best judgment and in consideration of the interests of all the different categories of users of the forests, in consideration of all American taxpayers who are contributing to the Forest Service's budget, and ultimately, of all Americans, since we all have an ownership interest in the national forests. I know that my constituents are acutely aware of their stake in the forests, and I'm sure the same is true of all of our colleagues, no matter where they may come from across the country.

Road policy is an important part of that responsibility. The Forest Service acknowledges its inability to maintain the existing system. Its maintenance backlog comes currently to \$10.5 billion. Eighty percent of the roads our people use the most—arterial and collector roads—are in need of repair. My question has always been, why we are spending money to build new roads when the Service can't maintain the existing ones.

We have also had ample evidence that new logging roads contribute to environmental problems that harm people who live near the forests, as well as the forest themselves; that they are a factor in flooding, landslides, and destruction of fish and wildlife habitat.

I'm interested in hearing today's testimony, especially from Chief Dombeck. But let me offer my own brief thoughts on the proposed moratorium, based on what I have seen thus far. I believe it is a sound and a sensible plan. Its primary objective is to give the Forest Service time for a thorough review of its roads policy. As I have suggested, such a review is overdue.

The lack of a consistent policy based on current science and empirical evidence of the consequences of road construction is a major problem for the environment, also a major problem for the tax-

payer, as well as for many forest users, and for all of us as owners of the national forests. We need a new road policy that will serve the broad public interest. These are among the issues that I hope will be addressed thoroughly during the Forest Service's review and formulation of a new policy.

I can also appreciate the value of imposing a moratorium while the review goes forward. Without a moratorium, there would be a strong possibility that construction could take place during that period which would undermine, or in fact contradict, the goals of the new, emerging policy. A moratorium is the only way to prevent such actions. The moratorium should also better allow the Service to conduct an up-to-date inventory of its roads that would be essential to its decommissioning plans.

Despite my strong support for the goals of the proposal, I do want to raise one important concern about its specifics. I believe that it would be a serious mistake to exempt specific forests and portions of forests from the list of affected areas, as the Forest Service has proposed doing. I understand the rationale that these areas have been recently reviewed. However, they were not reviewed for the specific purpose of developing a road construction policy and were not reviewed with the specific goals of the still undetermined new roads policy in mind.

Among those exempt areas, I am particularly concerned about two. They are the Tongass National Forest and the forest included in the Northwest Forest Plan. The Tongass plan would allow significant development of new roads in currently roadless areas that may not be consistent with the new policy. The Northwest Forest Plan was developed for the purpose of protecting specific endangered species, not for the much broader purpose of the proposed new policy.

In short, I see a pressing need for a new roads policy and agree with the goals enunciated in the proposal. The moratorium is an essential instrument in the developing of a consistent new policy. But the new policy and the moratorium should be genuinely consistent. To achieve that, it is essential that the entire system be considered. The moratorium and the policy should not exempt forests that represent such a substantial share of the Forest Service's acreage and such a substantial share of its most critical and unique resources.

Madam Chairwoman, once again, I thank you for the opportunity to comment in the course of this hearing, and express again my appreciation for your attention to this issue.

Mrs. CHENOWETH. Thank you, Mr. Hinchey, and I appreciate your very sincere interest in this issue, too, and your trip out to the West was very impressive. Thank you very much.

Mr. HINCHEY. And most enjoyable, I might add.

Mrs. CHENOWETH. Thank you.

I've very pleased that my colleague from Idaho has joined us, and I'm going to go a little bit out of order and ask him if he has an opening statement, Mr. Crapo.

**STATEMENT OF HON. MICHAEL D. CRAPO, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF IDAHO**

Mr. CRAPO. Thank you very much, Madam Chairman. I appreciate the fact that although I don't sit on this Subcommittee, you've allowed me to sit with the Committee today.

I just want to add my comments to yours, expressing significant concern about the moratorium that has been imposed. Without compliance with law, it does not adequately address significant forest health and forest planning concerns.

In my district in Idaho, there is a strong belief that this policy will simply continue and exacerbate further restrictions of access to the public lands that are now causing people from many different quarters, whether it be recreationists or conversationists or those who have legitimate purposes for desiring access to the public lands—it appears that this is just one more, and one more major, effort to further restrict the public from access without justification in any reasonable policy.

For those reasons, I appreciate the fact that you have held this hearing today. I look forward to the information that will come forward and pledge my support to work with this Committee in trying to resolve this very important issue. Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Crapo.

And the Chair now recognizes the senior member on this issue, and not necessarily senior in age, but senior in very high respect, Mr. Hansen.

**STATEMENT OF HON. JAMES V. HANSEN, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF UTAH**

Mr. HANSEN. Well, thank you, Madam Chairman. I appreciate being with you, and I compliment you for holding this hearing today.

Let me point out, as, yes, one of the old dogs around here, that's true—

[Laughter.]

Mrs. CHENOWETH. Oh, no.

Mr. HANSEN. [continuing] and having sat on this Committee for 18 years, and having had many hearings regarding this issue, I'm somewhat concerned about some of the proposals by the administration. There's a lot of myths that seem to float around about the Forest Service. I really enjoy having people come in front of us, and having the burning in their bosom about having the forest be nice and clean and healthy. That's all well and good. I have a lot more respect for the scientists and the foresters and the people who have spent some time on the ground.

And some of those myths really bother me. If I may say so, the idea that we can't thin and cut the forest is one of the things that kind of amazes me from time to time, because that's where we get a healthy forest.

I compliment Chairman Chenoweth on the idea of keeping a healthy forest out there. I would suggest that every person who has some interest in this should really listen to the gentleman who is past president of Greenpeace. He gave an exceptionally fine presentation, and scientifically based, on why we should keep the forests

healthy. He talked of how we do it. Cut out the old growth, thin the forests, better for wildlife and endangered species.

Madam Chairman, if you'll indulge me for a couple more minutes, I would like to mention something about a forest that's in the First Congressional District of Utah that happens to be called the Dixie National Forest. The forest supervisor is a fellow by the name of Hugh Thompson. In that area, years ago when our ancestors went in that area—and I have pictures of the first tintypes, as they're referred to, and there was nothing on those hills, a few scrub oak, and that was about it. And now the thing is absolutely beautiful, a gorgeous forest.

Now here comes along this little thing we know as the pine beetle up there by Brianhead, a very famous area. The forest supervisor, Mr. Thompson, said, "I could go in there and cut out 30 acres of that, and the healthy trees would make it." But, no. Why, I asked myself, did the environmental communities want to kill the forest? But they go in there and file an injunction against the Forest Service, and so as that's adjudicated, these little rascals just keep eating.

Now I just challenge anybody on this Committee, or anywhere, to just go into that area from Cedar City, Utah, over that gorgeous area over U.S. 89, where we have all the national parks and some of the red rock, the most beautiful area in America, and you've got a dead forest. You've got hundreds of thousands of acres of dead forest.

Now the scientists come along and they say, well, now what's going to happen is we will give you 100 percent guarantee, Congressman, that you will have a fire. There's just no hope, because you've got this fuel load of dead forest in there. He said, now we'll guarantee that you'll have a bellywasher in there, and there goes your topsoil.

So I ask my friends in the environmental community—don't get me wrong; I know the environmentalists have done us a great job in many instances, but I think this is a very extreme position they're taking on this. And I feel if we're not going to have roads, or we can't go in and do a little cutting a little timber, we're in trouble.

And in that forest, they've pretty well stopped that. The sawmills, Escalante and Kiobab, are dead, gone, and over. And now when we go in, guess how we do it? We do it by helicopters. Now I don't know if the figure's correct, Madam Chairman, but I hear the figure to do it with helicopters is \$500 an hour, and you put them on flatbeds and then you've got to send them to California and Montana to be processed, where before we were processing them within 20 miles.

And now people ask you, well, why is the cost of timber going up? Joe Cannon, the head of Geneva Steel, told me you can build a house out of steel cheaper than you can timber.

So when we start getting into this thing of coming in here and saying, gee, we want a beautiful, green forest, let's use a little science in the idea. Let's talk about the people who have taken care of it for years and years, rather than do it just because we happen to fly over and see a green carpet there.

Thank you for allowing me to get that off my chest.

[Laughter.]

Mrs. CHENOWETH. Thank you, Mr. Hansen.  
The Chair now recognizes Mr. Schaffer.

**STATEMENT OF HON. BOB SCHAFFER, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF COLORADO**

Mr. SCHAFFER. Well, thank you, Madam Chairman. You know, out in my State, in Colorado, this has been just a huge issue with all of those who are concerned and associated with forestry in the State, and that's quite a lot of people in a State like Colorado. Our State legislature has held joint hearings between the State house and the State senate and invited the Forest Service to come and testify.

And I'll tell you why they are concerned. One is because their constituents are directly affected economically, as well as on a basis of having access to national forests on a recreational basis as well. There are a number of existing contracts that are, in fact, betrayed by the actions of the Forest Service, which is unacceptable.

The access to recreation, as I mentioned, is an essential element and part of our economy out in the West. Lots of people come to Colorado and to western States in general to enjoy the great outdoors and to have an opportunity to recreate on public lands, and the Forest Service land specifically, from the perspective of resource management, the experts that we have in the State. I have yet been able to find a single one of them that sees any credibility in the plan put forward by the Forest Service on this moratorium or to explain on any logical basis what the motivation may be with respect to actually helping or preserving the integrity of our environment in the area.

Again, the experts, the scientists, those who know the most about forest management are completely baffled by the actions of the Forest Service, and there really is more at stake here than just the credibility of the Forest Service. I believe that what credibility they have has been significantly eroded by these latest actions. But the health of the forest in general is of quite concern as well.

Water is critically important in Colorado, being a headwater State. We're one of two States in the Union where no water flows in, no water that's appropriated anyway. All of our water flows out. Incidentally, the other one is Hawaii. So the effect of a balanced forest management system on water supply and water quality is of critical concern, even for people out on the eastern plains of the State who rely on sound forest management for a dependable water supply.

The proposal essentially prohibits access to about 34 million acres of national forest lands and untold millions of acres of special areas to be determined by the Regional Forester. The proposal ignores the role of Congress entirely in designating wilderness areas, or effectively designating them as such, and undermines the critical local input into forest planning. It just really threatens our local economy and the very health of our national forests.

Madam Chairman, Dr. Charles Leaf, one of my constituents who is also a forester and research scientist from the Platt River Hydrologic Research Center, was scheduled to testify today on the hydrologic impacts of roads, timber harvesting, and wildfire. Unfortu-

nately, we had a big snowstorm out in Colorado this morning and yesterday afternoon that prevented him from appearing today. I'd like to summarize what Dr. Leaf would have testified today, with your indulgence. It's just a brief statement.

"Today national forests are efficient producers of excellent quality water. The key to this dependable water supply is the favorable balance that exists between wind, snow, trees, and sunshine. That balance depends upon active management of our national forests. The negative environmental effects of wildfire are much more severe than those from forest roads; a Trendell and Bevinger study in 1996 came to that conclusion. The Yellowstone demonstrated, for example, that water yields, while they increased by 35 percent, actually decreased in quality because of sedimentation.

"We've heard much about the negative side of roads and timber-cutting. Bad logging practices can produce hydrologic impacts similar to those resulting from fire. However, research by the U.S. Forest Service has shown that proper harvesting methods and the careful placement of roads to minimize the number of stream crossings, soil disturbances, can greatly reduce erosion and virtually eliminate sediment entry into streams. For example, at the Frasier Experimental Forest in Colorado, removal of 35 to 40 percent of the forest cover in various systems of small openings resulted in 25 percent increase in water yields, with little or no introduction of sediment into streams.

"Finally, the application of today's technology and understanding, based on nearly 100 years of research, can allow road construction and timber harvesting to take place without causing significant negative impacts to forest health. The increased water yields associated with timber and watershed management in the Rocky Mountains should play a vital role in providing solutions to current environmental problems. With responsible timber management and road-building techniques, increased water yields can be produced without a significant decrease in water quality.

"Studies have shown that environmentally sound patch-cutting and other forest-clearing methods designed to enhance stream flow could replenish water supplies from national forest lands without decreases in water quality, and increased water yields could then be used for municipal use, irrigation, or to augment flows for endangered species downstream."

Madam Chairman, I would ask unanimous consent that Dr. Leaf's full testimony be made part of the record, and the Committee has possession of that.

Mrs. CHENOWETH. Without objection, so ordered.

Mr. SCHAFFER. Thank you, Madam Chairman.

[The prepared statement of Mr. Leaf may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Schaffer.

And the Chair is very pleased—excuse me, Mr. Hinchey.

Mr. HINCHEY. Madam Chairman, excuse me. I have a statement here from Mr. Vento. He may not be able to make it, and I'd ask unanimous consent that his statement may be entered into the record.

Mrs. CHENOWETH. Without objection, so ordered.

[The prepared statement of Mr. Vento follows:]

STATEMENT OF HON. BRUCE F. VENTO, A REPRESENTATIVE IN CONGRESS FROM THE  
STATE OF MINNESOTA

I am pleased to make a positive statement today in support of the Forest Service's responsible new proposal on National Forest roadless areas. This is a moderate, reasonable proposal, and I commend Forest Service Chief Dombeck for his hard work.

I want to make one thing very clear: I support logging as a multiple use of our National Forests. I chaired the Subcommittee on Parks and Public Lands for a number of years. If I had been opposed to logging on special public lands, I would have done something about it. So let's get that on table right away.

There are 373,000 miles of roads in our National Forests. That's more than the interstate highway system. The current backlog for maintenance of existing roads in National Forests is \$10 billion and growing. According to the Forest Service, due to these funding limitations, only around 40 percent of these roads are fully maintained to acceptable safety or environmental standards. Clearly, we have a problem that is growing larger and larger each year. Receipts are down and the cost of forest programs is up. Past practices and remediation was inadequate when the annual sales and harvest were much higher.

Something has to give. Chief Mike Dombeck and the Forest Service are taking a bold, but reasonable step. They decided to take an 18 month time-out on building more roads in roadless areas. Following this 18 month moratorium, the Forest Service will submit for public comment a final proposal that will most likely change current regulations on road construction in roadless areas. This new effort will provide an affordable policy path that matches sustainability and balance. This will cause some hardship, but when a problem is spinning out of control it's best to try and get a handle upon it before you completely lose the forest.

It is important to clarify what the proposal is as we discuss and debate it. It will account for areas inventoried in forest plans that are usually 5,000 acres or more, areas over 1,000 acres contiguous to roadless areas of 5,000 acres or more, roadless areas over 1,000 acres that are contiguous to Congressionally designated wilderness or Wild and Scenic Rivers, and, finally, roadless areas, regardless of size, that a regional forester determines has unique ecological or social values. That accounts for roughly 33 million acres of the National Forest System, about 9 million of which are considered suitable for timber harvest. Incidentally, this has everything to do with forest health, watershed restoration, replanting and maintenance aspects. Forest health can't degenerate into just an excuse to make up for a sustainable yield number that doesn't match industry demands through so called salvage.

The Forest Service notably exempted two important areas from this moratorium, the Tongass National Forest and so called "Option Mine" National Forests. In a perfect world, perhaps, Mr. Dombeck could have included these areas in the moratorium. And I suppose he still could. But I respect the Forest Services rationale for not including these areas. We in Congress at least should understand the long-term planning and appeals processes that is envisioned. By this process, it is likely that the final policy that the Forest Service adopts after the 18 month moratorium, will apply to *all* National Forests. While I respect the concerns of some members of the environmental community about this aspect of the plan, I do not think these concerns should hinder us from achieving the progress this proposal represents.

Just consider the goals of this plan. First, the Forest Service wants fewer and more environmentally sound roads built. Second, they aim for the decommissioning of unused or ecologically harmful roads. And finally, they want the roads that are most heavily used by the public to be safer and more efficient. I have observed the Forest Service for many years. The positive potential that this proposal represents should not be underestimated. This proposal is a big step forward in our effort to professionally improve the management of our National Forests so that we are serving the people based on the resource and sustainability of the forest—within the budget and within the land use laws.

I don't deny that this will have an effect on the timber industry. The Forest Service itself notes that we'll see a reduction of as much as 275 million board feet in the volume of timber it will offer for sale. But we do a lot for the timber industry already. The purchaser road credit program alone eats up tens of millions of dollars that we could be using for recreation, research or conservation. Hopefully, in addition to this important roadless area reform policy, we can close the books on that wasteful, irresponsible program for good later this year. Then we'll have made some real progress toward protecting the natural legacy of our children for future generations.

So I thank Forest Service Chief Dombeck for bringing this responsible proposal to us. I offer my support and advice to you as this process continues. And I thank

the chairwoman for holding this important hearing. I imagine that this is the first of many discussions we'll have on this topic.

[The prepared statement of Mr. Peterson follows:]

STATEMENT OF HON. JOHN E. PETERSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Chairman Chenoweth, I am pleased to have the opportunity to participate in this important hearing this morning, and I appreciate your strong leadership on this issue and forestry matters in general.

With so many questions left unanswered by the Forest Service's proposal to halt all road activity on national forests for 18 months, I look forward to hearing their testimony. Hopefully, they will be able to offer up an explanation of what I believe is a mix-guided and ill-advised proposal.

The impact on land within the Allegheny National Forest, which is located in my Congressional District, is unknown at this point. Any impact—via a moratorium designation—would be decided by the Regional Forester on a case-by-case basis. Given this uncertainty, it leaves the lives and livelihoods of people living in surrounding communities hanging in the balance. Nationally, the estimated job loss resulting from this moratorium is 12,000 jobs with an estimated loss of timber ranging between 200 and 700 million board feet in Fiscal Year 1998. This comes on top of a proposed reduction in the President's Budget Request for the national timber sale program for Fiscal Year 1999.

By all indications, the road moratorium appears to be a backdoor approach to halting timber sales on our national forests—defying the principle of multiple use. What the public is led to believe by national environmental organizations about the state of our national forests is dramatically different than what is actually taking place. It is important to note that not once in the history of the timber sale program has the allowable sale quantity been exceeded. Further, there has been a 60 percent reduction in timber harvesting over the past ten years with timber currently growing three times faster than what is actually being harvested. Clearly, we are inching towards a regretful and ill-advised policy of "no-cut" on our public lands.

The road moratorium raises other flags as well, including: the affect on forest management practices and subsequently forest health; the role of national forest plans in the development of these new regulations; the future of the timber sale program; and avenues for public comment and involvement.

Mrs. Chairman, I look forward to hearing the testimony of the Forest Service so that I can provide overdue answers to such questions lingering in the minds of my constituents and colleagues alike.

Mrs. CHENOWETH. The Chair now is very pleased to recognize two colleagues who are here with us. We'll be having more colleagues arrive for testimony, and we'll work them in as we can, but I didn't want to delay any more. And so the Chair now recognizes Wally Herger, the gentleman from California. Mr. Herger?

STATEMENT OF HON. WALLY HERGER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. HERGER. Madam Chair, members of the Subcommittee, I thank you very much for the opportunity to speak today regarding the United States Forest Service proposed moratorium for road-building in roadless areas on our national forests.

I am greatly disappointed that the Clinton-Gore administration would be willing to sacrifice the health of our national forest system to advance what would appear to be an extreme environmentalist agenda which could lead to no forest thinning on Federal lands. Our forests need the option of building roads as an integral tool in allowing access to restore forest health. Historically, our national forests were filled with stands of large trees. The forest floors were less dense and were often naturally thinned by fires that would clean out dense underbrush and would leave the big trees to grow bigger. However, because of decades of aggressive fire

suppression in the West and modern, hands-off management practices like those advocated by the moratorium, these forests have been allowed to grow out of hand, creating an almost overwhelming threat of fire.

The question is not if we will have a fire, but when our forests will burn and how much will be destroyed. According to Forest Service's own estimates, approximately 40 million acres of forest lands are at a high risk of catastrophic fire. The cause of this fire threat is an unnatural accumulation of vegetation and small trees on western forest floors.

The U.S. Forest Service estimates forests are 82 percent denser than in 1928. Dense undergrowth, combined with increasing taller layers of intermediate trees, has turned western forests into deadly fire timebombs. Under proper conditions, fire quickly climbs up dense tree growth like a ladder until it tops out at the uppermost or crown level of the forest and races out of control as a catastrophic fire. Because of its high speed and intense heat, a crown fire has the capability of leaving an almost sterile environment in its wake, with almost no vegetation, wildlife, or habitat left behind. We must then ask ourselves, what habitat do we have left if everything in the forest burns?

Additionally, this moratorium has the potential of limiting access to our national forests. Fires know no boundaries. Without adequate access, it is more difficult and more dangerous for firefighters to battle out-of-control fires. It is appalling that this access, which can be so vital to the preservation of life and property, would be unnecessarily limited. According to fire personnel in my northern California district, the best and most effective way to fight fires is through a direct ground attack. When there are no roads, our fire crews cannot gain ground access to fires. Officials are then left with secondary options of combined air attacks that are increasingly more expensive, less effective, and extremely more dangerous for the firefighters who have to parachute into wild country. Sudden shifts in wind can wreak havoc on air attacks and can threaten the lives of unsupported firefighters. An adequate road system, on the other hand, allows ground crews quick access and allows a more steady support system for fire personnel.

I'd like to encourage the Forest Service to proactively implement plans to restore forests to their historic, healthy conditions. Instead of pursuing management options that close down dialog, the Forest Service should pursue programs like the Quincy Library Group solution that includes local communities and promotes active solutions to restore forests to healthier, more fire-resilient conditions. These goals are not achieved under the road moratorium proposed by the Clinton-Gore administration. If anything, the moratorium makes matters worse by once again polarizing the issue and by excluding key parties from the dialog.

In closing, Madam Chair, the Forest Service should reconsider its proposal to place a moratorium on road-building on all roadless areas of our national forests. The proposal does nothing to promote forest health. As a matter of fact, there is a strong argument that, because of past forest practices, doing nothing can seriously further damage forest health.

Again, thank you for allowing me to speak on this crucially important forest issue.

[The prepared statement of Mr. Herger follows:]

STATEMENT OF HON. WALLY HERGER, A REPRESENTATIVE IN CONGRESS FROM THE  
STATE OF CALIFORNIA

Madame Chairman, Members of the subcommittee, thank you for this opportunity to speak today regarding the United States Forest Service's proposed moratorium for road building on roadless areas on our national forests.

I am disappointed that the Clinton/Gore administration would be willing to sacrifice the health of our national forest system to advance an extreme environmentalist agenda which could lead to no harvest on Federal lands. Our forests need the option of building roads as an integral tool in allowing access to restore forest health. Historically, our national forests were filled with stands of large trees. The forest floors were less dense and were often naturally thinned out by fires that would clean out dense underbrush and would leave the big trees to grow bigger. However, because of decades of aggressive fire suppression and modern hands-off management practices like those advocated by the moratorium, these forests have been allowed to grow out of hand creating an almost overwhelming threat of fire. The question isn't if we will have a fire, but when our forests will burn and how much will be destroyed.

According to the forest service's own estimates approximately 40 million acres of forest lands are at a high risk for catastrophic fire. The cause of this fire threat is an unnatural accumulation of vegetation and small trees on western forest floors. The U.S. Forest Service estimates forests are 82 percent denser than in 1928. Dense undergrowth, combined with increasingly taller layers of intermediate trees has turned western forests into deadly time bombs. Under proper conditions, fire quickly climbs up dense tree growth like a ladder until it tops out at the uppermost, or crown, level of the forest and races out of control as a catastrophic fire. Because of its high speed and intense heat, a "crown fire" has the capability of leaving an almost sterile environment in its wake with almost no vegetation, wildlife, or habitat left behind. We must then ask ourselves, "what habitat do we have left if everything in the forest burns?"

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In closing, Madame Chairman, the Forest Service should reconsider its proposal to place a moratorium on road building on all roadless areas of our national forests. The proposal does nothing to promote forest health. As a matter of fact, there is a strong argument that doing nothing can seriously damage forest health. Again, thank you for allowing me to speak on this important forest issue.

Mrs. CHENOWETH. Mr. Herger, I want to thank you for your fine testimony, and I know that you have a markup in another committee right now, but as soon as you're finished with markup, we'd love to have you come back and join us on the panel.

Mr. HERGER. Thank you very much, Madam Chair and members.

Mrs. CHENOWETH. Thank you.

And now the Chair recognizes Congress' only professionally certified forester, Representative Charles Taylor.

**STATEMENT OF HON. CHARLES H. TAYLOR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLINA**

Mr. TAYLOR OF NORTH CAROLINA. Madam Chairman, if we were testifying this year about a medical—

Mrs. CHENOWETH. Can you pull your microphone up closer?

Mr. TAYLOR OF NORTH CAROLINA. Thank you.

If we were testifying before a health committee about medicine, we would be expected to have doctors and scientists with the best technology in health before us. And yet, when we talk about forestry, which is a profession with 100 years of outstanding history in our best universities and professionals who practice in the public as well as with our experimental stations for both the State and the Federal forests, we throw all that out the window. We do not have a professional forester as our Chief Forester now. We haven't had in the last two times. We are in the process of driving professional foresters out of the Forest Service and replacing them with environmentalists, whatever that is and whatever they know.

In fact, environmentalism, as practiced here in Washington, brings forth hundreds of millions of dollars, scaring the people of this country, and that then is transferred to politicians that vote the "right way." That's what environmentalism has become in Washington.

Now there are a lot of conservationists throughout the country—in my district, in yours, and all around the country—that are concerned about real conservation and real environmental questions. You will not find them in Washington, however.

For instance, if we wanted to work with cutting down the number of roads: in my district we went after three companies that could bring in high-line loggers. That way, we could harvest timber in hard-to-get places without any roads at all. The environmentalists attacked those sales just as they did others. Consequently, all those men left the business and we have no high-line logging available in our district, primarily through the excesses of environmentalists, those that we mentioned, here in Washington.

We put together some months ago an emergency timber salvage bill. Testimony showed that it was necessary. It was passed by this Congress, and after a long fight, the administration agreed to sign it, but then sued against it just as quickly, breaking their word as soon as they had signed the bill. But it went forward for almost 2 years.

It was attacked over and over again—seven votes in this Congress, as well as ranting and raving all around the country, with the purpose to prove that it might be used to cut a tree that would not be a salvage; that is, timber unaffected by insects or disease or fire. After all those challenges, the Forest Service itself and other reports showed that there was no abuse of the salvage bill. And while we were challenging that meager piece of legislation, we lost tens of millions of trees to fires and insects. If you had real environmentalists, you would have found people concerned about

these lost trees, rather than looking for one single healthy tree logged improperly under the salvage legislation.

Last year we put together—and many of you were helpful in putting that group together—a science-based survey. I chaired a panel of scientists in March 1996 to develop an analysis of forest health conditions in the United States and the options and consequences of addressing those conditions. We've just finished a peer review of this report by some of the most outstanding scientists across the country. While there were certain critical opinions about the report, none of them criticized the report for its accuracy or its science. And that report, presented to this Congress last year, pointed out—and it's been before several committees—the need for real science in managing our national forests. I am sorry to say that science is not being carried out by the Forest Service, nor by those who protest every cut of trees.

You know, if this was a sincere effort to analyze the road situation, you would be analyzing roads within the national parks or within the wilderness areas or other areas where timber cutting is not allowed, but administered by the Forest Service in wilderness especially. But we're only attacking areas where timber might be cut. This is primarily a challenge by the so-called environmentalists against any timber cutting in the United States and not a genuine question about forest roads.

Madam Chairman, I'd be happy to answer questions, and I appreciate the work that you're doing in holding this hearing today. Thank you.

[The prepared statement of Mr. Taylor of North Carolina follows:]

STATEMENT OF HON. CHARLES H. TAYLOR, A REPRESENTATIVE IN CONGRESS FROM  
THE STATE OF NORTH CAROLINA

Madame Chairman, I would like to thank you for the opportunity to testify before this Subcommittee and to address the issue of the health of our national forests.

This is an issue to which a great deal of attention has been devoted recently, given the U.S. Forest Service's announcement on January 28th that it plans to implement an 18-month moratorium on the construction of new forest roads in the current roadless areas of our national forests. The Forest Service has indicated that the purpose behind this moratorium is to provide a "time out" on new construction while it evaluates the present system of forest road construction activities. Because the Forest Service failed completely to involve Congress in this decision-making process, however, it has barreled forward with an approach that is neither economically wise nor scientifically sound.

The Forest Service estimates that the moratorium will reduce the Federal timber sale program offering by 100 to 275 million board feet in fiscal year 1998. The American Forest and Paper Association estimates that the real impact of the moratorium may be a loss of more than 1 billion board feet, or one-third of the entire Federal timber sale program. The Service is quoted in the Federal Register: "Although the actual amounts are very difficult to estimate, this reduction in timber volume offered could lead to corresponding reductions in employment and in payments to the states." 63 Fed. Reg. 4353 (1998). The Forest Service has certainly mastered the art of understatement, if not the science of forest management. According to the Service's own statistics, 15.8 direct industry jobs are created for every 1,000 board feet of timber harvested; by decreasing the timber yield offered for sale by *hundreds of millions* of board feet, the moratorium's potentially disastrous economic effect becomes obvious. In Western North Carolina alone, 150,000 to 160,000 acres of roadless forest areas will be affected by this moratorium, and three timber sales amounting to approximately 3 million board feet, which were ready to proceed this year, will have to be postponed or significantly altered.

There has already occurred a steady decrease in the amount of timber harvested within last few years. This moratorium will only result in further reductions in Fed-

eral revenues from timber sales, thereby requiring budgetary adjustments; a significant reduction in, or loss of, payments to rural counties whose school systems rely upon timber receipt payments; higher costs for construction materials, leading to higher home prices; and, the loss of thousands of jobs within the timber industry and those commercial areas which depend upon it.

I am equally troubled by the implicit policy embodied in the Forest Service's moratorium, a policy that places wishful environmentalism above sound scientific approaches. The overwhelming need for proper forest management is widely recognized, even, at times, by members of this Administration. Kathleen McGinty, Chair of the Council on Environmental Quality, has stated that, "the consequence of stamping out every [forest] fire, including naturally-occurring fires, has been that we now have a tinderbox in many places of the country." (Paul Bedard, "Clinton Supports Burning to Avoid Wildfires in Forests: Plan backed by Sierra Club Leaves Out Logging," *Washington Times*, July 25, 1997, p.A4.) What the Administration now seems unable or unwilling to acknowledge, however, is the potential for similar forest devastation due to closing off millions of acres of our National Forests to sound management practices.

In March 1996 I chartered a panel of scientists to develop an analysis of the forest health conditions in the United States and the options and consequences of addressing those conditions. The results of the studies conducted by these prominent forest scientists were presented in April 1997 through a joint hearing of the House Committees on Agriculture and Resources. In an ongoing effort to further this analytic process, the panel will soon release the collected Peer Reviews of the Forest Health Science Report, so that we, as the forestry policy and decision-makers, might benefit from a scientific, sensible approach to forestry management.

It is this very approach—grounded in science, rather than romantic ideals of nature—to which we must now turn. The moratorium proposed by the Forest Service will certainly achieve its primary goal of halting new road construction. Unfortunately, it will further render millions of acres of our national forests completely inaccessible to proper management, thereby increasing the likelihood of devastation by timber disease, insect infestation and forest fire. According to the Forest Service, 40 million acres of its lands are presently at high risk of catastrophic fire. One might think that increasing the potential for such catastrophe would be as unconscionable to the Forest Service—which possesses the primary responsibility for the continued vitality and well-being of our national forests—as it is to you and I.

When the specifics of the moratorium are closely examined, however, it becomes clear that forest health is not the goal that the Administration truly seeks to advance. Under the moratorium, all road construction and reconstruction in the following areas will be suspended:

- (1) Roadless areas of 5,000 acres or more inventoried in Roadless Area Reviews and Evaluation (RARE II) and other unroaded areas, regardless of size, which are identified in forest plans.
- (2) Roadless areas over 1,000 acres that are contiguous to Wilderness areas or lands classified as "Wild" in the National Wild and Scenic River System.
- (3) All roadless areas over 1,000 acres that are contiguous to roadless areas of 5,000 acres or more on other Federal lands.
- (4) Any National Forest System area of low-density road development or area determined by the Regional Forester to have unique ecological characteristics or social values ("special areas").

Enumerated exemptions for roadless areas in the Northwest Forest Plan, the Tongass National Forest and those that have a signed Record of Decision and have completed the appeals process, are rendered null by the fourth category of "special areas:" despite their exemptions, these areas may be subjected to the moratorium by the unilateral authority of Regional Foresters. Nowhere in the Administration's promulgated materials, further, do there exist specific guidelines to be used by the Regional Foresters in making such a decision.

The question that presents itself is why the moratorium on new road construction applies only to lands under the control of the Forest Service, and not to those within the national park or wilderness systems. The answer? Simply put, timber harvesting is not permitted in such parks or wilderness areas, so it was unnecessary for the Administration to include them in the moratorium. The real motive behind the moratorium is to place additional burdens on the timber industry, which has already suffered tremendous economic disaster, as a token gesture to the Administration's environmentalist support base. Apparently, this Administration places a higher value on cultivating the environmental protectionist vote than on cultivating a healthy national forest system.

I would like to thank you, Madame Chairman, for holding this public forum for discussion of the Forest Service's moratorium on new road construction. It is my

hope that the questions which you and the members of this Subcommittee will pose today will, at last, produce some answers as to the real economic and environmental costs of this ill-conceived plan.

Mrs. CHENOWETH. Mr. Taylor, thank you very much for being here. If time allows in your schedule, we'd like for you to wait because some of the members may want to ask you questions. Do you have time?

Mr. TAYLOR OF NORTH CAROLINA. Yes.

Mrs. CHENOWETH. Thank you.

The Chair recognizes the gentleman from Arkansas, Asa Hutchinson.

**STATEMENT OF HON. ASA HUTCHINSON, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF ARKANSAS**

Mr. HUTCHINSON. Thank you, Madam Chairwoman and members of the Committee. I'm grateful for this opportunity, and I will try to be brief, but this is an important subject concerning the Forest Service's proposed moratorium on entry into roadless areas. I commend the chairperson for providing this forum.

I represent the third district of Arkansas, an area of the country that contains two national forests, the Ouachita and the Ozark-St. Francis. Lands in the Ozark and the Ouachita cover large portions of half the counties in my district. They allow Arkansans to enjoy the beauty and recreational opportunities provided by our national forest systems, and they afford also much-needed revenue for law enforcement, infrastructure, and educational services in those counties.

I am concerned about the proposed moratorium for several reasons. First of all, systematic review of the management plan that governs the Ouachita and Ozark National Forests are already being conducted by the Forest Service professionals who live and work there. Local communities and interest groups are contributing to the review. A top-down, uniform Federal mandate like the proposed moratorium undermines the ability of these local foresters and communities to properly manage these forests based upon local conditions.

Secondly, I am concerned that this moratorium will hamstring the efforts of the Forest Service professionals to properly care for our forest lands. For example, in 1995 and 1996, the Ouachita National Forest faced an epidemic infestation of southern pine beetles, necessitating heavy salvage logging to stop the spread of the insects. Had the proposed moratorium been in place then, local forest professionals could not have built some of the roads necessary to reach the affected areas, and the infestation would have spread unchecked.

Further, the Forest Service professionals who currently care for the Ouachita and Ozark-St. Francis National Forest have stated that the short-term effects of the moratorium might be negligible, but the long-term effects will result in a sharp reduction in the amount of timber that can be put up for sale from these two forests.

Timber growth in our national forests now exceeds timber harvest by a factor of three. Seventy-four percent of our national forest lands are off-limit to all timber harvesting, and only 3 percent of

our national forests are used solely for timber harvest. As such, in my view, it would be unconscionable for a mandate from a Washington bureaucracy to be allowed to eliminate this vital source of revenues for our counties.

Madam Chairwoman, the Forest Service has concluded that it must thoroughly review its road management policy and develop a comprehensive science-based policy for the future, and I could not agree more. This is already being done in the two national forests in my district by professionals who have managed those lands successfully for decades. This is already being done with input of the citizen and interest groups who live in those areas and know their needs better than any Washington bureaucracy. This is already being done without the costly restrictions of a federally mandated prohibition on construction of new roads. And, Madam Chairwoman, this can continue to be done. As such, I would urge the Forest Service to reconsider this proposed moratorium and work with the Committee to develop a more reasonable approach to this historically controversial issue.

And I thank the Chair and this Committee for this opportunity to present these views and for indulging me on my time constraints. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Hutchinson.

Mr. Oberstar will be arriving momentarily, but I do want to say, for the record, that Mr. Joe Kennedy has expressed a great deal of concern about this issue, and the Committee invited him to testify and, indeed, we learned today, right before the hearing started, that he would not be able to testify, but we will be accepting his written testimony.

So, with that, I would like to open the panel up for questions, beginning with Mr. Hansen, and then I'll recognize Mr. Hinchey.

Mr. HINCHEY. Thank you very much, Madam Chairman. I do not have any questions. However, I would like to extend my appreciation to our colleagues, both Mr. Herger, Mr. Taylor, and Mr. Hutchinson, for their very fine testimony. Although we have some very clear and distinct differences on this issue, I appreciate the sincerity of their testimony and the position which it reflects.

I would just like to suggest one thing, however. There has been some intimidation that the roadless proposal is a proposal emanating from the Clinton Administration. Actually, as I understand it, it is a professional proposal coming out of the professional people within the Forest Service, and it is a proposal based upon their very careful and scientific research, and it's not politically motivated; it's motivated out of a, likewise, sincere approach on the part of the Forest Service, in their professional opinion, to do what is best for the public lands under their jurisdiction.

Thank you very much, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hinchey. Mr. Hansen?

Mr. HANSEN. I thank you, Madam Chairman. I appreciate the testimony of our colleagues. I hope people in the room realize that Representative Taylor is a professional forester himself, and he spent many years in this particular area, and I appreciate Mr. Hutchinson and Mr. Herger, and the words that they have said.

I somewhat disagree with my good friend from New York on what things are motivated and what things are not motivated. Something called the National Escalante Staircase was said not to be motivated by politics, until I was able to subpoena the records, and I'd be happy to show those to anybody. That was politically motivated, obviously. I just came out of a very important meeting regarding air logistic centers, and also another politically motivated thing.

Frankly, scientists are kind of like experts; you know, who do you believe? It's fun to go to court occasionally and listen to people testify, and who is the jury going to believe.

I have great respect for Michael Dombeck and his people who are before him. I see many of them here. I'll look forward to their testimony. But, on the other side of the coin, I think the basic, bottom-line issue is the one that you have articulated many times, and that is the idea of forests and forest health, and people should have the opportunity to use the forests, not destroy the forests. I would submit to you that for almost 100-and-something years we've been able to manage the forests and done a rather good job of it. No disrespect to Mother Nature, but She manages rather ruthlessly sometimes with fire, wind, earthquake, and other ways. Man, who's done a very fine job in our western forests—and I think some of these folks who will be appearing before you have been here before, and I have great respect for many of our past Directors of the Forest Service.

Thank you for holding the meeting, Madam Chairman.

Mr. HUTCHINSON. Madam Chairwoman, would it be all right if I be excused? I appreciate this opportunity. I'm going to leave this to Representative Taylor, since he's an expert in this area.

Mrs. CHENOWETH. It certainly is. Thank you, Mr. Hutchinson.

I see that Mr. Oberstar has arrived, and we would—I would like to turn to Mr. Radanovich and see if he has any questions of Mr. Taylor.

Mr. RADANOVICH. I have no question, Madam Chairman.

Mrs. CHENOWETH. Mr. Schaffer?

Mr. SCHAFFER. No questions.

Mrs. CHENOWETH. I'd like to ask a question of you.

Mr. TAYLOR OF NORTH CAROLINA. Certainly.

Mrs. CHENOWETH. You just can't get off that easy, Charlie.

Mr. TAYLOR OF NORTH CAROLINA. That's all right, no.

Mrs. CHENOWETH. You're the only forester in the Congress, and so we look to you a lot for your opinions. Tell me, how can we properly manage and maintain healthy forests without access?

Mr. TAYLOR OF NORTH CAROLINA. It's impossible. First of all, it would be impossible to carry out the management task, and then, second, it would be cost-prohibitive to do it, if you could. Unless we manage the forests in a proactive way and produce a timber product which is viable, the number of jobs it creates and the fact it furnishes building materials and that sort of thing—it's very important—unless we do in a way that we can produce that product, then you have to pay for it with taxes by government action. In other words, every salvage sale would have to be paid for by hiring government employees to go in and administer it, and it would

take tens of millions of dollars, or billions of dollars, to manage the forests in that way.

That's why we established a program with the Forest Service last century that is managed in a way that we get the greatest benefits from our timber resources while using the wisest management. We look to our scientific experience in our State and Federal experimental stations, as well as our plethora of schools. Yale, Duke, Clemson in my area, Auburn—all over the country we have excellent forest schools that teach scientific silviculture, and yet the Forest Service seems to be ignoring that.

When we put together the scientific panel that produced the report you have before you, that this Committee and others in Congress has had for over a year, we recruited the heads of the departments of forestry and silviculture from schools all over the country. Now if we cannot believe individuals from our best universities, or the science from our experimental forestry stations, then how can we believe someone who comes in with a theory that trees have feelings, or whatever it is?

Last week I held a town meeting, and I had some young people there who were very concerned about the forests, and I sat with them and tried to reason with them. I asked them if they had been to the experimental stations within 10 miles of where we were sitting, and one had not, and one said, "oh, yes, I've read about that; they're cutting old growth, and all this sort of thing." Clearly, he hadn't been anywhere near what was going on there in reality, to see today's science and the type of technology that's being used.

So there's a fear being exploited across the country to raise funds for political purposes, and a gross misunderstanding of this highly technical area. I would urge every Member to educate themselves as much as possible, because there are plenty of forestry resources there in the past 100 years, as Mr. Hansen said. But our management has to be done with the best science that we have available to us.

Mrs. CHENOWETH. Thank you, Mr. Taylor. I really appreciate your comments and your thoughts, and I look forward to working very closely with you on this issue.

So the Chair now recognizes Mr. Oberstar.

**STATEMENT OF HON. JAMES L. OBERSTAR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA**

Mr. OBERSTAR. Well, thank you very much, Madam Chair, for holding this hearing and bringing public attention to an issue of prime importance to so many of us in the Congress, and to everybody who owns, or aspires to own, a home or does anything with wood in this country. Thank you for bringing the spotlight of public interest and attention to a subject that's almost been stamped into a rule of the U.S. Forest Service, although there's been an extension granted. I, among many others, had hoped to be able to comment on the proposed rule, but they were rushing it so fast that we just didn't have time to put together a statement in proper order.

So this Committee, once again, is doing yeoman's service in keeping the docket open, if you will, on subjects of broad public interest. Roads in our national forest system, as roads everywhere, are the

lifeline. I serve on the Transportation and Infrastructure Committee, and have done for 24 years, and I know the vitality that roads bring to communities of all sizes. I know how important the road system is in our national forest system.

But this is not an issue about maintaining the roads. The underlying issue driving this rulemaking is about whether or not to log in our national forests. The 18-month moratorium—anybody who's familiar with the way the Forest Service goes about its management plans and designating areas for logging, and doing the environmental impact statement, and shooting a site for the roads to access the timber sale—it takes 18 months. You've got an 18-month moratorium. The moratorium, should it be suspended in favor of some continued forest products harvesting, is going to mean another 18 months before any of the work gets underway. You're talking about 3 years at a minimum of no timber harvesting in key areas of the national forests system nationwide.

Now in my district, northern Minnesota, we have two national forests, the Superior and the Chippewa. The Superior is a little better known because of the age-old controversy over the boundary waters canoe area, for which, Madam Chair, we thank you again eternally for coming to the district and holding a town meeting, and traversing one of the portages, and witnessing firsthand. You've been a champion, and I appreciate that.

But those forests, plus the State forests and private forestry lands, are the economic base for 61,000 jobs, a \$2 billion income, and 55 percent of the total wages paid in the manufacturing sector in my congressional district. It's vital to our economy.

So to the point, there are two concerns I have with this proposed policy. The first is the simple issue of forest health. We need to manage our forests. If we agree on nothing else, let me agree on that fundamental principle. The forests held in public trust should be managed, not left to the vagaries of insect, disease, and forest fire, which can be—which has been documented in the Superior National Forest back to 1595, the earliest recorded or documented forest by forest researchers, and massive forest fires that have raged throughout that area over the years; until most recently we've kept them under management.

I want to take this log of red pine that grows in the Superior National Forest. From the core to this outer half-inch is 6 years of growth. The next half inch is 7 years of growth. The reason you have so little growth in the second 7 years is that this was an understory tree; that the region in which this tree grew had not been thinned; there had not been release, as we call it in forestry management, and the growth was stunted. We would have had twice—we would have had a lodgepole twice this size, and in another 5 years something that would be useful for sawtimber harvesting. As it is, if you don't manage the forest, you have stunted growth. Some may call that wilderness; I call it bad management.

The second concern I have is forest planning and management. The proposed policy would exempt forests that recently completed a review of their management plans, but makes no provision for those that are just beginning or in the earliest process, or in some stage of developing their management plans. Now, you know, the

law requires that all units of the national forest system every 5 years to redo their management plan, to have public and community input, and now this proposed new policy says, oh, forget it, those of you who haven't done it or haven't completed it, you're out. And as I said at the outset of my remarks, that means in 18 months, if this moratorium is lifted—if it is lifted—then they begin the process all over again. There's another 18 months, and you're talking really about maybe another 5 years before you get in to harvest any timber.

This is really a no harvest timber proposed policy. What that means is that this 16-year-old red pine is not going to have any substantial additional growth for another five or more years, and that means that the amount of timber available, whether it's for pulpwood, for pulp and paper manufacturing, or for particle board or for wafer board, or the very little sawtimber that we have—we don't have the large, fast-growing forests that you have on the West Coast with the high rainfall, but the small amount of sawtimber we have sustains small businesses, and that's my final point.

This is not, as we saw in the debate last summer over logging roads on national forests, this is not a case of little folks against the corporate giants. There isn't a logger in my district that has more than 10 or 12 employees, and most of the sawmill operations have about 12 to 15 employees at the most. These are small business people.

These are also the first people to respond when there's a forest fire. They're the first ones out there in the woods to save the forest and those who live around, in, or near it from the ravages of forest fire. What you're doing is taking—what this policy is doing is taking away from them their livelihood.

Throughout the whole country, of all the 174 units of the U.S. Forest Service, 71 percent of the timber sales are purchased by small operators. We're talking about undercutting the core of American entrepreneurship.

I hope that, as you go through this hearing, that you highlight this issue and bring some heat, if not light, to bear upon the departmental decision on the moratorium.

Finally, I went and looked back over the last 20 years to see that we have seen the harvest steadily decline on both the Superior and the Chippewa National Forest. We were at 150 million board feet in 1996, and we're down to about 80, just about 90 million board feet for the current year. That's not because the timber isn't available. That's not because our resource has declined. It's simply because the cut has been reduced.

This is a renewable resource. We have more board feet available, we have more timber available on the Superior and the Chippewa today than we did at the turn of the century. And if we continue to manage it wisely, we won't have little saplings like this; we'll have beautiful forests to enjoy for centuries to come.

Thank you, Madam Chair.

[The prepared statement of Mr. Oberstar follows:]

STATEMENT OF HON. JIM OBERSTAR, A REPRESENTATIVE IN CONGRESS FROM THE  
STATE OF MINNESOTA

Madam Chairwoman, Members of the Subcommittee, I am very pleased to have the opportunity to testify today. It is a great pleasure to once again appear before this Subcommittee to talk about my district and forest policy.

As Ranking Member on the Transportation and Infrastructure Committee, I know all too well the difficult task of maintaining a vast transportation system. I would like to applaud the Forest Service for recognizing and making forest road maintenance a priority. I can certainly appreciate the difficult task of keeping and maintaining an inventory of a system of this magnitude. The importance of forest roads cannot be underestimated. These roads are the life-line of tourists, recreationists and forest service professionals. It is true that the forest road system is in desperate need of repair and upgrade. I hope we can all support increased funding for this effort.

In my district of Northeastern Minnesota, the Superior National Forest and the Chippewa National Forest, are two of the highest producing, lowest-cost forests in the Region. These two young, healthy forests have been managed aggressively for over a century, providing the productive forests that we have today.

The forest products industry is the 3rd largest industry in Minnesota. It generates 14 percent of all dollars in manufacturing. It employs some 61,000 individuals with wages of over \$2.0 billion annually. In my district, it represents almost half of the manufacturing jobs in the region and approximately 55 percent of the total wages paid in the manufacturing sector. This is an industry vital to the economy of my district.

I had expected to comment to the Forest Service prior to its promulgation, however, the announcement was so sudden, few Members of Congress had prior input. So, this hearing is extremely important, and I thank the Chairwoman for a forum in which to express our views.

There are two principal concerns that I have with this proposed policy. First, I have concerns with the simple issue of forest health. If we agree on nothing else, let us agree that forests need to be managed. If left unattended, our forests will slowly degenerate: ultimately consumed by insect, disease and fire. Indeed we have a fire history on the Superior National Forest dating back to 1595. Managing forests by sustainable forestry practices will maintain the health and viability of our national forest system. Under the current proposed policy, certain areas—potentially an entire forest, will be subjected to an 18-month-PLUS restriction on road-building. The term “road-building” in my state is synonymous with timber sales. If there are no roads—there are no timber sales.

I bring you today an example of poor management practices and the results it affects have on the resource. I have here an approximately 16-year old red pine from my district in Northern Minnesota. It came from a plantation that was correctly thinned in its early years. By the growth rings you see healthy and normal development. As the plantation continued to grow and thinning practices were not continued, the growth was stunted. By the compacted growth rings you can see the effects poor management has on the development. With the type of policy we are discussing today, it is clear that forests will suffer.

Secondly, I have concerns with the issue of forest planning and management practices. The proposed new policy would exempt those forests that recently completed review of their management plans. The policy makes no provision for those units that are in the process of reviewing their plans as is the case with the Superior and Chippewa Forests in my district. Adoption of this policy would effectively eliminate the ability for communities in my district to participate in any substantive way with the forestry units.

On the Superior National Forest, the proposed moratorium would suspend work over the next three fiscal years on 25 sales involving 50 million board feet. Neither forest will undertake work on a number of other sales because no one can predict what the outcome of this review will be. The already strained pipeline for sales will be squeezed further. The Superior National Forests is presently at 76 percent of its Allowable Sale Quantity (ASQ). Clearly, that percentage will decrease during the 18-month moratorium, and very likely another year and a half afterward—and the consequences will be severe and widely felt.

As we saw during the House debate this past summer on the Purchaser Credit program, advocates of this type of policy attempt to portray those affected by this policy as huge corporate giants. Of the timber sales offered, 71.5 percent of all timber sales throughout the country are purchased by small businesses. These loggers and sawmill operators are small businessmen and women, family-owned operations. They have lived in this north country for generations and have volunteered their

time to fight the forest fires and plant the seedlings that regenerate the forests, providing long-term health and well-being of our resources. These are small businesses in small towns and they are proud of their heritage.

This moratorium should not be viewed in isolation, but with the backdrop of other policies that have adversely affected the small forest operator: the decrease in Forest Service budgets able to provide sufficient future harvestable timber, increase in costs due to litigation, and the on again off again policies that affect sales adds to the uncertainty and costs of the small operator.

The Department's proposed policy raises other questions that time does not allow us to address here today, such as the section of "special areas" that is ill-defined and creates a whole new area of uncertainty and should be more carefully explored as should the specter those policy raises creating wilderness type areas without an Act of Congress. I thank the Subcommittee for holding this hearing and allowing a broad discussion of vital issues that affect the long-term health and viability of our national forest system. Thank you for your diligence.

Mrs. CHENOWETH. Thank you, Mr. Oberstar.

I wanted to ask you—the Forest Service is now asking for other Federal funds for road maintenance, while at the same time they are eliminating nearly their entire commodity program that produces the majority of the Service's revenue. What is your reaction to this situation?

Mr. OBERSTAR. Well, first of all, they include in the base cost of every sale that I know of in northern Minnesota, for each of the timber sales that have been put up, they include in the base cost the cost of road-building. The permanent roads that exist in the Forest Service are covered under a special provision of the surface transportation program, known as public lands highways, which are funded at 100 percent. All they need to do is ask for additional funding for their road programs to maintain their portfolio of roads. We provide the authorization in our Committee on Transportation, and when they look at their overall budget and make trade-offs, they have to understand that roads provide more than—access for more than just timber harvesting. These roads are used in the Chippewa and the Superior and elsewhere, I know in the Chiquamagon in northern Wisconsin and northern Michigan, for small game hunters, grouse, partridge, rabbits, and for deer hunting. They're used by recreationalists who go into fishing holes and fishing lakes. They use these timber haul roads. None of the cost is charged off to those users. It's only the timber producer that pays the cost of that road.

Mrs. CHENOWETH. Thank you, Mr. Oberstar. I very much appreciate your testimony.

I now recognize the Ranking Minority Member for questioning, Mr. Hinchey.

Mr. HINCHEY. Well, thank you, Madam Chairman. I have no questions of Mr. Oberstar. I just want to express my appreciation for his testimony. It's always a pleasure to hear from him and to listen to his expertise, which he's gained from firsthand experience. Thank you very much.

Mr. OBERSTAR. Thank you. I thank the gentleman.

Mrs. CHENOWETH. Mr. Peterson?

Mr. PETERSON OF PENNSYLVANIA. Yes, I would also like to thank the gentleman from Minnesota. I'm from Pennsylvania, but I was interested in your comments that this 18-month moratorium—and then I think you followed that up; you said there'd be probably an 18-month study. So what we're really seeing here is the rest of the

Clinton-Gore administration saying we're not going to cut timber any more than we can help. Is that your observation?

Mr. OBERSTAR. Or into the next century.

Mr. PETERSON OF PENNSYLVANIA. That's right, but I mean—

Mr. OBERSTAR. Yes. Exactly.

Mr. PETERSON OF PENNSYLVANIA. But that finishes their tenure of running this country.

Mr. OBERSTAR. No new sales over those that are already in progress.

Mr. PETERSON OF PENNSYLVANIA. Yes, but it's their way of—their next effort of stopping cutting? Would you think that's a fair assessment?

Mr. OBERSTAR. That is the result. Whether they intend it that way—but that's clearly the result.

Mr. PETERSON OF PENNSYLVANIA. Well, as someone who's been observing this for years yourself, have you heard any logical arguments, any scientific arguments, that this moratorium makes some sense or there's some reason for it? Have you heard anything?

Mr. OBERSTAR. No, I see no valid basis in the presentations by the Secretary or the Forest Service to justify their actions.

Mr. PETERSON OF PENNSYLVANIA. Well, when you look at the diversity of this country, I always get nervous at a Federal policy that is the same for Alaska as it is for California, as it is for North Carolina, as it is for Minnesota, as it is for Pennsylvania, when we're so different. I mean, the forests of Minnesota I'm sure are far different than the forests of Pennsylvania, and they're certainly different from the forests on the West Coast.

Mr. OBERSTAR. Exactly. The 100th meridian divides the forestry resources of the country. Those west of the 100th meridian are largely the large sawtimber, fast-growing, huge pine forests, and we're the mix of, as in your district, which was Bill Clinger's district previously—and I consulted with him many times; we joined forces on these issues—largely hardwood forests.

Mr. PETERSON OF PENNSYLVANIA. That's right.

Mr. OBERSTAR. And it's entirely different management principles that must prevail in the area east of the 100th meridian than west, and different terrain, different management practices. Where you have mountainous country, you manage the land much differently than you do flatlands or uplands.

Mr. PETERSON OF PENNSYLVANIA. It would be like telling the apple growers in Washington that they should raise apples like we raise them on the East Coast, when it's different climate; it's different soils; it's different—or the tomato growers in Florida, that they should do the same practices that New Jersey uses. I mean, it makes no sense to have—if this is about management, managing our forests, I can see no other—I guess the point I want to make very, very clear: This is about, again, stopping as much cutting as possible on our forests. Do you agree with that?

Mr. OBERSTAR. I said that at the very outset, Mr. Peterson, and that is that the net effect—I don't want to go into motives, because I haven't talked enough to people to know what their real motive or thinking is, but the clear net effect—anyone who understands how the forests must lay out their management programs, lay out 5-year plans, there's an 18-month period of time to do the planning

for your management plans. We've got an 18-month moratorium, and then if it's lifted after that 18 months—and I'm not confident that it would be—then you've got—for those that have just started their plan, they've got to go back and start it all over again. You've got another 18 months. So you're talking a good 3 years, and maybe another year-plus. We're 5 years away from seeing some timber harvesting.

Mr. PETERSON OF PENNSYLVANIA. My district is the home of the very best hardwoods in the world.

Mr. OBERSTAR. That's what Bill Clinger always said.

Mr. PETERSON OF PENNSYLVANIA. Yes, well, if you want black cherry, you come to Pennsylvania—

Mr. OBERSTAR. Black cherry is right—

Mr. PETERSON OF PENNSYLVANIA. [continuing] and you come to the fifth district, because we have about 70 percent of the veneer in the world in my district. So we are the home—but it's interesting, while the whole world is trying to believe that we are cutting down the forests, in Pennsylvania I've been involved in government for 20 years—at the State and now here. In that period of time, if my memory is correct, we had 14 million acres of commercial forests in Pennsylvania when I first went into government, and we now have 16 million acres and a forest has to reach a certain quality before it's considered commercial. And the Federal land is probably the most undercut and has the most dying timber. The State land is next, and, of course, the public land is the best managed. And Pennsylvania is another big public State because our State owns about 5 million acres, along with the Federal ownership. So we are a big public ownership State, and that's why it's so important to us that we have an appropriate management policy that can continue on forever, if it's done right.

Mr. OBERSTAR. A forest is forever, if we manage it well.

Mr. PETERSON OF PENNSYLVANIA. That's right.

Mrs. CHENOWETH. The Chair recognizes Mr. Schaffer. Any questions?

Mr. SCHAFFER. I have no questions, Madam Chairman.

Mrs. CHENOWETH. Mr. Hill?

Mr. HILL. Thank you, Madam Chairman, and thank you, Mr. Oberstar, for your comments.

I presume—and I don't know whether you supported the National Forest Management Act, but I presume that you support the provisions that require the Forest Service to consider local impacts when they make forest management decisions?

Mr. OBERSTAR. Absolutely.

Mr. HILL. Are you aware, in terms of the decision to make this moratorium, did anyone with the Forest Service make inquiries into your district with regard to what those impacts might be on the local forests or on the local economy?

Mr. OBERSTAR. I don't think they were allowed to.

Mr. HILL. So you believe they were denied that opportunity?

Mr. OBERSTAR. Well, I don't know if they were denied it. I just—because we have very good communication with the staff on both the Superior and the Chippewa in my district offices, and all of a sudden this policy came out. They usually talk to us about every-

thing. So I just surmise that they either weren't told or weren't allowed; I don't know which.

Mr. HILL. Are you aware that there was a meeting, I think, in December. The Regional Foresters met with the Chief of the Forest Service to discuss this moratorium. Are you aware at all—

Mr. OBERSTAR. I didn't know that.

Mr. HILL. Do you have—is there any fire hazard in those forests that's associated with the current El Niño conditions? I know that Minnesota has had a more than mild winter this winter.

Mr. OBERSTAR. Well, we won't know about fire condition until—March is usually our heaviest snow year, and we've only had 53 inches of snow so far this year, and our average is 131, and our biggest year was 1995–96 with 135 inches. March may be the salvage, but we're having a big snowmobile race up in the district, and they're trucking snow in from Canada, would you believe?

[Laughter.]

Mr. OBERSTAR. So I don't know about fire hazard. That will come this spring. But, I'll tell you, if we're going to have—if this is 16-year-old red pine this year, at the end of this moratorium period and the period that follows, we may not have this pine around because there's going to be disease, death, down timber, and it's going to catch fire and burn. We're going to have to have a very high fire watch.

Mr. HILL. I found your comments interesting about the different forests. I have 10 national forests in my district, and they're all different. As a matter of fact, they all have different species of trees. They have different issues with regard to riparian areas, with regard to watersheds. They all have different tree species, different soil conditions, different moisture conditions.

I'm having a hard time understanding how a policy that is made in Washington can address the differences between those 10 national forests, let alone all the national forests in the Nation. I don't even know how many national forests there are. You probably know the answer to that.

Mr. OBERSTAR. A hundred and seventy-four.

Mr. HILL. A hundred and seventy-four. I'm going to write that down, so I remember that, because I have about 8 percent of that, it sounds like.

Mr. OBERSTAR. Yes.

Mr. HILL. Were there any other groups in Minnesota—were any sportsmen's groups, any multiple-use groups consulted, are you aware of, in the decision to implement this moratoria?

Mr. OBERSTAR. No, they all came and complained to me about it.

Mr. HILL. And I'm just curious, in Montana, in Region 1, which I think all my national forests are there, and I think all but two of them constitute Region 1, about half of now all the logging roads in my district are already closed to public use. Are you experiencing a similar situation in your district with regard to closure of Forest Service roads?

Mr. OBERSTAR. I don't know what number or percentage, but there are roads that are in serious condition, some of which are unusable, and especially this year it's hard to tell which are unusable because of lack of cold weather or because of lack of maintenance, but we have a serious problem on both forests.

Mr. HILL. And the revenues for maintenance or improvement of those roads, of course, come from the proceeds of timber sales, right?

Mr. OBERSTAR. That's correct.

Mr. HILL. And so if there are timber sales that will not occur as a consequence of this moratorium, that will be less revenue to maintain the roads that are there that could be impacting the environment?

Mr. OBERSTAR. With the exception of those that are designated public lands highways and are eligible under the surface transportation program for 100 percent Federal funding out of the Highway Trust Fund.

Mr. HILL. And, generally speaking, those roads are——

Mr. OBERSTAR. They're high-grade roads, yes.

Mr. HILL. [continuing] they're high-grade roads.

Mr. OBERSTAR. They're not gravel roads, no.

Mr. HILL. Thank you. I thank the gentleman. I thank the chairwoman.

Mrs. CHENOWETH. Thank you, Mr. Oberstar. I very much appreciate your contribution to the record and the time that you've spent with us. I do want to say you represent one of the most beautiful areas in the Nation, and, indeed, it was my deep privilege and pleasure to be to go into your district.

Mr. OBERSTAR. They'll be happy to have you back any time.

Mrs. CHENOWETH. Thank you. There's a lot of Norwegians and Swedes up there working in the timber industry, isn't there?

Mr. OBERSTAR. And also Finns, lots of Finns.

Mrs. CHENOWETH. And Finns.

Mr. OBERSTAR. Yes.

Mrs. CHENOWETH. Yes, they sure—the women sure know how to cook, too. Maybe the men do, too, in this day and age; I don't know. [Laughter.]

Mr. HILL. Madam Chairman, I would just like to point out that there are a few Irish that were from that district. I was raised in Mr. Oberstar's district.

Mr. OBERSTAR. They're usually the fire chiefs and the bosses in the iron ore mines.

[Laughter.]

Mrs. CHENOWETH. Mr. Oberstar, again, thank you. It was a privilege to have you before our Committee.

And I will now look to the next panel, Mr. Dombeck.

Mr. OBERSTAR. Thank you very much, Madam Chair.

Mrs. CHENOWETH. But before we continue, I would like to explain that I intend to place all outside witnesses under oath. This is a formality of the Committee that is meant to assure open and honest discussion and should not affect the testimony given by witnesses. I believe all of the witnesses were informed of this before appearing here today, and they have each been provided a copy of the Committee rules.

And now it's my privilege to introduce our next witness, Chief Mike Dombeck, U.S. Forest Service, Washington, DC.

If you will rise, Chief, and raise your right arm?

[Witness sworn.]

Mrs. CHENOWETH. Under our Committee rules, we will be questioning Mr. Dombeck after his testimony, but our Committee rules limit statements to 5 minutes, but the Chief's entire statement will appear in the record and we'll allow him to summarize his statement. We will also allow the entire panel to testify before questioning the witnesses.

The chairman now recognizes Chief Dombeck to testify.

**STATEMENT OF MICHAEL DOMBECK, CHIEF, U.S. FOREST SERVICE**

Chief DOMBECK. Well, thank you, Madam Chairman and members of the Committee. In fact, I was delighted to see the tone of humor that ended the last panel, as we embark on an issue that has not been very humorous for well over a decade.

I appreciate the opportunity to visit with the panel and answer questions about roads and the roads program, and as has been articulated, I have proposed a timeout in road building in roadless areas for an 18-month period as one part of a strategy. A second part is to develop a science-based forest transportation system that meets the needs of local people while minimizing and reversing the adverse environmental effects associated with roads, particularly poorly maintained roads.

Let me outline the key objectives of the policy. No. 1 is to provide managers with the best, up-to-date science and analytical tools to make better informed decisions about when, where, and if to construct new roads. A second, once those decisions are made, working with local people, we need to determine what roads are needed and commission those that are not needed, perhaps convert them to trails, whatever the best use, determined with the local community and the State.

Third, we need to improve the roads and be able to take care of the roads in an appropriate manner that we do need. There are changing demands in local communities, changing access needs, and a growing recreation use on national forest systems. The policy review is critical, so we can focus our limited resources on the roads in most need.

Finally, we intend to develop a road policy that allows us to catch up on our enormous backlog in road maintenance and reconstruction, while meeting management objectives and access needs.

The road network of the national forest system is extensive and diverse. Many roads are essential for active management of national forest resources and provide many and various benefits. They are critical to timber harvest, to mineral extraction, to livestock grazing, to recreation access, and many local needs. They provide access for fire control, law enforcement, search and rescue, wildlife habitat projects, research and monitoring. And there is no question that the road network of the national forest system serves, and will continue to serve, as a fundamental component of the delivery system of multiple-use programs.

The simple fact is that the road system we have today is tremendously larger than we can afford. Current funding is not sufficient to maintain all the roads to safety and environmental standards to which they were built. For example, we only maintain 40 percent

of the 373,000 miles of road to designated environmental and safety standards. Let me give a few examples.

Building a road requires a short-term investment of revenue. However, maintenance decade after decade is a long-term financial commitment. The cost of delaying timely maintenance and reconstruction increases exponentially over time.

In Idaho, the road to Riverside Campground on the Targhee National Forest could have been chip-sealed a few years ago for \$22,000. Today it will cost more than \$110,000. To reconstruct five miles of Scout Mountain Road on the Caribou National Forest will cost \$1.4 million. Most of that could have been preserved by investing about \$100,000 several years ago.

While forest roads provide many benefits, they can also cause serious environmental damage. While new developments in road building technology result in fewer negative environmental impacts, the environmental effects of existing roads, of roads that were designed decades ago to lower standards, and roads that are not appropriately maintained are some of our key problems. They're related to increased frequency of flooding, of landslides, increased stream sedimentation associated with the reductions of aquatic habitat productivity and water quality.

Research indicates that roading may accelerate the invasion of exotic plant species that ultimately displace native species and diminish the productivity of the land. My objective is that, with new policies and procedures firmly established, local managers can decide where and how individual roads should be managed, working with local people. The Forest Service needs to balance scientific information, public needs, and funding level to determine the size, purpose, and extent of the forest road transportation system.

I would also ask, Madam Chairman, that The Federal Register notices be made part of the record. In addition to the two Federal Register notices that are out currently, we are also extending the comment period on the interim, temporary suspension of road building, and that is available, will be available in The Federal Register on Friday, but I would also ask that that be made part of the record.

[The information referred to may be found at end of hearing.]

Chief DOMBECK. Under the interim proposed rule, a limited number of land management projects that depend upon new road construction, such as timber sales, may not be implemented in a timely manner. During the interim period, some projects may proceed in an altered form, and some may be postponed until such a time as road access management is implemented.

I want to emphasize that only new road construction or reconstruction within roadless areas is affected by this proposal. Other needed management activities that do not require road construction will continue.

In summary, Madam Chairman, the Forest Service shares your deep concerns for a transportation system that meets the needs of rural America. The Forest Service recognizes the need for a science-based process that enables us to manage our transportation system in a manner that minimizes or reverses environmental impacts while providing the transportation infrastructure needed by rural America.

I'd be happy to answer any questions, Madam Chairman, to you or any of the Committee members. Thank you.

[The prepared statement of Chief Dombeck may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Dombeck.

I see that Mr. Stupak has arrived, and, Mr. Stupak, we've looked forward to your testimony. If you would like to join the Chief at the witness table, we'd look forward to hearing from you, and we will interrupt the panel to hear from Mr. Stupak, the gentleman from Michigan. Mr. Stupak?

**STATEMENT OF HON. BART STUPAK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN**

Mr. STUPAK. Thank you, Madam Chair, and thank you for accommodating me. My plane just landed, and I appreciate the opportunity to get on immediately.

I think everyone agrees that there's a need for a comprehensive plan of dealing with roads in our national forests. However, I think this moratorium that is being proposed will undermine years of hard work in our national forests, threaten forest health and the forest industry in our local communities.

Madam Chair, in Michigan, two main national forests in my district, the Ottawa and Hiawatha—for a number of years we've spent time doing a forest management plan. The forest management plan is agreed by everybody, whether you're an environmentalist, whether you're in the timber industry, or whether you're a recreation enthusiast. We've agreed on how to manage our forests. We've agreed where forest roads should and should not go.

Now we have this proposal from Washington which is basically going to undermine everything we have done for all these years. We have a great working relationship, and now, because Washington, DC, wants to change it in our national forests, I think it is wrong and I think we should allow the local citizens and the forest managers to make those decisions, and not impose this moratorium on the entire Nation, as decreed from Washington, DC.

Second, since 1991, in my district, more trees die and rot than are actually being cut. For every tree that's cut, we've got one-and-two-thirds tree that will probably tumble down and die somewhere in northern Michigan because it's not being properly managed and we're not cutting enough up in my district, and forest products is a big, one of my biggest industries, but still, with all the trees we have in the national forests, we still are not keeping up with the growth in northern Michigan.

Also, the new policy will only increase a trend of promoting the outbreak of diseases in trees, creating fuel for forest fires. I know I don't have to explain to the Chair what a catastrophic event it is when you have wildfires breaking out; you don't have access to it. Roads actually provide you that opportunity. It actually prevents the spread of disease, which may wipe out part of your forests. So it can be used, the roads can actually be used as a very valuable forest management tool to allow you access to this timber.

Third, not only would the roads have a significant impact on the forest industry as an industry in and of itself, the proposed moratorium would put 16 percent of the suitable timber base offlimits for

road building. You know, if you don't have a road, you can't harvest the timber. So 16 percent right off the top would come off the base for timber sales.

And then you have this idea of special areas that they propose in this moratorium. I think that's just to put more forests off without having us to put roads in there. You have to—without the roads, you can't cut any timber. It's just a very bad policy.

Finally, I think you'd also have a drastic effect on our local communities. As you know, Madam Chair and members of this Committee, the counties which have national forest lands receive payment, basically 25 percent of the gross Federal timber revenue. This policy, if you do not have the roads, you do not have the timber sales. Based on that 16 percent I mentioned, we could lose as much as \$160 million in revenue, and that's a conservative estimate at best. So \$160 million in payments to these local communities. That goes for schools; that goes for services provided by local units of government.

So when you take a look at it, this moratorium will not manage our forests. In fact, I think it will be a hinderance to the forests. It has economic ramifications. It has natural resource ramifications. It has trees in my district that we can't even cultivate or manage our forests without it.

But I guess the most striking is, we've asked our Regional Foresters, national forest representatives, to enter into agreement(s) with local units of government, and now we're going to undermine all those years of work, just because Washington has a "better idea." So I would totally oppose this moratorium. A roadless area moratorium is an ill-conceived policy. I don't think it's been thought through. It's going to have detrimental effects on our environment, jobs, our local communities. And, understand, when you do anything in a national forest, we already have a number of protections in there—with the Endangered Species Act, the National Environmental Protection Act, the National Forest Management Act. These are all designed to protect environmentally sensitive areas, to make sure we don't have roads all over the place.

These programs have fit well in the past. I don't think we should now embark upon a one-size-fits all program.

Madam Chair, I'm pleased you're having hearings on this. I'm pleased we began the debate on this issue. I think the national forests, at least in my district, have worked fairly well. The Great Lakes Region is a pretty efficient, effectively run national forest area. I would hope we would defer to the good judgment put forth by local individuals.

With that, Madam Chair, I'm happy to answer any questions you may have.

[The prepared statement of Mr. Stupak follows:]

STATEMENT OF HON. BART STUPAK, A REPRESENTATIVE IN CONGRESS FROM THE  
STATE OF MICHIGAN

Mr. Chairman, thank you for holding this hearing today and for allowing me the opportunity to offer my comments on this important issue. I have a number of concerns regarding the Administration's proposed Forest Service roadless area moratorium. While I think everyone agrees that there is a need for a comprehensive plan for dealing with roads in our national forests, this moratorium undermines years of hard work in our national forests and threatens forest health, the forest industry and our local communities.

First of all, the roadless area moratorium undermines the hard work by our local citizens and subverts agreements that have been reached in managing our Federal lands. In Michigan, a number of parties from all sides spent years negotiating a management agreement for two national forests in my district, the Ottawa and Hiawatha. In one of the specific compromises, the Trap Rock Hills Area on the Ottawa National Forest and the Fibre Area on the Hiawatha National Forest were to be returned to management designations upon passage of the Michigan Wilderness Act. The roadless area moratorium would effectively kill this negotiated compromise. Instead of allowing regional foresters and local citizens to determine how their forests should be managed, a bureaucratic decision has been made in Washington, DC to impose this moratorium on the entire nation.

Second, this moratorium could have an adverse effect on forest health. Since 1991, more trees die and rot each year in national forests than is sold for timber. This new policy will only increase this trend, promoting the outbreak of disease and creating fuel for forest fires. The Forest Service itself estimates that 40 million acres of its forest are at great risk of being consumed by catastrophic wildfire, the majority of which are located in roadless areas. Without the ability to conduct proper forest management activities, the risk of disease outbreak and forest fires increases dramatically.

Thirdly, the roadless area moratorium would have a significant impact on the forest industry. According to the Administration, the proposed moratorium would put 16 percent of the suitable timber base off-limits for road building, which is a precursor for timber harvesting. Combined with the vague "special areas" that can be placed off-limits by regional foresters, the impact on the forest industry could be serious. In my district, which already suffers from high unemployment, the forest industry is one of my top employers. I am very concerned that this moratorium on road building will also cause a moratorium on jobs in the forest industry.

Finally, the moratorium could also have a drastic effect on our local communities. By law, counties with national forest lands receive payments equaling 25 percent of gross Federal timber revenues. These payments are used by county governments, districts and school boards for education programs and road maintenance. The Forest Service has been reported to have estimated that this policy could result in the loss of \$160 million in revenue—a conservative estimate at best. At a time when the PILT program remains woefully underfunded, local communities may be the hardest hit by this proposed moratorium.

Mr. Chairman, I am glad that we have begun the debate on a comprehensive road plan for our nation's Federal forest lands. However, I believe that the roadless area moratorium is an ill conceived policy that could have detrimental effects on our environment, jobs and local communities. We already have a number of laws, such as the Endangered Species Act, National Environmental Protection Act, and the National Forest Management Act, that are designed to protect the environmentally sensitive areas of our country. A "one size fits all" mandate by the Federal Government is simply not needed.

Again, thank you, Mr. Chairman, for holding this hearing on this important issue.

Mrs. CHENOWETH. Thank you. And we will defer to Mr. Stupak for the moment, so he can get back to his committee.

Mr. Stupak, up there in the upper peninsula of Michigan, what is the average annual income of the average family up there?

Mr. STUPAK. Oh, my average income is, my district, maybe average family income, I'm going to say—I'm thinking family now, maybe two jobs—at most, in the twenties, \$25,000.

Mrs. CHENOWETH. So this would seriously impact families—

Mr. STUPAK. Oh, not only the economics. I mean, take my communities. There are some counties in my district, they cannot bond for schools. You know, if you want to build a new school, you have to bond for it, put the bonding out, and we finance and build our schools that way. The Federal Government owns so much of my land up there, some of these schools cannot bond, because they don't have enough of a resource base or a tax base because the Federal Government owns most of the land. The meager PILT payments—and I know you've joined me in the past in trying to raise the PILT payments, payment in lieu of taxes, we set the standard, I believe, in 1978 and we've never increased it for inflation or any-

thing else, but, yet, we still expect the local communities to provide services to its citizens, and the Federal Government owns all of its land, will not increase PILT payments.

So we do have this idea underneath the timber sales, and actually my forests up there, we're what we call "above cost." Actually, the Federal Government makes money off northern Michigan timber sales. So it's been a very good policy, and now to suddenly shut it down would be ill-conceived.

Mrs. CHENOWETH. In my district in Idaho, some of our schools our having to run on 4-day weeks, and many of the Forest Service employees send their children to those schools.

Mr. STUPAK. Sure.

Mrs. CHENOWETH. So it does have a double-whammy. I dread to think that that will spread to other areas like the UP.

Mr. STUPAK. Well, if you take a look at it, Madam Chair, if I can go on, in these agreements I said that we have in the Hiawatha and the Ottawa National Forests, these are agreements that have been long-term negotiated, 50-year agreements. So you ask industry up there to invest in a community, and they based it upon a 50-year agreement that there would be abundant forest supply or timber supply for these mills. Now, after 10 years in the agreement, you're to change? Well, you tell the industries that invested millions of dollars in an industry that, ah, we just decided in Washington, DC to change it, not take into consideration your economic investment in an area, and I think that's where we fall short in our goals to do well by the environment. I think we hurt ourselves and our communities and the trust of the Federal Government, when you enter into an agreement and you do not live up to it.

And one other thing. If you take these forests off the market, because you can't build any roads, there's no more timber sales. That 16 percent I mentioned, what do you do? You put pressure on your State forests; you put pressure on private forests to then provide the wood for these mills, the timber resources for these mills. So you're putting greater pressure—it may not be on the Federal land, piece of land, but you're putting pressure, and it can be environmentally damaging to the State forests and to the private forest owner.

Mrs. CHENOWETH. Thank you, Mr. Stupak. Well-noted.

Do any members of the Committee have questions of the Congressman?

Mr. PETERSON OF PENNSYLVANIA. Just thank him for his good testimony.

Mr. STUPAK. Thanks.

Mrs. CHENOWETH. I want to join Mr. Peterson and thank you for your fine testimony. As you know, should you wish to supplement your testimony with any written information, in addition to what you've testified to, the record will remain open.

Mr. STUPAK. Thank you, Madam Chair, and thank you for the time.

Mrs. CHENOWETH. Thank you very much.

**CONTINUATION OF THE STATEMENT OF MICHAEL DOMBECK**

Mrs. CHENOWETH. Thank you, Chief Dombeck. I appreciate your indulgence there. These Committee members, Congressmen have committees that they're do markup in, and it's difficult to work them in and out.

As you can see by the many comments I have received here from constituents, this roadless moratorium has not been well-received at all. And I am placing these questionnaires regarding the roadless area as part of the official hearing record, without objection.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. As we all know, this initiative has been long in coming, and the only problem is that the Clinton-Gore administration has decided that it is better to work in the back rooms than to involve the public and the Congress. I cannot speak for everyone in Congress, but I have personally attempted to work with you, Mr. Dombeck, on several occasions with regard to this issue. As you know, word began to leak out that the Forest Service was working on a roads initiative around the end of August, and in response to this, my staff in Turkey spoke to you about what you had planned. You informed them that you were not working on any kind of roadless policy or a de facto wilderness policy.

Upon hearing more of the administration's roadless initiative, I sent a letter of inquiry to the President, and this letter was sent on December 10, 1997. An answer was requested by January 5th of 1998. But after numerous inquiries, no answer has ever been received to this letter. Five letters from congressional leadership, including three signed by myself, were sent without a reply.

Now there was an article in The New York Times, dated January 10, 1998. The answer to our letter did not come from the administration, but our letters of inquiry were answered by this—an article in The New York Times, dated January 10, and it outlined your initiative. But we didn't hear from you; we heard it through the press.

What it pointed out was something that we knew all along. What this article says is that the Vice President is the one who has been pushing for this. Is this why the Sierra Club sent its letter to Vice President Gore, cc to Katie McGinty? Is this why the Sierra Club sent this letter, dated January 13, from the Sierra Club to Vice President Gore, and a carbon copy to Katie McGinty? Is this why the administration went around this Committee and the Congress?

Chief DOMBECK. I'm not familiar with that letter, Madam Chairman.

Mrs. CHENOWETH. Kathy, would you show the letter to the Chief?

Chief DOMBECK. I don't recall having seen this letter before, and I guess I can't comment on the intent of it, other than a group—I assume the group's stating their position.

Mrs. CHENOWETH. Mr. Dombeck, is this whole program being initiated out of the Vice President's office or out of Katie McGinty's office? Now let me back up and say, we have reason to be very concerned. As Chairman Hansen referred to the Escalante National Monument issue, this administration was in absolute denial that, No. 1, it was politically motivated, and, No. 2, that it was coming

from the highest reaches in the White House, until we turned up information on subpoena, inside documents.

I am utterly baffled as to why, No. 1, my letters and the letters from this Committee, as well as the entire Resources Committee, went unanswered, and yet the communication was going on between the Sierra Club and the Vice President, carbon copy to Katie McGinty.

When we first met and we first started talking together, I never did get the impression that this kind of thing could have happened, but it did. I want to ask you again, after numerous inquiries by myself, Chairman Young, and many others went unanswered by you, about the content and nature of this initiative, and you claimed that you knew nothing about this policy, when personally asked. Is the statement true in The New York Times that this policy is something that the Vice President initiated and pushed, and what percentage of your time since August 1997 have you spent on it personally?

Chief DOMBECK. First of all, let me just give you a little bit of history on this issue. The answer to your first question is, no, it was initiated by the Forest Service. In fact, the first statements that I made on the problems associated with many of the controversial areas was in, I believe it was March 18 testimony in this room before you.

The meeting with the management team of the Forest Service, as now I'm just a little bit over a year in the job, we took a look at what the most challenging, perplexing problems were for the agency, because my objective is to try to move the agency into more of an anticipatory management scheme. The challenges that the agency faces, and that natural resource management faces in general, perplex all of us, and the more time we can spend anticipating problems and issues, I believe the more efficient we can be. As a matter of fact, I just want to say that many of the statements that have been made here, just from the standpoint of overall forest management and challenges that we have, I think you will find broad agreement for.

So we then addressed the issue in more detail at another national leadership meeting of our Regional Foresters and Station Directors that we held in St. Paul in August, and at that time assignments were made to career staff to go ahead and begin an analysis of what we do with the challenge that we have with this roads program. Now it's a program that's been in the emergency—literally been in the emergency room for a number of years, and in fact, our inability to maintain roads because of maintenance problems and lack of funding is sort of pulling the whole program down.

We then, the professional staff of the agency, looked at options, and we met in—I believe it was—was it December 4?—again, where I called a special meeting of the management of the Forest Service. It was at that time we began to discuss what our options might be in addressing this issue.

Mrs. CHENOWETH. Mr. Dombeck, you had a meeting in St. Paul in August and you were in Turkey with my staff in September, when my staff asked you directly if you were involved in this type of program, and you told them no.

Chief DOMBECK. Well—and, again, I think about the—the policy addresses road building. It doesn't address land allocation, roadless management. It focuses specifically roads.

Mrs. CHENOWETH. Well, I just want to say, Chief, that when we, either formally or informally, ask you a direct question, we need a direct answer, and this was not a direct answer, and I'm very, very disappointed, to say the least.

The fact that your Service has worked around us, has not worked with us, and this is a major change in policy—if the Vice President—let me ask you this, and then I'm going to open this up for questions with the other Committee members. If the Vice President was not directing this policy, then why did he take credit for it in *The New York Times*? If it was *The Washington Times*, you know, this is not a newspaper he normally works with, but *The New York Times* is another story. Why did he take credit for this? And if you are continuing to be in denial, that this was not initiated by the Vice President, then I would appreciate your asking him why he's taking credit for it and getting back to us. We need to know where these policies are being driven from.

Chief DOMBECK. Now tell me the question again?

Mrs. CHENOWETH. OK, the question is: You denied that the Vice President initiated this program. Yet, the Vice President himself took credit for this program in *The New York Times*. If he didn't initiate it, then why is he taking credit for it in the press? And I think that if you still want to deny that he initiated it, then you need to ask him, or let this Committee know where the policy is emanating that is driving management on our national forests.

Chief DOMBECK. First of all, let me say that—let me reaffirm again that, you know, this policy, the needs to address the roads issue on the national forest system came from—came from me and the staff of the leadership of the Forest Service. Now the other thing to keep in mind is the fact that, as policy is developed, a policy that is—an issue that is this intense and has been for so long—is of intense interest, and I, my staff and I brief not only the people on our own staff and others on—associated staff directors, and so on, in Washington, which we did, we brief—since we work for the administration and the Executive branch, I briefed the Secretary, the Secretary's staff, various people in the administration, as the policy was nearing completion, because that's my responsibility.

I might also—any time you have a large number of people involved in developing a policy that's of such high interest, I guess I don't know how you prevent people from talking and leaks and that sort of thing.

Mrs. CHENOWETH. The question is: Why did the Vice President take credit for this program in *The New York Times*, if he had nothing to do with it?

Chief DOMBECK. I don't know that.

Mrs. CHENOWETH. Pardon me?

Chief DOMBECK. I don't know the answer to that.

Mrs. CHENOWETH. All right. Mr. Hinchey, do you have any questions?

Mr. HINCHEY. Yes, I do, Madam Chairman. Thank you very much.

Mr. Dombeck, I want to express my appreciation for your initiative in proposing the moratorium on road building in the forest preserves. Sometimes I must imagine that you think you're in the road maintenance and road building business rather than the forestry business. The national forest transportation system includes approximately 373,000 miles of authorized roads currently. In contrast, the interstate highway system has less than 48,000 miles of roads. So you're overseeing a road system eight times as long as the Federal interstate highway system.

For additional perspective, your highways constitute enough mileage to encircle the globe more than 15 times—an extraordinary circumstance, I think. And these roads, by the way, access currently 191 million acres of national forest lands, and all of these 191 million acres of national forest lands are used for a variety of purposes. So I'm sure it must appear to you that you're in the road business rather than the forestry business at some point, and I could fully understand why you're suggesting a moratorium.

Given that you have identified a forest road repair and maintenance backlog now, currently, of \$10.5 billion, can you tell me what funds you are requesting in the fiscal year 1999 budget?

Chief DOMBECK. We have—the President's budget is asking for, I believe it's about a 20 percent overall increase in the forest roads program. This is a program—just to exemplify the challenges that I have and the Forest Service has, as it's stuck in this issue, is in 1985 we had an overall forest roads budget of about \$228 million; by 1996, that had fallen to about \$95 million. And, yet, the backlog continues, and as I explained in some of the examples, road maintenance problems are such that, when not addressed, they increase at a more rapid rate year after year after year, if they're not addressed and become costly problems that contribute to not only safety problems, but environmental problems. We find ourselves having to lower the weight limits on bridges. And one Forest Service employee from Wyoming told me that, you know, it used to be that the school bus could get across the bridge; now it can't, because of load limit restrictions.

We should be—we have about 7,700 bridges that we should be maintaining and improving 300 to 400 a year, and I believe it's—is it about 40?—that we have funding for to maintain. So it's an infrastructure problem that we have to face and deal with it. And I understand the tenacity of the issue.

Mr. HINCHEY. I bet you do. And it's also a safety problem, as you point out, because you have private transportation vehicles, including school buses, as you identified, traveling over these bridges. So it's important that you use what money you have, and it's darned little, apparently, to maintain these roads and make sure that they continue to be safe, rather than constructing new ones which would add additionally to the burden and make it impossible to maintain the existing infrastructure.

Have you asked for any money in the present budget which will go to decommission unneeded and environmentally harmful roads?

Chief DOMBECK. Yes, the funds requested for decommissioning has increased. Would you hand me that table [speaking to staff]? Or we could provide that information.

Mr. HINCHEY. OK, well, if you could provide, I appreciate that you don't have that right at your fingertips.

[The information referred to follows:]

Chief DOMBECK. I see now the—we're proposing in fiscal year 1999 to decommission about 3,500 miles in roads.

Mr. HINCHEY. The National Forest Service makes a very substantial contribution to the national economy, and it does so because it is employed, used, for a great many purposes. Can you tell me whether there is greater economic value to the country by supporting the recreation industry or from logging? What is the differences there?

Chief DOMBECK. Well, the trends have been changing rapidly, and of course the overriding values that my economists and folks tell me is that the benefits derived from other uses—recreation, and so on—far exceed the values of commodity extraction, but I want to make sure that I underscore that I also understand the importance of jobs in small communities.

I'm one that grew up on a national forest, and also understand the variety of uses, the importance of multiple use, and can appreciate that a job is a job.

Mr. HINCHEY. Well, it's important that someone in your position have that kind of sensitivity, and I very much appreciate that you demonstrate it, and I value it as well, because I grew up in a small community and I know the importance of logging. We have the Catskill Forest Preserve and the Adirondacks in New York—vast forests. So I'm very familiar with the importance of forestry and the kinds of jobs and industries that it can create in a variety of industries.

People use these forests, and I understand that more people are using the national forests, visiting the national forests annually than the national parks. Is that true? And do you have any figures on that?

Chief DOMBECK. Yes, that's true. The information I have is that, just to give you an example of the increase in growth in recreation, in 1980, data that we have indicates we had about 560 million visits to national forests; by 1996, that had increased to 865 million. We expect it to exceed a billion soon.

And just to give you an idea, the vehicle traffic on national forest system roads, in 1950, there were about 15,000 vehicles every day on national forest roads associated with logging. That's about the same number as we have today. In fact, the timber harvest is about the same level today as it was in the 1950's. However, we have about 1.7 million vehicles a day associated with recreation and other local uses on national forest system lands. That's a ten-fold increase from 1950, and we haven't made the adjustment to the change, and this is why we need to take a look at the underpinning policies. I need to give credit to the timber industry and the forest products industry, and others, because most of those roads were built for those purposes, but today they're being used for very, very different purposes, and we need to make the adjustments.

Mr. HINCHEY. This reflects, obviously, the changes in our society, the changes in economics, the changes in recreational attitudes, and the need for us to recognize the value of the multiple uses that occur within the forestry system. I very much appreciate your sen-

sitivity to that and your carrying out your duties in full recognition that the forests provide great opportunities, not just for logging, although that's very important, but for recreational and for wildlife habitat and for a variety of other uses as well.

Mr. PETERSON OF PENNSYLVANIA. [presiding] I'm Congressman Peterson, sitting in for Congresswoman Chenoweth. We have a vote that we must take momentarily. The meeting will be recess for 30 minutes, and then we will return for extensive questioning.

Chief DOMBECK. Thank you.

[Recess.]

Mrs. CHENOWETH. [presiding] The hearing will come to order.

We'll recognize Mr. Peterson for the next round of questioning.

Mr. PETERSON OF PENNSYLVANIA. Thank you, Madam Chairman.

Before I ask my questions, I would like to submit a statement for the record.

Mrs. CHENOWETH. Without objection.

Mr. PETERSON OF PENNSYLVANIA. OK. Welcome, Mike. It's a pleasure to have you here.

But I do have a lot of questions about this issue. I was surprised—you have stated quite unequivocally this morning that this policy came from you and your staff. Is that correct?

Chief DOMBECK. Yes.

Mr. PETERSON OF PENNSYLVANIA. Was—

Chief DOMBECK. Initially, we, as I said, particularly after the debate in the Congress over the issue this year, this past year, we felt it was imperative that we need to move the ball forward, and we need to shift the debate. Because my biggest concern is that the entire program is in jeopardy, and then we're really going to have problems.

Mr. PETERSON OF PENNSYLVANIA. Yes, I agree. The issue, though, of a moratorium, that was not suggested to you by someone from Agriculture or even higher up, that this is something you should take a look at?

Chief DOMBECK. That's correct.

Mr. PETERSON OF PENNSYLVANIA. So you—

Chief DOMBECK. We looked at—

Mr. PETERSON OF PENNSYLVANIA. It wasn't suggested from your superiors that you should look at a moratorium?

Chief DOMBECK. We looked at—

Mr. PETERSON OF PENNSYLVANIA. No?

Chief DOMBECK. No.

Mr. PETERSON OF PENNSYLVANIA. It wasn't suggested to you by somebody?

Chief DOMBECK. No.

Mr. PETERSON OF PENNSYLVANIA. So his came from you and your staff?

Chief DOMBECK. That's correct.

Mr. PETERSON OF PENNSYLVANIA. [continuing] you looked at the big picture? OK.

I guess the other point that surprises me a little is the diversity of America. Every time we do something unilaterally from Washington, when it impacts Alaska, Florida, Pennsylvania, and Arizona, and everything in between, it affects everybody differently.

There are probably forests where this is a good idea; there are probably forests where this will cause problems. Do you agree?

Chief DOMBECK. I agree.

Mr. PETERSON OF PENNSYLVANIA. Well, I mean, why couldn't it have been a regional approach or a forest-by-forest approach or even your regions, where you have the hardwood forests and the coniferous forests? I mean, there's—where you have the dry, arid areas and the areas with—I mean, there's so much difference in what—well, the needs are so different. You took away all your own flexibility.

Chief DOMBECK. Well, first of all, let me say that what we have out now is a proposal for public comment. In fact, as I mentioned in my opening statement, is that, as a result of a request from a number of Members of Congress and Senators, we have extended the comment period for another 30 days, and will be holding public meetings to make sure the appropriate information is out there. And this is a proposal that emanated from the Forest Service, and it is now out there for us to talk about, to communicate with Congress, with the American people, with any of those that are interested in the proposals, both the long-term proposal as well as the interim. And I want to point out this is an interim proposal. It's an 18-month proposal, and my commitment is that at 18 months, if we don't have a new proposal out there, we'll go back to the way we're doing business now.

Mr. PETERSON OF PENNSYLVANIA. So it was more political reasons? You saw the political fight that went on on the House floor and in the Senate, and all the rankling that went on, and it was like it was almost a tug-of-war with no big winner on either side. It was kind of an evenly divided issue. So it was better to step around that for a couple of years?

Chief DOMBECK. Yes, that's part of it, but, also, we find in studies that unroaded areas or areas of road density are our best strongholds for aquatic species. These are areas where we have fewer problems with invasive noxious weeds and things like that. So there's also a scientific basis to this as well.

Mr. PETERSON OF PENNSYLVANIA. But, in reality, your 200 million acres is a portion of the 700 million acres we own, and that's not the first thing to worry about plant species in the same manner that some of the other areas would. I mean, yours is really multi-use. I guess I'm a little surprised that plant consideration is driving this policy or this issue. I mean, that's a pretty weak argument as far as your mandate for managing the multi-use part of the national reserve, or whatever you want to call it, of 700 million acres.

Chief DOMBECK. Well, again, you know, it's one of the pieces in the entire process, as we looked at the pros and cons of the various options that we had.

Mr. PETERSON OF PENNSYLVANIA. Did you run this by the regional people—

Chief DOMBECK. Yes.

Mr. PETERSON OF PENNSYLVANIA. [continuing] prior to announcement?

Chief DOMBECK. Yes.

Mr. PETERSON OF PENNSYLVANIA. They had a chance to react and recommend or oppose.

Chief DOMBECK. Yes.

Mr. PETERSON OF PENNSYLVANIA. How about the managers of the forests?

Chief DOMBECK. To a certain extent, yes. I made, you know, a number of personal calls, as staff and the Regional Foresters and others that were involved in developing the nuts and bolts of the policy did more extensive sensing. I—for example, I can remember talking to Dave Wilson, who's supervisor of the forests in South Carolina, and he said, well, because of these challenges, I really haven't been going into roadless areas for the last several years. So we talked with people like Bob Storch, the supervisor, one of the supervisors in Colorado, and made a variety of phone calls.

Mr. PETERSON OF PENNSYLVANIA. Some of them, but not—they didn't all get included?

Chief DOMBECK. That's right.

Mr. PETERSON OF PENNSYLVANIA. OK.

Chief DOMBECK. The other point we did, though, is we did gather data from all the forests, and letters went out—I'm not sure when—Bob, in December [speaking to staff?—in October, asking for information on impacts and things like that.

Mr. PETERSON OF PENNSYLVANIA. OK. I know my time's up, but if I could ask one concluding question—now you talk about there's going to be input or hearings in this report period. Where, Region 9?

Chief DOMBECK. Do you recall, Rhey, where the locations [speaking to staff]? I have—I think I might have that list here some place. Does someone have it? At any rate, we'll provide that information for you.

[The information referred to may be found at end of hearing.]

Mr. PETERSON OF PENNSYLVANIA. I'm told Boston and Minneapolis, but, boy, that leaves a lot of us out in the cold—unless we want to travel long distances.

Chief DOMBECK. I'll—we're also going to have a public meeting here in Washington, DC as well.

Mr. PETERSON OF PENNSYLVANIA. But, still, for input, now that leaves a lot of forests a long ways from any chance of public input or public discussion. I mean, that's disappointing.

Chief DOMBECK. Well, we'd certainly be happy to visit with you and take a look at that.

Mr. PETERSON OF PENNSYLVANIA. OK.

Chief DOMBECK. The important thing to me is that people understand the ramifications of the proposals in a clear fashion, and have a basis—

Mr. PETERSON OF PENNSYLVANIA. But that's why the hearing process is important, I think. People on the ANF and people—the citizens, not your people, but the citizens have absolutely no idea how that's going to impact them. We've already been impacted in a huge way in the last few years, and they're scared.

Mrs. CHENOWETH. Thank you, Mr. Peterson.

The Chair now recognizes Mr. Vento.

Mr. VENTO. Thanks, Madam Chair, and thanks for holding the hearing. I have an opening statement which I'll place in the record.

And I want to quickly point out the news release here from the Forest Service, where it points out that—I don't know what the in-

formation—I misunderstand, but it's a public meeting for interim roadless rule and long-term transportation policy and development, and it indicates meetings, numerous meetings, in Alaska, California, Colorado, Georgia, Idaho—two meetings in Idaho, and Minnesota is only having one meeting, I guess. Montana is having three; New Hampshire, New Mexico, North Dakota, Oregon, South Dakota, Utah, Virginia, Washington, Washington, DC, and Wyoming. So I don't know that this is adequate. I don't think I'll be able to make it to all those meetings, incidentally, but I'd ask unanimous consent to place that in the record.

[The information referred to may be found at end of hearing.]

Mr. VENTO. Mr. Dombek, Chief Dombek, I think the policy's on the right track. I don't know what, after the hearing process or this rulemaking process, but I hope that you will make an effort to pursue it. And I would like to take a little credit for it, too, even though I didn't have—you didn't talk to me before you did this policy, did you?

Chief DOMBECK. I don't recall.

Mr. VENTO. I supposed I'm in the same category as Al Gore.

[Laughter.]

Well, not quite the same category.

[Laughter.]

Mr. VENTO. But, in any case, I'm glad that you paid attention to what happened on the House floor when we trimmed back the dollars for road building. I think the message is that low-cost forests, have low-cost type of sales, and I think that probably a lot of that has to be reckoned with, and I think that the public is not going to stand still for subsidizing the road building and the cutting of the national forests. At the same time, we're going to lose the taxpayer dollars and we lose the forest. And I just think we need to have a policy.

Now I don't stand and I've not sponsored and haven't pursued bills that would ban timber harvest from the national forests. I don't agree with that. I think the multiple-use role is the right role. I mean, there's a lot of enthusiasm today I think for that, because I think it comes out of frustration with the ability of the Forest Service and land managers to do it, and they said, if this is going to be the bottom line, then we're going to go for a proposal that I think is more harsh.

And I think that this particular proposal—these proposals, but one of the problems here is that someone was talking about science, but isn't it a case here where most of the forest management plans have been eclipsed by a lot of new information with regard to what's happening in these various ecosystems?

Chief DOMBECK. Yes, sir, that's correct. In fact, that was one of the reasons that sort of the second-generation plans were exempt, because they have—they're based on more up-to-date science. The forest, the remainder of the forest plans are from the eighties, the early eighties, and some of that information that they're based on may even be 1970's information. Is that correct [referring to staff]?

Mr. VENTO. I mean, so the point is here, you're saying give us—we're saying give us a breather in terms of building roads, but you're not stopping harvest in those forests. In fact, you may rear-

range or do some things to, in fact, augment the harvest in other areas. Is that accurate?

Chief DOMBECK. Yes. In fact, I, as many of the witnesses here or many of the statements reflect, I'm certainly a proponent of active management. For example, if we don't continue with active management, up to 60 percent of the aspen in the intermountain West will be lost, you know, the very symbol of the State of Colorado. So we need to be able to move forward in these areas and do the appropriate work that's needed.

The serious question to ask is, do we need a permanent road to do the work that we're going to have to fund year after year after year to maintain for decade after decade after decade, or are there other ways to do the work? Should we be looking for other technologies? We ought to be doing other kinds of things as we move forward, because with 373,000 miles of roads currently on the books that are an issue that we have to fund year after year, or try to—

Mr. VENTO. Plus 60,000, apparently, that are not—that are ad hoc type of roads that are there.

Chief DOMBECK. Yes, yes. And I'd say that's a low estimate.

Mr. VENTO. Well, I think the real problem here is that we're running into an issue, unfortunately, where the revenues from the harvest don't sustain the type of activities, either in terms of maintenance of existing roads, much less these roads that are illegal roads really, ad hoc roads, nor do they sustain the type of effort. So with decline, we really have a crunch here. Maybe we can get some—I notice that my ranking member from Minnesota of the Transportation Committee was in; I didn't know if he offered any highway funding moneys to help us with these roads or not. I know that I'll have to talk to him about that. I'm going to a meeting right now.

But I don't think you can do anything about the weather in northern Minnesota. They've had closure in terms of the Superior Forest and others because they depend upon the swamps and the other areas being frozen. Unfortunately, it's not this year; it's warming up pretty good, and that's another problem that we face, and that causes more damage.

But, you know, if you're interested in forest health, it seems to me that this is exactly what this is aimed at. One of the biggest problems in terms of the forest, in terms of watersheds, in terms of road restoration—these are some of the biggest problems in terms of the health of the forests, and the slumping and the damage that's being done to these forests, the erosion, and so forth, with roads is key.

I think that we should really, in a sense, I think, take a look, a new look, at this and reinforce what roads we can, and find out what the backbone of the system is, rather than to just keep cutting new roads. As you point out, it's a lot cheaper to cut a new road than it is for the long-term maintenance of it. The reconstruction of it, and the other costs that are associated with it need to be dealt with, but there's no revenue stream to deal with that today. That's one of the major problems.

So taking a look and finding out where we're going to get the revenue to deal with this is absolutely essential. I think you're doing the right thing. I hope that it would get the support of those

that are advocates of forest health, because that's what this is really about. This is one of the key elements in terms of forest health. To hear some talk about it, the only aspect of forest health that seems to interest them is salvage, and I think there's a little more to it than that. Unfortunately, it adds up to making commitments in terms of dollars and cents, rather than rhetorical speeches.

Thank you.

Mrs. CHENOWETH. Thank you. Rhetorical speeches? Duly noted. [Laughter.]

Mrs. CHENOWETH. Mr. Hill? Mr. Hill?

Mr. HILL. Thank you, Madam Chairman.

Mr. Dombeck, I want to spend a little more time on the process here, just to make sure that I'm fully clear of how we got to this point and who recommended that we adopt this policy. You've been Forest Chief now for about a year; is that correct?

Chief DOMBECK. Yes.

Mr. HILL. At the time that you were interviewed for the job as Forest Chief, did the idea of a moratorium come up in any of the discussions with the White House, the Vice President, and other people, the Secretary of Agriculture?

Chief DOMBECK. Not that I recall.

Mr. HILL. OK, so there was no discussion of it at that time or any—

Chief DOMBECK. In fact, I did not, you know—I have never had a personal private conversation with the Vice President. I've shaken his hands a couple of times at meetings and things like that, but, beyond that, that's the extent of our conversation.

Mr. HILL. And you've indicated that no indication or direction, no recommendation, came from either the White House or the Council on Environmental Quality?

Chief DOMBECK. That's correct.

Mr. HILL. And at the time that you made the decision to implement the moratorium, did you consult with the White House, the Vice President, the Vice President's staff, or the Council on Environmental Quality?

Chief DOMBECK. I consulted with the various members of the administration, as I pointed out, you know, like all agencies, we work for the Executive Branch. I've consulted with various leaders in the Department, and also briefed CEQ.

Mr. HILL. But you just briefed them? You didn't seek their consent to move forward?

Chief DOMBECK. That's correct.

Mr. HILL. OK. Did you meet with any outside interest groups during this period from August through the time that you announced this moratorium with regard to their input?

Chief DOMBECK. Well, we've gotten a lot of mail and a variety of meetings with people from both industry, the recreation community, the conservation community—

Mr. HILL. But I'm asking, did you meet with them? Did you meet with any outside groups? Or did any of the people that were helping you prepare this moratorium or with whom you sought counsel?

Chief DOMBECK. Yes.

Mr. HILL. And can you give us a list of what those organizations, who those organizations were?

Chief DOMBECK. Yes. I can—we'd be happy to do that.

[The information referred to may be found at end of hearing.]

Mr. HILL. Let me just ask you a few questions about a couple of organizations just at the present time. Included in those organizations, was the National Cattlemen's Association one of those?

Chief DOMBECK. I don't recall.

Mr. HILL. How about the Safari Club?

Chief DOMBECK. I'm not sure.

Mr. HILL. How about the American Forest and Paper Association?

Chief DOMBECK. Yes.

Mr. HILL. How about the National Mining Association?

Chief DOMBECK. I don't believe so.

Mr. HILL. How about the Society of American Foresters?

Chief DOMBECK. Yes.

Mr. HILL. And the National Association of Counties?

Chief DOMBECK. No.

Mr. HILL. American Farm Bureau?

Chief DOMBECK. No.

Mr. HILL. National Farmers Union?

Chief DOMBECK. No.

Mr. HILL. Resource Providers Coalition?

Chief DOMBECK. I don't believe so, no.

Mr. HILL. Pulp and Paper Workers Resource Council?

Chief DOMBECK. I've met with various members of the pulp and paper industry, the unions; I'm not sure—

Mr. HILL. About this issue?

Chief DOMBECK. [continuing] which segment of them. Not necessarily—I don't recall about this issue, but we meet and talk about a variety of issues when we meet.

Mr. HILL. If you would, I have a list of organizations. I would just ask if you would note on that which groups you might have met with.

Chief DOMBECK. I'd be happy to.

[The information referred to may be found at end of hearing.]

Mr. HILL. How about Forest Service employees in Montana? Did you consult with any Forest Service employees in Montana about this moratorium?

Chief DOMBECK. Yes, the—you know, the Regional Forester participated in all the—I believe in the management committee meetings, although Dale Bosworth, as I recall, may have been absent from the December 4th meeting, because I think he was moving at that time.

Mr. HILL. I guess, separate from the meetings that you conducted, did you seek his counsel with regard to any impacts on Montana?

Chief DOMBECK. Did he seek—say—

Mr. HILL. Dale Bosworth's counsel on the impacts that this might have on Montana?

Chief DOMBECK. The groups that worked—the employees that worked on this issue did—we gathered input from—I believe the letters went to every national forest—is that right, Bob [speaking to staff]?—asking for information through the Regional Forester, through the typical chain of command.

Mr. HILL. But separate from asking for data, did you ask for their counsel on whether they should or shouldn't do it—whether you should or should not implement the moratorium?

Chief DOMBECK. Well, I primarily consulted with the Regional Foresters, and my staff—

Mr. HILL. The question is, did—was Dale Bosworth one of those that you consulted with?

Chief DOMBECK. Yes.

Mr. HILL. And did he recommend favorably or unfavorably that you move forward with the moratorium? Do you recall that?

Chief DOMBECK. I'm not sure I specifically asked him that question. Do you remember, Bob [speaking to staff]?

Mr. HILL. So you didn't ask him whether he favored it or he didn't favor it? So in what fashion did you seek his counsel, then? If you didn't ask him whether he favored it or he didn't favor it, what kind of counsel did you suggest, did you ask him for? Did you ask him what the impacts would be on Montana?

Chief DOMBECK. I personally did not specifically ask him that question, but as the policies, the internal policies were reviewed, each Regional Forester—and I assume they vetted this with their staffs—had an opportunity to comment on the policy to provide input as the policy was developed.

Mr. HILL. So you don't know whether he favored or opposed it. You didn't seek his counsel on whether he favored or opposed it. All you sought from him was data, and that data did—I'm just characterizing what you've said now—and that data did not contain any information that would allow you to identify what the impacts would be in Montana. Is that what you're saying?

Chief DOMBECK. I don't believe that's quite right. The process is, as one individual, you know, I do not personally talk with, you know, over 120 forest supervisors. I sample—

Mr. HILL. But we're talking about regionals. We're talking about regional forests here—foresters here now. I mean, what you said is that you made this decision on your own. And what I'm just trying to find out is who you consulted, what information you had at your disposal to make that decision, and I'm specifically interested in whether or not you sought the counsel of the Regional Forester in Region 1, which includes Montana, with regard to the impacts it would have on Montana, and whether he suggested that you move forward or not move forward with this moratorium.

Chief DOMBECK. No. 1 is I did discuss this issue at length with most of the Regional Foresters, including Dale Bosworth. They provided information that we—that the staff requested on impacts. So that was taken into consideration. And if the question is, did I personally ask him what the impacts in Montana would be, I believe the answer to that is no. However, the data provided by him was reviewed and was taken under consideration.

Mr. HILL. So you are in possession of data that would identify the impacts in Montana?

Chief DOMBECK. Yes.

Mr. HILL. Thank you, Madam Chairman. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Hill.

The Chair recognizes Mr. Schaffer.

Mr. SCHAFFER. Thank you, Madam Chairman.

Chief, in your opening comments you mention that you suggested that you had mentioned the issue of the problem with respect to road construction and road maintenance in previous hearings and meetings with this Committee. Do you recall whether you ever suggested to us that you were considering a moratorium at any point in time?

Chief DOMBECK. No, I did not—I don't believe I did.

Mr. SCHAFFER. At what point were you considering a moratorium? When did you begin to come to the conclusion that this was in the best interest of the people of the country?

Chief DOMBECK. I believe probably nearing the 4th of December, the national leadership meeting we had. Is that about the way you recall, Bob [referring to staff]? Yes.

Mr. SCHAFFER. What is that? What's a national leadership—

Chief DOMBECK. That's all the regional foresters and station directors from around the country.

Mr. SCHAFFER. The 4th of December? The assurance that the Council on Environmental Quality or anybody at the White House had some role in proposing the moratorium, and you suggest they did not, is that right? Does this moratorium fit in with the overall goals and objectives that are managed under the Council of Environmental Quality, Katie McGinty's outfit?

Chief DOMBECK. Well, I guess I'm—you know, I guess I'm not sure of the question. I'm not sure what their specific goals and objectives would—

Mr. SCHAFFER. Well, the stated goal of the Council on Environmental Quality is to coordinate all agencies and make sure that all environmental activities in the country are somehow coordinated and are consistent, and so on. And so I'm curious as to whether you have any idea whether the moratorium is consistent or fits within the overall goals and objectives of the Council on Environmental Quality.

Chief DOMBECK. Well, they were briefed, and did not object, and I'm assuming that would be part of their decision process.

Mr. SCHAFFER. Did they provide any input, any suggestion one way or another, positive, negative at all? Or is no objection the basis of their concluding that there is some support there?

Chief DOMBECK. Well, in my view, I believe about two briefings that I personally participated in, they did not—they did not attempt to influence the decision.

Mr. SCHAFFER. How about Secretary Glickman? What has been the nature of his input and involvement in this decision?

Chief DOMBECK. The Secretary and I, and the Secretary's staff and my staff, had several meetings, reviewing the pros and cons of the decision, talking about the impacts and the data that we had at that time at length.

Mr. SCHAFFER. Does the Secretary support the moratorium?

Chief DOMBECK. Yes.

Mr. SCHAFFER. How about the Secretary of the Department of Interior? Has he been briefed or knowledgeable about the decision at any point in time?

Chief DOMBECK. I don't know whether he's been briefed. I did not brief him. I assume that he—you know, I don't know what knowl-

edge he has, since I did not brief him on the issue, and I don't believe any of my staff did.

Mr. SCHAFFER. Could you talk about—

Chief DOMBECK. That interaction would typically occur at the Secretary's level.

Mr. SCHAFFER. With respect to existing contracts, I've mentioned that before; that has been one of the biggest concerns raised in my State, that there are logging contracts, mining patent rights, and so on, that—or patents that already exist and are predicated on new road construction and in many cases grazing permits of all sorts, all kinds of contracts that have been predicated on a matter of—a level of consistency with respect to roads. Have you given any thought to the impact of your moratorium on these existing contracts?

Chief DOMBECK. All of the existing contracts, any personal property rights, will move forward. In fact, we have 6.5 billion board feet of timber under contract now in the pipeline.

Mr. SCHAFFER. Any existing contracts in the whole country?

Chief DOMBECK. Yes.

Mr. SCHAFFER. How many of those exist? What are we—what does that mean in terms of, I don't know, proportion, dollar amount, road miles? I don't know. What is the extent of that?

Chief DOMBECK. To give you an example, was it 1997 we—the actual harvest, we believe, off the National Forest System lands was about 3.—was it 3.3 billion? So at the current harvest rate, today there's about a 2-year timber supply in the pipeline that will not be affected by the suspension of road building for the 18-month period.

Mr. SCHAFFER. Mr. Stupak mentioned the payment in lieu of taxes that communities receive from the Forest Service lands, and that is something I'm concerned about, too. What kind of assessment have you made with respect to that? What kind of impact do you expect the moratorium will have on payments to counties and school districts?

Chief DOMBECK. The current data that I have shows that it would range anywhere from \$1 to \$4 million, depending upon the range, the progress of a particular sale that sold. Part of this, much of this is aside from the moratorium itself because market conditions and other things like that basically determine when an operator harvests, does the actual harvest, and typically, in the contract they would have a 3-year period, a 3-year window in which to take advantage of the markets or whatever factors they figure into their profit margins, and so on.

Mr. SCHAFFER. I see my time has expired, Madam Chairman. Is there—will there be further questioning?

Chairwoman CHENOWETH. Yes, we're going to have at least one more round.

Mr. SCHAFFER. Thank you.

Mrs. CHENOWETH. OK. Mr. Dombeck, I have another round of questioning for you.

As we understand it, the moratorium has not been enacted yet. Is that true?

Chief DOMBECK. That's correct.

Mrs. CHENOWETH. OK. Have you given direction to the field to stop work on any timber sales?

Chief DOMBECK. We have not. I'd better ask Bob. But I'll introduce Bob Joslin, the Deputy Chief of the National Forest System, and with Bob is Rhey Solomon, who's our Deputy Director of Ecosystem Planning.

The answer is no.

Mrs. CHENOWETH. So you have not given any direction to any field members to stop work on any timber sales?

Chief DOMBECK. That's right.

Mrs. CHENOWETH. OK. Well, I have a letter in my hand from the Forest Service canceling the South Babione timber sale because, quote, "it is located in a RARE II roadless area." How do you—this was signed by Craig Yancey, dated February 13. How do you justify canceling sales before the moratorium is enacted?

Chief DOMBECK. Well, I would only say I assume that's the decision of—is that the forest supervisor, Bob [speaking to staff]? What was the name of the person that signed the letter?

Mrs. CHENOWETH. He's the District Ranger.

Chief DOMBECK. The District Ranger. I would assume that's a decision, then, that's made at the local level.

One of the things to keep in mind on this issue, when we particularly talk about activities in roadless areas, these are the most contentious areas that our employees deal in. In fact, if we would go to the most extreme, one of the more extreme cases is the Cove-Mallard series of sales on the Nez Perce National Forest in Idaho. In fact, what the forest supervisor and the staff there tell me is that virtually all of the organizational energy goes into that effort, into the Cove-Mallard effort, because of the level of controversy associated with it, and so on. And from the standpoint of efficiency, if that energy and that funding could be applied to other areas that will not be repeatedly appealed and litigated and protested, it's certainly a much more efficient way and a more effective way for us to utilize the forestry expertise that we have throughout the Forest Service.

Mrs. CHENOWETH. Chief Dombeck, this is not in the Cove-Mallard. This is in Sheridan, Wyoming, the office—

Chief DOMBECK. Yes.

Mrs. CHENOWETH. [continuing] comes out of—that's located in Sheridan, Wyoming. And we've got a District Ranger making decisions contrary to what you have testified to this Committee you have directed them to do or not to do. And, in fact, in Craig Yancey's letter, he says, "The Forest Service has proposed to suspend temporary road construction and reconstruction in most roadless areas. The Forest Service is also proposing to revise regulations concerning management of the transportation systems."

So the suspending of this timber sale is directly the result of this moratorium that has not yet been enacted, and to which you've testified no timber sales have been suspended.

Chief DOMBECK. Well, I should have qualified that to my knowledge. However, I think the important point there is that decision was made, I assume—I'd better not speak for the District Ranger—and correct me if I'm wrong, Bob [speaking to staff], but I would assume that decision was made by the District Ranger, based on

the information that he has. There is no—has been no directive that has come from me saying stop anything. What we've got is the proposal out there for public comment. We've extended that comment period 30 days, as we go through the appropriate NEPA and legal requirements, and at some point it will be brought to conclusion.

Mrs. CHENOWETH. Chief Dombeck, somehow people who rely on the forest have got to somebody who's calling the shots. I mean, a District Ranger enacted the suspension of a sale contrary to what you have testified here. Now the buck has got to stop with you. I mean, either you get your District Rangers to comply with what you're issuing, so that there will be some order in this country, and we're able to anticipate, or there is absolutely no leadership. And that doesn't comport with my idea of you. It just doesn't. And it is utter confusion.

And let me proceed.

Chief DOMBECK. Well, I appreciate the compliment—

Mrs. CHENOWETH. Do you want to answer that?

Chief DOMBECK. [continuing] because I know on this issue we don't have many compliments floating around. Thank you.

Mrs. CHENOWETH. Well, yes, but will you assure me that no other timber sales, including this Babione timber sale, the cancellation issued out of Sheridan, Wyoming—will you reassure this Committee that no other timber sales will be canceled, including this one, until the moratorium is truly enacted, to be consistent with your testimony?

Chief DOMBECK. Well, again, first of all, let me say that what we have out there is a proposal, and field managers make decisions on a variety of things, and I have not, and will not, direct a field manager to stop a sale on a policy that is not in place, that's in development.

Mrs. CHENOWETH. So you will not direct a field manager to stop a sale that you have testified to this Committee you are not stopping sales on because of the proposed moratorium? I mean, they have got to be accountable to you. Please answer the question, sir. Yes or no?

Chief DOMBECK. Yes, they are accountable to me, and my objective is to hold them accountable.

Mrs. CHENOWETH. So your statement, then, as you stated to this Committee, was that this is a proposed moratorium and no sales have been canceled because of the proposal?

Chief DOMBECK. That's correct.

Mrs. CHENOWETH. OK. It's pretty clear Craig Yancey's decision and his cancellation is contrary to what you've testified here. I would like very much for you to either assure this Committee that all of your people under your jurisdiction, and under your supposedly direction, will abide by what you have told this Committee. So you're telling me that, in spite of what you're testifying here, the buck does not stop with you? Everybody is on their own?

Chief DOMBECK. We can provide—we can check and provide you with—if there's additional information to that, associated with that specific sale, but our objective is to hold our managers accountable, and my commitment to you is that I intend to do that.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. Hold them accountable to you and what you've testified to this Committee?

Chief DOMBECK. Yes.

Mrs. CHENOWETH. All right. Do you think it's appropriate to stop a sale which has been under litigation and then released by a judge, stating that the Forest Service has done their job correctly, and then only to be stopped by a roadless moratoria because you decided to include 20-year-old boundaries under RAR II?

Let me be specific. The Lone Pine timber sale in Idaho is a 10-million-board-foot sale originally planned as part of the Cove-Mallard environmental analysis. Now Lone Pine sale is only the fourth sale to be sold, or ready to be sold, under the Cove-Mallard EIS—a process that began back in 1980. Now this sale made its way all the way through the ninth circuit court of appeals, and we got a positive decision out of the court of appeals. And this is only the latest of many court decision approving the Lone Pine and the EIS work the Forest Service did.

Now a memo from Regional Forester Bosworth, February 5, to forest supervisors directing them not to spend any funds on planning or preparation work associated with possible future roads or roadless areas occurred. The Lone Pine sale was ready to advertise and sell, but the moratorium was announced before the judge's decision was issued. Now, because of the RF, of Bosworth's memo, the Forest Service is not advertising the sale.

Again, this is contrary to the fact that you said that the moratorium is only a proposal. So I would also like for you to look into that, too. It's not often that the ninth circuit agrees with us and the Forest Service, and I just really need to have you take charge.

Thank you very much.

Mr. Doolittle?

Mr. DOOLITTLE. Chief Dombeck, you've been formally petitioned, I guess, by the Sierra Nevada Forest Protection Campaign to take certain measures, including, I think, a ban on logging in riparian areas and in roadless areas and in old growth in the Sierras. Is that correct?

Chief DOMBECK. I have not seen the petition itself. Have you seen that, Bob [speaking to staff]?

Mr. DOOLITTLE. Actually, that petition, I believe, went to a region, the Region 5. I think you got a copy of it, though. So does your staff acknowledge that you've gotten it?

Chief DOMBECK. They—the people here haven't seen it, but that doesn't mean we—

Mr. DOOLITTLE. I understand.

Chief DOMBECK. We'll check.

Mr. DOOLITTLE. OK. Just maybe you can confirm that in subsequent communication with the Committee.

[The information referred to may be found at end of hearing.]

Mr. DOOLITTLE. But it does list your name, along with a number of other prominent officials at the bottom of the letter that got it.

Are you aware of any efforts going on within the region to discuss having the moratorium on areas where fur-bearers are found?

Chief DOMBECK. No, I'm not. I have heard concerns about fur-bearers, but I have not heard it expressed in terms of a moratorium.

Mr. DOOLITTLE. I think if they were to have a moratorium, I believe the fur-bearer habitat would go the entire length of the Sierras. Is that your belief?

Chief DOMBECK. Possibly.

Mr. DOOLITTLE. So that potentially a moratorium on areas where we have fur-bearer habitat could effectively lock up the entire forest? Is that also your belief?

Chief DOMBECK. Well, I'm not sure. Is that—that's something we'd have to check on, and I don't have that. I haven't had the pleasure of spending enough personal time in the Sierras myself to know the answer to that.

Mr. DOOLITTLE. Well, I'm concerned about that. Of course, those CASPO guidelines have been utterly disastrous, and whenever something responsible has been attempted, why, the administration has reopened the issue and called for further study, and so forth. So we're still operating under the so-called interim guidelines, which were never intended to be a permanent management—maybe they were intended to be a permanent management policy, but that was clearly not their expressed intent.

You and I have talked privately about Mr. Sprague and the allegations that I had received, the Committee has received, about efforts to remove him. I just wanted to ask you, while you're before the Committee, that if—it's been alleged that a coalition of prominent environmental groups have met with you and other representatives—or maybe I should say "or other representatives"—from the administration for the purposes of urging the reassignment of Lynn Sprague as a Regional Forester in Region 5. Is it true or false?

Chief DOMBECK. I have met with a variety of groups. No one has—from the environmental community that I'm—that I recall has personally asked me to remove Lynn Sprague. In fact, I recently met with Lynn Sprague to reassure him that I want him to stay in California. California, as you know, has been a very tough, tough State for our—all of our employees and our regional people, given the population growth, the level of intensity of many of the issues, and maintaining continuity is important.

And what I did mention to Lynn is the fact that, you know, let me know what you need from the standpoint of support and help from me as you move forward.

Mr. DOOLITTLE. Are you familiar with a man by the name of Robert Nelson, former Director of the Forest Service's Fish and Wildlife staff?

Chief DOMBECK. Yes. I worked for Mr. Nelson many years ago.

Mr. DOOLITTLE. It's my understanding—and, again, I appreciate your being here because you're clarifying some of these issues, but supposedly the Department recently contracted with Mr. Nelson, or otherwise entered into some understanding with him to recruit a replacement for Mr. Sprague, and that Mr. Nelson has been in the process of contacting forest supervisors in Region 5 to gauge their interest in serving as Regional Forester. Is that true or false?

Chief DOMBECK. I believe that's false.

Mr. DOOLITTLE. OK.

Chief DOMBECK. At least to my knowledge.

Mr. DOOLITTLE. What is—does Mr. Nelson presently—or what are his job duties for the Forest Service?

Chief DOMBECK. He's retired, and——

Mr. DOOLITTLE. Retired? OK. So he doesn't really have any formal relationship at this point?

Chief DOMBECK. That's correct. Does he do any volunteer work [speaking to staff]?

Mr. DOOLITTLE. So no volunteer work? I think—was that——

Chief DOMBECK. As far as——

Mr. DOOLITTLE. As far as you know?

Chief DOMBECK. [continuing] I'm aware of at this point.

Mr. DOOLITTLE. OK.

Chief DOMBECK. But it is typical for retirees and others with expertise to be involved or be consulted on issues. It's not an atypical situation.

Mr. DOOLITTLE. When you find out about this Sierra Nevada Forest Protection Campaign petition, could you let us know what the status of their petition is, and your office's response to that request?

Chief DOMBECK. Yes.

[The information referred to may be found at end of hearing.]

Mr. DOOLITTLE. OK. Well, as you know, a number of us are very concerned about Mr. Sprague. Mr. Sprague does not represent the ideal forest policy, from my standpoint, I must share with you, but I think he's a man of integrity who's trying to do a good job. And I would hate to see him replaced because of the attacks by the other side. California is a difficult place, because there are people that feel like I do, that we still believe in the old-fashioned, and apparently outdated, concept of multiple use of the national forest and public lands, and then there's the opposition who comes from the trendy, upscale areas who believe basically, and have stated positions, that we should have no logging whatsoever in the national forests. And they will become—I don't know—urban welfare preserves for those to visit who can afford to do so.

I'm very frustrated with the policy, to say the least. Mr. Stupak expressed a lot of these sentiments, and he's from the other side of the aisle, that I might express. I represent a lot of these districts that are heavily dependent for jobs in these areas, and it's been an utter disaster, especially with the California spotted owl. It's not even—I mean one sham is the northern spotted owl, and those disastrous policies continue in effect to this day, despite the fact that it does very well outside of the multi-canopied, old-growth forests, including dwelling in K-Mart signs, apparently with good results. Now, however, in this part of California, the California spotted owl is not even endangered, not even threatened, but we're afflicted with the so-called interim CASPO guidelines, and now more demands by these groups for yet further restrictions.

And now the administration is expanding or changing its policy on roadless areas, et cetera, and I really wonder when we're going to get back to forestry. It seems like it's becoming something else. We already have an EPA and a Fish and Wildlife Service. If this is what the Forest Service is becoming, why do we need them? You don't have to answer that. But I feel a great deal of frustration about it, and I think it's been a disastrous policy that's been pursued, and apparently we're going to struggle with this for another 2 or 3 years at least.

So I guess my time is up, and I thank you, Madam Chairman. Mrs. CHENOWETH. Thank you, Mr. Doolittle.

The Chair recognizes Mr. Peterson.

Mr. PETERSON OF PENNSYLVANIA. Thank you.

We were chatting before about the input locally, and I think that's vital. I came to Washington to help decisions be made back home, and to have less of a Washington domination, and this is a perfect example.

Let me ask you a question. Why couldn't every forest have a hearing on how this is going to impact, and to inform the people locally? I mean, I think that's the least you can do, is to have a hearing in each forest. You don't have to be involved. They're very capable of doing that. You can give them a format. Is that a fair request?

Chief DOMBECK. I think it is.

Mr. PETERSON OF PENNSYLVANIA. Will you support that?

Chief DOMBECK. If you would like to have a hearing—and, obviously, with 100—and—what?—54 or 55 national forests, about 120 units, I believe what staff did, when they looked at sites, is to respond to requests and take a look at local recommendations. And we'd be happy to do that.

Mr. PETERSON OF PENNSYLVANIA. You'll do one in the ANF? But I'd like to ask it on a broader scale. I think every forest that wants one, where the local input is requested by the legislator or by public opinion—people ought to know if it's going to—it may turn out to be that the impact's minimal in some forests. They need to know that. I just think that's fair, and it wouldn't—it shouldn't be a Washington problem, because your people out there are very capable of holding on one evening or—one evening hearing. I mean, that's not a big deal, as far as effort. It takes a day or two of planning, inviting the public, and some format described, someone to moderate. And is that a fair request?

Chief DOMBECK. Yes.

Mr. PETERSON OF PENNSYLVANIA. OK. I guess I'd like to talk a little bit on the bigger picture. I want to show you a chart. I think you can see it. The gray areas are the conservative allowable cut; the black lines are the cut. And I guess—and I might use the new popular term—the left-wing conspiracy wants no timber cut. I mean, there's no doubt about that. The left-wing conspirators want us to not take resources off the public land; all 700 million acres to be looked at. They're not to be utilized, even though the 200 million you manage are multi-use, were purchased and set aside for multi-use, and for multiple reasons.

So it just seems like each and every thing that happens—now another—in looking at the big picture, another part of your system is now offlimits to timber, and it just went from 12 billion board feet to about 3, on an average now, billion board feet. That's a huge cut in cutting. It's had a huge impact in this country. And with the fact that more timber is burning and dying than we're cutting on Federal land—I mean, it's an issue that we ought to argue about; we ought to discuss. But it seems like every move by the Department or the administration brings the number down, locks another so many acres up that's not a part of it. I think it's that big picture that scares us all, because we know the left-wing conspirators want

no cutting, and I guess we think they're winning, and they are winning.

We think it's bad public policy. We don't think it's good for the health of America. We don't think it's good for the health of the forest. We know it's not.

And so the foresters in my district, people who have spent their whole life managing a resource—and I mean, some of the ones I know are just very, very thoughtful—they're just utterly amazed at what we're doing. They have absolutely no understanding why we are locking up the most renewable resource we have in this country that's so much a part of our economy and so much a part of a lifestyle. The hunters don't like the forest locked up because it doesn't bring about good hunting. I mean, there's a lot of people that don't. There's so many arguments why it's bad policy, but, yet, everything we do seems to move us closer to that direction.

Would you like to comment to that?

Chief DOMBECK. Yes. First of all, let me say that the nationwide effect of the roadless—or, rather, the temporary suspension of road building affects about 8 million acres which is in the timber base—now, of the 191 million acres in the national forest system. Now there's also a reason that these areas are roaded—are not roaded, and typically either timber values have been lower or—the easy stuff is taken first.

But the issue that you bring up is really something that we could spend a whole day on, and I'm sure we will at future hearings, but I often ask myself question, why is it that we have 40 million acres at high risk of fire or insect, disease infestation? And there are a variety of reasons associated with that. Management practices have changed. Fire suppression was articulated very clearly by one of the earlier panel members, but it's also lack of investments, because we're coming from a budget structure in a time where we were able to put the cost of management on the back of timber, but one—you've got an exception in Pennsylvania with the wonderful hardwoods you have—

Mr. PETERSON OF PENNSYLVANIA. Sure.

Chief DOMBECK. [continuing] but the fact is that we need to make continual investments; we need to do the thinning, the prescribed burn, the mechanical treatments, the other kinds of things to deal with situations where we historically have, say, 200 and 400 stems of Ponderosa pine and now we have 3,000 of a fir species that's a fire hazard; that the trees are all competing for the same amount of moisture, of nutrient, and that sort of thing there, and we need to get in there and deal with those situations. But we have put the cost of management on the back of timber, and when the timber may not be there to harvest, for whatever reasons, what do we do then? And this is part of the dialogue that I hope to have with this Committee and others in the future because the urban/wildland interface and other areas are big challenges for us in this country.

Mr. PETERSON OF PENNSYLVANIA. What is the timber base now? Of the couple hundred million you manage, how much of that's really forestry practices, timber cutting going on?

Chief DOMBECK. I believe it's 43 million acres.

Mr. PETERSON OF PENNSYLVANIA. After the roadless area?

Chief DOMBECK. Forty-three million acres are in the suitable timber base. Of—the interim policy and the RARE II areas would include 8 million of that 43.

Mr. PETERSON OF PENNSYLVANIA. So 43 minus 8 really?

Chief DOMBECK. Yes.

Mr. PETERSON OF PENNSYLVANIA. OK. Well, that's what I wanted—so we're down to 35—

Chief DOMBECK. Yes.

Mr. PETERSON OF PENNSYLVANIA. [continuing] million acres, out of 200. That's a pretty small percentage that we're now practicing forestry on. And though we're getting all this publicity that cutting timber costs money, and why do we do it, when you've got the cuts so low, and they're so small, they don't make money any more. I mean, you know, part of the problem that it's not—the cost to do a small sale is just as good as a large sale. I mean, so you've got the sales down so small, the board feet so low, it's like it's been designed to fail. I'm a businessman. I know how you can design a business to fail. It's like this economically has been designed to fail, so the left-wing conspirators can say, "It doesn't make any sense. We're losing money." And, yet, they don't count the money that goes out to the communities. That's not a part—and that shouldn't be part of the cost. That's a benefit to those communities. That builds schools and that builds roads and that—you know, it's fire protection to those people, and all of the things that we allow them to use that money for; yet, that's considered cost and not a benefit. That's a benefit to those communities that's being taken away. So, I mean, it's a bigger issue.

I want to thank you for your candor.

Mrs. CHENOWETH. Mr. Schaffer?

Mr. SCHAFFER. Thank you, Madam Chairman.

Let me followup on Mr. Peterson's comments, if I could, and your answers. So there's 191 million acres managed by the Forest Service?

Chief DOMBECK. That's correct.

Mr. SCHAFFER. Of the open management category that we're talking about that can be—that is relevant to the discussions, you said 43 million acres, and this moratorium effectively locks up 8 million?

Chief DOMBECK. What the proposed temporary suspension does is prevents only building and reconstruction of new roads.

Mr. SCHAFFER. So do you anticipate there would be an increase in helicopter removal, or what's going to happen?

Chief DOMBECK. I expect people will be looking at other options. Some of the NEPA work that's on these areas considers other options.

Mr. SCHAFFER. Well, considers other options? Do you expect this—it's going to be viable removal? Is there going to be people lining up for these sales, or what—and so what if you can call a helicopter. That may sound great, but can anybody really afford to do that?

Chief DOMBECK. I wouldn't want to be overly optimistic and say in some places maybe, but probably not a lot, but I also want to point out that, this whole issue set aside, there are sales that don't sell.

Mr. SCHAFFER. Right. But we're talking about 8 million acres, basically, out of the 43. So what, that's 18, 20 percent, somewhere along that line is affected by the moratorium. Your press release indicated that between 100 and 275 million of—that this moratorium—so you predicted an impact of between 100 and 275 million board feet in fiscal year 1998. There are other Forest Service documents that say the volume could be as high as 436.1 million board feet in fiscal year 1998. So there's a lot of speculation, I suppose, as to what the real impact is going to be.

I would like to just ask what relevance you think Congress has in all of this. Why is it that we read about the moratorium in the newspaper when it has such a significant impact on economics, on local government funds, on recreation, and so on? Why is it that you've decided to move forward on this without talking to any of us?

Chief DOMBECK. Well, first of all, keep in mind that this is a proposal, and the objective of the comment period, of the dialog that we're having, is to gather input, to double-check our data, to make sure that outside sources, all sources have an opportunity to comment on the proposal, and—

Mr. SCHAFFER. So when do you expect to commit on moving forward with this proposal or abandoning it?

Chief DOMBECK. Well, the—

Mr. SCHAFFER. What's the point of no return?

Chief DOMBECK. The comment period closes on March 30—and what are you assuming the timeframe would be to finalize [speaking to staff]? At least 30 days beyond that. I'd say the—

Mr. SCHAFFER. You know, the whole science, the study, the research on roads and roadless areas is—seems to me to be pretty complete, but pretty intensely studied, at any rate. What is it about the money that this Congress—American taxpayers have already expended studying the effects of roads on erosion. What—where is it that we have insufficient data and evidence right now? What are we lacking right now that causes the need for this moratorium?

Chief DOMBECK. The—

Mr. SCHAFFER. What's missing in our—in all of our research?

Chief DOMBECK. Well, I guess not being the technical expert myself on roads and road-building, I don't quite follow the connection between what's missing and the suspension. The—

Mr. SCHAFFER. Well, let me—let me give you—

Chief DOMBECK. The science—

Mr. SCHAFFER. [continuing] a good example. My State, your Forest Service has studied part of the National Forest near Frasier, Colorado, concluded that timbering and road-building can be accomplished without adverse impacts on water quality, and there are other studies to that effect that have occurred that we know that it's not new construction—or that it's not maintenance. You mentioned that this \$10 million or \$10 billion backlog in maintenance is somehow the issue, but it's not—the research—it's not maintenance so much that is cause for any kind of sedimentation, and so on. That typically occurs immediately after new construction, but then seems to be—seems to be dealt with effectively shortly thereafter. And there's a lot of research that has been done that suggests that there are specific strategies that could be employed

to reduce any kind of sedimentation or water quality problems, or any other issues affecting roadless areas or new road construction. Why a moratorium across the whole country? Why don't we just implement these studies that we have on a case-by-case basis in specific areas where a problem is known to exist?

Chief DOMBECK. Well, in fact, those new studies, that type of information is the information base that will be used in the development of the new long-term policy.

Mr. SCHAFFER. Well, well, but why do you need an 18-month moratorium? This research has gone on for years. It's—this is nothing new. Do you expect you're going to discover something in the next 18 months that you could not or should not have discovered in the last 18 months or the last 18 years, for that matter?

Chief DOMBECK. The focus of the 18-month effort on a long-term policy is basically to obtain comment, to synthesize and gather the information, not necessarily start new research projects, although in the recent years, especially as a result of El Niño, the increased concern over land slides, things like that, has heightened the level of awareness and has generated more interest in this, and investments have been made in additional research in those areas over the last few years.

Mr. SCHAFFER. The local foresters and the forest experts in my State can't think of a single example of why we need a moratorium in Colorado, for example. Are you aware of any specific reasons a moratorium ought to impact Colorado?

Chief DOMBECK. Well, again, the challenge is to get people to understand the importance of the infrastructure and the road system, and I oftentimes think, how do I square building new roads, especially when in many cases, almost 50 percent of the time, these projects are appealed and litigated, when, on the other hand, I'm dealing with one \$10-plus billion backlog in reconstruction—

Mr. SCHAFFER. Why hasn't all the research led to this understanding that you explain is desirable?

Chief DOMBECK. Well, I believe that's where we're headed. I hope that's where we're headed.

Mr. SCHAFFER. Well, what about all the money that we spent studying roadless areas and studying the impacts of roads? Why have these studies not lent themselves or helped you come to a conclusion about the impacts of them and what ought to be done, or some kind of plan? Why don't we move forward on a reasonable plan? Why do all these studies only suggest we need a moratorium to study more?

Chief DOMBECK. Well, again, the 18-month period will be used to develop a long-term policy, based upon the most up-to-date science—

Mr. SCHAFFER. Why can't you come up with a long-term policy without an 18-month moratorium?

Chief DOMBECK. I think you probably could.

Mr. SCHAFFER. Why don't we?

Chief DOMBECK. But the other challenge is, in the eyes of the American public, Forest Service roads equal logging. Now the challenge that we have is to make sure that people—and I think some of the dialogue that you have had in the Congress and other places has really focused on that over the last decade, and particularly,

especially the last couple of years since I've been watching this more closely. And we've got to consider Forest Service roads as part of the needed infrastructure of rural America, and then fund it appropriately.

Mr. SCHAFFER. So you're in agreement with me, it sounds like, that we could move forward on a long-term plan without an 18-month moratorium? Just to restate that, we do agree on that point, do we not?

Chief DOMBECK. It would be possible, yes.

Mr. SCHAFFER. So the stated purpose early on that the reason for the moratorium was for further study, further information gathering, and so on, is—well, let me just ask: Is there more to it than that? Is the only reason you propose an 18-month moratorium for the purpose of establishing a long-term plan?

Chief DOMBECK. Information—and I'll refer back to the most up-to-date information we have that I'm aware of—has come out of the Columbia Basin assessment that talks about, refers to exotic species, and I'd be happy to share a copy of that with you.

Mr. SCHAFFER. So is the application of this moratorium on a nationwide basis motivated by the Columbia Basin study?

Chief DOMBECK. Only in part.

Mr. SCHAFFER. Can you still think of any example in Colorado that would—that has initiated the need for a moratorium that applies to Colorado?

Chief DOMBECK. I somewhere have a list here of the more recent studies and synthesis of information, and I would check to see if there's anything—I could check and see if there is anything specific to Colorado and provide an answer.

[The information referred to may be found at end of hearing.]

Mr. SCHAFFER. Well, if it's not there, why don't you exempt Colorado? Why don't you exempt States where you have no real compelling reason to include them in a moratorium? Maybe it's Montana; maybe it's Idaho; maybe it's Wyoming. It could be most of the country, when it comes right down to it. But the forest supervisors, the foresters in my State, they come to the State legislature and they say, "Look, we're baffled by this. We have no idea what these folks in Washington are doing or why. You know, they had a meeting, told us what they were going to do, but we have no compelling reason in our State." And they point the finger back here. You know, I'm back here. I'm kind of trying to find out some answers, too. From what I can tell, Colorado is not part of this equation, other than we're affected economically by a moratorium. If that's the case, why don't you exempt States like mine, focus on where the problem exists?

Chief DOMBECK. We will—this is what we're here for, is to have this dialogue and—

Mr. SCHAFFER. You will what?

Chief DOMBECK. [continuing] to be challenged.

Mr. SCHAFFER. You said, "We will. . . ."

Chief DOMBECK. Will consider all the input that we get from this Committee, from each of the members.

Mr. SCHAFFER. You know, I really think the burden ought to be on you to establish a legitimate reason for pulling a significant portion of our economy out from under us before you do it. You've al-

ready decided to move forward on making a proposal without the consent of Congress. You say that you've not made any final decisions, that that's still open, and you'll consider our input, and so on. But if that really is the case—you know, the burden ought—you ought to take upon yourself to consider the real financial impact that this has on communities, and if there's no compelling environmental benefit to be gained in a State like mine or the next State down the road, then you shouldn't even be talking about moratoriums in these areas. You ought to zero it down to where you have a real need, where your local experts tell you there's a real need. I mean, this notion that you're going to blanket the whole country as if every forest is the same is laughable, when it comes right down to it, and it suggests to me that you're not all that serious about considering the economic impacts of local communities. Maybe I'm wrong; maybe you'll prove me wrong. I hope you do.

Thanks, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Schaffer.

Mr. Hill?

Mr. HILL. Thank you, Madam Chairman.

Chief, I do want to compliment you on one thing, and that is that you extend the comment period another 30 days, and I do appreciate that. I know the people in Montana—and I would like to have you give us an assurance here today, and that is, before you have those meetings in Montana, you will have available for the people in Montana what the impacts are going to be on the forests of Montana. Will you give us that assurance today?

Chief DOMBECK. I believe the information that we have will be part of the announcement that will appear in The Federal Register on Friday.

Mr. HILL. Will that include impacts in terms of individual forest sales, how they'll impact individual forests, how they'll be impacted, number of acres that will be impacted?

Chief DOMBECK. I believe it will be—the information we have will be by individual forest. I believe it will be the number of sales, perhaps not the number of acres, but, more importantly, the board feet effects.

Mr. HILL. I mean, there are more impacts than just timber harvest, and not that timber harvest isn't important. I guess my point is, how can you solicit public input when you haven't given the public the facts so that they can comment on them? I would just urge you to extend this comment period beyond that, until at least a point in which you've given the people the information that they need in order to make an appropriate assessment, so that they can provide you valued input. Does that seem unreasonable?

Chief DOMBECK. No. And I believe that's the intent.

Mr. HILL. Then I would urge you to—you brought up the Columbia Basin, the Interior Columbia Basin EIS, and I'd like to ask a couple of questions about that, because you chose not to exclude that area that is currently under study, and as you know, we're moving through that process right now. Why did you choose not to exclude that area?

Chief DOMBECK. The—because it's not—the areas that were excluded were the areas, what I'm basically referring to as the sec-

ond-generation forest plans, the plans that are more recent, that are based on more recent information, recent public involvement process, and those include the areas of the Pacific Northwest. The Tongass is under appeal, which is basically still in process, sort of a semi-quasi-judicial process, and the other areas were not excluded because the information their forest plans are based on is sometimes up to—could be up to 15 or 20 years old.

Mr. HILL. So what you cited earlier was that the reason that you implemented or you want to implement this moratorium is that you were in possession of science that the individual forests were not in possession of. Substantially, that came from the Columbia Basin study. I believe that that's what you said to Mr. Schaffer.

And, yet, we are fairly well along with regard to the Interior Columbia Basin study. I guess I would just say to you, are you aware of the potential impacts that this decision will have on the collaborative effort that has gone into the Interior Columbia Basin study?

Chief DOMBECK. Yes. I have met with numerous county commissioners in Idaho, county commissioners from Oregon—

Mr. HILL. I hope you stay around following your testimony because there's a county commissioner from Montana that has been a strong advocate, Larry Dolezal, for trying to work within this collaborative stewardship that you talk about, who I think will express to you that he feels as though he was blindsided by this decision.

And, specifically, I want to just make reference to a project that is in his district. As you know, the Lincoln County, where he comes from, has been particularly adversely impacted. In fact, I think it's listed under one of the top 10 endangered communities in America. Where they're trying to—the Economic Development Administration has provided some funding to try to develop a new ski area. Are you familiar with that?

Chief DOMBECK. I'm not familiar with the ski area itself.

Mr. HILL. So you're not aware of the fact that the local forest superintendent has been working to try to complete an EIS on that by September of this year, with the goal being that we could develop this ski area, and that that project will be imperiled by your moratorium?

Chief DOMBECK. Not that specific issue.

Mr. HILL. So when you said earlier that you solicited data on impacts, the individual forests didn't provide you any data with regard to any specific timber sales, with regard to any specific other projects that might be impacted by this moratorium?

Chief DOMBECK. They provided information on timber sales. Did they—pardon [speaking to staff]? OK, we've got datasets that we will have for all other activities, and I assume we will make that available during the—as the comment period proceeds. So people can—

Mr. HILL. When do you think that that information will be available in Montana with regard to the forests in Montana?

Chief DOMBECK. Within 2 weeks.

Mr. HILL. I'm sure you're aware of the fact in the Interior Columbia Basin study, one of the things it suggests that would be good for forest management would be to manage the roadless areas,

some intrusion into the roadless areas, some mechanical harvest, other things. Are you aware of that?

Chief DOMBECK. Then you're talking about the need for active management? Yes.

Mr. HILL. Wouldn't you say that your moratorium is in conflict with what the science is telling you from the Interior Columbia Basin study?

Chief DOMBECK. Not necessarily. I think we have a mindset that we have to build a permanent, fairly expensive road to maintain, and we've got the backlog to deal with. And one of the things that—

Mr. HILL. Are you suggesting that your moratorium would not apply to temporary roads in these roadless areas?

Chief DOMBECK. No.

Mr. HILL. It does apply to temporary roads?

Chief DOMBECK. It does apply to temporary roads. However, the new policy will address more broadly when and where and what types of roads to build, based upon the most up-to-date science. For example, you know, we're doing, in fact—a timber director, a forest management director who recently retired said, he said, 10 years ago we never thought we'd be doing the amount of helicopter logging that we are today. Someone from California was recently telling me that one of the forest engineers indicated that we could probably do the same forest management job we're doing today with a significantly less intensive road network. And it's directions like that that I want us to be looking at. Again, as we talk about the other activities and the impacts, I just want to make sure that you understand—No. 1, we've talked about the fact that this is proposal, but also, No. 2, the fact that what we're talking about is road construction and reconstruction only. We're not talking about other activities.

The intent is not to stop forest management. In fact, the intent is to—we've got to look for new—

Mr. HILL. It's to delay, though. You're going to delay. You're going to delay forest management in those areas. By limiting access to those areas and intrusion into those areas, you're going to be delaying forest management, which I have great concern about.

There are two points I want to make, if I might, Madam Chairman, before—I know my time has expired here. And that is that you talked about the impacts of El Niño on some of the coastal areas with regard to landslides and that sort of thing. We've got the reverse impact in Montana. Post-El Niño periods are extraordinarily dry periods in Montana. They're periods with high incidence of fire. We have got a tremendous exposure to catastrophic fire. If you delay any management of that problem in the roadless areas in Montana, you are compounding the potential hazard to Montana, to Montana communities, and to those forests to fire.

The Interior Columbia Basin study will point out to you—and I know that you're familiar with it—that we have a serious problem in Montana with respect to that. And I would just urge you to consider exempting this area that's part of the Interior Columbia Basin study from this moratorium—to allow that process to go forward.

As you know, the goal there is to develop the science that can be incorporated into those forest plans, whether they be transportation or other aspects of those forest plans, so that we can get them updated. What, in essence, you're going to propose doing—I can tell you right now that if you move forward with this, it's going to erode any—any—cooperation, any collaborative effort that you've going to have to move forward with the Interior Columbia Basin study and in an effort to implement it. You're going to create more conflict, less collaboration in Montana if you do that. So I would just urge you to, at least if you're going to implement this moratorium, you allow people to do it on a forest-by-forest basis.

Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill.

Mr. Dombeck, under the Alaskan Native Claims Settlement Act and the Alaska Lands Act, Native corporations were entitled to select and own lands for traditional use and economic benefit as settlement of Alaskan Native aboriginal land claims. Access to the lands also was guaranteed under these laws, and many of these lands are located within the national forests in Alaska. Is it not true that roads needed for access to Alaska Native aboriginal lands would be exempt from the administration's roadless policy?

Chief DOMBECK. Well, the Tongass National Forest is exempt from the policy now.

Mrs. CHENOWETH. In every case it's exempt, including the special areas?

Chief DOMBECK. Of the current temporary suspension of road building, yes, the Tongass is exempt. The Tongass record of decision was signed in May, and the appeals process for that decision on the entire forest plan is currently in progress.

Mrs. CHENOWETH. With regard to the new roadless moratorium, or the moratorium on roads, under roadless area and under future special designation of special areas, designation by the Regional Forester, are you telling me that Alaska, the Tongass is exempt from both of those?

Chief DOMBECK. Yes.

Mrs. CHENOWETH. You testified that this moratorium only applies to roadless areas. In the lower 48, what about the special areas that are in multiple-use areas now?

Chief DOMBECK. The proposal on that is that that would be under the discretion of the Regional Forester?

Mrs. CHENOWETH. So, actually, contrary to your original testimony, it does extend to far more than the roadless areas? It does extend into the multiple-use areas? And you are giving the Regional Forester the authority, through this policy, to designate special areas, and they will become, in essence, de facto wilderness, right?

Chief DOMBECK. Well, this—again, keep in mind the policy applies only to roads, not to other activities, and the specific kinds of areas—and we are looking for comment on this—is areas like municipal watersheds where communities get drinking water supplies from, other areas very similar to that.

Mrs. CHENOWETH. So it does apply to more than roads? It does apply to watersheds, right?

Chief DOMBECK. Well, the policy applies to roads only, but—

Mrs. CHENOWETH. It will impact entire watersheds, right?

Chief DOMBECK. In certain situations it could.

Mrs. CHENOWETH. I wonder if you can explain to the Committee, and for the record, the exact degree that the Columbia River ecosystem planning process predicated or precipitated this roadless moratorium policy.

Chief DOMBECK. It's a nationwide problem that we're dealing with, with the whole roads issue. It's certainly not limited to the Columbia Basin. What I can say, though, is that some of the information gathered in the Columbia Basin assessment is probably some of the newest and best information that we have.

Mrs. CHENOWETH. How did that precipitate—how did that information precipitate this action? How did the Columbia ecosystem planning process precipitate this action?

Chief DOMBECK. Well, I would say it didn't precipitate this action. The whole debate that we've been in for more than a decade over the roads and road funding issue is something that is part of the larger issue. What I face and what the Forest Service faces is a continually declining roads program that lacks support, and the support for the roads program continues to erode. Somehow we've got to reframe the issue so the roads program is viewed as part of the transportation network, the infrastructure of local America. I mean, it's—I grew up on Forest Road 164 in the Chequamegon National Forest in northern Wisconsin, and today it's a blacktop road. A bus goes down it every day, and a mailer-out, and, yes, a few logging trucks, and lots of tourists. It's important that we be able to maintain this infrastructure that's needed by local communities. I hardly go to a county or talk to a county commissioner when he says to me, "How come you're not taking better care of your forest roads?"

Mrs. CHENOWETH. Chief Dombeck, you stated in your testimony that you worked with the American Forest and Paper Association, AF&PA, on developing this policy. Did you work with them—to what extent did you work with AF&PA on developing this policy?

Chief DOMBECK. I guess I'm not sure I would—if I did couch it as though worked with them—as a matter of fact, they—we discussed the whole issue of roads with a variety of people. In fact, the whole roads issue is an issue that was—you know, has been hotly debated and talked about for the past decade or more within—not only within the Forest Service, but others that are interested in roads.

Mrs. CHENOWETH. Did AF&PA take an official position on this and then work with you or to what degree did you work with AF&PA?

Chief DOMBECK. Well, to my knowledge, from the standpoint of discussing the issue, and as we have with many people over the years, it's, you know, how do we get beyond the issue, as we looked at the—what in 1996 we were, you know, very close to losing almost 80 percent of the program. Another debate ensued in 1997, and it's a program that is in the intensive care unit, and the responsibility that we have is to try to come up with ways and options of resuscitating that program.

Mrs. CHENOWETH. I just want to say, before we have to recess temporarily, that when I first came to the Congress, it was my de-

cided opinion that the Forest Service was so broken that we may not be able to recover. I gave everything I had to give, as chairman of this Committee, to try to stay very open to you and to work with you. You're a gentleman, and you're an impressive person. But the way I see this moving, I'm convinced now the Forest Service is too broken. I mean, there's no accountability from the top. District Rangers are stopping sales. We have a sale, the George Washington National Forest in Virginia has also been canceled. We've had, because of this roadless policy—and yet it's only proposed.

The entire public process has been made a mockery of by the very fact that sales have been canceled while this is still a proposal, Chief, and yet then we reach out to the people with hearings. It truly is a mockery, and it's disappointing.

I guess in my heart of hearts I'd still like to see us recover from that in terms of making the American people and communities that are affected a part of the process again. I don't see that happening. I hope I can be surprised. I still look for that. But I don't—I hope that I don't have to get used to being so utterly disappointed, and that disappointment is not just shared here in this Committee; it's shared by our Resources chairman and members of the Committee on the House side, and certainly on the Senate side, too. I think that the envelope has been pushed way too far on this one, and as with the Tucson Rod and Gun Club, we learned that policy was implemented based on unwritten policy. And I was hoping that you would be able to turn that around. I don't see it happening.

We have been called for a vote. It's a 15-minute vote, and there is 5 minutes left.

Chief Dombeck, we have a lot more questions, but we will submit the questions to you in writing and would expect that you respond to them within 10 days.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. I know that you have a meeting with Senator Hutchinson, and you will be gladly excused from the Committee for that meeting. I would appreciate if your staff would stay and listen to the rest of the testimony.

Thank you for the long period of time that you have spent with us. And I really hope that some fruit will be born from this in terms of making the American people part of the process again, and that is done first through Congress and then through the NEPA process.

Right now this hearing will be recessed for 20 minutes. Thank you.

[Recess.]

Mrs. CHENOWETH. The Committee will come to order.

We will begin with the third panel: Max Peterson, executive vice president of International Association of Fish and Wildlife Agencies; Larry Dolezal from Lincoln County, and Mr. Dolezal is a commissioner from Troy, Montana; Bob Powers, legislation advocate, United Brotherhood of Carpenters and Joiners of America; Bill Banzhaf, executive vice president, Society of American Foresters in Bethesda.

And I wonder, gentlemen, if you would mind standing and take the oath. Raise your right hand.

[Witnesses sworn.]

Mrs. CHENOWETH. Thank you. Please be seated.  
And we will open with Mr. Peterson.

**STATEMENT OF MAX PETERSON, EXECUTIVE VICE PRESIDENT, INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE AGENCIES**

Mr. MAX PETERSON. Thank you, Madam Chairman. You have my statement, which is rather long. If you'd accept it for the record, I'll try to save you some time and brief it.

What I've attempted to do, at the request of staff, is to provide a brief historical overview of the saga of roadless area reviews and evaluation, which really began in the 1910's, and then there have been other reviews done since. The major reviews that have been done in recent history began after the passage of the 1964 Wilderness Act, which required a review of the primitive areas.

Then in 1972, Forest Service Chief McGuire was concerned about agitation both inside and outside the Forest Service as to what to do with roadless areas, particularly those that were next to primitive areas. He ordered a nationwide review of roadless areas, which became known as RARE I. And I've given you some data on RARE 1.

Because of the difference in national forests in the East, and the imprint of man on national forests in the East, there were very few areas in the East that were included in that inventory. Partially because of that, and the question, incidentally, of what constituted a road, and what was a road in a roadless area, there was a second roadless area review undertaken beginning in 1977. That was a huge review. As you know, that resulted in a very large environmental statement, with more than 300,000 comments on that environmental statement—I think the largest number of comments ever received on any environmental statement in the history of any organization.

As a result of that, review, commonly called RARE 2, recommendations were made, signed off on by President Carter, that said, so many acres should be wilderness, so many areas should be used for multiple use other than wilderness, and so many areas should be subject to further planning. It was the hope of many that those recommendations would sort of settle the roadless area question; that Congress, then, would look at those nationwide recommendation and that Congress would decide which areas would be wilderness, which areas would be multiple use other than wilderness, which areas would be further planning.

Unfortunately, that didn't happen. Congress instead started action on a State-by-State basis, and as you know, except for Idaho and Montana, the roadless area legislation has essentially been enacted in all those States.

One of the issues, though, that came up then that bedevils us, I think, today on the issue that's before us is, what happens after you get through the first generation of forest plans? I remember sitting in a hearing and hearing Senator Hubert Humphrey and Congressman Foley say at that time, we want to pass an Act of Congress, which was the National Forest Management Act, that will set forth a planning process that will include: interdisciplinary analysis; it will include input from people, public involvement, and

then a decision will be made on how to manage an area of land, and that plan will remain in effect for 10 to 15 years. And plans will be revised from time to time with public involvement and by looking at, what is new, what do we know today.

So I admit to being somewhat perplexed at this proposed Interim Directive because I don't really see how it fits into the laws involving management of national forests, which envisions that there will be a plan for an area of land and it will stay in place until it's revised or amended. There's nothing in the law or in the regulations that, as far as I know, contemplate something called an interim directive that, again, puts the roadless area in some kind of a limbo.

You might ask yourselves this question: Suppose somebody came along and decided they wanted to develop all those roadless areas in the next year, in spite of the fact that was not in accordance with plans? We would hardly believe that such action would be appropriate. Somebody just to say we're going to go into all those areas next year, in spite of the fact that would be contrary to land management plans.

It seems to me that you can't have it both ways. You either have to say the areas are governed by plans or they're not. So I guess one of the disappointments to me, regardless of the merits of this proposal, is the question of process.

And I guess the only other comment I'd make—and let me make it very clear that at this point in my current role as Executive Vice President of the International Association of Fish and Wildlife Agencies. I am not taking a position. I expect that in some States they think that a moratorium is a good idea, and it may well be in that State for some roadless areas. In some other areas there will be concern that if it concentrates development on already-developed areas, which may be a much higher value for fish and wildlife than some of the roadless areas, that there will be concern about it.

Let me also point out that I don't see much association between a roadless mandate and a review of the road system. A review of the road system I think probably is a good idea, because the road system has grown and use has changed. The proposal mentions ghost roads. That's the first time I've heard that expression. You can still see the tracks of the Donner Party as they went across parts of the Nevada desert and into California. So in some parts of the country, if anybody ever made a road track, it's still there, and if the terrain allows it, some people will follow that road track. And some people will follow that road track to their favorite fishing hole, and sometimes that's not a good idea. It may cause damage.

So a review of the road system, particularly as large and complicated as it is—and I was a little curious at the comments about it being 10 times as long as the interstate system; the State of New York has a road system that's several times as long as the interstate, and so does the State of Virginia, both of which are a whole lot smaller than the national forest system. So sometimes these comparisons don't make a whole lot of sense.

Anyway, I think there is a case for review of the road system, looking at, what do we know about management and lumber use of these roads. The use has expanded exponentially. There's very little proportional use of these roads by timber hauling anymore.

In many cases, 95 percent of the use is recreation, including fishing and hunting. So the use has changed. So there is a need to review the system; I think that's true.

I'm not at all sure, though, what that has to do with a moratorium on roadless areas, because very few roads are being built in those areas anyway. It stops activities indefinitely that are in accordance with forest plan. Some of them, as you know, have been under consideration for many, many years. Some of them have gone through administrative appeals and court challenges and everything else, and now we have something else called a moratorium on top of it, which to me, particularly being done without what I would consider due process. I think this is not a good idea. That's just my horseback opinion. I have been involved in the development of the policy or implementation of it. Those are just sort of off-the-top-of-my-head opinions.

Thank you.

[The prepared statement of Mr. Max Peterson may be found at end of hearing.]

Mrs. CHENOWETH. Those are pretty good horseback thoughts. Thank you, Mr. Peterson.

For our next witness, I'd like to yield to Mr. Hill.

Mr. HILL. Thank you, Madam Chairman. Madam Chairman, I am very pleased to introduce a distinguished witness and a friend of mine from Montana, Larry Dolezal. I have found him to be a very thoughtful, compassionate, committed, open-minded person, a problem-solver. He's a Lincoln County commissioner in Montana. He's worked extensively on forest issues.

Lincoln County depends heavily on forest products and receipts from the Kootenai National Forest. Its residents also depend on the nearby forest for their recreation. And as you'll hear from Larry's testimony, he's witnessed how dwindling forest receipts have hurt his county's economic development, schools, recreational access, and how this moratorium will make a bad situation even worse.

Madam Chairman and members of the Subcommittee, we are fortunate to have the chance to hear Larry's firsthand expertise on the moratorium and the impact on the communities there in Troy and Eureka, Montana.

Thank you.

Mrs. CHENOWETH. Thank you.

Commissioner, would you please proceed?

**STATEMENT OF LARRY DOLEZAL, LINCOLN COUNTY  
COMMISSIONER, TROY, MONTANA**

Mr. DOLEZAL. Thank you, Madam Chair, and thank you, Representative Hill from Montana, for giving me this opportunity to appear before you today.

I've been serving as a county commissioner in Lincoln County, Montana for the past 12 years, and am currently the Chair of our board. As you may be aware, Lincoln County has been very active regionally and nationally in public lands issues. I've testified before Congress on PILT and other legislation, and am currently one of two county commissioners representing the Montana Association of Counties on the East Side Ecosystem Coalition of Counties, actively

involved on reviewing the Interior Columbia Basin Ecosystem Management Project.

I'm here to tell this Committee firsthand that the conditions described and the economic data contained in the material released in support of the proposed interim rule is inaccurate. We within the EECC, the Coalition of Counties, certainly understand the position Chief Dombeck outlined before us recently at Boise, Idaho. He opened the meeting by apologizing for proceeding with the proposal without first having involved the counties in the Basin. He termed it a serious mistake. He agreed in blood that the moratorium would end 18 months or sooner after its adoption.

Commissioners commented that Basin counties which have carried the ICBEMP were blindsided by the moratorium, and that what the ICBEMP science has shown is the need for active management to prevent wildfires. This moratorium represents a serious breach of trust between governments.

The Chief acknowledged this damage to trust and encouraged the counties to offer a way during the 30-day comment period to repair that trust. The EECC has identified additional concerns with this proposed interim policy that severely jeopardize our continued involvement in the ICBEMP. These reasons are straightforward.

First, the ICBEMP cannot succeed if it is overridden by a piecemeal approach toward Federal land management in direct violation of an ecosystemwide plan. Second, the ICBEMP is science-based, supposedly. The EECC fully supports having sound and direct scientific results coupled with adaptive management. This policy is not based on science, but rather on politics. If ICBEMP is to succeed, politics cannot be elevated over science.

Third, we've been assured throughout this project that the results will be a regional solution based on regional ecosystems and collaboration. This policy, however, is a national one-size-fits-all edict that violates the promise and integrity of a regional ecosystem-based solution.

Fourth, the administration has emphasized collaboration of all stakeholders as the most sound approach to difficult Federal land management policy issues. County officials have absorbed tremendous political heat, holding to the process, seeking the very best outcome for the Basin and its communities.

With this reported policy, we wonder if we are, indeed, partners. We've not been invited to consult about it. Our opinion has not been requested in any way. Can we trust that collaboration is, in fact, important to Federal leaders and the administration? We've been seriously compromised by the administration with its proposed interim rule.

The current position of the EECC is somewhat precarious. Following a lengthy, complicated discussion and deep soul-searching, the Coalition of Counties decided to withhold a decision on whether to stay with the project until a final decision is made on the USFS roadless area moratorium. The EECC decided to work with the Federal team to find language based upon the ICBEMP science and the DEIS to create special flexibility or a full or partial exemption for national forests within the Basin. The Federal team has agreed to work with us to this end, under the authorization of Chief Dombeck.

Shifting to a local perspective, over 90 percent of Lincoln County households identified logging as the most important economic activity in our local communities, and these same people are employed, over 90 percent, in forest management. These are the working families that form the backbone of our communities. The management of our national resources here is simply indisputably the foundation upon which the rest of our economy is built. We must not forget that trees are a renewable resource. There are such things as tree farms.

Incidentally, the nonresident travel or tourism component of our basic economy ranges from 1 to 3 percent. For this reason, we strongly dispute the social-economic data within the ICBEMP regarding the overstatement of recreation. On the Kootenai National Forest, almost 60 percent of the Forest Service system roads are closed, and within my home district 75 percent are closed, primarily due to transportation system management dictated by grizzly bear recovery.

Our people say that two huge problems that affect their harvest of wild resources, picking huckleberries, gathering firewood, fishing and hunting, et cetera, are national forest road closures and public land access. We want a working national forest. Our people don't want welfare. We want work. How can we when we are shut out of 60 to 70 percent of our public lands?

A combination of these foregoing concerns is faced by an effort to diversify our local economic base. The Treasure Mountain Ski Area adjacent to our Cabinet Mountains Wilderness would also help us stabilize our local economy. The proposed roadless moratorium presents some very real obstacles that could cause this project to be aborted.

Will provisions be made for exemptions for projects such as this? The U.S. Forest Service has placed a priority on recreation. It seems like Federal hypocrisy for the Forest Service to delay, and possibly impede, an economic diversification effort that has merit and funding from other Federal agencies.

Many of you may be unaware that the United States and four other countries comprise 10 percent of the world's population and about 50 percent of global consumption. The United States is now a net importer of wood and wood products, and other construction materials, as well as most metals and plastics.

In Montana, the Forest Service has reduced timber harvest by more than 50 percent since 1950. Yet, consumption is never discussed when decisions are being made that reduce harvests. We need to rethink the commonly held notion that the answers to many of the world's environmental problems is to simply designate ever-larger resource-rich areas as parks and preserves.

Decisions are being made on a daily basis and at all levels of government to restrict raw materials extraction almost always on environmental grounds. No one is addressing our global responsibility. Few are asking what the environmental impacts are when our raw materials are imported from somewhere else.

A new process for determining where and how we build roads must be based upon sound science. It must not duplicate or add to processes that are already mandated by current laws in order to eliminate further delays in planning. And most of all, any new

process must be firmly embedded in collaboration and consultation with local affected communities. There must also be incorporated into this collaborative process a vehicle for local affected community involvement in deciding which roads need to be maintained, which roads need to be upgraded, or those that need to be decommissioned.

As I end my testimony before you today, I would like to summarize what I feel the most important issue is for you to consider. It is not the issue of road building moratorium. It is the constant barrage of Federal edicts enacted from above that are threatening our custom, our culture, our traditional way of life in rural communities out West. We have been encouraged to come to the table to negotiate and review forest management practices through the ICBEMP process. We have kept our promise. We've stayed active in this process under tremendous political adversity. Our constituents tell us: You can't trust the Federal Government anymore. They tell us to look at the effects of the grizzly bear protection and other endangered species management. They see forests that are in dire need of help and could catastrophically burn this summer. They attend public meetings to voice their opinions, but feel as if their input falls on deaf ears.

I used to tell them that we still need to try to work for a common goal, work out our differences in a managed plan that can benefit all interests. I constantly appeal to them to attend one more meeting, write one more letter, that will hopefully influence decisions. I'm not sure that I can tell them that any longer.

Every effort we have made to work together with the Federal agencies to solve the important management decisions with words of reason have been ignored by this administration, which continues to impose additional regulations with no understanding of the effects on rural America. We're being backed further and further into a corner. We are fighting for our survival.

We want the simple rights of Americans to pursue life, liberty, and happiness—all of which are being denied us by current public land management decisions, our very own country. This time it may be the straw that broke the camel's back. Trouble is brewing in the West. People are tired of not being heard. The common-sense, practical approach of rural people living on the land continues to fall on deaf ears. Special interest groups now seem to be the managers of our national forests. What they list as valuable and endangered does not include the vanishing rural American lifestyle out West.

It's time that we placed this management back under sound, scientific means and remove politics from it. It is time to listen to the people. It is time to manage our land responsibly. You may very well hold the keys to the future of rural life in the West. You must prevent this looming disaster.

Thank you.

[The prepared statement of Mr. Dolezal may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Commissioner. That was outstanding testimony.

We are being pushed by three votes that have been called, three 15-minute votes, and we're about at the end of the first 15-minute

vote. There will be two others following that, and then a 5-minute vote. I am so sorry to tell you, but we need to recess the Committee for 45 minutes to get these votes in.

And, Mr. Peterson, I realize you may need to catch a plane, and if you're not here when we come back, we understand, but I do have a page of questions that I will be submitting to you.

Mr. MAX PETERSON. Thank you. I do have to go, but I have a meeting with Congressman Hansen at 3:30. I might swing by here about 3 o'clock or something; I don't know.

Mrs. CHENOWETH. All right.

Mr. MAX PETERSON. Thank you.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. And so the Committee is recessed for 45 minutes.

[Recess.]

Mrs. CHENOWETH. The Committee will be in order.

[Witnesses sworn.]

Mrs. CHENOWETH. The Chair recognizes Bill Banzhaf for his testimony. Bill is the executive vice president of the Society of American Foresters here in Bethesda, Maryland. Mr. Banzhaf?

**STATEMENT OF BILL BANZHAF, EXECUTIVE VICE PRESIDENT,  
SOCIETY OF AMERICAN FORESTERS**

Mr. BANZHAF. Thank you, Madam Chairman. My name is Bill Banzhaf, and I represent the 18,000 members of the profession of forestry, including those in research, education, and practitioners both in the public and private sector.

We really appreciate the opportunity to give the professional view this afternoon. I would say that, by and large, we are very supportive of the Chief's goals to improve his agency's ability to do a better job—better onsite decisions as to where and when roads should be built, and establish a sound approach to upgrade roads when appropriate, and to identify a sustainable funding source for future road building.

We simply don't understand what the moratorium has to do with any of those goals. The Forest Service could develop a set of regulations at any time without a roads moratorium. I think former Forest Service Chief Max Peterson indicated that every institution needs to continually re-evaluate and improve how it does its work, but you don't stop your core area while you're looking at that.

Additionally, the policy, the proposed moratorium, really undermines the years of hard work that the forest profession, the scientific community, and the public at large have put into making some very difficult land management allocation decisions through the NFMA process and through the RARE I and RARE II processes.

Now in discussing the Tongass National Forest, Chief Dombeck stated, and I quote, "It is important to people that we retain the integrity of the planning process and the appeals processes." Now it's our view that we do need to honor that commitment to the integrity of the planning process, and that, therefore, every unit of the national forest system should be exempt from this moratorium, since they have gone through a sound forest planning process.

I'd like to briefly summarize some of our concerns with regard to the possible effects of this proposed moratorium. First, it will undermine or limit the ability of forest managers and citizens at the local level to address some critical needs in forested areas. The agency itself has talked about the fact that they have 40 million acres that are at severe risk for catastrophic fire. Clearly, if we have a moratorium on road building, this could very well limit the opportunity for professional natural resource managers to do fire prevention techniques, whether it's thinning, prescribed burning. So we have some real difficulties in that area.

Another example just really occurred several weeks ago with the very tragic ice storm in the Northeast. The White Mountain National Forest may very well not be able to go through and correct some of the difficulties that they sustained during that very, very severe ice storm.

Another concern with the policy—and, Madam Chairman, you brought this up yourself—is the vague and subjective criteria for the special lands, the inclusion of lands, quote, “because of their unique ecological or social values.” This sets the stage for more acrimony, and we certainly had enough of that over the last 10 years, more legal entanglements. We're very concerned that, based on that approach, we're going to go from an issue that needs to be addressed addressing roads to an issue that addresses land allocation, and I don't think we want to go there.

I guess I would have to express my puzzlement in hearing the testimony this morning that the Regional Foresters have the discretion to identify the special lands, but do not have the discretion to identify the need to handle roadless areas on a site-by-site basis. To me, this doesn't make sense. We in the Society of American Foresters truly support and trust local discretion. We're very proud of the professionals that work in the Forest Service at the local level and the regional level, and we believe giving them discretion in one area and withholding in the other is not sending sound management signals.

The real issue the Forest Service should be addressing—and I give Chief Dombeck credit for underlining this—is the backload in maintenance and reconstruction needs of the existing road system. He has stated that he will work on this serious problem, and we commend him for that. We commend the Forest Service for that.

However, as I've stated before, we fail to see how the moratorium does anything to address the maintenance and reconstruction backlog. In fact, I think it does just what it's done today, and that is, misdirect needed focus and energy onto a wholly different issue.

We very much appreciate the ability to provide testimony and would be happy to answer any questions you might have.

[The prepared statement of Mr. Banzhaf may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Banzhaf. I appreciate that very interesting testimony, and we will be back to you with questions.

Mr. Amador, you've come a very long way. It's been a long day, and I thank you for your patience.

**STATEMENT OF DON AMADOR, RECREATIONIST, BLUE  
RIBBON COALITION**

Mr. AMADOR. Thank you. Thank you, Madam Chairman, and before I start my testimony, I did want to comment on Representative Oberstar's comments today about where—if multiple-use recreation groups were consulted, and it was his opinion that they were not, and our organization was not consulted on this policy, either.

As a native of California who has, quite literally, grown up in the forest of the Pacific Northwest—

Mrs. CHENOWETH. Mr. Amador—

Mr. AMADOR. Yes?

Mrs. CHENOWETH. [continuing] for the record, would you state what—

Mr. AMADOR. Oh, yes, my name is Don Amador, California-Nevada representative for the Blue Ribbon Coalition.

Mrs. CHENOWETH. All right, thank you.

Mr. AMADOR. OK. As a native of California who has, quite literally, grown up in the forest of the Pacific Northwest, where my wife, two teenage boys, and I enjoy exploring using forest roads, our timber lands, where we have learned much about such natural treasures as wild trillium, salmon berries, blacktail deer, thrushes, et cetera, I must say that as an outdoor recreationist my family and I are greatly troubled by the administration's roadless area policy.

After carefully studying this policy, the Coalition has concluded that this proposal is nothing but a de facto wilderness grab designed to thwart the will of Congress, as outlined in the National Forest Management Act. Never before in my many years of working with the Forest Service, either in my capacity with the Coalition or as chairman of the Off-Highway Motor Vehicle Recreation Commission at the California Department of Parks and Recreation, have I ever witnessed a more anti-access or anti-recreation policy.

What the Forest Service fails to recognize is that the road obliteration process is as, if not more, intrusive than the actual road building. As a heavy equipment operator and former operating engineer, I find no environmental documentation on how the Forest Service expects to mitigate the disastrous environmental impact of increased sedimentation caused by this program. And if any of you would like to see an example of that, you come out to California; I'll take you to Jacoby Creek on the Six Rivers and show you the impact that a road rehab program has on the environment.

If this program is implemented on a national level, the consequences to fish habitat will be incalculable. As road engineers will tell you, the most serious environmental impacts to habitat occurs within the first 4 to 6 years post-construction. By proposing a national road rehabilitation program, the Forest Service will be actually causing far more environmental damage than if the old road and trail systems were left as is and maintained with volunteer partnerships between recreation organizations and the agency.

The Forest Service fails to recognize that the unimproved road system is the product and the reason why many families travel to the forests. Without a large and viable unimproved road system that provides public access for fishermen, hunters, mountain bikers, sightseers, disabled Americans, senior citizens, off-highway

recreationists, equestrians, and rock-hounders, the forest, as a recreation or tourist attraction, ceases to exist.

While that may be an attractive prospect or goal for many of the national green advocacy groups or their law firms, the Forest Service must fulfill its mandate to serve all of the people and not succumb to the desires of an elitist few.

Needless to say, I am skeptical when the Forest Service claims that this policy is not anti-access or anti-recreational. For example, the Forest Service in Region 5, while claiming to be focusing on recreational opportunity for all Americans, has been quietly implementing many of the road-closing aspects of the draft Resources Planning Act of 1995, a plan that is yet to be approved by Congress.

Expressing my current distrust and frustration with the Forest Service's new proposed roadless policy—and I think they have it aptly named, for it is, indeed, a true "roadless" policy—is something I take no pleasure in. However, considering its lack of outreach to the multiple-use community with no apparent language guaranteeing a viable roads-to-trails or roads-to-four-wheel-drive-ways, I hereby state the Blue Ribbon Coalition's opposition to this policy as written, and urge this Committee to direct the Forest Service to follow its multiple-use mandate.

Thank you again for allowing me the privilege to testify today.

[The prepared statement of Mr. Amador may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Amador.

The Chair recognizes Jack Phelps, who is the director of the—the executive director of the Alaska Forestry Association from Ketchikan, Alaska. You have come a long ways.

**STATEMENT OF JACK PHELPS, EXECUTIVE DIRECTOR,  
ALASKA FORESTRY ASSOCIATION**

Mr. PHELPS. Yes, ma'am.

Mrs. CHENOWETH. Mr. Phelps?

Mr. PHELPS. Thank you, Madam Chair and members of the Subcommittee. For the record, my name is Jack Phelps, executive director of the Alaska Forest Association, and I do thank you for the opportunity to provide testimony before your Subcommittee today.

The association represents or consists of 100 member companies who are directly involved in the Alaska forest products industry and account for more than 1,400 direct year-round equivalent employees. As an aside, I'd mention that a mere 6 years ago that job force was around 4,600, and that loss is directly attributable to the Forest Service failure and refusal to put timber on the street.

As you know, we have the largest national forest in the country, the Tongass. We also have the second largest national forest in the country, which is the Chugach, and I'll talk more about those in a moment.

The AFA also represents an additional 200 associate member companies who provide goods and services to Alaska's timber industry. The livelihoods of AFA's members, their workers, their families, and the timber-dependent communities in which they live depend upon the availability of timber from the Tongass and Chu-

gach National Forests and are directly affected by Forest Service decisions pertaining to those forests.

I'm also here today on behalf of the forest products industry nationwide. The actions that Chief Dombeck and the Forest Service are taking, or proposing to take, regarding roadless areas in the national forests are in violation of the Federal laws and regulations which govern the responsibility of the agency and its management of those forests. The unilateral moratorium imposed by the Forest Service on the majority of our national forests will suspend road construction on millions of acres of roadless areas and significantly affect pending and future access to those for future use. In fact, it will delay, as you've heard today, offerings of badly needed timber, both in my region and in others.

I have in my written testimony provided detailed specifications of the violations of law and regulation. I won't belabor those today, but I would like to move directly to some comments on how these proposed policies will affect our region.

Although the Tongass National Forest in Alaska is allegedly exempted from the nationwide moratorium, we are extremely concerned about a backdoor imposition of this moratorium on the Tongass. The agency proposes to deal with the Tongass roadless areas when appropriate, they say, during its review of appeals filed in the recently revised Tongass Land Management Plan. We are concerned that the Forest Service will impose the moratorium by characterizing a change in the land management plan as ameliorating or addressing appeal points raised by environmental groups. And I would hasten to point out that in these appeals the environmental groups have identified a myriad so-called roadless areas not in the Tongass at large, but in the mere 676,000 acres of the 17-million acre Tongass that are still available for timber harvest. So this is a direct attack on the minutial amount of land that's still available for the one of the many multiple uses that actually produces revenue for the Forest Service, and I think it would behoove this Subcommittee to look very, very carefully into that issue, not only in the Tongass, but in other areas as well. As was pointed out this morning by Congressman Taylor, this is not an attack on anything but the land base that is still available for harvest, which in our case is very, very small relative to the overall size of the forest.

In the plan appeal process, the Forest Service should be reminded that it can only move to correct legal errors which occurred during the forest planning process. It cannot make new policy as part of an alleged plan amendment under the appeal.

I believe that if there are plan amendments—and this, again, could affect any and all of the forests across the country—if there are plan amendments which significantly affect the forest plan, they have to be done through the proper amendment process which is set forth in the National Forest Management Act, including public input and including amendments to the environmental impact statements.

Now moving to the Chugach, which is the second largest national forest, similar concerns arise. In the case of the Chugach, the Forest Service has just begun the process of revising the Chugach Land Management Plan. The scoping process period ended on December 31, 1997, and a draft revised plan and its accompanying

draft environmental impact statement are expected during the period of this moratorium. It appears to us that the Forest Service may be unilaterally foreclosing, by implementation of the moratorium, the multiple-use options which would otherwise be available for consideration during the public planning process, and that is absolutely unacceptable under our democratic system and under the NFMA. The problem is especially acute on the Chugach, where more than 98 percent of that forest is inventoried roadless.

In addition to the above, as you, yourself, mentioned this morning, ANILCA, the Alaska National Interest Lands Conservation Act, prohibits the establishment of new areas of wilderness or even the study of forest lands for such purposes in Alaska. I've provided for you a briefing paper which details that.

In conclusion, Madam Chairman, the proposed rulemaking on roadless areas, both in its interim form via moratorium and in its more permanent form, runs contrary to all the laws by which public lands, particularly the national forest system lands, are to be managed. Because of the paucity of roads in our State, Alaska will be disproportionately harmed by this administrative policy. The rest of the country will be adversely and unjustly punished as well. It not only hurts the industries that work in the forests, but every American who wants to be able to drive into the national forests which belong to all of us.

Congress must do all in its power to stop implementation of this unacceptable policy and to insist that the Clinton Administration follow the law when it proposes to make changes in the management of national forest system lands.

That concludes my formal comments, and I'd be more than happy to answer your questions.

[The prepared statement of Mr. Phelps may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Phelps. I know that you had to leave at 4 o'clock.

Mr. PHELPS. I have a plane pushing me pretty hard.

Mrs. CHENOWETH. Yes. And if you can stay for questions, I'd appreciate it.

Mr. PHELPS. I could do that.

Mrs. CHENOWETH. All right. The Chair yields to Mr. Hill for his questions.

Mr. HILL. Thank you, Madam Chairman.

Larry, I just have a few questions for you, and, incidentally, again, I want to thank you for coming and appearing and providing your testimony. And I want to thank you, Madam Chairman, for having this hearing.

Could you give us some sense of what the impacts have been on the citizens of Lincoln County as a result of the Forest Service, the current Forest Service practices?

Mr. DOLEZAL. Well, I think the first thing is the roads were built and maintained with timber revenues, and with reduced harvest, we now have less revenues to maintain the roads. A lot of people don't realize that these roads are accessing a major drainage, say, and they'll have cutting units scattered along, and then in rotation they'll treat other areas. So they have like a 5- or a 10-year or a 15-year plan to treat an area, and the only reason they're not able

to generate the revenue to maintain the road is they're not actively managing that area for a length of time.

The impacts to our citizens as a result of current Forest Service management basically are three main areas: jobs, employment, access, and revenues to support local county roads and schools. When you're only treating less than 40 percent of the land base, as many other people have stated that have testified, on the Kootenia over 60 percent of the land base is already being managed for other uses. So the only productive timber base is already reduced to under 40 percent. So our harvest level is about one-fourth of the annual growth. So people need to ask the question, what's happening to that other 75 percent that's growing every year? When you're not treating it, it's building up in fuel loads. So probably one of the major impacts it has on the local people is the threat and the danger of fire.

Three-fourths of our people live in rural areas. They don't live in the municipal city limits. So those people are out there interspersed in the wildland interface with their residences. So when there's a threat of wildfire, it has a real impact potentially on people that live in those rural areas.

The other things, the jobs, we have been impacted by a loss of about, oh, a thousand-plus basic industry jobs. Our basic economy is 90-plus percent built upon the natural resources, and so when you see that kind of a loss and we're still 90-percent-plus basic industry, wood products, and Forest Service, Federal civilian, if we see those basic industries cut back even further, it's going to have dire impacts.

The access is probably the thing that makes people's blood boil the most, because when you're only able to access a fraction of the forest, your huckleberry pickers, your firewood gatherers, your fishermen and hunters, hikers, et cetera, their ability now to access to trailheads, they've got to walk several miles up gated roads, and there's no flexibility to keep those roads open seasonally, so you can get your firewood. I don't know how many people would consider packing firewood out on your back.

[Laughter.]

Mr. DOLEZAL. Then, of course, the last one is revenues. When you're not harvesting at even approaching a sustainable level, your revenues are in decline. Ours are 50 percent of what they were just 4 years ago for forest receipts. So when your revenues are in decline, you have to look for other sources to finance your schools and your roads; we're just up against it from all those angles.

Mr. HILL. What's the unemployment rate in Lincoln County?

Mr. DOLEZAL. Double digits.

Mr. HILL. The 15 percent area, something like that?

Mr. DOLEZAL. Sixteen. In fact, our unemployment's been as high as 20 to 25 percent.

Mr. HILL. When's the last time that that area was really threatened by wildfire? Was that in the 1988 season?

Mr. DOLEZAL. Actually, 1994 is when we had our last big fire season, and they predict, with El Niño, that we could see the very same thing occur this year.

Mr. HILL. And the fuel loads are getting worse all the time, because we have more mortality in the forest than we're harvesting, too, right?

Mr. DOLEZAL. That's correct.

Mr. HILL. You've worked with the Interior Columbia Basin Ecosystem Management Project. And I know that you've taken a lot of criticism for hanging in there with this project, because you really want to bring an end to this management by conflict.

I would just ask you, how do you react to this moratorium, in light of the work that you've done and your experience working on that project?

Mr. DOLEZAL. Well, to be as brief as possible, our 4 years of collaboration are basically totally undermined by this moratorium, or this proposed moratorium, and I could expand on our concerns. They're expanded on more in detail in my written testimony that I have submitted.

The Basin, if it doesn't receive some flexibility or exemption, the Coalition of Counties will not only withdraw from our collaborative effort on this Columbia River Basin Project, but I would expect that we will as a group join forces in actively lobbying our Governors and our State legislatures and also our congressional delegation to oppose ICBEMP from going to FEIS, from going to ROD, and from receiving any further funding. It's that dire.

Mr. HILL. Can I ask one more question? How many—do you know how many miles of roads there are in the Kootenai Forest?

Mr. DOLEZAL. I don't know how many Forest Service—

Mr. HILL. Yes, I meant Forest Service roads. You don't know? Could you—do you know what percentage of it is currently restricted?

Mr. DOLEZAL. Forestwide, 60 percent of the forest system roads are closed, and in my home district, where we are dealing with grizzly bear recovery, 75 percent of our forest system roads are closed. That has a lot of people up in arms.

In fact, just recently, we had meetings in Troy, Libby, and Eureka. We had about 100 people attend each of those meetings, in excess of three-and-a-half hours of testimony and interaction with the Forest Service, Fish and Wildlife Service, State Fish and Wildlife and Parks. So we had a total of over 10 hours of testimony just in our county alone over the possibility of increased restrictions on access management for grizzly bear. And people are very upset and just basically said in no uncertain terms that they will not accept any more restrictions to public land access.

Mr. HILL. Thank you. Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you very much, Mr. Hill.

Mr. Phelps, your comments about the legalities of this process are exceedingly interesting to me. Is there anything that you would like to add to your testimony with regard to the legality of the process?

Mr. PHELPS. Only that the National Forest Management Act is very clear that if major changes are going to be made in a forest plan, it's essential that the process of making those significant amendments follow the same process as was used in drafting the plan in the first place. That includes an environmental impact statement. Under NEPA, it requires an analysis of the socio-eco-

conomic effects of such change. It requires a significant period of public comment and a significant review of those public comments and incorporation of them. It includes a requirement that the agency work with the elected officials of the local community. In that, all of those, we saw given short shrift in the Tongass Land Management Plan revision as it was, and to see, then, after going through that very painful process in which our available harvest base in the Tongass was reduced by 60 percent, to have them come along and unilaterally withdraw a significant—impose a significant additional withdrawal of those lands is not only appalling, but, in our opinion, grossly illegal.

Interestingly, not only do these actions violate the law itself, they violate the regulations which have been promulgated by this very agency based upon those laws. And, again, the details of that and the specific citations are included in my written testimony.

Mrs. CHENOWETH. Do you think that the Forest Service is vulnerable to a successful lawsuit restraining them from this action?

Mr. PHELPS. I think they very much are. The problem is we've spent so much money in litigation over the last 10 years, trying to defend our industry, our pockets are getting pretty empty. Unfortunately, every time they do try to put timber on the street, these public interest lawsuits that are funded by the taxpayers are brought to bear and stop those harvests. We end up trying to intervene on behalf of the Forest Service because we can show harm, and the Forest Service can't. So it's a never-ending drain on the pockets of the very people who are trying to produce revenue for the country and jobs for the people.

I think they are vulnerable, Madam Chairman, but the ability to bring such a lawsuit has a pretty high price tag on it.

Mrs. CHENOWETH. It's a shame that we've gotten to the point where we're so drained we can't even defend our rights.

I know that you have to leave, Mr. Phelps. I do have other questions for you. If you don't mind, I'd like to submit them in writing.

Mr. PHELPS. Absolutely. We'd be happy to respond to them in writing.

If I could be permitted one other comment—

Mrs. CHENOWETH. Yes.

Mr. PHELPS. There was some talk today about helicopter logging as an alternative. I would point out that helicopter logging is exceptionally expensive—exceptionally expensive relative to more, you know, more traditional, mechanized approaches—cable or ground-skidding. But what's especially important about that is that the cost of harvesting, as well as the cost of sale administration on the part of the Forest Service, has risen astronomically, and it's to the place now where, when they talk about sales going without bids, it's because basically they've designed these sales in such ways that a person can't make any money buying, and you lose money if you buy them—and to throw a significant amount of that into the much more expensive, exceptionally much more expensive helicopter system, it would just be another way of ending the harvest altogether, plus it's inherently more dangerous as well.

Mrs. CHENOWETH. Thank you, Mr. Phelps. I very much appreciate your coming all the way from Alaska and—

Mr. PHELPS. Well, we appreciate the opportunity to have a voice in these things.

Mrs. CHENOWETH. Thank you.

Mr. PHELPS. Thank you.

Mrs. CHENOWETH. Mr. Hill, you wanted another round?

Mr. HILL. Thank you very much, Madam Chairman.

Larry, I just have a couple more questions for you. You've spent, as we mentioned earlier, a lot of work on the Interior Columbia Basin Ecosystem Management Project. That study looked in considerable detail at the fire threat really to the whole Intermountain Northwest Region. And you've spent a lot of time, I know, with that. Could you just describe for us what the impacts on the environmental, the soils, and watershed would be from these catastrophic fires?

Mr. DOLEZAL. Well, if you go to an area that has been burned intensively with intense heat, many times the soils are destroyed right down to the bare mineral element, and it creates a situation where the potential for invasion of noxious weeds or exotic plant disease is greatly enhanced. In fact, some of the areas that we have our greatest weed problems now are where there were fires.

In the 1994 fires, if we would have had more wind, we would have had much more catastrophic events. As it turned out, there were many rural areas that were cautioned that they may have to be removed from their homes, and we were very fortunate that the winds didn't come up. So those people were able to stay in their homes.

Mr. HILL. Kind of changing the subject here, have you had a chance to look at the administration's new initiative on decoupling the forest payments from the forest revenues, and what do you think about that as a local government representative?

Mr. DOLEZAL. I have had really very little exposure to that. One thing that's interesting, it appears to be an effort to remove counties from the debate. We think the most equitable way to formulate this, if it is pursued, would be to average over the last, say, five to 7 years, rather than pick going back to, say, last year or this year, because we've experienced ourselves a 5-year decline. So it's kind of an insult when they suggest, well, we'll go back to this last year's allocation. It seems like it would be much more fair to local governments, to schools and counties, if they would use an average that would at least capture some of those years when we had more favorable revenues.

But counties would still be very involved in the debate about roads and revenues because the biggest picture, the biggest issues that we face are employment, the viability of our communities, and access to public lands. We still have to serve our people and represent them at the table to fight for public access and to fight for viable communities, viable economy.

Mr. HILL. What percentage of the people who live in Lincoln County use the public lands for camping or berry picking or hunting or fishing, or do you have any indication of that? I know you did some surveying on that.

Mr. DOLEZAL. Actually, it was a recent survey, completed in fact just a year ago by a sociology assistant professor named Rebecca Templen-Richards out of the University of Montana Sociology De-

partment. The results of that survey indicated that between 60 and 84 percent of the households surveyed—and they almost a 90 percent response rate—used public lands for such things as picking huckleberries, fishing, hunting, and gathering firewood.

Mr. HILL. So it's a way of life? I mean—

Mr. DOLEZAL. Oh, very.

Mr. HILL. Use of these public lands is a way of life for people in Lincoln County?

Mr. DOLEZAL. Very much so, and I would invite—I wish some of the other Members were here, because I would like to invite them to Montana and see how they like hiking three or four miles up a gated road to go pick huckleberries when they used to be able to drive to the huckleberry patch.

Mr. HILL. I guess, in essence, we've added insult to injury. We've taken away people's jobs. We've eroded the community and the ability of the community to sustain itself, and then we've taken away the people's recreation.

Mr. DOLEZAL. And there's one other point on this recreation emphasis that doesn't seem to be addressed, and that is, if we're going to shut down timber and wood products, then what's going to replace the revenues to support our counties and our schools? The county road systems are what tie the forest system roads to the primary and secondary highway system. Without that vital link that the county maintains, people wouldn't have access to the forest system roads and access to the public lands.

But, beyond that, what would our permit cost be and what would the fees be to replace the millions of dollars that go to counties for roads and schools generated from timber receipts? If we had to go totally to recreation fees to support our counties and our schools, how much would it cost us to get to that trailhead to go hiking? How much would we have to pay to fish or to hunt? How much would I have to pay for a huckleberry permit? Or for a firewood permit? A thousand dollars? I mean, we're talking some hard money here if we're going to replace forest receipts for our public infrastructure.

Mr. HILL. So instead of contributing to the income of the community, it would drain money from the community?

Mr. DOLEZAL. Right. And one other aspect, most of the recreation traffic on our forests is from people that live there and work there. Apart from hunting season, which is 5 weeks, and seasonal fishing, those are the only activities that are guided and outfitted primarily in our area, though the greatest share of that recreational traffic are people that live and work there. Well, when over 90 percent of your basic economy is built on wood products, if you take wood products out of there, you're not going to have anybody out there because they're not going to be there.

Mr. HILL. Thank you very much. Thanks for being here, Larry. We really appreciate it.

Thank you, Madam Chairman, for the hearing.

Mrs. CHENOWETH. Mr. Dolezal, that was outstanding testimony, and I thank you very much.

Mr. DOLEZAL. Thank you for having me.

Mrs. CHENOWETH. And you are excused now, and we'll call the next panel: Bob Powers, legislative advocate, United Brotherhood

of Carpenters and Joiners of America—for the second time, we call you up, Bob. Jerry Hamilton, silviculturist, retired, Forest Service, Salmon, Idaho; Craig Gerhrke, regional director of the Wilderness Society in Idaho; Brent Atkin, president, Public Lands Council, St. George, Utah, and Tim Coleman, executive director, Kettle Range Conservation Group in Republic, Washington.

Thank you. I wonder if the members would stand and take the oath.

[Witnesses sworn.]

Mrs. CHENOWETH. I'm going to open the testimony up by hearing from Craig Gerhrke. I want to just say a word about Mr. Gerhrke, because I am his Congresswoman; he may not always want to admit that, but I am.

Mr. Gerhrke does outstanding work in Idaho and is one of the most sought-after and highly regarded individuals in outcomes and impacts of management decisions on our public lands. While Mr. Gerhrke and I don't always see eye to eye, I'm very pleased that you could join us today and bring your testimony as a part of the record. Thank you very much for being here, Craig, and I'm so sorry that you've had to wait all day, but we look forward to hearing from you now.

**STATEMENT OF CRAIG GERHRKE, REGIONAL DIRECTOR, THE WILDERNESS SOCIETY**

Mr. GERHRKE. Well, thank you, Congressman Chenoweth. I appreciate that.

I'd like to thank you and the Committee for inviting the Wilderness Society to testify today on the Forest Service's initiative to develop a transportation policy. My name is Craig Gerhrke. I'm the regional director for the Wilderness Society in the Idaho office.

The Wilderness Society welcomes the Forest Service attention to the wilderness area issue and also to its need to address its existing road network. We're supportive of their initiative, but we do believe it has significant deficiencies. We regret the exemption of the national forest in Alaska and on the Pacific Coast and in place like on the Targhee, which already have their land management plan in place.

We hope that during the comment period the Forest Service will consider strengthening the proposal because one goal we think that badly needs to be addressed is the legitimate protection of the roadless areas. We think that putting a moratorium on road construction is a good first step, but from our standpoint, we would work to see that roadless areas are maintained and are protected in the indefinite future.

For example, I think we're looking at probably the Deadwood roadless area timber sale going forward with about 20 million board feet harvesting by helicopter. If we had our druthers on it, we'd like to see the Deadwood area and all other ones protected from further timber harvesting. So that will be something we certainly will be urging during the comment period.

I'm going to focus most of my testimony that I talk about today on the State of Idaho, on the issues I'm familiar with out there. As you know, Idaho is a very unique place. Outside of Alaska, we have more wild and protected forestland than any other State in the Na-

tion. We have, in addition to the 4 million acres of designated wilderness, there are more than 8 million acres of national forest roadless lands that qualify for wilderness protection, and some of the very cleanest waters in our State come from those areas, and some of actually the Nation's rarest wildlife and fish species, like the caribou, chinook salmon, grizzly bears, owe their continued existence in the lower 48 in part to Idaho's roadless lands.

These roadless lands, as you know, they're roadless for a reason. The more accessible country has long been accessed for timber harvesting, and the steepness, the ruggedness of this area has up until now made them basically what you call second-best—harder to get to, more expensive to get to. But even having said that for the last decade, the Wilderness Society looked at the wilderness area inventory in Idaho and found that we've lost about a million acres since the mid-1980's when the forest plans were developed and put into place. At that point we had about 9 million acres of wilderness land. Since then, we've lost, like I said, about a million acres of land, of roadless land, to roading and log-building efforts, and that amounts to about 11 acres per hour every day.

The lands of those national forests have a network of forestry roads of about 30,000 miles in Idaho, six times the length of the State's State highway system. And last year, the Idaho Panhandle Forest said they only had enough money to perform about 25 percent of its road maintenance needs. So I think a step back is very important at this step, to look at, what are we going to do with these roads that are in place, and how are we going to look at the wilderness lands, and how do they come into play?

We believe very strongly that maintaining the roadless areas in their current undeveloped condition has many environmental advantages. There's been a lot of talk today about the Interior Columbia Environmental Ecosystem Management Project. I think it hasn't been mentioned, though, that that report has found that, by and large, the wilderness parts of the forest are in much better ecologic condition than the parts that have been managed for other uses. We have found that some of Idaho's best Chinook salmon habitat, steelhead, bull trout, and the cutthroat trout habitat remain in what are called these aquatic strongholds, the high forests and watersheds that have not been developed, and that those strongholds are going to be key, if we're going to recover the species beyond those strongholds back into areas where they once existed.

One of the basic tenets I think of conservation biology is to identify the best of what you've got, protect that, and then go out and rehabilitate and restore what has been damaged from past activities. So we're going to be very strongly urging that those aquatic strongholds, those best habitat areas are left alone, and that the primary function of ICBEMP should be, how do we restore our forests where we have managed and we've impacted the land to the point where we have declining fish species all across the Columbia Basin?

I mentioned that the wilderness inventory that the Wilderness Society performed last year, we compared that wilderness inventory to the information on ecologic integrity coming from ICBEMP, the Interior Columbia Project, and found that the designated wil-

derness areas are in the best ecologic condition of much of the land in the entire Basin. More than 90 percent of our wilderness have a high ecologic integrity, and one-half of the roadless areas have a high ecologic integrity.

It really became clear 2 years ago, when we had the mudslides on the Clearwater National Forest, what happens when you put roads into places where they maybe should not have been put. We had over 1,000 landslides that winter, when we had a rain-on-snow event after the land had been supersaturated from extensively rainfall in November.

An independent survey of landslides in the upper Lochsa found a correlation of about 95 percent of those slides were associated to the logging roads and harvest units, and the Forest Service themselves found on the Powell district that 93 percent of all those slides were associated with roads and timber harvests.

Now the forestwide assessment on the Clearwater found that about 70 percent of the landslides were associated with some activity like—

Mrs. CHENOWETH. Seventy?

Mr. GERHRKE. Seventy percent.

Mrs. CHENOWETH. Seventeen?

Mr. GERHRKE. Seventy, 7-0, were associated with roads and timber harvests. I suspect that that might be an underestimate because much of that survey was done from aerial photography, and I think that if they had went on the ground in more of the forest, they would have found that that percentage was probably higher.

If you look at a map of those landslides on the Clearwater, you'll find that there was a denser concentration in places like the upper Lochsa, Orogrande Creek, Pete King Creek, and the Moose Creek/Deception Basin. These are places that have been some of the most heavily roaded and logged forests on the Clearwater. In contrast, there were relatively few landslides in the roadless lands extending from Kelly Creek over to Fish and Hungery Creeks and on the south side of the Lochsa River.

I think I'm running out of my 5 minutes, so I guess, just in conclusion, I would say that this timeout I think makes a sense from our standpoint. I believe that, frankly, one of the best things the Forest Service could do would be to look at their roadless lands and ask, why are these lands in such good ecologic condition, and then take those lessons and apply them to the managed forest base. I think there's a continued real problem with maintaining the roads that they have now, and we certainly supported the Forest Service's efforts to rehabilitate and obliterate roads that they don't need any more, because contrary to what's been said, people are right that there's a big pulse of settlement where roads are constructed, but if the maintenance needs aren't met, those roads will start to fall apart, and you'll get the further water quality impacts where you'll have culverts wash out or you can't just walk away from them after they're built; you have to maintain them, and that's going to be a big drain, I think, on the funds the Forest Service has, if it has to go to maintaining the extensive network they have in place right now.

Thank you.

[The prepared statement of Mr. Gerhrke may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Gerhrke, and the Chair now recognizes Brent Atkin, president of the Public Lands Council. Mr. Atkin?

**STATEMENT OF BRENT ATKIN, PRESIDENT, PUBLIC LANDS  
COUNCIL, ST. GEORGE, UTAH**

Mr. ATKIN. Thank you, Madam Chairman, for the opportunity to testify today. I am Brent Atkin from St. George, Utah, presently serving as president of the Public Lands Council.

The U.S. Forest Service's January 28th proposal to suspend road construction activities in all roadless and other special areas while it spends 18 months analyzing and revising the national forest system transportation regulations looks to me like a thinly veiled attempt to essentially create de facto wilderness areas outside of the process that Congress has established.

By law, roadless area decisions are dealt with in the forest planning process and wilderness area designations have been clearly spelled-out by Congress. Many States have reached agreements and established wilderness areas under the existing framework. There will be no incentives for local people to try to work through the existing processes to deal with local roadless area issues when this one-size-fits-all policy from Washington becomes effective.

Unfortunately, this proposal seems to be the latest example of this administration's lack of interest in adhering to the statutory boundaries established by Congress. In my 2 years of service as president of the Public Lands Council, I have witnessed this administrative overreach several times.

The Interior Department's 1994 rangeland reform regulations, several parts of which were enjoined by the Federal district court as a result of a lawsuit by the PLC; the uproar caused by the President's creation of the Grand Staircase Escalante National Monument, and now this road building proposal.

As a rancher who utilizes forage from Federal lands as part of my family's ranching operation, I find it difficult to understand how a top-down approach to Forest Service road building is going to benefit either the resources or the local people whose jobs depend on industries that use resources from Forest Service lands. What I do see happening for sure is that this action is going to generate more questions than answers, which in turn will continue to add to the economic instability that we already have enough of.

Until the Forest Service completes its review on issues, new regulations about roads, I guess all we can do is speculate about how this will affect grazing, timber, mining, and recreation on Forest Service lands. I wonder how ranchers with Forest Service grazing permits in these designated roadless areas are going to explain this proposal to their bankers?

I can understand the desire of the Forest Service to ensure that its process for building and maintaining roads is based on the best science, to ensure that road building is done in the least-damaging way, but their proposal seems to be putting the cart before the horse. If the Forest Service intends on evaluating all its lands to determine which lands should even have roads, it is turning the

whole notion of multiple use on its head. Many multiple-use activities, such as timber, grazing, recreation, hunting, and camping, are just going to require a certain amount of roads in order to facilitate the activity—a very common-sense conclusion. However, if roads are deemed to be inappropriate in a given area, then many multiple-use activities will just not be able to take place. This is not the process that Congress has established for the Forest Service to make multiple-use decisions. The decision to build or not build roads should be based on the multiple-use needs of the specific location.

As it currently exists, this road building moratorium seems likely to have several negative impacts. Roadless areas with unnaturally high fuel loads will continue to be highly susceptible to fires; watershed restoration activities requiring access will not be able to occur; local economies dependent on access to forest resources will suffer more job losses, and it will undermine the ability of local foresters and communities to properly manage forest based on local conditions.

The Forest Service should withdraw its interim rule that places a moratorium on road building. It is not a necessary prerequisite for the Forest Service to be able to revise its road building regulations and seems clearly designed to circumvent not only the multiple-use decisionmaking process, but also the wilderness area designation process established by Congress. If it does not withdraw the interim rule, at a minimum the Forest Service should eliminate the special areas category. This special areas authority would essentially allow Regional Foresters to prevent road building on every acre, not just roadless, of the national forest system that has unique ecological characteristics or social values, which would result in yet more acres being offlimits to multiple-use activities.

Thank you, Madam Chairman, for the opportunity to testify today.

[The prepared statement of Mr. Atkin may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Atkin. I appreciate your being here.

Mr. ATKIN. My pleasure.

Mrs. CHENOWETH. You certainly have your hands full with the PLC.

Mr. ATKIN. Thank you.

Mrs. CHENOWETH. Bob Powers?

**STATEMENT OF BOB POWERS, LEGISLATIVE ADVOCATE,  
UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF  
AMERICA**

Mr. POWERS. Thank you, Madam Chairman. On behalf of the 500,000 members of the United Brotherhood of Carpenters and Joiners of America, all of whom are impacted by restrictions on access to Federal lands, we are pleased to address this Subcommittee to express our opposition to the proposed new policy on roadless areas recently unveiled by the Clinton Administration.

The Subcommittee may be interested to know that representatives of the Carpenters' Union met with Forest Service Chief Michael Dombeck earlier this month to voice our concerns over the

moratorium. My remarks before the Subcommittee today reflect many of the same topics raised at that meeting.

Union forest product workers are concerned about protecting our environment and our public lands. Our members have long supported responsible forest management practices and sustainable forestry. Through the years, we have worked closely with our employees to push for advancements in forestry and forest practices that reflect the best science and a heightened concern for forest ecosystems. That is why we often support efforts to help the Forest Service better respond to forest health issues.

Although a close examination of current policies governing roadless areas may be necessary to address environmental concerns, we are concerned that through the moratorium the Forest Service is circumventing thorough public debate and input from scientists and stakeholders. With so much at risk, an open public process is the only appropriate course of action before any new roadless area policy or revised approach to forest roads construction is implemented. Our union is eager to participate in such a process.

Year after year the now-familiar political blood-letting over forest roads policies causes extreme uncertainty for forest workers, sawmill owners, and timber-dependent communities. Instead of short-term, politically motivated policies such as the moratorium, the administration should work with Congress to develop a comprehensive, long-term plan for forest roads construction that is based on the best available science and addresses the environmental and forest health concerns surrounding roadless areas.

Incredibly, notably absent from the proposed rule is any reference to a scientific rationale behind a moratorium. It seems as though the intent of the policy is to set aside roadless areas permanently as wildlife habitat or wilderness recreation areas under the guise of addressing environmental concerns.

Even the Forest Service admits that the moratorium would conflict with environmental responsibility by preventing the implementation of ecosystem maintenance and enhancement activities. Indeed, the moratorium will unduly add to the Forest Service's huge backlog of such activities. As a result, wildfire fuel loads will be allowed to accumulate in the critical habitat areas that the moratorium aims to protect.

According to the International Association of Firefighters, lack of active forest management activities has resulted in hotter and more intense forest fires, placing the lives of forest firefighters at risk and devastating millions of acres of wildlife habitat. In 1994, for example, the cost of fighting the record number of wildfires approached a billion dollars. With recent El Niño rainstorms soaking the West, it is likely that wildfire fuel, such as thick low growth and grasses, will buildup, providing the ingredients for yet another year of record-breaking wildfires. Without well-maintained forest roads providing firefighters with safe access to remote areas, the cost of fighting fires could far exceed a billion and include extensive wildlife habitat and property damage. Ultimately, poorly maintained roads threaten the lives of firefighters.

The Forest Service recently acknowledged that there are thousands of miles of ghosts or nonsystem forest roads in roaded and

roadless areas of the national forest causing extensive environmental damage. If ghost roads in roadless areas lie in disrepair during the moratorium, 18 months of environmental damage could occur due to runoff and siltation of rivers. Given the opportunity, our workers could assist the Forest Service in addressing the backlog of forest management activities as well as other environmental concerns.

Most troubling perhaps is that the proposed rule goes beyond just applying a moratorium on roadless areas. The special areas loophole effectively leaves the door wide open for Regional Foresters to end all construction of forest roads in roaded areas as well. The broadly defined provision, section 212-13, subsection (a)(4), suspends road construction in, quote, "any national forest system area on which the Regional Forester subsequently determines that road construction or deconstruction should not proceed because of the area's special and unique ecological characteristics or social values." This alarming provision constitutes an unprecedented expansion of roadless areas and spells an even greater danger for the health of our national forests.

As it is, the moratorium would place a minimum of 33 million acres offlimits to forest road construction activities. The economic repercussions of such an unprecedented land grab are enormous and would be tantamount to an economic timebomb for timber-dependent workers, communities, and families.

In 1995 alone, harvesting and processing of timber on national forests supported more than 63,600 jobs, generating some \$2.2 billion in employment income. Additionally, \$257 million, or 25 percent of the gross receipts of the Federal timber sale program, were returned to States and counties to support local schools and other essential public services as payments in lieu of taxes. A moratorium will likely end Federal payments to many timber-dependent communities and at the same time jeopardize the livelihoods of thousands of forest workers nationwide.

Our conservative estimates indicate that at least 12,000 jobs will be lost as a result of the proposed moratorium. The special areas provision could force many more mills to close, resulting in thousands more unemployed workers. Sadly, our members have already felt the ill effects of land base restrictions in national forests throughout the Pacific Northwest and now northern California, where more than 20,000 men and women, thousands of whom are our members, have been tossed to the unemployment line as more than 200 mills have closed in the last 7 years due to restrictions on timber harvesting.

The Carpenters' Union supports the Subcommittee's efforts to scrutinize the proposed moratorium. The moratorium is economically unsound and environmentally risky. The administration should withdraw this proposal and, instead, work with Congress in taking a broad look at land use policies, with the goal of developing a long-term, balanced approach to land use.

For too long, the livelihoods of timber-dependent workers and communities have been held hostage by inconsistent Forest Service policies, unbalanced judicial decisions, and frivolous timber sale appeals. We urge Congress and the administration to set aside the partisan battles and develop a balanced approach to land manage-

ment aimed at preserving ecosystems while minimizing job loss and economic disruption. We suggest that a new Federal land management policy might include mechanisms to streamline the timber sales appeal process, require the Forest Service to obliterate more road miles than are constructed, allow the Forest Service to contract construction and reconstruction of forest roads, replace the purchaser road credit program with a system of environmental credits, where timber is traded for environmental restoration, and critically, provide a safety net for displaced workers and communities impacted by legal or administrative restrictions on access to Federal lands.

Instead of pursuing an unwise, harmful moratorium, the administration should address the many concerns surrounding land management the right way, through an open public process that aims to develop a balanced, long-term policy. We are eager to provide assistance toward developing such a policy and to provide the insight of timber-dependent workers into these important issues.

Thank you.

[The prepared statement of Mr. Powers may be found at end of hearing.]

Mrs. CHENOWETH. Mr. Powers, thank you very much for your testimony.

Mr. POWERS. Thank you.

Mrs. CHENOWETH. The Chair recognizes Tim Coleman. Mr. Coleman is the executive director of the Kettle Range Conservation Group in Republic, Washington.

**STATEMENT OF TIMOTHY J. COLEMAN, EXECUTIVE  
DIRECTOR, KETTLE RANGE CONSERVATION GROUP**

Mr. COLEMAN. Thank you, Madam Chairman, for an opportunity to speak today. My name is Timothy J. Coleman, and I am director of the Kettle Range Conservation Group in Republic, Washington. That's in northeastern Washington State. Basically, the forest where I live is very similar to north Idaho and western Montana.

My wife and I live in a log home that we built out in the rural area, northeastern Washington, we built out of logs from our place, and I have 120 acres of forestland. So what happens on the Federal forest directly affects the value of my forestland. So I bring that concern to you today as well as my concerns for conservation of the resource.

For the past 16 years, I have worked as a forest conservationist with the national forest, learning relevant law, on-the-ground, site-specific forest conditions, and I base my knowledge on that 16 years of empirical evidence-gathering.

With regard to the Forest Service interim directive on road construction in roadless areas of the national forest, I feel that it is both scientifically and economically justified. However, the policy doesn't go far enough. The policy still allows for logging in these roadless areas, and it doesn't address uninventoried roadless areas, such as the roadless area East Deer Creek, which is the sole source of water for the town of Orient, Washington. There is no other source of water for that town. It gets it off the national forest. There are many communities, rural communities, in the West that are in the same situation.

The interim directive also doesn't apply to the Northwest Forest Plan forests; it doesn't apply to the Tongass, where 38,000 acres of the 14 million inventoried roadless acres will be logged each year, at a huge loss to the taxpayer, impacts to fisheries, recreation, and water quality, costing the taxpayers well beyond the direct economic subsidies from Congress, and we're talking about recreation here. Well, certainly fishing in Alaska and hunting in Alaska is one of the biggest things, and the blacktail deer in Alaska depend on those old forests, and so do the salmon depend on healthy watersheds.

In Washington State, nearly a million acres of uninventoried roadless lands are not part of this moratorium. They were never inventoried during RARE II, including areas such as 16,000-acre Owl Mountain, where it's loaded with old-growth timber. Now I don't know why they didn't inventory that area, but my guess is it's because it's loaded with old-growth timber.

In December, a letter signed by over 100 scientists and university professors from Idaho, Washington, Oregon, throughout the country, sent a letter to the President stating, in our view, a scientifically based policy for roadless areas on public lands, at a minimum, to protect from development all roadless areas larger than a thousand acres and those smaller areas that have special ecological significance because of their contributions to the regional landscapes. The scientists didn't say anything about logging in roadless areas with helicopters being economically justified.

The Interior Columbia Basin Project found that the remaining healthy fish populations in the Basin, an area the size of France, tend to be in the areas with the fewest roads, and they stated that, unequivocally, those undeveloped areas are critically important to sustaining native fishes and water resources. They also stated that those areas have tremendous economic value to society and are in relatively good ecological condition, and therefore, have little need for active restoration. That's from the scientific assessment, page 68, 82, and 108.

The Basin study also found that roadless areas constitute the highest value that public in the Basin have for public lands. The Basin study also found—the Interior Columbia Basin Project also found there is a high risk to watershed capabilities from further road development, and that, in general, the effects of wildfires in those areas are much lower and do not result in chronic sediment delivery hazards exhibited in areas that have already been roaded.

An economic letter from—a letter from 32 economists from across the country, including members of Washington State University, University of Idaho, Idaho State University, and elsewhere in the Northwest, sent a letter to the President saying that pristine forest science provide economic value that is independent of direct use. A growing body of empirical work in this area suggests that such values constitute a large portion of the total economic value of public forest lands. The public highly values these areas. People move into the Columbia Basin primarily because of the quality of life there. They don't move there because people log on the national forests. Some of them, I should say, but not very many.

According to the Basin study 108,000 jobs are associated with recreation in the Basin; 3,105 jobs are associated with logging.

That's quite a difference. That's eastern Oregon and Washington at 3,105 jobs there.

Mrs. CHENOWETH. Excuse me, Mr. Coleman. That comparison was 108,000?

Mr. COLEMAN. A hundred and eight thousand. It's in the draft environmental impact statement.

Mrs. CHENOWETH. Compared to?

Mr. COLEMAN. To 3,105 jobs for eastern Oregon and Washington.

Mrs. CHENOWETH. OK.

Mr. COLEMAN. So I'm comparing larger regions there, but the point was that it's 2.5 percent of the jobs in the Basin are associated with logging; 14.6 are associated with recreation.

According to Forest Service research, by the year 2000, there will be a public demand for roadless recreation in the Northwest that exceeds 8 million acres, and presently—and this is a study by Swanson and Loomis that was done by the Pacific Northwest Research Station in 1996—it found that there currently is an 8-million-acre excess—in other words, a supply over demand of roaded recreation—and that we could save somewhere around \$960 million a year by not building new roads and by closing additional roads.

Now I'm a hunter and a fisher. I've hunted all my life and have fished all my life. And I'll tell you where I find the biggest deer during hunting season, and that is in those roadless areas, because on the fringes they're being hunted like crazy, because the roaded access you can drive down the road with your truck and shoot them out of the window. Even though that's illegal, people do it.

Forest Service data shows clearly that 30 percent of the roads are used by the majority of the public. As owners of private forestlands, my wife and I are economically affected by the management of Federal forests. When the prices went down during the salvage rider, I wanted to sell trees off my land; I couldn't give them away—for the chip market went in the toilet, and it's been there since, and it's like I'm trying to do timber stand improvement on my 120 acres, and the Federal forest management is affecting my property values.

Roadless areas are for the most part unroaded and unlogged because they contain the most marginal forest-growing sites. In the Kettle River Range, where I am from, they're Class 5 sites. I mean, you can't grow trees economically and sustainably in those higher elevation sites. They're also extremely expensive to log, and they're located on unstable soils.

According to the Wilderness Society, in total, the roadless areas in the lower 48 comprise about 16 percent of the suitable timber base, and that's not everything here, as the Forest Service has noted; it's basically 8 percent of this proposal.

It is not prudent from an ecological and economic standpoint to protect roadless areas. It is the morally right thing—or it is not only prudent—excuse me—from an ecological and economic standpoint to protect roadless areas, it is morally the right thing to do. We have absolutely nothing to fear from erring, if error we make, on the side of conservation of roadless areas. This is not irreversible. You know, if we do nothing to roadless areas in the next 50 years, 50 years from now that could all change and they could go in log and we haven't lost anything. This idea that somehow these

areas are going to burn up and go away—it's like, didn't these forests exist before modern forestry practices came into practice? How did they get there in the first place? How did all those critters and those fish get there?

Mrs. CHENOWETH. Mr. Coleman, will you be able to conclude?

Mr. COLEMAN. Yes, I'll conclude. Thank you.

I brought with me a selection of water from my creek which I gathered last spring. This is right out of my creek. Would you want to drink that? I don't think so. That's spring runoff water, and the reason is because the road density in my watershed exceeds about—or ECA is equivalent clear-cut acres—exceeds 25 percent. So at high spring runoff, runoff snow, that's what my water looks like, and that's a major tributary to Kerilou Lake, the Kettle River, and so on. This water costs a dollar. It cost me a buck. Water has—clean water has value. This water costs the American taxpayers hundreds of millions of dollars in endangered species, recovery of fisheries, and purifying polluted water.

So, in closing, Madam Chairman, thank you so much for giving me an opportunity to speak here today. I want to reiterate something that's been touched on several times today, and that is, the forest plans did not have agreement. Many, many people disagreed with the way they were laid out, and there's a tremendous amount of science that's come out since then.

And the other thing that seems to be lost in this whole discussion is that the population of the country is growing. In Washington State, it's projected to double in the next 50 years. Where are these people going to go to recreate? Is everything going to be by permit in the future? I hope not. I hope that the Federal forests remain open and free, just like our spirit used to be.

Thank you very much.

[The prepared statement of Mr. Coleman may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Coleman.

The Chair recognizes Jerry Hamilton. We've had an awful lot of good testimony, and quite by accident, we saved one of the best to last. So, Mr. Hamilton?

**STATEMENT OF JERRY HAMILTON, SILVICULTURIST,  
RETIRED, FOREST SERVICE**

Mr. HAMILTON. Thank you, Madam Chairman. I'm Jerry Hamilton, a retired Region 4 silviculturist, and I now live in Salmon, Idaho. I work for a mineral exploration company.

The Forest Service states that the intent of their proposed moratorium on road construction within roadless areas is to protect their values. Please keep in mind that the Forest Service has been in a continuous cycle of environmental evaluation and land management planning since 1969. Consideration of roadless area values and protective requirements have been part of the Forest Service action since RARE I was initiated over 25 years ago. If the agency hasn't figured out how to do the job in over 25 years, what sort of miracle is going to occur in the next 18 months?

Reducing the revenue-generating capacity of national forests would provide no support for managing the forests—or for State and local governments, let alone the transportation systems pro-

posed. The Roads and Trails Fund allows the collection of 10 percent of the gross receipts from such things as timber sales, recreation, mineral leases, and so on. This is trust fund money to be used for construction and maintenance of roads and trails. This is a source of money that is based on the economic capabilities of managed forests.

Various cooperative efforts, like riparian conservation agreements, county land use plans, and others have been developed over many years of hard work at the local and agency level. These were developed with the best social and environmental science available, and they were developed according to accepted legal process at the time under existing laws, rules, and regulations, and in conjunction with current national forest land management plans.

So what are the real problems then that even the proposed moratorium won't solve and may even make worse? First is the perennial shortfall between the programs the Forest Service is responsible for conducting and the budget available. The moratorium can only result in further reduction of revenue available for road maintenance. Even worse will be the additional economic hardships for rural communities already hard hit by previous access restrictions. A significant credibility gap already exists between Federal land management agencies and local communities surrounded by Federal holdings. This proposal will severely damage the ability of the Forest Service to carry out the mission assigned by Congress. Those of us that live in rural communities will no longer be partners in shaping our futures. The partnerships and collaborative process developed in the past will be dissolved or be severely damaged.

Second, the proposed policy language is open-ended regarding statutory rights of access. It doesn't provide any guidance for Forest Service managers, and I ask the Subcommittee to make it crystal clear to the Forest Service that nondiscretionary access not be impaired. The policy would preempt all State and local laws and regulations in conflict with road access. It would reduce school funding. Unemployment rates could rise as much as 33 percent in seven States in the West and some eastern and southern States. The policy would reduce dispersed recreation opportunities and would invalidate existing forest land management plans. It could close public access by up to 47 percent of the land base outside wilderness, and I think that it would create multiple economic losses that would far exceed the \$100 million limit set by the Unfunded Mandates Reform Act.

The policy is intended to improve road construction techniques and decrease road density, but it will channelize increased visitor traffic into areas with existing high road density, where the potential for stream sedimentation is greater and has its most immediate effect on water quality and species habitat. In addition, county road maintenance funds will be reduced and county roads are usually the primary access routes to the national forest system. A policy analysis does not address these effects with regard to the Clean Water Act, and it attempts to bypass the NEPA process for addressing environmental standards.

In his memoirs in 1947, Gifford Pinchot wrote that, "The Service had a clear understanding of where it was going. It was deter-

mined to get there, and it was never afraid to fight for what was right. Every man and woman in the Service believed in it and in its work, and took great pride in belonging to it.”

Something drastically has changed from that observation. Walk into any Forest Service office these days and tell me if you see that same devotion. Morale is down; people in mid-career can't wait to retire. Their hard field work, their budgets, their professional expertise, their genuine desire to do the best professional job usually gets undermined by a last 32-cent appeal or a top-down Washington office notice of intent that becomes arbitrary policy. The service provided to the American public is down, and so is the respective public opinion of Forest Service ability to manage the land.

Thank you, Madam Chairman.

[The prepared statement of Mr. Hamilton may be found at end of hearing.]

Mrs. CHENOWETH. Mr. Hamilton, thank you very much.

I have a question for you. We'd like to see some examples of the effects this moratorium would have on the ground.

Mr. HAMILTON. Madam Chairman, if I may—

Mrs. CHENOWETH. Yes.

Mr. HAMILTON. The best example, of course, that I could come up with is where I live, Salmon National Forest.

Mrs. CHENOWETH. Mr. Hamilton, we're going to need to ask you to hold your mike for the record.

Mr. HAMILTON. OK. This area here is the Frank Church Wilderness. It comprises about 24 percent of the land base, total land base, of the Salmon National Forest, which is 1,770-some-odd million acres. The other colored areas that you see here are all RARE II areas, and the balance here in white within these little inked lines are what's left of the Salmon National Forest from the RARE II, OK. Forty-seven percent other than the Frank Church of the remaining balance of the Salmon Forest is in these old RARE II areas, which are covered in the National Forest Land Management Plan. They are not all roadless, but quite a few of them are. They're managed under multiple-use concepts for different uses, according to that plan. They represent 47 percent. What's left in the little white scattered areas represents about—that is it?—29 percent, and if you tack on the thousand-acre-plus that they want to hold back, and any other area that's not roaded on the Salmon Forest, I think it's illustrated here, we have nothing, nothing left.

The other Federal ownership in Lemhi County is by the BLM. So you add together the BLM and the Forest Service; that's 92 percent Federal ownership in Lemhi County, Idaho.

Mrs. CHENOWETH. Thank you very much, Mr. Hamilton. That's very interesting.

I do have to say the leadership called me into a meeting at 5 p.m., and I've kept them waiting for 7 minutes now, and they don't seem to understand that I think this is far more important than my being in a meeting with them, but that's the way it is around here. And so what I'm going to do is to ask you if it would be all right if I submitted my questions to you in writing. And I do want you to know that this record will remain open for 10 days for you to supplement the record, should you desire to do so. And your answers, of course, to my questions will become part of the record.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. And I also want you to know that this hearing will be printed, and should you wish to receive a copy of the hearing transcript, you're welcome to notify us and let us know, and you will receive a copy.

So I wish everybody could have heard your testimony, and you had to wait for so long, and I very, very much appreciate that. Some of you have come a long ways.

But I will be submitting the questions to you tomorrow and would appreciate your answers back in 10 days. So we can be sure to get them into the permanent record.

So, with that, I want to submit for the record, without objection, a statement from the American Petroleum Institute, the Rocky Mountain Oil and Gas Association, and three other major petroleum industry associations. I will be submitting their record also to be made a part of our record.

[The information referred to may be found at end of hearing.]

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. So, with that, I want to say thank you very, very much for the investment of your time and effort into this very, very important hearing.

Senator Craig will also be holding similar hearings in the Senate, and we can certainly keep you posted on the days that he will be hearing on this issue.

So, with that, I would like to say that this hearing is adjourned. Thank you very much.

[Whereupon, at 5:09 p.m., the Subcommittee adjourned subject to the call of the Chair.]

**HEARING ON H.R. 3297, TO SUSPEND THE  
CONTINUED DEVELOPMENT OF A  
ROADLESS AREA POLICY ON PUBLIC DO-  
MAIN UNITS AND OTHER UNITS OF THE NA-  
TIONAL FOREST SYSTEM PENDING ADE-  
QUATE PUBLIC PARTICIPATION AND DE-  
TERMINATION THAT A ROADLESS AREA  
POLICY WILL NOT ADVERSELY AFFECT  
FOREST HEALTH AND FOLLOW-UP ON THE  
CLINTON-GORE FOREST SERVICE  
ROADLESS AREA MORATORIUM**

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**TUESDAY, MARCH 17, 1998**

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON FOR-  
ESTS AND FOREST HEALTH, COMMITTEE ON RESOURCES,  
*Washington, DC.*

The Subcommittee met, pursuant to notice, at 10 a.m., in room 1334, Longworth House Office Building, Hon. Helen Chenoweth [chairwoman of the Subcommittee] presiding.

**STATEMENT OF HON. HELEN CHENOWETH, A  
REPRESENTATIVE IN CONGRSS FROM THE STATE OF IDAHO**

Mrs. CHENOWETH. The Subcommittee on Forests and Forests Health will come to order.

The Subcommittee is meeting today to hear testimony on H.R. 3297, as well as the Clinton-Gore Administration's Forest Service Roadless Area Moratorium.

A lot has happened since our last hearing on the Clinton-Gore Administration's Forest Service Roadless Area Moratorium on February 24. The first important development is that Congressman John Peterson introduced H.R. 3297 in response to the preponderance of information that public involvement with regards to the moratorium would fall far short of what is required by law under the National Environmental Policy Act.

I applaud Mr. Peterson for introducing this bill which will require that before the Clinton-Gore administration can implement any portion of the roadless moratorium, the Forest Service must conduct proper public hearings in each unit of the national forest system to allow affected citizens the opportunity to express their concerns.

It's clear that the administration did not analyze the environmental, economic, and recreational impacts before proposing this moratorium. The administration still has no idea of the full extent of impacts upon the environment, upon rural employment and recreational opportunities. To propose such a broad, top-down plan without even a cursory review of the impact is alarming. This roadless proposal violates the trust we put in the Forest Service professionalism. It is both bad for the environment and bad for people.

The "open houses" that the Forest Service are conducting are too little too late. They don't provide the public with an adequate forum to provide meaningful input. Instead, they are simply a forum for the administration to put their spin on the proposed policy. Chief Dombeck might call that "adequate public comment" and "collaboration," but I call it wholly unacceptable.

I strongly support H.R. 3297 which will require this Clinton-Gore Roadless Area back-room deal to be aired publicly, and allow for public participation by those most affected by this destructive proposal.

Last Friday, the editorial board of The Washington Post wrote that we in Congress should let Chief Dombeck alone to see what he can do. And this editorial position was flanked by an article titled, "Watershed in Communications," which details the Forest Service's PR program designed to "manipulate the media and everyone else to support the administration's policies over the next 8 months."

While Chief Dombeck was able to use The Washington Post editors to sell his destructive agenda, what he and The Washington Post editors ignore is the fact that our forests are in dire condition. Our forests, under the Clinton-Gore administration's stewardship, are dying and rotting due to mismanagement—and this is when the Forest Service's own budget continues to grow.

We now have seen a copy of Chief Dombeck's PR plan which was reported in the press. After reading it, I am left to question, "Where does the Forest Service get the legislative authority to manipulate the press and others to promote their agenda by traveling to fires receiving high media coverage?"

I am also left to wonder where Chief Dombeck gets the legislative authority to use this once proud agency—and I stress, once proud agency—to take "every opportunity to tie with the Vice President's Clean Water Initiative, and indeed provide a media event for the Vice President."

Section 303 of Public Law 105-83, which is last year's appropriations bill for the Forest Service states, "No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete."

Additionally, section 624 of the fiscal year 1998 Treasury-Postal Appropriations Act states, "No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, pub-

lication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.”

The Forest Service Communication Plan I have before me is clearly a violation of the public laws listed above that outlaw propagandizing the public on matters presently before the Congress. The Forest Service Communications Plan expressly acknowledges that Congress must approve much of the agenda. And this detailed account provides a strategy that the Forest Service plans to use to lobby Congress as The Washington Post puts it, “manipulate the media and everyone else to get support for the administration policies.”

The Forest Service was created by President Teddy Roosevelt and Gifford Pinchot to protect our forests and allow for their wise use. And now, rather than protect the forest environment, Chief Dombeck has allowed the Forest Service to be used as a tool of the Clinton-Gore Administration to gain partisan political advantage and to promote Vice President Gore’s Presidential aspirations.

As I can see from the press reports of Chief Dombeck’s recent trip to Utah, he is sticking right on his PR schedule. And reflecting back to The Washington Post editorial which asked Congress to leave Chief Dombeck alone to see what he could do, the answer to this request is clear—Chief Dombeck, we have already seen too much.

This blatant use of the Forest Service for strictly partisan political purposes will not be tolerated. It is unthinkable to utilize catastrophic fire and the resulting devastation to human life, and to the animal life, and the environment for partisan political gain, and to promote Vice President’s Gore’s Presidential aspirations.

The Forest Service used to be run by professionals, and now it is being run professionally by the White House political operatives for purely partisan purposes. Mr. Dombeck, I don’t think you realize how much distrust Congress and the American public have for the Clinton-Gore Administration. This administration’s pattern of conduct leaves us no choice but to wonder when, why, and even where natural resources destruction [sic] are even made.

The Chairman would recognize the Ranking Minority Member for any statements he might have, but unfortunately he isn’t present. When he does arrive, we will interrupt the proceedings for his statement. Now I will introduce our first witness. Do any, oh, Mr. Peterson, do you have a statement please?

[The prepared statement of Mrs. Chenoweth follows:]

**STATEMENT OF HON. JOHN E. PETERSON, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF PENNSYLVANIA**

Mr. PETERSON. Yes, I have a short statement I’d like to share with the record.

Mrs. CHENOWETH. Please proceed.

Mr. PETERSON. Madam Chairman, and members of the Subcommittee, I am pleased to be here today to hear testimony from several witnesses on legislation that I proposed just a few weeks ago. H.R. 3297—first, I’d like to thank the Chairman for her willingness to conduct a hearing on this bill, and her cooperation in

pursuing the issue of public involvement in the development of policy by the Federal Government.

By the way of background, H.R. 3297 was introduced as a result of the Subcommittee's hearing on the Clinton-Gore Administration's interim road moratorium policy. During that hearing, I inquired of Forest Service Chief Dombeck what process was in place to solicit public comment on the road moratorium proposal. While the Forest Service devised a so-called public input process consisting of 25 open houses, it became obvious to me from the format of those meetings that open and free discussion would not be the result. The format was designed so that a collective body of people attending the meeting would never gather in one place for long. In addition, I was deeply disappointed to learn last week that the Forest Service also prepared answers to anticipated questions about the level of public involvement in these meetings. From all indication it appears to me that the Forest Service has been working around the people this policy would undoubtedly affect.

Accordingly, I believe H.R. 3297 is vital to ensuring a place for all Americans in the creation of policy by the Federal Government. The proposed interim policy leaves too many questions unanswered. We are left in the dark concerning its impact on forest health, recreation and general access issues, funding for education, emergency services, as well as jobs. Until the time that specific answers can be given to the people living in and around our national forests, I believe the implementation of the 18 month moratorium should be halted. That's what H.R. 3297 sets out to accomplish.

And I'd like to say to Chief Dombeck, who I personally like, Chief Dombeck, you will never go wrong when you let the sun shine into the process of making public policy. When we have an idea—good or bad—and we all have good ones and bad ones, we never make a mistake when we let the public participate and refine that idea and concept until it's a good tempered piece of steel and is right. That's all we're really asking, is that policies that affect forest health, policies that affect the economics of communities, and policies that affect the lives of those who use our forests, should not come from the top down. They should, the idea can come from the top down, but then they should percolate back up through the system.

I was most disappointed last week when you shared that you had not discussed this policy with one forest manager and only one regional manager that you could remember. That's not how it should work. I think you've erred. I urge you to correct that error, the sooner you correct it the better it will be. Madam Chairman, I'd like to, again, I appreciate your willingness to hold this hearing today, and I look forward to working with you to ensure fairness for our constituents as debate on this misguided and ill-advised policy unfolds. Thank you.

[The prepared statement of Mr. Peterson follows:]

Mrs. CHENOWETH. Thank you, Mr. Peterson. Mr. Doolittle, do you have statement for the record?

Mr. DOOLITTLE. I have no statement.

Mrs. CHENOWETH. Mr. Hill?

Mr. HILL. No, I haven't.

Mrs. CHENOWETH. Mr. Peterson, I want to say that I fully agree, especially with all of your statement, but especially the last part of your statement. I feel that much of what has come up is being driven above Mr. Dombeck, and he is a gentleman, and I appreciate him personally very much. But the policy is exceedingly unfortunate. At this time, I do want to say that Mr. Bob Schaffer from Colorado is unable to be with us. So without objection, I do want to read part of his statement, a letter to, a statement to Chief Dombeck. I have here a bipartisan letter which was introduced by Mr. Schaffer and Mr. Stupak, Mr. Bart Stupak of Michigan, of which I am also a signatory, requesting that you work with us in a bipartisan manner on forest roads policy.

During the last hearing on the proposed transportation policy, Mr. Dombeck, you were asked by Mr. Schaffer if you could come up with a long-term policy without an 18 month moratorium and your response, and I quote for the record was, "I think you probably could." When Mr. Schaffer asked if we could move forward on a long-term plan without an 18 month moratorium, your response was, "It would be possible. Yes." I would like to place in the record this letter signed by 23 Members of Congress requesting that you withdraw the 18 month moratorium so that we can move forward equitably and efficiently on a forest transportation policy. You will receive this request in writing shortly.

Without objection I'd like to enter that into the record.

[The information referred to follows:]

Mrs. CHENOWETH. And then also we continue to have public comments come in in opposition to the roadless moratorium.

So without objection these too would be entered into the record.

[The information referred to may be found at end of hearing.]

Mrs. CHENOWETH. Now I'd like to introduce Mr. Mike Dombeck, Chief of the Forest Service, in Department of Agriculture, Washington, DC.

Before we continue, I would like to explain that I intend to place all the witnesses under oath, and this is a formality of the Committee that is meant to assure open and honest discussion, and should not affect the testimony given by witnesses. I believe all of the witnesses were informed of this before appearing here today, and they have each been provided with the Committee rules.

If, Mr. Dombeck, if you will rise and raise your right hand to the square. Do you solemnly swear, under the penalty of perjury, to tell the truth, the whole truth and nothing but the truth, so help you, God?

Mr. DOMBECK. I do.

Mrs. CHENOWETH. Under the Committee rules, witnesses must limit their oral statements to 5 minutes but their entire statement will appear in the record, and we also allow the entire panel to testify before questioning the witnesses. The chairman now recognizes Chief Michael Dombeck.

**STATEMENT OF MICHAEL DOMBECK, CHIEF, UNITED STATES  
FOREST SERVICE, DEPARTMENT OF AGRICULTURE**

Mr. DOMBECK. Well, thank you, Madam Chairman and Committee members. Thank you again for the opportunity to discuss this important topic in front of this Subcommittee.

I want to start out by reiterating some of my key points from the hearing we had a couple of weeks ago. And that was—I had proposed to essentially call a time-out on road building in roadless areas during which the Congress, the administration, and the American people can engage in a dialog about when, where and if to build new roads on national forests.

During that hearing, the Subcommittee was concerned about the urgency that would cause me to take such action. And I want to reaffirm that I do not take this lightly. I want to assure the Subcommittee, Madam Chairman, that there are numerous strong reasons for taking such action.

First of all, on the economic front. We have a \$10 billion backlog in road construction and maintenance. We have in our arterial and collector roads, 93—we had 93,600 miles in 1991 that were passable to passenger cars. Because of lack of funding and maintenance, today that number is 86,000. From the standpoint of economics and proposing projects in a roadless area, there's a very high failure rate. The rate of appeal, the rate of litigation, it's costly for the agency to propose these projects when we can divert—we could possibly divert this energy and resources into areas of less controversy to carry out the appropriate forest management and produce many of the products that local communities depend upon. So just from the standpoint of economics, how can I justify more roads when I have 380,000 miles of roads in the national forest system, and only 40 percent are maintained to an environmental standard?

The scientific reasons, and I will state a few, largely scientific information from the Columbia Basin, but also from other areas. Eighty percent of the sub-basins with the highest forest integrity are comprised of areas that are 50 percent roadless or wilderness areas. Conversely, those sub-basins with the lowest forest integrity were comprised of less than 25 percent roadless and wilderness. Only 7 percent of the degraded watersheds in the basin are found within roadless areas. About 60 percent of the best aquatic habitats are found in roadless or very low road density areas. Conversely, 87 percent of the areas with high potential for fires, crown fires, insect and disease mortality on forest service and BLM lands are outside of roadless areas.

And we know that roads contribute to the degradation of water quality, the disbursal of noxious weeds, and facilitate human-caused fires. There are many, many scientific reasons from other parts of the country that also prompted me to make this decision, and this proposal, rather.

Let me say that to—choosing to build roads in areas is currently a divisive issue nationally. In fact, this has been a controversial issue for at least 30 years, intensely controversial for the Forest Service for the last 10 to 15 years; and we came within one vote of losing 80 percent of the program in 1996 in this body. In 1985, we had a \$228 million roads budget, by 1996 that road budget has fallen to \$95 million, indicating the loss of support for our present policies and the level of controversy associated with it.

This is a decision that I take very seriously. I chose to pull the controversy off the shoulders of the forest supervisors, and I've got to say that I'm a very strong proponent, as you know, of local deci-

sionmaking. But when I see an issue that is so divisive and so challenging for an agency that the issue is literally in the emergency room from the standpoint of the jeopardy of the entire program, I believe that action needs to be taken. And I also take very seriously our professional obligation to advance proposals that are based upon the best science and professional resource management expertise.

I would also like to comment on the Communications Plan in response for your letter of Thursday. Let me say that I hope that my explanation today will suffice to ameliorate your concerns. The Forest Service develops and uses communication plans when dealing with complex issues involving numerous government agencies, Congress, the media and numerous interest groups. Communication plans are used by our agency and employees to provide the coordination and direction necessary that the many stake-holders of the Forest Service are provided, timely, accurate and understandable information about an issue, an initiative, a program or a proposal so that they may develop an informed opinion about the issue. Because the majority of Forest Service communication activities occur at the local level, we have found plans helpful in providing coordination activities.

The Communication Plan can also identify support material that will provide Forest Service people information that they may not have in the field. Support material commonly includes key messages, talking points, questions and answers and other items. Some plans will also identify opportunities to highlight or showcase agency efforts with the media, local officials, interest groups, individuals, Members of the Congress, and their staff, or officials from the executive branch.

Madam Chairman, it is the firm policy of the Forest Service not to engage in lobbying, not to engage in partisan political activities, and I believe that a very careful reading of the Forest Service National Resource Agenda Communication Plan will reveal that we have strictly adhered to that policy. At no time during the development of this Communication Plan was there any attempt by any member of the administration or Congress to insert or craft activities for partisan advantage. I assure, Madam Chairman, that I will not tolerate lobbying or partisan political activities as part of any Forest Service employee's involvement in the implementation of our Communication Plan. On this point, I believe it's important that there is no confusion.

With that, Madam Chairman, Committee members, I'd be happy to respond to any questions that you might have, and I'd also ask that my full written statement be entered into the record. Thank you.

[The prepared statement of Mr. Dombeck may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Dombeck, and certainly your entire statement will be entered into the record. But I've just got to say that if this Communications Plan doesn't lay out a heavy lobbying effort, then we don't read words with the same meaning. And I guess all of the Committee members—I just want to say this personally—all of the Committee members have somehow set you apart from what has gone on in recent times. But the double-speak

that I see in your statement is not so much what I've been used to hearing from you, but what we've been hearing come out of the administration lately. And it saddens me to see this happen.

I'm going to begin my questions with a question that has bothered me for weeks. Why has there been little or no public involvement in development of this proposal involving the public? But before you answer, I believe I have the answer as written on page 21 of the Communications Plan, which states—and remember this hearing is not as much about roads, but the first focus of this hearing is about public involvement—and that's why Mr. Peterson has brought forth his bill, because he feels, as we all do, that it's so important that the public be involved as required under NEPA and APA. But based on page 21 of the Communications Plan, it states, "Based upon comments from thousands of people from all parts of the country, and in consultation with scientists and natural resources professionals, the agenda represents the best effort in identifying where the Forest Service needs to be focusing its energies over the next several years."

I think The Washington Post put it best on Friday when they said that this answer is just slightly better than saying, "that you don't care about involvement." "Comments received during discussions of the agenda that are not of a fatal nature will be shared at the fall leadership meeting." And in response to the question as to why there was no public involvement, or very little public involvement, and this is the Communications Plan, "in development of the agenda, the following answer may best be used." And then when asked if there will be public involvement during the period from now until the new fiscal year, leadership can state, this is what the Plan is telling you to state, "we will be listening carefully to what people are saying about the agenda. If there is a fatal flaw in our proposal, yes it will be changed. Lacking a fatal flaw, parts of the agenda will be implemented immediately. Other parts needing congressional approval and funding will be deferred until such time as concurrence has been achieved."

Now that's the pat answer, but it doesn't allow for public involvement and public comment with regards to the impact of this major Federal decision on every single forest, and the communities involved. Mr. Dombeck.

Mr. DOMBECK. Well, let me say first that the components of the agenda are four basic components: No. 1 is watershed health and restoration; No. 2, sustainable forest management; No. 3, dealing with the recreation issues that we face and the increasing recreation demand and how we fund those; and No. 4, the forest road policy. These issues have been in public debates, have been topics of dialog like the Seventh American Forest Congress for many, many years. These issues are also proposals of the administration's budget, and that are—I don't believe there is much that is new in the agenda.

The key change in policy that I believe needs to be made, and that we need to move dialog forward on, is the fact that, in the balanced use of national forests, we need to consider forest management and all resource uses pretty much on a equal plane with not one dominant over another. And I would—I believe that the forest management debate that we're having today is the perception that

timber harvest is driving everything we do in the Forest Service. And the fact is timber harvest is very important, and I stated very clearly in the agenda that I'm a strong supporter of active management, but what we have to do is we have to integrate timber harvest and forest management better into the needs we have to deal with the urban wild land interface, the forest health issues, the issues of the risk for catastrophic fire in a more balanced way. So I will say that the items in the agenda are basically not new.

Also the thing—on the last page of my agenda speech—the direction to the employees was that this then needs to be implemented at a local level and they are to go out and work with the local publics as they design projects and so on to move forward within the framework of that agenda.

Mrs. CHENOWETH. Mr. Dombeck, that's an interesting answer but it isn't an answer to my question. This hearing is about public involvement, not about timber harvest, not about the specifics of the agenda, but why hasn't the public been involved in a major Federal action in which NEPA requires public involvement? Our reports from Anchorage, from all over the Nation, that we're getting in indicate that your public involvement involves open houses in which people will be allowed to come in and hear and see what you're doing. But should they wish to have any input at all on their part, they must go one-on-one to a separate area with a Forest Service person and with a tape recorder present, express their concern. Now that is very intimidating. That is a torquing of the hearing process, and that is what Mr. Peterson's bill is trying to deal with, that we all understand what an open public hearing is. It's not being present and putting forth a lot of propaganda. It's not lobbying as section 303 and the other section in the Labor—Treasury—Postal bill stated you shouldn't be doing.

In fact, what your agenda allows for is in direct violation to what these recent laws that have been passed and enacted require of you. And so, again, I would ask that, you know, we stay on the focus of what this hearing is about. And that is about open public comment. The ability of the American people to let you know, the decisionmakers, and let us know the impact of these major Federal decisions. Mr. Doolittle.

Mr. DOOLITTLE. Mr. Dombeck, what percentage reduction do you believe we've experienced in the total timber harvest say since 1990?

Mr. DOMBECK. Nationwide, and I'm not sure of the specific 1990 number is, that we've gone from a high of almost \$12 billion in the late 1980's to currently about \$3.7, \$3.8 billion.

Mr. DOOLITTLE. So then the representation \$12 billion to \$3 billion. So that's more like an almost 75 percent reduction then?

Mr. DOMBECK. Yes.

Mr. DOOLITTLE. And what has that reduction in timber harvest cost the Federal Government in lost revenue?

Mr. DOMBECK. I don't have that number in front of me but it certainly is significant.

Mr. DOOLITTLE. Would it be—I realize you don't have the number in front of you and I would appreciate your providing that for the record at a later point—but just if you had, are we talking tens of millions, hundreds of millions, what's the, you know, the rough

dollar sum we would be—realizing you don't know the exact figure, and that you'll provide it later on.

Mr. DOMBECK. Certainly tens, perhaps hundreds.

Mr. DOOLITTLE. OK. I just asked that because, did our taxpayer organizations express any concern about that, that you're aware of? They seem so concerned to save the government money. I don't recall hearing the so-called "taxpayer organizations," making any statement whatsoever about that, do you?

Mr. DOMBECK. I'm sorry I don't recall, I don't know if the Forest Service has received, you know, specific complaints or statements from taxpayer organizations.

Mr. DOOLITTLE. I just, that's in your testimony, where you note, you know, the fundamental taxpayer perspective. I always thought I had a fundamental taxpayer perspective, but I find myself completely at odds with these so-called "taxpayer organizations," which basically are advancing the extreme environmentalist agenda cloaked in the mantle of "fiscal conservatism." They're an embarrassment, and I find it interesting that you cite that in your testimony, at least your written testimony, where they're indeed, they're quoted. "Look, don't spend any more of our money building something you may not need, and that you definitely can't afford to maintain." These so-called experts and self-professed stewards of the public purse have ignored the dramatic loss to the Treasury, that has been just fine with them.

You testified that could be up to hundreds of millions of dollars but because we can save \$10 million, due to this temporary road moratorium, you know, that's great. I just think that's very disingenuous to ignore the huge cost to the United States Treasury, directly, but then to cite these so-called "experts," because we're going to save \$10 million in a temporary road moratorium.

Mr. DOMBECK. To answer your earlier question—I'm, with, the specific respects to our road-building and road maintenance, yes, we have received comments from people on that.

Mr. DOOLITTLE. You cited, and I didn't find this in your written testimony, but I heard you say it here, that you cited as evidence of how controversial the road program is, and how much, you know, support is rapidly declining in Congress, that the appropriation for road-building has declined—I'm sorry I don't remember the figures you used—but any ways, dramatically declined, but when I talk to appropriators they say, well look there's been a three-fourths reduction in the timber harvest, so obviously if we're having this dramatic reduction in timber harvest, then we should be scaling back the money available for the roads. So then to hear you sit here and use just the opposite argument based on those figures, which is, look, Congress doesn't support the roads because they've cut back the road funding. I mean it's just ludicrous. Can you appreciate the consternation I feel hearing that used in that fashion?

Mr. DOMBECK. Well, perhaps. But an important point is that the use of the road system has changed significantly over time, which is one of the reasons the framework of the policy needs to be looked at. We had about 15,000 vehicles per day associated with the timber harvest in the 1950's. And we have about that same number on national forest system roads today. However, we have 1.7 million vehicles per day associated with recreation tourism and other

kinds of uses which is a tenfold increase from what we had in the 1950's, and yet the source of funding and support for that program is still tied to timber harvest activities.

Mr. DOOLITTLE. Well, I see my time is up, but let me just, you know, we're talking about saving money. Now I read, someplace I read in here, in your answers I guess to the last questions, propounded in the last hearing a couple of weeks ago, that you're not going to—if I read this correctly—you're not going to allow logging, using those, using roads in those roadless areas, but where there's a fire threat or something, then you will allow helicopter logging, and that you justify that by, you know, the grave risk that is posed. Well, how many times more expensive is helicopter logging than logging using forest roads?

Mr. DOMBECK. It's significantly more expensive.

Mr. DOOLITTLE. Like is it four times or five times more expensive?

Mr. DOMBECK. I would have to venture a guess, maybe three. And it's contingent upon the value of the timber.

Mr. DOOLITTLE. Well, I mean, how much is, do you have any idea what the amount of helicopter logging you're likely to be doing, and what the potential cost of that are during this time we have this moratorium?

Mr. DOMBECK. In some cases the sales that are up now have helicopter logging alternatives in them with an economic breakdown of that, and I'd be happy to provide you with examples of that kind of information.

Mr. DOOLITTLE. Well, would you please, you can do that? And I'd appreciate that, but even more importantly for our taxpayer friends who are excited about the \$10 million in road construction costs that we're going to save during this temporary moratorium, could you also juxtapose with that the estimated additional cost due to having to use helicopter logging, or some form of logging other than using the roads? I mean, I'd just like to know how much we're saving. I'd like to talk to my taxpayer friends and see how, if they're aware of the net savings as opposed to what the gross savings of \$10 million are projected to be. Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Doolittle. Mr. Peterson.

Mr. PETERSON. Thank you. Mike, you talked about the reason for having this moratorium, that we were in this heated controversy here in Congress, and we were within one vote last time. I guess this is my first year in Congress—or my second year in Congress, first term in Congress—but it's not my first year in public policy. I served in local government 8 years, state government 19 years and had a business for 26 years, so I think I've had a little experience in public policy, what works and what doesn't.

But I was amazed—that was the first time I participated in that debate—and I was one of the debaters, and the two people that led the fight didn't even understand what we do. And I'd say that if they were here. One was from Massachusetts and one was from Illinois, did not understand the issue in any detail at all. Their staffs did not understand this issue in any detail at all. We talked to their staff, my staff talked to their staff. They were carrying water for a national organization whose against all cutting, and they will

take whatever measures will slow up cutting timber in forests because they're against that.

And I have no problem with someone having that view or that belief, but I know you don't agree with that, but it shows that those groups have been winning because we went from 12 billion board feet to 3 billion board feet, and the bulk of that was not good forestry practice. Most of it was salvaged. Just doing—I know in the ANF—it was cutting gypsy moth damage, and other things. We weren't able with the allotment of cut to practice forestry, we were just taking care of problems, and that's been happening all over America. So we've stopped, you know, you talked about the forest is more than cutting down trees. Absolutely. It's a fourth as much of cutting down trees as it used to be, so it's one fourth of what it used to be. And we're very supportive of tourism and recreation, but they all go together. And it seems to me that every policy that comes down, prior to you, now with you, squeezes the amount of forest that can be managed until it's smaller and smaller. And we know the ultimate goal of those who are proposing that, zero, which is not good public policy.

Though we did have a close vote on the floor, I'm here to say most people didn't know what they were voting for and against. They were voting because a certain organization said, "Vote for this, it will help your green scorecard." Well, whether they're right or whether they're wrong, this issue should be decided with good public debate. And that moves me on to the open house concept.

I've held hearings at the local level. I've been part of hearings at the state level and I've been a part of hearings here. When you really have input—in your statement, you say, "H.R. 3297 would prohibit the Department of Agriculture from adopting a suspension of road construction rule unless we hold public meetings on every national forest system unit and regional foresters would be required to participate in each of those meetings in order to adopt a final rule. These requirements are excessive, and they would require 120 meetings, stretching out the rulemaking timetable from at least 6 to 12 months at a significant cost of taxpayers."

I would think, without any doubt, your regional foresters would understand the forests that they manage, and what people think of them, a whole lot better than they do today if you go through that process. And I mean that sincerely. Over and above this issue, this property is owned by the taxpayers of America, not you and I, not the Forest Service, but the taxpayers of America, and they have a right to have a part in the decisionmaking process. And I believe the open house concept is not a process for public discussion, for decisionmaking. It's just PR and I mean that sincerely. That's what I would do if I just wanted to PR what I wanted to do, I'd have open houses.

This issue deserves people giving both sides of the issue, their concerns, what they believe, what their philosophy is, with press there, people talking about it and reporting. The sunshine should be a part of that process. And I guess I'd be interested in why you think that is inappropriate?

Mr. DOMBECK. With response to your point about public meetings and the regional foresters, and even more importantly the forest supervisors knowing what's going on locally, and I would include

the district rangers in that, these are people that live in the communities that interact with people in local communities. They go to the same churches and their kids go to the same schools and it's their responsibility to know the stake-holders, to know what the issues are on a routine basis, not only the issue of roads, but on the whole panoply of issues that we deal with.

From the standpoint of the public comments associated with this, the temporary suspension of road-building, I checked yesterday with the Washington office, and we have received about 20,000 comments in the Washington office, alone. The public meeting process that was established by our planning people that know the laws and the regulations regarding NEPA, that follow the Administrative Procedures Act regulations, this is how I've instructed them, and this is how these meetings have been set up. The fact is that every individual that wants to participate, that wants to speak with someone, that wants to record a statement, or that wants to provide a written statement is fully free and encouraged to do so.

Mr. PETERSON. But I, if I were a citizen, not a Congressman, would not have the chance in a public forum to tell your regional foresters what I think in the public where I can be quoted, and my answer can be quoted in the press. That's "open public forum." Open houses are not—the sunshine isn't there. Nobody reports what people say. There's a huge difference. Do you think Congress should start passing laws by having that process that you're going to use? Would you like that? Would you like to have to enforce laws that we devise in the same format?

And I want to tell you, rules and regulations effect our lives just as much as laws do. And you're making rules and regulations in a process that is totally different than the process of making law, and it shouldn't be the same. In fact, I think we're more impacted by law—or rules and regulations in this country than we are by law. Because we don't have a regulatory review process that does anything to give people input. And you're subverting the public process totally. Would you like us to make laws with the open house process where we would, no press, nobody being quoted?

Mr. DOMBECK. Well, the—

Mr. PETERSON. Would you like that?

Mr. DOMBECK. [continuing] press is not barred from the public meetings. I would assume the press is attending these public meetings, that people comment freely, that people make statements that, we respond to the comments as part of the NEPA process, we enumerate the comments on the various issues and respond as part of the NEPA process, publicly.

Mr. PETERSON. Well, yes but the average citizen is never going to see that, the average—but if you're in a town meeting concept, where the press reports, the whole town then is part of the discussion. Everybody knows what's going on, that's what America's about: the public knowing what's going on, how it's going to impact them, not just those who have the ability that day to take a day off and go in and talk to somebody because lots of people would be very interested who can't do that. But if it's in the media, they can listen to the radio, and they can open the newspaper the next day, and they can know what the debate was, and then they can re-

spond to you whether they agree with you, or whether they agree with those who are opposed to what you're doing. That's public process.

I don't hold a town meeting and tell people I'll send them secret answers. I answer them in front of the press and they're in the paper the next day. That's public process. That's the format upon which we make good laws, and when we under-debate laws, we usually pass bad laws. And we don't let the sun shine into regulations, we'll have regulations that in time will have a far more detrimental impact than we ever meant them to have, because there's always somebody there smart enough to realize what some of the long-term implications are going to be.

And you're subverting that whole process. You're allowing yourself, you may get lucky, you may be formulating a policy that will have a very negative impact on some forests, and you're taking a kind of a shot in the dark, I think, and that's not how we should make laws, and it's not how we should make regulations, and it's not how we should make rules.

Mrs. CHENOWETH. Thank you, Mr. Peterson. Mr. Hill.

Mr. HILL. Thank you, Madam Chairman, and thank you Chief Dombeck. Chief Dombeck, how big is the current road maintenance in this year's fiscal year 1998 budget?

Mr. DOMBECK. I can find my budget sheet here in just a minute. Randy, is it—\$109 million.

Mr. HILL. \$109 million, does that include any funding that comes out of the Transportation budget for Federal highways that are on U.S. Forest Service land?

Mr. DOMBECK. No, it doesn't.

Mr. HILL. This is just within your budget?

Mr. DOMBECK. Yes.

Mr. HILL. \$109 million. And how many miles of road will be maintained with that budget?

Mr. DOMBECK. We'll have that very soon. About 380 miles.

Mr. HILL. 380 miles?

Mr. DOMBECK. About 40 percent of the 380,000 miles.

Mr. HILL. About 40 percent of the 380,000 miles.

Mr. HILL. Some level of maintenance.

Mr. DOMBECK. And to, as I stated, we're able to maintain about 40 percent of the roads to standards today.

Mr. HILL. With the \$109 million. You made a statement earlier, and this is a statement that is often repeated by the Forest Service, and that is that we have \$10 billion worth of backlog of maintenance on Forest Service roads, is that correct?

Mr. DOMBECK. Yes.

Mr. HILL. That comes to about \$26,500 per mile of U.S. Forest Service roads, are you aware of that?

Mr. DOMBECK. I had not personally done that calculation.

Mr. HILL. I just did it for you. I guess I would ask you, how much does it cost a typical Forest Service road that was built for logging purposes that now primarily provides access to recreationists?

Mr. DOMBECK. The Forest roads—

Mr. HILL. Does it cost \$26,500 per mile to maintain roads like that?

Mr. DOMBECK. The high cost roads to maintain are the 86,000 miles of arterial and collector roads that are paved, that black-top that—

Mr. HILL. And I would agree with you, and you don't really anticipate, as part of the development of a new road management plan, closing those roads, do you?

Mr. DOMBECK. No.

Mr. HILL. I didn't think so. Could you provide an inventory for me of how you get \$10 billion, making note of how much of that is highways and how much of that is recreational roads, and how much of that is logging access roads?

Mr. DOMBECK. Yes, as a matter of fact that information was collected from the Inter-Mountain Region through a detailed inventory and analysis by the engineering and road staff there, and then was extrapolated with a smaller sampling of other parts of the country.

Mr. HILL. The problem is the way this is presented, as you know, Mr. Dombeck, is that it is used to argue that we should close gravel roads in National Forests because we can't afford to maintain them. Point in fact, the real maintenance backlog is on arterial roads, paved roads. And the reason I raise that question is simply to make that point because I think it often goes unnoted. The plan of this moratorium is to update road management plans in the forest, is that correct? That's the statement you made earlier, that's what you intend to do in this 18 month period of time?

Mr. DOMBECK. Yes, the development of the long-term policy, and I'd like to say with that, that when we talk about the gravel roads that you mentioned earlier, the most important thing for us to do is to work with, develop a framework based upon science and then work with the counties and the local communities to make sure the transportation systems mesh and compliment one another.

Mr. HILL. And you don't believe the Forest Service is doing that today? You don't believe the local forest supervisors are working with local transportation officials in terms of evaluating road management plans?

Mr. DOMBECK. To a certain extent, but given the backlog that we have and given the expense of the maintenance, I think we need to really sharpen our focus on that.

Mr. HILL. Well, I don't disagree with you about that, but the problem is that you're putting a moratorium on one kind of roads when the real problem is a different kind of roads. I'd like to go on because I'd like to ask a couple of questions with regard to this moratorium. Does this moratorium also apply to road closures? Are you going to put a moratorium on the closure of any additional roads in the forest?

Mr. DOMBECK. No it only, it only applies—

Mr. HILL. And how about road reclamation? Is there going to be a moratorium on the reclamation of any roads, the removal of any roads, the obliteration of any roads in the forests?

Mr. DOMBECK. No.

Mr. HILL. And how about the erection of new barricades on forests to restrict access to any forest roads, is there a moratorium on the erection of any additional barricades on any Forest Service road?

Mr. DOMBECK. No.

Mr. HILL. And how about the removal of culverts, is there going to be moratorium on the removal of culverts on any Forest Service roads during this moratorium?

Mr. DOMBECK. No.

Mr. HILL. I see, so the moratorium doesn't apply to some decisions with regard to the transportation management, only the construction of the new roads?

Mr. DOMBECK. That's correct.

Mr. HILL. OK, thank you Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill, and we will return for another round of questioning. In regards to that, I want to ask you Chief Dombeck now, I have mentioned in my opening statements about what I feel is a problem with section 303 of last year's appropriations bill, and section 624 of the Treasury-Postal appropriations bill which so clearly indicates that in that Act and all other Acts, it prohibits lobbying and distribution of materials and so there are congressional actions which have not been completed, that impact this Communications Plan that has been used. Are you aware that Congress is currently considering Ice-T legislation?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Your staff is circulating a modification to the formula funding Federal lands highways that would benefit the Forest Service at the expense of the Park Service. This alternative formula is being advanced by the American Recreation Coalition, are you aware of this activity?

Mr. DOMBECK. There has been a variety of dialog concerning potential sources of funding.

Mrs. CHENOWETH. So you are aware of the activity then?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. The portions of your agenda that deals with increase in forest road maintenance and watershed funding are presently before the Congress in the context of the administration's budget request, is that not the case?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. You will shortly be sending a legislative proposal to Congress to modify the formula used to pay counties separating receipts from timber sales from county payments, is that not correct?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Is the National Association of Counties supportive of your proposal to decouple county payments?

Mr. DOMBECK. The support from counties, I believe, is variable. Some counties have requested that we look into ways to stabilize payments to counties, I'd say that's highly variable.

Mrs. CHENOWETH. Included in funding requests currently before the Congress are funds needed to support the Vice President's Clean Water Act initiative, is this not correct?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. So in general terms there are at least four separate issues in which congressional action is not complete that are relevant to your national resources agenda, is that not correct?

Mr. DOMBECK. Yes, however, I'd like to add that members—I have a—I've had counsel check on activities that are forbidden, and

activities that are acceptable. And the acceptable activities include advocating policies or positions of the executive branch, several of those that you listed—

Mrs. CHENOWETH. I would love to see their opinion, and so if they could present it to the Committee in writing, I would appreciate it.

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Let's talk about your fiscal year 1998 Interior appropriations bill, Public Law 105-83, did the President sign this legislation, Chief? Last year's appropriations—

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. [continuing] bill effecting 1998. Since the President signed the legislation, is that now the law of the land? Isn't that correct?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Since it's the law of the land, aren't you bound by those provisions?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Do you believe that one of your responsibilities is to obey the law?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Do you know that section 303 of the Act provides, as I stated earlier, that no part of any appropriation contained in this Act shall be available for any activities or the publication or distribution of literature that in any way tends to promote public support, or opposition to any legislative proposal in which congressional action is not complete. You are aware of that section, right?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Let's talk about H.R. 2378 fiscal year 1998 Department of Treasury and Postal Services appropriations bill, did the President sign this legislation?

Mr. DOMBECK. I don't have specific knowledge, I would assume he did.

Mrs. CHENOWETH. Well, I can guarantee you he did. Since the President signed the legislation, is it now the law of the land, is that not correct?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Since it is the law of the land, are you bound by these provisions?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Do you believe that one of your responsibilities is to obey the law?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Do you think that section 624 of the Act provides that "no part of any funds appropriated in this, or any other Act, shall be used by an Agency of the executive branch, other than for normal and recognized executive legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress except in presentation to the Congress itself." So there are two additional statutes which seem to limit your activities in this area, is that not correct, Chief?

Mr. DOMBECK. I'm not, I would rely on my counsel for the interpretations on that. What we have been dealing with, and as the Communication Plan indicates, that what we're doing is communicating and advocating policies of the executive branch.

Mrs. CHENOWETH. Let me re-ask the question. Section 303 of the Appropriations Act, section 624 of the Postal-Treasury Appropriations Act clearly indicate that no pamphlets, booklets, any kind of relationships can be established, except with the Congress itself, on any legislation that's pending before the Congress. Is that not correct?

Mr. DOMBECK. I'm not personally familiar with that piece but I—

Mrs. CHENOWETH. If that is correct, wouldn't that seem to limit your activities with regards to what your Communications Plan lays out?

Mr. DOMBECK. Well, not being the personal expert on this issue, I would rely on, you know, the interpretations of Office of General Counsel and my experts in Public Affairs on that issue.

Mrs. CHENOWETH. Mr. Dombeck, you're the Chief, and you're the guy that they have in front, if you're not the expert, than who is?

Mr. DOMBECK. Well, my policy is certainly that we work within the law, that we do not lobby, that we do not engage in partisan politics, and I strongly, in the most strongest terms, the policy is that the Forest Service remain within those guidelines.

Mrs. CHENOWETH. Let's look at, let's look at section 303 and section 624, and I appreciate your comment, but we'll first focus on the publication and distribution of literature, even though that is only part of the prescription of these statutes. On page one of your Communications Plan, you talk about distributing editorials, articles and features to key media outlets and publications that use and reflect the tone of key messages in this Plan, would you call that "the publication and distribution of literature?"

Mr. DOMBECK. Yes, and it's the communications of administration executive branch proposals and positions.

Mrs. CHENOWETH. Also, on page one of the agenda, you talk about "distributing to key stake-holder groups" your agenda, in your mind, does that involve "distribution of literature?"

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Also, on page one you indicate that by October 1st your Office of Communications will distribute a brochure to all of your employees for public distribution, does that suggest "distribution of literature?"

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. On page three of the agenda, you talk about establishing a new web-site that will contain speech materials, new releases and questions and answers, is that "the publication or distribution of literature?"

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. On page four of the document, you talk about keeping employees and retirees informed by providing them with facts sheets, briefing papers, questions and answers, and speeches, you also talk about sending a letter to every Forest Service employee, is that "the publication or distribution of literature?"

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. On page five of the agenda, in describing contacts with external audiences, you note that "in the days ahead, the Office of Communications will produce extensive briefing materials for distribution," the document indicates that this will include brochures, videos, radio interviews and assorted other fact sheets and supporting materials, does this sound like "the publication or distribution of literature?"

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Also, on page five you direct your unit leaders in the field to make contact with local media, providing them with your national press release as well as a local segment on how your agenda will affect the local area, does that involve "the publication or distribution of literature?"

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. On page five, you talk about developing planning newsletters that will be used to explain the impacts of the agenda, the impacts will have on local unit activities, does this involve "the publication or distribution of literature?"

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Therefore, Chief, even using the narrowest construction of the narrower section of 303 prohibition, which reaches "any activity or the publication or distribution of literature," we have just identified eight violations of that statute. Can you really say that you were complying with section 303?

Mr. DOMBECK. Yes, I believe we are based on the information that I've gotten, the information or literature that is being distributed is, varies from scientific analyses to mechanisms for individuals to promote watershed health, sustainable forest management, appropriate management of forests to reduce fire risks, a broad spectrum of information that it's the Forest Service's responsibility, from the standpoint of conservation education, from the standpoint of providing the public the information that they need to make reasoned decisions, and understand the interactions. In fact, much of the challenge that we have is educating the public, to make sure there is a support base, for active forest management, and a whole variety of issues that we could discuss like that.

Mrs. CHENOWETH. Well, Chief Dombek, you talked about your watershed concerns, and in light of your answer just now, that what you are sending out is benign scientific data, on page 17, with regards to, it states, "emphasis placed on the watershed aspects of the agenda,"—it states in here, "we will take every opportunity to tie with the Vice President's Clean Water initiative, and, indeed, provide a media event for the Vice President to showcase the initiative on national forest lands." I think that goes far beyond sending benign scientific data.

Now let's look a little more at section 303 which prohibits any activity that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete. This involves a rather broad restriction on agency actions, but on page 16 of your Communications Plan, as you talk about media relations, you indicate that, "we will take every opportunity to meet with reporters and editorial boards when visiting the field on agency business to discuss the agenda," as you just recently did in Utah, does that involve a section 303?

Mr. DOMBECK. No, I don't believe it does.

Mrs. CHENOWETH. Further, you state, "we will place speeches, op-ed pieces, by-line stories, and feature articles in target markets in periodicals." Does that involve a section—a violation of section 303?

Mr. DOMBECK. I do not believe it does.

Mrs. CHENOWETH. Did your meeting in Utah with the editorial board involve discussion of any items that are before the Congress right now?

Mr. DOMBECK. I don't recall specifically; we talked in general about the agenda, as it's put out in the speech that I delivered to all employees. We talked about the increasing recreation activities on the Wasatch front. We talked about forest health issues. We talked about a wide variety of issues. I do not recall discussing a specific piece of legislation.

Mrs. CHENOWETH. Do you recall discussing the roads moratorium with the editorial board members?

Mr. DOMBECK. I believe it was—it was a question was brought up, yes.

Mrs. CHENOWETH. Mr. Doolittle, do you have some questions?

Mr. DOOLITTLE. Chief, you mentioned in our last round of questions, the huge increase in the use of the forest for recreation. My question to you is, doesn't a lot of that recreation involve the use of forest roads?

Mr. DOMBECK. Yes, it does.

Mr. DOOLITTLE. And do those recreational users pay a fee to help construct and maintain the forest roads?

Mr. DOMBECK. No, they don't.

Mr. DOOLITTLE. So then who does pay for the construction and maintenance of the forest roads that we use?

Mr. DOMBECK. The construction and maintenance—the construction of most of the Forest Service roads has been paid for by timber sales over the decades.

Mr. DOOLITTLE. See, what I find intriguing, I had a chance to use some of those roads for recreation, I was very grateful that timber companies we had the roads available, we were watching out for the logging trucks as we were racing around, but how do you, you sound like you're talking about imposing this road moratorium somehow to advance the interests of recreationists but since the effect is to reduce the number of roads available, doesn't that work in exactly the opposite direction, against the interests of people who would use those roads?

Mr. DOMBECK. No, sir I don't think it does. The objective is to make sure that we have a process in place to determine when and where we build new roads that's in close concert with the needs of local communities, the management activities on the land, to reduce the number of roads that we build, because when we build a road, we're also making a long-term commitment to provide the funding to maintain that road, and that's part of what's missing in the dilemma that we find ourselves in today. And, in fact—

Mr. DOOLITTLE. But let me just, if I may interject, the Forest Service isn't honoring that commitment because you've allowed a \$10-plus billion backlog of road maintenance to buildup. I mean is that, have I misinterpreted that, or is that in fact the case?

Mr. DOMBECK. Certainly the backlog is there, but also, as I mentioned earlier, the fact that there is not support for the Forest Service roads program is again part of a misperception on the part of the public, that the Forest Service roads program, equal logging, equal subsidy, equal sedimentation, equal bad, and therefore, we're not going to support it, and what I hope we can do together is make sure that we all understand that the roads on national forests are an important part of the infrastructure of America that need to be maintained.

Mr. DOOLITTLE. But what led you to the conclusion that there's not support for the Forest Service road program amongst the public?

Mr. DOMBECK. Well, the fact that we have a declining budget in the roads program, the fact that we have not been able to maintain the support we need, the fact that we have drifted into a, the significant backlog that we have.

Mr. DOOLITTLE. Well, I already explained to you the reason we've had a declining budget in the roads program is because you had a three-fourths reduction in the amount of timber. You'd have to be deemed incompetent if you kept funding a bureaucracy whose job is to oversee the management of the forests, they've had a three-fourths reduction in the program, there should of course be some corresponding reduction in the roads program. So I don't take that as a valid basis for the conclusion that there's not public support for the program. So now give me the other reasons again, let's go through those, that you believe that there's not public support for this program?

Mr. DOMBECK. Public support for the road and maintenance—

Mr. DOOLITTLE. Yes, just the roads program in general. You know, you made the statement, well, this is, the public doesn't support it, well, OK, tell me why you think the public doesn't support it?

Mr. DOMBECK. We came within one vote in the House of losing 80 percent of the program in 1996, it's been a program that's been debated—

Mr. DOOLITTLE. OK let me go back to that. Now you're not talking "public," you're talking Members of Congress?

Mr. DOMBECK. Yes.

Mr. DOOLITTLE. When you come to that vote on the floor of the House, right?

[Laughter.]

Mr. DOMBECK. OK.

Mr. DOOLITTLE. So we can deal with Members of Congress but I never interpreted that to mean necessarily the public, frankly, I don't think the public has much of a clue about the Forest Service roads program, or cares for that matter. The ones who care are the ones who live near the forests and whose jobs depend upon it. They really care and they really support it. Now you talk about maintaining an adequate base of support for active forest management, well, what are you doing to maintain that?

Mr. DOMBECK. The—

Mr. DOOLITTLE. I'd just like to hear some things that you're doing to work on that.

Mr. DOMBECK. [continuing] support for the roads program, specifically?

Mr. DOOLITTLE. No, well, I think your statement was active support in general for active forest management.

Mr. DOMBECK. I believe the many of the communications issues that we've been talking about, the fact that there's a need for forest management overall, we need to better integrate our timber harvest and forest management activities at the urban wild land interface, particularly the places where there are overstocked stands, offsite species, there's a lot of work that needs to be done on the forest, and part of the challenge that we're talking about, and this is a very, very complex issue, that requires lots of dialog, is the reward system has been tied to the value of timber, and as I have testified before this Committee in the past, once the large saw logs are gone, the values aren't there. And the effort then—

Mr. DOOLITTLE. Well, let me ask you, are the large saw logs gone?

Mr. DOMBECK. In a large proportion of the area, yes they are.

Mr. DOOLITTLE. But where did they go?

Mr. DOMBECK. They were harvested.

[Laughter.]

Mr. DOOLITTLE. So you're telling me that we have a lack of large saw logs?

Mr. DOMBECK. What I'm telling you is that we have areas where the stand densities, the species composition is not what is ideally suited for the sites that have led to a variety of forest health issues that will not require us to make investments in the land. And then we get into the—which leads us into the whole dialog of the low-cost timber sales, which is something we really probably shouldn't be talking about, we should be talking about the desired future condition that we want in the watersheds on the land, and the products will flow, the fiber, the water, the recreation opportunities in a balanced fashion.

Mr. DOOLITTLE. Well, it looks to me that the Clinton Administration has worked overtime to finally produce a below-cost timber sale year. We had, we never had one. Your predecessor testified before this Committee there was never a year in which we lost money on the Forest Service timber program until last year. And what happened last year?

Mr. DOMBECK. The trend over time and over about the last 10 years, we have decreased the amount of clear-cutting by about 84 percent, we're increasing the number of sales that are tied to other objectives, to improving forest health, a variety of those kinds of activities.

Mr. DOOLITTLE. Let me ask you this, just, I realize you don't have the figures in front of you, but roughly, how much timber was harvested last year throughout the country on a national forest?

Mr. DOMBECK. About 3.4 billion board feet.

Mr. DOOLITTLE. Three point four billion board feet, and how much timber do we add to the national forest, how much did we add last year, approximately?

Mr. DOMBECK. We're not certain as to a specific number, but significantly more than that.

Mr. DOOLITTLE. I've heard in other testimony before this Committee that it averages between 4 and 5 times of what we're taking off. Do you dispute that?

Mr. DOMBECK. No, I don't.

Mr. DOOLITTLE. OK, let me ask you, let me ask you the next question. If you were to rate the condition of our national forests, and give them an excellent condition, good, fair, poor or failing, what grade would you give them as the Chief of the Forest Service?

Mr. DOMBECK. It's highly variable from one part of the country to the next. The most, I believe, the most significant forest health problems we have are in the inner-mountain west where we have overstocked stands, the forest health issues that you know very well in California, and some of those areas.

Mr. DOOLITTLE. OK, well give a grade to those areas. What grade do you give them, "A," "B," "C," "D," or "F?"

Mr. DOMBECK. Again, it's highly variable from one watershed to the next.

Mr. DOOLITTLE. Well, I understand it's variable, now we're going to make an overall assessment.

Mr. DOMBECK. Maybe, it depends if you're a tough grader, or what your curve is, I would certainly say—

Mr. DOOLITTLE. Be a tough grader.

Mr. DOMBECK. [continuing] maybe a "B" to a "C," a "C."

Mr. DOOLITTLE. A "C" or a "D?"

Mr. DOMBECK. "C."

Mr. DOOLITTLE. "C," OK, average. But isn't it indeed the condition far below what we've known to be the average? Isn't it the worst in fact that it has ever been in the 20th century.

Mr. DOMBECK. Yes, and it will continue to get worse until we make the investments and deal with the over-stocked stands, deal with the offsite species where we had initial stand densities of 200 to 300 stems per acre perhaps of Ponderosa pine today, we have maybe 3,000 stems per acre of fir species that are creating problems from the standpoint of catastrophic fire, increased densities, lower vigor in trees, more susceptibility to insect disease infestations, and these require investments, these require active management, these require work, and these are areas where we need to better integrate timber harvest to the overall objectives of the condition that I think we're very much in agreement on.

Mr. DOOLITTLE. Then why aren't you doing that? Are you doing that, I don't think you are. Am I missing something?

Mr. DOMBECK. The trends in thinning has been increased significantly. I believe last year we were budgeted to do, help me, Randy, somewhere in the neighborhood of 750,000 acres, and we did about over a million, we'd like to be doing 3 million acres a year in thinning and fuel-reductions and those kind of activities, to begin to close the gap in our backlog.

Mr. DOOLITTLE. Wouldn't you have to, Chief, and I'm way over my time, and I apologize to the chairman of the Committee, I'll try to make this my last question. If you were growing annually four to five times the number of board feet of timber that you're annually harvesting, are we talking about geometric progressions in the size of the problem from year to year? I mean, wouldn't you in fact, if you were really going to take care of these forests say over a 10

year period, wouldn't that require a dramatic increase in the amount of timber being treated over what you're proposing to be done from year to year?

Mr. DOMBECK. Yes—

Mr. DOOLITTLE. I mean—

Mr. DOOLITTLE. Go ahead, I don't, go ahead—

Mr. DOMBECK. Yes, and we'd like to do more and we'd like to work with Congress to do more, the proposed 1999 budget talks about significant increases in these areas, but we need to further accelerate that.

Mr. DOOLITTLE. I mean it sounds to me like to deal with this problem, you need, I don't know, penicillin, the most advanced antibiotics you can apply, and it sounds like that the Forest Service is giving the patient a couple of baby aspirin. I mean, is that, am I missing something? It seems to me as I confront this issue, you know, when I try to get right down to it, we're doing so very little compared to what you've identified as the problem. Am I misperceiving that, or is that your feeling as well?

Mr. DOMBECK. I certainly agree that we need to be doing a lot more than we have, and again, I want to say that this is why I believe active management is important and I believe that we've got to make sure that our incentive system, that our budget structure, allows us to, as aggressively as we can afford to, to move and to do the job that we need to do, whether it's, as I said, integration of timber sales and timber harvest activities into areas where we need to deal with forest health issues.

In many cases, a lot of the wood associated with these overstocked stands are very low value wood. In fact, the Forest Service in the forest products lab has been working with industry to develop uses for lower value woods. In fact, today we're getting the same amount of, from the same volume of wood we're probably getting twice the volume of dimension lumber, we've got the wide variety of technologies that industry has developed and much, some of it, with the contribution of Forest Service scientists, in the chipboard plants, the wide variety of uses that we have for wood.

In fact we're using it much more efficiently but we still got to do more because there's a lot of work that needs to be done on the land. And I think this is an area of common agreement that we all share, that we need do a tremendous amount of work in the urban wild land interface, with an acceptable way that reduces risks. And a lot of this is light on the land work with an individual with a chain saw and some light equipment, and a wide variety of things, and encourage the, further development of technologies to deal and, of course, then move forward with the appropriate level of prescribed burning. Much of the area, particularly of the inner-mountain west, we cannot burn today because of the high fuel levels, and those stands need to be treated prior to burning.

Mrs. CHENOWETH. Thank you.

Mr. DOOLITTLE. If I may just—

Mrs. CHENOWETH. Thank you very much.

Mr. DOOLITTLE. [continuing] impose, Madam Chairman, this observation. I believe you support active forest management but the policies coming out of the administration, which you represent, are moving us in exactly the opposite direction.

Mrs. CHENOWETH. Thank you, Mr. Doolittle. I do want to state the Chair has noted some outbursts of laughter and this cannot be tolerated in the hearing room. I think we all need to afford the witness the courtesy of providing a climate for concentration that is needed when he is before, or in this situation. I apologize to the witness, and I would also want to say if there is any further demonstration as such, that the staff will note that and parties will have to be removed from the hearing room. I also want to mention to the Committee, the Chair would sincerely appreciate that we stay on focus on Mr. Peterson's bill. Thank you, very much. Mr. Peterson.

Mr. PETERSON. I just want to followup on one more question here that deals with the road budgets. You requested a \$190 million, is that—

Mr. DOMBECK. \$109 million.

Mr. PETERSON. Oh, \$109 million, OK. As the manager of the forests, and all that's in them, how do you, I mean, I've been a manager. It's a manager's job to ask for what he needs. How do you rationalize asking for \$109 million when you have a \$10 billion backlog? I mean, how do you—

Mr. DOMBECK. Of course, we work in, within the constraints that we're given from the standpoint of, you know, of the whole budget process, and we have to balance priorities, and there are many, many issues that we have to deal with, as the issues that Congressman Doolittle and I were discussing, a wide variety of things. I've, as we stated though the budget is, for service roads, the budget is vastly under-funded.

Mr. PETERSON. But if the Forest Service doesn't publicly, clearly, distinctly say that, how does the debate begin? How do we win the debate in Congress if you don't even ask?

Mr. DOMBECK. I believe we're engaged in that process now.

Mr. PETERSON. But you asked for \$109 million, and you need, I mean, I guess that's the frustrating part. I want to look at this, just for a moment, from a rural perspective, \$109 million for Forest Service roads that millions of Americans use for tourism, and for recreation and so forth. I mean, that's peanuts in the American budget scheme of trillions, and I guess it, then you look at the Pelt program, it's not fully funded. I mean rural America is taking it in the neck, but I guess I would hope your agency would be a louder voice saying, and those of us who are here to support you.

That, but the problem I think we face is those who oppose roads, and I'm just going to bring this in the debate we had last year. I had a running debate with one of the players, and I told him, I said, "You're cutting the budget and I need \$2 million." And he said, "Oh no, I'm cutting it \$42.5" Because he considered the \$50 million road credit and the \$42.5 to be one in the same and that \$50 million was an authorization and \$42.5 is what we were actually going to spend. And we argued about that the whole time, that was a month or two. And when it was all done, and we had some arguments over that, when it was all done, he walked up to me and he said, "You're wrong, I was trying to cut your budget \$92.5 because I was rounding the figures." But he didn't know that. So here we had this whole public policy debate in the halls of Congress and those that--who were trying to cut the budget didn't think they

were cutting it half as much as they were. But they were told to run that amendment by somebody. They didn't even understand the issue, and I guess that's the part that I find frustrating because it didn't effect their districts, they're all suburbanites.

Everybody we were arguing with is from suburban America who were carrying the banner for groups who No. 1, don't want trees cut; and No. 2, don't want the recreators out there in the forests any more than they want the roads. That's the bottom line. That's their next agenda.

Back to the issue, how many acres will be effected by your 100,000 and 500,000 acre plots that will be in the moratorium?

Mr. DOMBECK. The temporary suspension of road building only deals with the specific activity of building or reconstructing roads. Many of the activities that occur do not require roads. In fact, I have a list of sales as the newer data came in, that they are able to move forward without road building. Some are able to move forward because they had a helicopter logging alternative as part of the process that they're able to select, even though the profit--the margin of profitability is different--but then we're not saddled with a long-term deal of having to maintain that road for decade after decade.

So there's a wide variety of variability tied to this. In addition to that, we've got 6.5 billion board feet of timber in the pipeline that's sold, that's waiting to be harvested and that determination will be made by the operator, which is contingent upon market conditions and other things like that. They typically have about a 3-year timeframe once they buy a sale.

Mr. PETERSON. Now you're into my second question, but you didn't answer my first one. The second question was how many timber sales will be canceled or not moved forward or implemented because of this policy? Are there some?

Mr. DOMBECK. Yes. The data that we have here, in the roadless areas is 104 sales in 1998. And it's likely that, possible, that some of those still may go forward.

Mr. PETERSON. But 104 could be stopped?

Mr. DOMBECK. Yes, and that---

Mr. PETERSON. How many sales are all together, what's your total number of sales?

Mr. DOMBECK. It would be well over 1,000. It would be easier to give you the data and volume of, harvest volume, what we're---

Mr. PETERSON. OK.

Mr. DOMBECK. [continuing] expecting is a reduction in about 99.6 million board feet and that's out of about 3.8, that's 99 million out of a 3.8 billion board foot program.

Mr. PETERSON. 98 million would be lost?

Mr. DOMBECK. Yes.

Mr. PETERSON. OK. But you don't have a figure of how many acres are not going to allow harvesting?

Mr. DOMBECK. No, not specifically.

Mr. PETERSON. So how does the public know, if you don't? I mean, I guess that's the part that bothers me. I mean, I guess that's part of the discussion of this policy is that I'm not sure your

people know the total impact, let alone the public, and I think that's unfortunate.

Mrs. CHENOWETH. Thank you, Mr. Peterson. Mr. Hill.

Mr. HILL. Thank you, Madam Chairman. Going back to this question of roads, I just did a calculation, incidentally, Chief, and it's about \$500 per road is what your budget is now for maintaining about half of the roads. The \$10 billion figure which you used just again in your conversation with Mr. Doolittle at \$26,000 a road is a disingenuous argument when you're talking about constructing roads in forest areas where there will be for sales. You know that and I know that. What is the cost per mile for obliterating a Forest Service road?

Mr. DOMBECK. I would say that's highly variable depending upon the—

Mr. HILL. Give me a range.

Mr. DOMBECK. [continuing] the typography. I'd have to give you a, respond in writing to that. We don't have a roads engineer here with us today, but also I want to point out that we're responsible for 7,700 bridges that we'd like to do.

Mr. HILL. How many of those bridges, and what portion of that bridge budget, is associated with Forest Service roads that are gravel roads that are used for access for logging and other recreation purposes, or how many of them are arterial roads? Can you provide that information to me?

Mr. DOMBECK. I don't have that information with me.

Mr. HILL. But you will provide that to me?

Mr. DOMBECK. Yes, I assume we can.

Mr. HILL. There are about 8 million acres that are effected by this moratorium, is that correct?

Mr. DOMBECK. There are about 8 million acres in the RARE II category that are in the timber base, yes.

Mr. HILL. And what percent, how many acres are in Montana?

Mr. DOMBECK. I'd have to, I don't have that information.

Mr. HILL. How many acres are in region one?

Mr. DOMBECK. I don't believe we have that information here either, do we? No, but we can give you the regional breakdown of that. I can get that very quickly.

Mr. HILL. Mr. Dombeck, when we had a hearing a week or so ago, I asked you if you'd provide some data to the people of Montana so that they would be informed at the time of the public meetings, you can't tell me how many acres are in Montana, and yet you had three public meetings in Montana?

Mr. DOMBECK. The employees in Montana, I'm sure have that data.

Mr. HILL. You don't have that data?

Mr. DOMBECK. I don't have that data with me by state.

Mr. HILL. Would you, the Forest Service makes an assessment of fire hazards, puts it on a sign every day in all the forests, do you recall what those assessments are, high fire hazard, low fire hazard?

Mr. DOMBECK. Yes.

Mr. HILL. What are those different levels, do you recall?

Mr. DOMBECK. Well there's low, moderate and high.

Mr. HILL. Moderate and high. Would you tell me what your assessment of the fire hazard is in the areas that are impacted by this moratorium in Montana, are they high, moderate or low?

Mr. DOMBECK. Low.

Mr. HILL. So you believe that the fire hazard in Montana is low in these roadless areas?

Mr. DOMBECK. Keep in mind that the fire, I'm sorry—

Mr. HILL. That's not consistent with the Interior Columbia Basin Study.

Mr. DOMBECK. The Interior—this is not to say that some areas, roadless areas are not, do not have forest hills problems but the Columbia Basin Study does indicate that about 80 percent, 87 percent of the areas that are in the high risk category are in roaded areas.

Mr. HILL. You made a statement at the time you announced this moratorium that one of your concerns was, is that roads and access "increase the pressure on wildlife species from hunters and fishers," do you recall making that statement?

Mr. DOMBECK. Certainly habitat fragmentation and things like that are issues.

Mr. HILL. But what your statement was was "increased pressure on wildlife species from hunters and fishers." I guess, do you believe that that is a concern with regard to building and constructing new roads and maintaining existing roads?

Mr. DOMBECK. Habitat fragmentation certainly is.

Mr. HILL. But that's not what, what you said was, "increased pressure on wildlife species from hunters and fishers," not "fragmentation." You were talking about "pressure." Do you now, you don't believe that that is an appropriate concern, or is no longer your concern?

Mr. DOMBECK. No, I believe it certainly, it could be a concern, but again, those kinds of things need to be evaluated and looked at on a local case by case basis in concert with the responsibilities that the state fish and game agencies have in regulating animal populations.

Mr. HILL. This was your statement, not my statement. Do you recall making that statement?

Mr. DOMBECK. I don't remember the specific context of the statement.

Mr. HILL. Well, one of the concerns that I have is, first of all, in our region about half of the roads now have restricted access, many of them are closed, more are being obliterated, and one of the principal social values in Montana is opportunity to recreate in a public land, including hunting and fishing and camping, and I do believe that your effort here is an effort at further restricting public access to the lands of Montana. Can you give me an assurance today that the people in Montana, at the end of this moratorium, are not going to be faced with further restrictions of access to the public lands?

Mr. DOMBECK. Those further, if there are further restrictions, they will be made either—the decisions will be made—either at the local level by our forest supervisors in the planning process or they will be made through acts of Congress with regard to additional wilderness designations, or other things at this level.

Mr. HILL. Mr. Dombeck, I would just say that I think it's duplicitous for you to suggest that you're going to make this moratorium decision in your office, and then you're going to allow those other decisions to be made somewhere else. I don't believe that to be true, but, let me just go on to one last thing. Do you believe that this moratorium is, that this is covered by the SBRFA bill, the Small Business Regulatory Flexibility Act?

Mr. DOMBECK. That assessment will be made, or is being made now, as we go through the NEPA process. The analysis that we have to date indicates that it will not be, likely will not.

Mr. HILL. And why is that?

Mr. DOMBECK. Because of the thresholds that SBRFA requires, but I will be consulting on that issue with staff, and follow their recommendations.

Mr. HILL. One last question is, how much time went into the development of the Communications Plan?

Mr. DOMBECK. I guess I can't specifically answer that, I would say maybe the two staff people that worked on it, perhaps three or 4 days, that might be an overestimate.

Mr. HILL. So you didn't solicit input from the individual regional foresters, or individual supervisors to develop this plan? This was a plan developed solely within your office with a couple of staff people?

Mr. DOMBECK. Well, I am, the Washington office was responsible for the development of the plan, I guess I would have to ask the staff the breadth of input that they got. I assume that they're in constant communication with their counterparts in the field.

Mr. HILL. The reason I ask that is that just a few months ago, you were here and others, talking about the inability of the Forest Service to meet the deadlines with regards to the Results Act and the development of a strategic plan for the management of the Forest Service. Are you telling me you think it was an appropriate thing for you to take the resources that should be committed to developing a strategic plan for the management of the Forest Service, and put those resources in development of this Communications Plan?

Mr. DOMBECK. I would say that the same, the communications staff works on a wide variety of issues. The efforts with regard to the strategic plan in the Government Performance and Results Act is also a very high priority, in fact is a significantly higher priority.

Mr. HILL. Sell the sizzle.

Mrs. CHENOWETH. Thank you, Mr. Hill. The Chair welcomes Mrs. Cubin.

Mrs. CUBIN. Thank you, Madam Chairman. Mr. Dombeck, you stated earlier, and I believe you, that you think active management is important, so it brings a question to my mind, then why are you taking a time-out from an active management in placing this moratorium on the forest road program? And then that leads me to another thing that I wonder about, as you know, until his recent legal problems, Secretary Babbitt had an aggressive schedule that allowed him to promote the administration's natural resources agenda, if you will, and based on all the news that I read and see, it appears to me that you have replaced the Secretary in his role as you travel extensively selling the administration's agenda. My

question to you is that since you are not a political appointee—a political appointee appointed by the President and confirmed by the Senate—and have never held public office, are you comfortable with this new political role that you have?

Mr. DOMBECK. The agenda is, the Forest Service agenda, it was developed by the leadership of the Forest Service. The agenda is based upon, on science, on technology, the years of resource professionalism within the Forest Service—

Mrs. CUBIN. I don't like to interrupt but I don't have a lot of time, and the quote, "we will take every opportunity to tie with the Vice President's Clean Water initiative, and indeed provide a media event for the VP to showcase the initiative on national forest lands," that doesn't sound like science to me, that sounds real political. And that's what I'm asking you. Are you comfortable with your political role? I'm not asking you if you're comfortable supporting whatever science may be involved here, but are you comfortable with this political role?

Mr. DOMBECK. I see the role as promoting what's good for national resource management and forest management, sustainable forestry, watershed health and restoration across the country.

Mrs. CUBIN. Thank you. Because this bill is about having hearings before this sort of thing can happen again, and the fact that hearings weren't held, and there wasn't public input, I want to bring up some public input that you might have received, in fact, that you would have received, had the opportunity been available.

As you know, the Wyoming Wilderness Act accomplished three things within the state of Wyoming: it designated wilderness areas to certain specified lands; it designated certain areas for wilderness study, to be considered by Congress for final wilderness designation; and finally it released all other Forest Service lands to multiple use. Congress, and Congress alone, can designate wilderness lands as wilderness in Wyoming, or any other designation that is not for multiple use. There's no provision in the Wyoming Wilderness Act for the designation of de facto wilderness. By virtue of the moratorium, future timber harvest will be rendered impossible, oil and gas exploration will be stopped, recreation opportunities will be severely curtailed, and so doesn't, or can, do you think that the moratorium could equate itself in Wyoming to a de facto wilderness since these other multiple use activities will have to stop?

Mr. DOMBECK. No, and let me reaffirm that we're speaking about a proposal that is out for public comment and—

Mrs. CUBIN. Wait a minute, speaking about a proposal, so in other words, I'm learning something new right here. You're not going to impose the moratorium until after you take public comment?

Mr. DOMBECK. That's correct, the proposal was made several weeks ago. The public comment period on the proposal ends March 30th, and at that time the comments will be analyzed and moved forward.

Mrs. CUBIN. And you think that's adequate time? I just want to, I said that I would give you some information regarding public comment that you haven't had the opportunity to get. I have a letter here from Dick Cheney who is the, was the author of the Wyoming Wilderness bill, and while I don't have it in my possession,

I soon will, a letter from Senator Malcolm Wallop and Senator Al Simpson, who were the Senate sponsors for this, and I would like to enter this letter into the record.

Mrs. CHENOWETH. Without objection, so ordered.

[The information referred to may be found at end of hearing.]

Mrs. CUBIN. Thank you, Madam Chairman. "The current effort to impose an 18 month moratorium on USFS roadless areas within the State of Wyoming prompts me to write this letter. This letter is clearly outside the legal bounds for the Wyoming Wilderness Act of 1998. The State of Wyoming is entitled to exemption from this proposed plan. No where in the Federal Register's Proposed Interim Rule, RINAB680095, Temporary Suspension of Road Construction in Roadless Areas, is the language that the Wyoming Wilderness Act recognized.

Having cosponsored this historic legislation when I was Member of the U.S. House of Representatives, representing Wyoming, I now feel compelled to bring this to your attention. Roadless areas no longer exist within the State of Wyoming. Attempts to reinterpret the intent of this legislation, or its language, would move the USFS's efforts outside all legal bounds, and compromise the agency's integrity. The congressionally approved legislation designated specific wilderness, wilderness-study areas, and released for multiple use all other RARE II forest lands. This action legally eliminated the roadless category within Wyoming state boundaries." It goes on.

This is just what you hazard when you don't offer enough time for public input, and when you move forward, or take public input at such a level but already have your mind made up, not you, Chief Dombeck, but the administration. I think the tragedy of this administration may not be so much in the personal flaws of the President, but I think the real tragedy is that many in the administration can't be trusted to provide the truth, the whole truth and nothing but the truth, because for you to sit there and say to me, Chief Dombeck, that this is based on science and not on Al Gore's political agenda, and attempts to be elected President, it's sort of astonishing.

And I think that you are a good scientist, and I think you are a capable man to manage the forests and to know what to do, and I am very sad to see that you are in this political position now where it appears that politics have, for whatever reason, become higher in what you have to do than managing the forest for good forest health. Thank you, Madam Chairman.

Mr. DOMBECK. Could I respond to—

Mrs. CHENOWETH. Yes.

Mr. DOMBECK. [continuing] could I respond to one, I think, one important point you made, and from the standpoint of the perception that the temporary suspension of road-building does not change land use allocations. It, we're talking specifically about the act of building—

Mrs. CUBIN. But if they can't—

Mr. DOMBECK. [continuing] a road, and in many cases there are other alternatives, other ways to accomplish the land management objectives on the land, and we're talking about an 18 month period, only, until other, the entire framework of the long-term policy that

there's complete agreement that we need to develop is moving forward. So we're only talking, first of all it's a proposal, and we're only talking about the act of building a road. There are other ways—

Mrs. CUBIN. But without—

Mr. DOMBECK. [continuing] to get into these areas, other mechanisms to do the work, we encourage that.

Mrs. CUBIN. But you know and I know, you know and I know very well that we're not going to have hunters and fishermen parachuting in.

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Thank you—

Mr. DOMBECK. It also does not close any roads in this specific policy of the interim. It maintains the access that we have unless there are other mechanisms in place. We're talking about construction of roads only.

Mrs. CHENOWETH. Thank you, Mr. Dombeck. Thank you, Mrs. Cubin. I have promised the members a third round of questioning, and I just have a very, I have two very short questions. Mr. Dombeck, on page 14 of your initiative in the Communications Plan, you talk about round tables with stake-holder groups to discuss and clarify what the agenda is, and what it will mean to them. Now this is in the context of the fact that this committee, and Mr. Peterson's bill is asking for open public comment, open public hearings, and what you propose is to meet with individuals, as indicated on page 14, and they are as follows, your targeted groups for the Chief to meet with will be: wildlife partners; ten organizations representing non-DC based wildlife organizations; fishnet and fisheries interests; the green groups; 31 environmental organizations; the American Recreation Roundtable headed up by Derrick Crandle, 30 organizations; private forestry counsels; and the luncheon at the press club hosted by the Natural Resources Council of America, which is 70 conservation wildlife, environmental and professional organizations.

My question is, why are there no commodity groups, such as cattlemen, timber men, miners, organized labors, labor representatives, school board representatives, county commissioners, people who will be effected on the ground by these, economically, by this organization? Why is, why are they not included if, from your frame of reference, you believe this is the right way to go?

Mr. DOMBECK. Well, I, let me say last night, or about 4:30 yesterday, I did meet with the Public Lands Council, I've met with a wide variety of groups, and will continue to meet with a wide variety of groups, and certainly do not see myself limited by the suggestions that the Plan proposes. I believe that industry, that the entire array of stake-holders that I deal with, in fact, it's my responsibility to meet with as many people as I possibly can knowing that as one individual, I cannot meet with them all, and the staff, the Deputy Chief, the regional foresters, the forest supervisors, meet with a wide variety of people.

With respect to the point on the National Press Club, so far in my career I have spoken at the National Press Club twice, am invited to speak at a wide variety of forums, some I can make, and some I can't. I'll be speaking at the Forest Products Industry in Or-

lando on Friday, and then Saturday I go to the, is it the North American Wildlife, Fish and Wildlife Conference, where I'll be meeting with state directors. I routinely meet and visit with the National Association of State Foresters.

Mrs. CHENOWETH. I think, Mr. Dombeck, our concern that you need, rather than meet with certain conservation groups or certain environmental groups to meet and discuss things with them, you talk about speaking about here, speaking to the National Association of Counties, that's entirely different than listening to these people who would be impacted, and that's what Mr. Peterson's bill is all about, requiring that you do just what is required of you under the law, no more, no less, and listening to the people who will be impacted by this very major Federal decision.

On another matter, earlier I placed into a record, into this record, a bipartisan letter sent to you by Congressman Schaffer and Congressman Stupak. In that letter to you, the two Congressmen who wrote it, and all the Congressmen, including myself, stated that the Congress intends to remain willing to work with you on your transportation plan if you are willing to withdraw your moratorium. Do you want to work with us?

Mr. DOMBECK. Yes.

Mrs. CHENOWETH. Are you willing to withdraw your moratorium?

Mr. DOMBECK. That will be based upon the comments and the analysis as part of the process that we're involved in now. What I will do is, I will work with you as proposals are further developed, and be very open about discussing alternatives and options and suggestions that we may have as we go through the process.

Mrs. CHENOWETH. Are you willing to withdraw the moratorium?

Mr. DOMBECK. I don't have an answer to that at this time.

Mrs. CHENOWETH. Mr. Peterson.

Mr. PETERSON. Yes, if I could be a little more, we've talked pretty much in general here today I, of course, I represent the eastern forests, the Allegheny National Forest, and you were talking earlier about the, that all the big, large saw, high-quality saw logs are gone, I mean, I know you're speaking of virgin timber, but I mean, you know, there's lots of good timber stands that have been cut numerous times and the big high-quality saw logs there, they may never equal some of the virgin timber, but you know and I know, that the perception you left with that statement was that all the good stuff is gone.

Mr. DOMBECK. Let me correct that, I was mainly using that in the context of the inner mountain west, and some of the forest health issues. You're certainly right, the condition of the watersheds in the east today are far superior to what they were at the turn of the century in the area where I grew up in northern Wisconsin, is that forests are better condition today than they were when my grandfather lived, was a kid there.

Mr. PETERSON. But would you describe the Allegheny National Forest as one of the most mature, high-quality, hardwood forests in America?

Mr. DOMBECK. Yes.

Mr. PETERSON. That's what everybody in Pennsylvania thinks, that it's the best of the best, and it's mature. It appears that a category of special consideration will probably impact the ANF more

than the other categories, but do you have any data on what the impact will be on the ANF?

Mr. DOMBECK. We do not have complete estimates on that. We're getting comments on that. What I can tell you is the major areas of concern are associated with municipal watersheds. We have a significant amount of controversy associated with activities in watersheds that provide drinking water supplies.

Mr. PETERSON. On ANF? On the ANF?

Mr. DOMBECK. On the Allegheny National Forest?

Mr. PETERSON. Yes.

Mr. DOMBECK. I don't have that.

Mr. PETERSON. I don't think that's a common problem on the ANF. I mean, there might be one, I can't even think of one, but there may be one or two, but I, that's not a controversy on the ANF. I mean, there's no communities within it, it's, you know, it's pretty—

Mr. DOMBECK. Yes.

Mr. PETERSON. Back to the road issue, did I hear you say something about the moratorium also includes reconstruction? You said, I hadn't, you said, "construction and reconstruction," in one of your statements a little while ago?

Mr. DOMBECK. It could, depending upon the specific situation where you might have a very old trail or something that's not part of a formal road system.

Mr. PETERSON. So reconstruction could also be impacted if the moratorium carries forward as is? So it's not just building of new, it's maintaining of old?

Mr. DOMBECK. Not maintaining, reconstructing. And I understand there is, and this is why things like this, those kind of decisions need to be made at the local level.

Mr. PETERSON. Another part that I guess is veering a little bit from the issue, but we talked about having the timber sale being an actual loss, you actually lost money last year. But that's assuming that the 25 percent that pays for education, that pays for local issues, is a throw away, and it's not. That 25 percent is the vital lifeblood of many of our communities, so for people to say that it was a loss in your system is really playing numbers game, because it's not a loss to those communities unless they lose it. I mean that's their lifeblood, that's how they educate kids, that's how they operate local services. Because, you know, the plight, and I'm going to conclude with this, the plight that real America feels, and some of you that are very opposed on the other side, the plight that real America has is, you know, 700 million acres, not in the Forest Service, but all total have been taken out of public ownership.

And in Pennsylvania state government, one of the last things I did was get the in-lieu of tax payment doubled. Now there were lots of people against that but when you take that land away from local use, you owe something back to those communities. And we have not done that very well at the Federal level. I mean, we pay a pittance, which is not being fully funded. And each of these proposals take away the right to use the resources, whether it's timber, or oil, or gas, or whatever, making it far more difficult. And that's really a part of the lifeblood of rural America. I mean rural America we dig coal, in rural America, we drill for oil, in rural

America, we harvest timber. And we have suburban people and urban people who are not impacted saying we shouldn't do that, and yet it may be 25 or 30 percent of our economic base. It's how we live. We provide those resources and in many cases we're importing those resources from far off countries, balance of trade, it's not very good American economics in the whole scheme of things.

And should we argue about how it's done, you bet. Should it be done with the best practices, you bet. Should we protect our watersheds, you bet. But the pendulum went way out of whack. We went from 12 billion board feet to 3 billion board feet, and a lot of people look at this as one more way to slow up and put off limits, you may not have meant that, but put off limits another so many million acres to where we're down, and some say it's 14 percent, and some say it's 18 percent, and I don't know which number is accurate, that's actually available in the Forest Service land for forestry practices. That's a pretty small piece, whether 18 is right or 14 is right, we're down to a nub of the original. And yet everybody sees the push to make it less, and that's the concern I think you're facing. And I guess my frustration——

Mr. DOMBECK. Can I respond to——

Mr. PETERSON. Sure.

Mr. DOMBECK. [continuing] a couple of your points. Well, I'm glad we found an area of agreement in the funding that you mentioned, because I am one that believes we shouldn't even be talking about the low cost timber sales, we should be talking about maintaining the long-term health of the land, and working within the limits of the land, the products will flow. I think that is a basic premise that I want to continue to work for as long as I'm in this job and beyond.

The second thing I want to mention is the point about the 25 percent fund has been perplexing for the Forest Service because we have, as we have injunctions we put counties into, not only the downturn and the trends that you mentioned, and I don't, I haven't had anyone tell me that they want to go back to 10 or 12 billion board feet because there is, I believe, agreement that that was too high, and the pendulum is now swinging back the other way.

But the, also the proposal that's before the Congress that the administration has made, is that to stabilize the 25 percent fund at either the 1997 level or the average of the 1986 to 1990 level because we have, I can give you an example of a worst case scenario where \$26 million worth of timber sales we're enjoying that means that those counties won't get \$5 to \$6 million, and I believe in this case it was five counties, so how do they pay their teachers? Well, there's got to be some mechanism to reduce this amplitude and stabilize the payments that counties get so a superintendent of schools or a county commissioner can plan better, and that's also a proposal that we'll be discussing.

Mr. PETERSON. But I think the President did propose that but, if my memory is correct, there was no money allocated toward it, and so that's the process goes on. You know Pelt was an agreement to the rural areas, will pay you this in lieu of, and we don't even get full payment in that, and it's a pittance. So I mean we don't even get the full pittance. I guess that's the frustration level that's

out there. Rural America is really, really being put upon, locked up our resources, locked up our land, that's where we live.

Mrs. CHENOWETH. Thank you, Mr. Peterson. The Chair recognizes Mr. Vento.

Mr. VENTO. Thanks, Mr. Dombeck. Madam Chair, thanks for recognizing me. I just got off the plane a little bit ago, and I understand that this is a, I hadn't seen the bill before that is being heard this morning, but it's kind of tough trying to be green even on St. Patrick's Day, I guess, Mr. Dombeck.

[Laughter.]

Mr. VENTO. But I wish you a happy St. Patrick's Day, and my colleagues. I, you know, generally have supported the idea that you have to take a pause, I guess, a time-out, in terms of looking at the resources. Obviously, we excluded much of the timber production west of the Cascades because there had been more thorough plans in place with regards that.

Now this authority is being exercised under the administrative authority of the Forest Service, and so you have to go through the Administrative Procedures Act, is that correct?

Mr. DOMBECK. Yes.

Mr. VENTO. And that mandates itself public hearings, does it not?

Mr. DOMBECK. There are procedures that are required that we are following.

Mr. VENTO. The issue here is I had talked about glasses, that the case here, where information or some of the science and basically eclipsed the existing Forest Service, plans, is that your judgment, Chief?

Mr. DOMBECK. Yes.

Mr. VENTO. And so the idea is to try to proceed, especially with regards to these roadless areas, to in fact attempt to reassess what the impact is because we're not maintaining the existing official roads, much less the unofficial roads that exist, is that correct?

Mr. DOMBECK. Yes.

Mr. VENTO. The bill I received, looking at the bill here, says "except and after public participation, this mandates public hearings in the interim for final rule in which the national forest is located"—is in attendance, the Forest Service is in attendance, the Forest Chief, you have to be in attendance, are you going to be in attendance at each of these 25 meetings you've established?

Mr. DOMBECK. No, I won't. I assume some are going on today.

Mr. VENTO. "In each public domain or other unit of the national forest," so there are issues that you have other responsibilities besides just these hearings, is there any reason to, will you follow and monitor what the outcome of those hearings are based on the testimony and the advice of your associates and professionals?

Mr. DOMBECK. Yes.

Mr. VENTO. This goes on, though, to say that, "the report has to be based on record of each hearing included under prior"—"which concludes the interim final will not," it says "diminish the forest health in such public domain or other unit of the national forest system." Do you expect that the report that you come forth would, in fact, diminish the forest health?

Mr. DOMBECK. The point that I want to make on that particular section of that is that that basically requires, as I read the bill, it would require us to not to diminish forest health, not adversely affect multiple use activities, and not to affect county, state, local government, economically or otherwise, and the fact is that we have to balance these issues and it's very difficult to maximize everything.

Mr. VENTO. It's my understanding that no matter what the public says, these, under No. 2, would dominate, that no matter what the public views with regards to these issues, which includes interim final report "will not," no matter what the public views are with regard to—so this bill is inconsistent, to say the least, the way I read it, exception after public participation, the public participation is going, as long as it effects these three things, if it affects forest health, if it affects the payments back to the county, if it affects multiple use, in other words, I guess, multiple use being, if it affects timber harvest, that's one of the multiple uses, and so if anything of those are adversely effected by what the public thinks, then the report—you can just throw out the public participation.

Mr. DOMBECK. Yes.

Mr. VENTO. Now when public participation comes in, you get 100 witnesses at a hearing or 2,500 at 25 hearings, you can't obviously do what everyone asks you do, is that right? Everyone has their say, not everybody has their way.

Mr. DOMBECK. If we could, we probably wouldn't be here.

Mr. VENTO. So what really guides you is not these three elements in terms of forest health, or multiple use activities or adverse, I mean, in fact, I don't know how you could maintain all the multiple use activities. One of the principle functions under the 1897 Organic Health Act of the Forest Service is protection of the watershed, isn't it?

Mr. DOMBECK. Yes.

Mr. VENTO. Is that any less important than providing the opportunity for the use of wood fibre from the national forest?

Mr. DOMBECK. No, in fact, that's also one of the mandates of the Organic Act.

Mr. VENTO. It's one of the mandates of the Organic Act, so isn't it possible very, under the multiple use, that there are in fact inherent conflicts?

Mr. DOMBECK. Yes.

Mr. VENTO. And so, I mean, this particular report couldn't talk about watershed and timber, I mean, one of them are going to have to be effected, isn't it, I mean, one of the principal concerns you have in this roadless policy has the effect in terms of what's happening with watersheds, and the lack of maintenance of roads, the intrusions into the forests, the spreading of weed. Somebody said it provided us a way to pick the weeds, well the weeds probably wouldn't be there if the road wasn't there.

Mr. DOMBECK. Yes, that's correct.

Mr. VENTO. And so there is an inherent conflict, a contradiction in this particular, so why are we re-writing, this basically would guide the entire Forest System, these three phrases would guide the entire decision with regards to this?

Mr. DOMBECK. Yes.

Mr. VENTO. You will have a frame of reference, will these issues be considered in the 25 meetings that you have?

Mr. DOMBECK. These issues will be considered along with many, many other issues that a wide variety of people will bring forward.

Mr. VENTO. I mean, one would say, one of the things they'd say is, well, if it adversely effects motor recreation, then you can go forward with that policy. That would be wrong to do, I think. But in other words, you have to balance these out in terms of trying to come up with the best possible solution for the most people, is that correct?

Mr. DOMBECK. That's correct.

Mr. VENTO. And, of course, maintaining the lot, in other words, changing the basic, following the basic Organic Act. Do you believe in some instances that that has not been followed with regards to road policy in the recent past?

Mr. DOMBECK. Yes, we need to greatly increase the emphasis on water and watersheds and the flow of water in the west, and all parts of the country, and that needs to be balanced with all the forests.

Mr. VENTO. I'd like to think that the professionals at the Forest Service did their best in terms of following it, but the fact is, that today that new information, new science, new forestry, has indicated that there's a significant number of changes. In fact, forest health, in my definition doesn't just include eliminating salvage, or eliminating problems for insect infestation, it deals with watersheds, it deals with reforestation, it deals with a whole host of different activities, does it not?

Mr. DOMBECK. Yes.

Mr. VENTO. So, I mean, unfortunately, there's too many conflicts and contradictions in a proposal like this. I don't see, do you believe that there would be a—isn't it the effort—and I talked in the last session that we had that I was present at with you, Chief, we talked about the fact that it's your intention to try to deal with, and to try to overcome, whatever limits would be in terms of timber harvest by providing opportunities on existing roaded areas, is that correct?

Mr. DOMBECK. That's correct.

Mr. VENTO. Do you think that there is, there will probably be a shortfall in some forests with regard to this, but in many others, you think that you can accommodate the need to have a continuous supply of wood fibre as product?

Mr. DOMBECK. Yes, in fact, we have to significantly increase our management activities in areas like urban wild land interface, areas where we have significant forest health problems, and integrate all the management practices, and some fibre will be produced, and there are some low-value woods there that are of no value, and we've got to look at soil stability and noxious weeds and the whole panoply of issues, depending upon the watershed or the part of the country that we're in.

Mr. VENTO. My staff points out to me that the estimate that you now have in terms of reduction over this period is 100 million board feet, is that, that's what's offered for sale, is that correct?

Mr. DOMBECK. That's the 1998 volume, yes. And we have about, I want to also point out that we've got 6.5 billion board feet under contract that's ready and waiting to be harvested.

Mr. VENTO. It's ready to be cut, but, in other words, folks are waiting for the price to go up, or waiting for other reasons, they may not perform on those contracts, as a matter of fact, is that correct?

Mr. DOMBECK. That's correct.

Mr. VENTO. You're assuming, I suppose, that some of those will not be performed on and then that timber would, or could be offered for resale or rebid again, is that correct?

Mr. DOMBECK. That's correct.

Mr. VENTO. So some of this could in fact belie, I think the issue here is to try to work it out. I don't think, you know, I obviously had my concerns about, you know, continuing the road construction program, and I'm frankly pleased because I voted to take out the road subsidy. I know you didn't agree with that, Chief, but we did so because I think that was the avenue available. And if that's the only avenue available, I guess, we can raise this issue again on the floor in terms of trying to knock out the complete subsidy, but I'd much rather try to get a rational policy. And I appreciate the fact that you are trying to do that to try to build, find some middle ground between those of us in Congress that want to see that forest health, a good policy followed with regard to roads and the damage to these forests, and those that share a different view of what is a good policy. So I think that that's the only reason that this amendment was defeated last year was because they came up with a different amount of money and then in conference it got lost, so that is still there, so I appreciate the fact that you're trying to respond to it.

It seems to me that the difference of whether it's 200 or 100 is not so great as to completely distort the opportunity to use wood fibre from the national forests. There are other sentiments, of course, that want to ban any type of harvest, even on a select basis from the forests. Up to this point, we've always thought it was workable, but perhaps I'm wrong, perhaps it isn't workable, perhaps it has to be one way or the other. But I appreciate the effort that you're trying to make despite the fact that you're receiving this much heat for it. I suppose some of that is to be expected, and obviously emotions run pretty high with regards to this, and I understand, and afford everyone their own feelings with regards—but not their own facts. Thank you, Chief.

Mr. DOMBECK. Thank you.

Mr. VENTO. Thank you, Madam Chair, for allowing me to continue for longer than my allotted time.

Mrs. CHENOWETH. You're certainly welcome. I thank the gentleman for being here and being able to arrive in time, and Mr. "O'Vento," I thank you for spreading your Irish cheer too into this hearing room.

[Laughter.]

Mrs. CHENOWETH. Chief, you have been a real trooper. You've been on the stand for nearly 2.5 hours. I do want to close simply by saying and entering this into the record, that our focus has been, and I know that Mr. Peterson is trying to again restate that

which has been stated in the Administrative Procedures Act with regards to this particular issue, and my concern arises out of the kind of hearings that will be heard.

Mr. Jerry Hamilton from Salmon, Idaho, just called this morning apparently and one of my staff members in the committee just brought this telephone message into me, and it states that he attended the Forest Service public hearing last Saturday in Missoula. "It was very loosely structured," he said, "the Forest Service asked people to watch a video, and submit comments on a postcard." Mr. Hamilton had testimony prepared to turn in or give orally. He was told he could use a tape recorder but then the Forest Service would have to transcribe it, so they preferred that he fill out a card. He left his written testimony, and then left the meeting.

This is our concern, Chief. This is how this is being handled in the field, and so we just hope that this legislation gives us the opportunity to get back on track, and to be able to hear from the public.

I want to thank you very much. I would ask that you remain until after the next panel of witnesses testify. We may have further questions.

Mr. VENTO. Madam Chair, I do have one question if I could be permitted to?

Mrs. CHENOWETH. Mr. Vento.

Mr. VENTO. Yes, I appreciate your trying to conclude this and the Chief has been here for a long time. But I wasn't looking at the backlog question, and I always thought that the \$10 billion backlog applied to the entire 475--373,000 miles of road. But according to what the testimony is, it looks to me that it does not apply to the entire 373,000, much less, I guess, the 60,000 miles of illegal roads. Can you comment on that, Chief? Is it my understanding that it does not apply?

Mr. DOMBECK. Yes, and the important part to understand there is that the most expensive part of the backlog has to do with the arterial and collector roads, the cost of maintenance and reconstruction of these hard-surface roads and bridges.

Mr. VENTO. So this is the smaller portion, the \$10 billion only applies only to the arterial roads, is that what you're saying?

Mr. DOMBECK. Yes, but I would say it's certainly by far the larger portion of the cost.

Mr. VENTO. And so, OK, well, and they're the ones used by the recreationists, they tell me?

Mr. DOMBECK. Yes.

Mr. VENTO. Ten billion for just the 86,000?

Mr. DOMBECK. Yes, school buses, mail routes. I grew up on one.

Mr. VENTO. I think this is an important problem because it seems to me to go beyond what the forests are going to be able to support based on the revenue, so it is a pertinent fact. I don't think it really has any, I don't know what it, I think there's a couple of issues here that I would just make an observation in my chairperson, you know, with regard to this in terms of how this is going to be maintained, and what's going to be done with it. You know, you might, you know, we should be looking at that issue in terms of trying to get some dollars. I mean, this is one of the biggest backlogs. We also have the Forest Service, or the Park Service,

when we talked about backlogs, much of it was for the roads going in and out of the park.

Mrs. CHENOWETH. I thank the gentleman, and thank you again, Mr. Dombek. The Chair now recognizes the second panel. We welcome the Honorable Ron Marlenee, Consultant, Government Affairs, Safari Club International, Fairfax, Virginia; Sharon Hahn, Lake County Commissioner, Two Harbors, Minnesota; Ric Davidge, Anchorage, Alaska; David Kiehl, Vice President, North East Hardwoods, Inc., Pennsylvania; and Steve Holmer, Campaign Coordinator, Western Ancient Forest Campaign, Washington, D.C.

I would like to, again, as you know, we would like to swear all the witnesses so I wonder if you would stand and raise your right hand to the square.

[Witnesses sworn.]

Mrs. CHENOWETH. The Chair recognizes the Honorable Ron Marlenee. Welcome.

**STATEMENT OF HON. RON MARLENEE, CONSULTANT,  
GOVERNMENT AFFAIRS, SAFARI CLUB INTERNATIONAL**

Mr. MARLENEE. Thank you, Madam Chairman and I appreciate your tacking "The Honorable," on the front of that. I want to thank you for having the hearings, and I want to congratulate the author of the bill, Congressman Pete Peterson.

Safari Club International has an organization representing a broad spectrum of sportsmen, supports without reservation the legislation that you have introduced.

I appear here today as the consultant for Governmental Affairs for Safari Club International. In my 16 years in Congress, I served on the committees responsible for forest management, in both the Agriculture Committee and the Resources Committee. I have seen good management, and I've seen bad management. I have seen good proposals and bad proposals. The proposal to unilaterally, and I emphasize "unilaterally," close roads is a bad proposal for sportsmen, and other recreational users. The proposal is so bad that it must have, and it does have, dedicated professionals in the field of the Forest Service shaking their head.

Madam Chairman, if the Forest Service does not have the money to maintain 23 percent of their roads, which are not primitive roads, where in the world are they going to get the money to de-commission, rehabilitate and restore even a small portion of existing roads which they propose to do? It's an expensive proposition, because access on public lands is important to good game management, and to sportsmen, we have to question if the proposal to eliminate access on public land is a political decision.

We have to question what happened, what happened to the validity of Forest Management Plans that everyone participated in, and that the taxpayers spent hundreds of millions of dollars on. We have been there, and we have done that in previous congresses and through the administration, we've looked at those roads.

We have to ask if the Forest Service is repudiating the credibility and credentials of its personnel and the validity of its own findings. These were the professionals who evaluated watersheds, wildlife sensitive areas, recreational needs, the validity of wilderness des-

ignation. The Forest Service does all of that prior to a timber sale, or building road, or even establishing a trail.

We as sportsmen question the intent of a suddenly conceived or politically instigated concept that the bureaucracy must invoke a moratorium and involve themselves in a new round of evaluation of existing access to property owned by the general public.

If the Forest Service must persist in this duplicative hearings—efforts, duplicative efforts, then sportsmen should have the opportunity to participate in hearings on every forest, just as H.R. 3297 calls for. To allege that regional hearings will suffice is a fraud. When ill-feelings already exist about being denied access, to deny the opportunity for input is an insult to sportsmen, the elderly, the handicapped and family oriented recreationist. We want to ensure that this new effort does not further erode an already diminishing access to recreational opportunity on public land.

Increasingly, sportsmen are coming up against pole gates and barriers, “no motorized vehicle,” signs when they arrive at the edge of public property. They deserve to know how many miles have already been closed or lost before the Forest Service closes more.

We would suggest that this Committee amend the bill to require the Forest Service to provide data at the local level on how many miles of roads have been closed in the past 10 years and how many pole gates and barriers have been put up in the last 10 years.

In an effort to justify further road closures, the Forest Service implies that hunting in the forest system is having a negative impact on wildlife. They contend that access has led to “increased pressure on wildlife species from hunters and fishers.” Madam Chairman, in my years of experience, it has been that the Forest Service consults extensively with state wildlife agencies and that the jurisdiction of wildlife and hunting is primarily a state right and responsibility. Because the Forest Service allegation appears in their public document, because it impugns the role of hunting in conservation, and because it denigrates the capability of state wildlife management, I would suggest that this committee require the Forest Service to name even one state agency that his not fulfilling their obligations. We, as an organization, know of none and resent the fact that this ill-thought out statement is used to justify closure considerations that could be harmful to sportsmen and wildlife management.

In closing, the reason SCI is alarmed is that the public lands of the Forest Service are a destination for our hunters in our country. Over 16 million days of hunting occur annually in the national forest. For many of these hunters and sportsmen, the only opportunity to hunt is on public land. Safari Club International is committed to ensuring access in the forest for this group of sportsmen. We are gratified to have worked with both Federal public land managers and state fish and game officials, and we hope we can do so again in attempting to find reasonable solutions for the young generation of hunters, and for outdoor recreationists on our public lands.

[The prepared statement of Mr. Marlenee may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Marlenee. The Chair is very happy to welcome Sharon Hahn. The last time I saw you, Mrs.

Hahn, we were at the Boundary Waters, we flew from Eli around the Boundary Waters, the lakes, and it was a very interesting and educational flight. I thank you very much.

**STATEMENT OF SHARON HAHN, LAKE COUNTY  
COMMISSIONER, TWO HARBORS, MINNESOTA**

Ms. HAHN. And we thank you for coming up there. It was very nice of you do, and I hope that you have a better understanding of the lay of our land.

Mrs. CHENOWETH. Well, I want to welcome you to the Committee and we look forward to your testimony. Please proceed.

Ms. HAHN. Thank you, Madam Chair. I am pleased to have the opportunity to address you and the committee on an issue that is critically important to the communities I represent.

My name is Sharon Hahn, I'm an elected Lake County Commissioner from Minnesota, also representing Arrowhead Counties Association, which covers seven northeastern Minnesota counties. I am here to support H.R. 3297 and urge its passage.

As a lifelong resident of the region, I find that we are continuously assailed by one ill-conceived regulation or another which directly effects our livelihood, economy, and welfare. Once again, we find a Federal agency unilaterally making an unfounded decision without input from citizenry and without understanding its effect.

My associates have been trying for several weeks to determine the known extent of these regulations on our national forests, and cannot get definitive information or maps, showing the effected regions. The Forest Service cannot, or will not, tell us the possible extent of their regulation resulting from "wilderness boundary" or "Special Areas."

I find the proposed rules on road-building to be ambiguous, at best, and threatening to local businesses, other land managers, and individuals.

The Federal Government has been studying roadless areas for over 70 years on the Superior National Forest. It began with the Forest Plan in 1926. We have gone through wilderness designation twice, RARE I, RARE II, and are currently involved in Forest Plan revision. Wilderness or roadless area review is a mandatory requirement for Forest Plan revisions. This process has no end. Forest Service decisionmaking is inefficient and not effective, particularly in regard to roadless areas. Something may need to be done, but this, in my opinion, is not it.

Rule 2, which deals with areas adjacent to wilderness, has profound potential for wilderness expansion by fiat in several Minnesota counties. Perhaps hundreds of thousands of acres could be added by a de facto process to the existing wilderness areas since the existing boundary has 396 miles of adjacent lands.

I am not sure what "other Federal lands," means, but the Superior National Forest adjoins Indian reservations and Voyageurs National Park. Again, thousands of acres could be effected by this policy.

There are in the proposed regulations no hint of what low-road density development could be. "Low" compared to what? This could include most national forest land. Certainly there are roads in national forests, but compared to urban, rural, agricultural, and in-

dustrial lands, forest lands are areas of low-road density. There is no size requirement. The only areas exempted from the proposed rule are a few acres with a road or other facility sitting on top. Without some definitions, guidelines or criteria, it is impossible to estimate effects and comment constructively. How the national forests intend to implement this requirement is a complete mystery.

Special and unique ecological characteristics or social values is the most puzzling and potentially most dangerous part of the proposed regulations.

If one turns the statement around, and asks, "What lands are there that do not have special, unique or social value?" it becomes more clear. A judicial interpretation of this regulation could shut down the national forests. Who and how will the Forest Service determine the values that dictate to other social values?

It is clear that decisionmaking, at least in this instance, is being centralized to the regional and Washington offices. Projects planned and designed at district level need to be decided by the region. It is another example of top-down government that is insensitive to local needs and concerns.

Although private lands are expressly exempt from these regulations, the regulations are silent in regard to other intermingled public ownership. In the eastern region, where national forest lands were acquired, as opposed to land provided through public domain, there is a large amount of state and county land intermingled with national forest land. Within the forest boundaries of the Superior National Forest, and outside of the existing wilderness area, there are over 1 million, 700 thousand acres of non-Federal ownership. State and county forest lands make up the bulk of these acres. We are deeply concerned about the consequences of other public ownership. We fully intend to access and manage our forest lands and waters. This leads to an interesting dilemma. If other public land and water is not exempt, how does the Forest Service intend to deal with the consequences?

The meeting places suggested for public input are simply not acceptable. We are invited to travel 300 miles to listen to staff tell us what they don't know. The meetings are all in large cities where the bulk of the citizens are not adversely effected, or even care about these regulations. It is estimated that 50 to 55 million board feet of planned timber sales would be effected by these proposed regulations on the Superior National Forest alone. Jobs, family, businesses and communities within my region will be severely impacted by these proposed regulations. Meetings with northern Minnesota citizens that will be adversely impacted, and will need to live with the consequences, must have a real opportunity to be heard. This can only be done by having meetings in each national forest, as described in H.R. 3297.

In summary, as proposed, these regulations will not result in better land management. Roadless area issues are not going to be resolved by interim roadless regulation.

Madam Chair, I thank you for the opportunity to carry our message to this Congress and to point out the shortcomings of the proposed Forest Service roadless area regulations. H.R. 3297 would at least begin to restore sanity to this proposal. Thank you.

[The prepared statement of Ms. Hahn may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mrs. Hahn. The Chair welcomes Ric Davidge all the way from Anchorage, Alaska. Mr. Davidge.

**STATEMENT OF RIC DAVIDGE, ANCHORAGE, ALASKA**

Mr. DAVIDGE. Thank you, Madam Chairman. I have provided the Committee a written statement, as well as appropriate attachments, and I would just highlight a couple of specific points in that.

In the capacity as Acting Assistant Secretary for Fish, Wildlife and Parks during the Reagan administration, I also served as the chairman of the Land Policy Group between 1981 and 1983. This group oversees the public policy and allocation of Land and Water Conservation Funds to the National Park Service, the Fish and Wildlife Service, Bureau of Land Management, and U.S. Forest Service.

In 1982, the Land Policy Group formally promulgated the Land Protection Policy, which required unit-specific resource and fiscal allocation strategies that fully integrated local communities, and landowners in the process, while fully complying with NEPA and APA. Land acquisition, other than emergencies, was effectively halted in the process of these plans. I believe protection policy approach does have some application that you're facing before this Committee.

We make five key points: The legislation should immediately stop road closures and the interruption of approved new roads for at least the 18 month process, or until each unit-specific plan is completed, reviewed and approved.

Two, the Committee should require unit-specific plans with integrated participation, specifically, with local government officials and landowners who clearly have a high degree of impact other than general citizens at large. In the land protection program, unit managers were specifically directed to send notice each individual who owned land, or interest in land, within those areas.

No. 3, the Committee should require full compliance with NEPA, specifically, in the area of secondary impact assessments. A lot of land managers do not understand the need to do secondary impact assessments which look at not just the social and economic, but also the cultural impacts of public policy, which is really one of the fundamental concepts of the passage of NEPA as a statute. The Committee should require full compliance with the Administrative Procedures Act. I have run open houses. They're effective in a scoping process, but not in the gathering of public testimony.

And also, the Committee should require full compliance with the Americans with Disabilities Act. I look at a road as a public facility, and I think ADA would have some application there.

In addition, and finally, I think the Committee should maintain its aggressive oversight of the implementation of the statute and require reports on a regular basis, as well as look at representative plans for each of the unit areas that the Committee members are interested in to see if they do comply with the statute.

Thank you for the invitation, Madam Chairman.

[The prepared statement of Mr. Davidge may be found at end of hearing.]

Mrs. CHENOWETH. Thank you very much, Mr. Davidge, for your very interesting testimony. The Chair recognizes Mr. Peterson to introduce the next witness.

Mr. PETERSON. It's my pleasure to introduce David Kiehl, a resident of the Fifth District in Pennsylvania, who has come to testify on behalf of H.R. 3297. I'd like to welcome him and thank him for making the trip here, and giving us, given the stringent timeframe.

As Dave will explain, he is Vice President of North East Hardwoods located in Marienville, Pennsylvania. It's a 10 year old company. He comes today, however, as a member of the Allegheny Forest Alliance. The Alliance is a broad coalition of individuals and groups who are interested in the management of our public lands. As David will describe, the coalition reflects views of its members who support environmental stewardship, and active and multiple use management of our public lands, including the Allegheny National Forest. Again, I want to thank Dave for coming to Washington today to share his views, or the views of the Alliance with us.

**STATEMENT OF DAVID W. KIEHL, VICE PRESIDENT, NORTH EAST HARDWOODS, INC., MARIENVILLE, PENNSYLVANIA**

Mr. KIEHL. Thank you, Congressman, and thank you, Madam Chairman for this opportunity, and members of the Subcommittee. As the Congressman stated, I'm Dave Kiehl, Vice President and one of the owners of North East Hardwoods of Marienville, Pennsylvania.

North East Hardwoods, as he stated, is a small, privately owned producer of high-quality, and I underline that, Allegheny hardwood lumber. We also buy and sell veneer logs. We started our business in 1988. At that time, there were just my two partners, my wife, Jody, and myself. During the last decade, we have grown slowly, but steadily. Nearly all the timber that we use in our business comes from the Allegheny National Forest, 90 to 95 percent to be exact. For our company, and many others, this National Forest is literally the mainstay of rural way of life.

I am testifying today on behalf of the Allegheny Forest Alliance, a coalition of individual school districts, townships and boroughs, hardwood lumber and veneer manufacturers, trade associations, and sporting and wildlife conservation organizations. The Alliance supports sustainable forestry, environmental stewardship, and multiple use management of the Allegheny National Forest, and other public forest lands. We oppose the proposed moratorium on the construction of roads into national forest roadless areas. If such a moratorium is necessary, then Congress should enact H.R. 3297, legislation sponsored by Congressman Peterson and others, required to give extensive local hearings beforehand.

The 513,000 acre Allegheny National Forest is located in north-western Pennsylvania. It is a model of well-managed, multiple use forest. Like other national forests east of the Mississippi, the ANF was almost completely cut-over around the turn of the century. During the 1920's and 1930's, the Federal Government acquired these cut-over lands, and established the Allegheny National Forest. Through pro-active forest management, this second growth forest has slowly matured. Now the forest is at peak economic and biological condition. The ANF is extremely well-stocked with black

cherry, maple, ash and other valuable hardwood species. In fact, about one-third of the world's commercial supply of black cherry timber, used in fine furniture and veneers, comes from the Allegheny National Forest.

Most of the unique roadless areas within the ANF have already been set aside under a variety of designations. And the road system within the forest is essentially complete. These roads are used primarily for recreation—I might say 90 percent for recreation—resource protection and resource management. Obviously, the proposed roadless area moratorium will have a different effect on the use and management of the ANF than on other national forests, for the roadless acreage is much greater. Certain national forests would be exempt from the moratorium. However, the ANF does not qualify for any of the exemptions. According to the ANF officials, there are roadless areas within the forest that would be effected by the moratorium.

To help citizens in our area to comment on the moratorium proposal, we made several inquiries with staff of the ANF. In each case, we asked the Forest Service officials to tell us precisely how the moratorium would effect the ANF. To date, we have received information of what is proposed by the administration, but no information about how our forest would be effected. I don't think you need any other justification for the forest-by-forest hearings proposed in H.R. 3297 than the complete absence of any meaningful site-specific information about the local effects of the proposed national moratorium.

I ask you, how can anyone be against this bill? All it does is require the agency to do what it should have done in the first place. Start at the bottom, and it works its way up.

The Forest Service, at least in our part of the country, has not even prepared a map showing which portions of the ANF remain roadless. A national roadless moratorium poses risks for companies that rely upon national forest timber sales, as I do, and school districts and local governments that receive a portion of national forest receipts. But the greater risk is to the forest itself. An 18 month moratorium on road building in national forest roadless areas will tie the hands of those who we have been entrusted to manage our forest.

Of particular concern to us, and to the sponsors of H.R. 3297, is how forest health could be impacted. There are many situations where building a road is necessary to fight wild fire or otherwise protect the forest ecosystem. Therefore, we ought to assess the forest health implications of a road building moratorium before such a moratorium is adopted.

The Allegheny Forest Alliance will continue to oppose the proposed roadless moratorium. However, if such a moratorium is inevitable, then top-level Forest Service officials should receive testimony from local citizens at hearings in, or near, every national forest. We urge the subcommittee to promptly approve H.R. 3297 to ensure that such hearings take place.

Thank you for this opportunity to voice our concerns.

[The prepared statement of Mr. Kiehl may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Kiehl, and thank you for traveling into Washington for this testimony. And last, but certainly not least, the Chair recognizes the Campaign Coordinator for the Western Ancient Forest Campaign, Steve Holmer.

**STATEMENT OF STEVE HOLMER, CAMPAIGN COORDINATOR,  
WESTERN ANCIENT FOREST CAMPAIGN, WASHINGTON, DC**

Mr. HOLMER. Thank you, Chairman Chenoweth, for this opportunity to testify. The Forest Service's proposed road building moratorium is a good first step toward improving management of National Forest roadless areas, but if falls short of President Clinton's statement that "these unspoiled areas must be managed through science, not politics."

Roadless areas are critically important, both to people and wildlife. They provide clean drinking water, opportunities for recreation, wildlife habitat and spawning grounds for fish. Many communities depend on the clean water, as well as the recreation and tourism from unroaded forest areas. Recent studies in the northwest, the Sierra Nevada, Columbia Basin and Southern Appalachians have documented the ecological importance of these pristine areas, and the need for their protection.

Taxpayer subsidies for timber roads facilitate the logging of roadless areas which otherwise would be uneconomical to log, thus adding to the red ink of the national forest timber sale program. These losses totaled \$502 million in 1996, according to independent economist, Randall O'Toole, using Forest Service data. The Congressional Research Service noted that \$790 million was appropriated for timber sales in 1996, and yet not one dollar was returned to the Treasury for the 3.8 billion board feet of timber that was supposedly sold, and I would say given away from our national forest.

We cannot continue to expand these subsidies which are harming the environment, and we have a system that we can't even maintain so it simply doesn't make sense to expand this network. You're creating a liability for the taxpayers in the process, a liability now estimated at least \$10.5 billion.

According to DOA Under Secretary Jim Lyons, "Roads are the No. 1 threat to water quality on the National Forests." In addition, roads and logging are linked to increased landslides and flooding, threatening lives and property. The Sierra Nevada Ecosystem Project concluded that logging has actually increased fire risk by leaving flammable brush and changing the microclimate.

I'd like to share with you a quote, another quote from the Columbia Basin Project, "Fires in unroaded areas are not as severe as in roaded areas because of less surface fuel, and fires that leave some of the large trees survive to produce seed that regenerates the areas." Many of the fires in unroaded areas produce a forest structure that is consistent with the fire regime, while the fires in roaded areas commonly produce a forest structure that in not in sync with the fire regime. Fires in roaded areas are commonly more intense due to dryer conditions, wind zones on the foothill valley interface, high-surface fuel loading and dense stands. This suggests that the problems are not in the roadless areas, the problems are in the managed areas.

Would the moratorium deny access to our forests? No, there's already an extensive network of 433,000 miles, plus another 25-29,000 miles of road that aren't talked about. These are county, state and Federal highways that criss-cross the national forest system. Right now, the Forest Service indicates that only about 80 percent of all traffic is on 20 percent of the roads. And just to get back to the point of hunting, this moratorium would not limit any existing hunting access.

Would the moratorium invalidate the forest planning process? Regrettably, forest plan revisions have so far not adequately protected roadless areas. Two recently revised forest plans on the Black Hills and the Rio Grande did not propose to protect any roadless areas. A recent poll showed that 77 percent of northwest voters believe that protecting pristine forests as wilderness is an effective means of safeguarding clean drinking water, salmon habitat and ancient forests. The roads moratorium is a step in the right direction, but the proposed Forest Service rule would exempt the Tongas National Forest, the forests under the Northwest Forest Plan, forests that have revised their forest plans, and many roadless areas that are less than 5,000 acres.

A policy for roadless area management should end logging and end road building in all inventoried roadless areas, as well as in roadless areas of smaller size identified through an independent scientific assessment. Good stewardship of our national forests requires that these last remaining wild places should be fully and permanently protected.

And I'd like to comment on H.R. 3297. Our Campaign opposes the bill because it would unnecessarily delay the implementation of the proposed moratorium. The bill requires 120-156 public hearings attended by the Chief or forester, plus 156 separate analyses. This delay will cause substantial environmental harm from numerous timber sales now planned in national forest roadless areas. I'd like to enter America's Wildlands at Risk, a report that we produced that documents 50 timber sales now pending in roadless areas that threaten our heritage. Will that be allowed in the record?

Mrs. CHENOWETH. Is there any objection?

Mr. HOLMER. Thank you.

Mrs. CHENOWETH. The Chair will take that under advisement. Thank you.

[The prepared statement of Mr. Holmer may be found at end of hearing.]

Mr. HOLMER. We were satisfied with the moratorium's original 30-day public comment period because extensive public debate has taken place on the issue of timber roads over the last 2 years. And our position of roadless area protection is well-established. I'd like to also submit for the record over 25 editorials that appeared in the newspapers in every region of the country in support of any destructive subsidies for building new logging roads. If you'd accept these comments, I'd be appreciative.

Mrs. CHENOWETH. Mr. Holmer, you are entering those as part of your testimony, right?

Mr. HOLMER. For the record, yes.

Mrs. CHENOWETH. All right, thank you. They are accepted.

[The information referred to may be found at end of hearing.]

Mr. HOLMER. The additional 30-day comment period and the 25 open houses around the Nation are giving interested citizens more than sufficient opportunity to register their concerns. At a recent open house in Anchorage, 60 citizens chose to participate and submit comments. The agency allowed those present to overview the comments received and 59 of those comments were in favor of the proposed moratorium. I would contend that there is strong public support for this moratorium.

H.R. 3297 requires the Forest Service to determine that the moratorium will not effect forest health. The best available science indicates that the moratorium will help improve forest health by eliminating an activity, road building, that has been demonstrated to degrade watersheds with erosion and sediment, fragment wildlife habitat, and increase fire risks. Past forest management that emphasized road building, logging, fire suppression, and grazing has caused substantial degradation to managed areas. And it is in these areas that genuine restoration efforts should be undertaken, not in the roadless areas.

Chief Dombeck stated in the recent testimony, and today, that 87 percent of the areas at high risk of wildfire are in the managed areas—

Mrs. CHENOWETH. Mr. Holmer, let me say that—

Mr. HOLMER. [continuing] not the roadless areas.

Mrs. CHENOWETH. [continuing] all witnesses with the exception of Chief Dombeck have been held to 5 minutes.

Mr. HOLMER. Sure. That's fine.

Mrs. CHENOWETH. So I'd appreciate your—

Mr. HOLMER. May I close my testimony?

Mrs. CHENOWETH. [continuing] wrapping it up—

Mr. HOLMER. Sure.

Mrs. CHENOWETH. [continuing] in 15 seconds.

Mr. HOLMER. OK, well in closing, while the stated intent of this legislation to increase public participation is laudable, the bill's provisions are excessive in this case. I will say it's encouraging that many of the bill's sponsors, who supported the Salvage Logging rider, which suspended public participation, have now reversed course and are endorsing the right of the public to have an input in public forest management. Thank you for this opportunity.

Mrs. CHENOWETH. Thank you, Mr. Holmer. The Chair recognizes for questioning, Mr. Peterson.

Mr. PETERSON. Mr. Holmer, how many of the forests have you visited?

Mr. HOLMER. I've been to 16 or 17 different national forests.

Mr. PETERSON. What part of the country?

Mr. HOLMER. In every region but the southwest.

Mr. PETERSON. You've been in the northeast?

Mr. HOLMER. Yes, up in Vermont.

Mr. PETERSON. In Vermont, OK. Do you think people from Pennsylvania who have a concern with this policy, the original plan called for them to go Minnesota or New Hampshire, you think that's—

Mr. HOLMER. Well, I personally felt that the public comment period where people could send their comments in writing through the mail was sufficient, and that would allow any person, in any

part of the country to submit their comments. And that's an open opportunity that will be open until March 30th, I believe.

Mr. PETERSON. OK, you don't think that people who are proposing regulations from Washington should have to stand in a public forum and defend those when local people have concerns, with the press there?

Mr. HOLMER. Well, I think that in some cases that might be appropriate. In our view, this proposal does not have the kind of impact that the legislation that you put forward would suggest.

Mr. PETERSON. You said, that's your opinion, OK. But I notice you have a good job. You're not impacted economically in anyway, you're not part of a rural economic economy, you don't depend on local recreation to make your living, you don't depend on any kind of resources from rural America to make your living, you're pretty cozy here, and it's easy for people from urban suburban America, who have their view, and they have a right to that, that most of rural America should be off-limits. You know, we have 700 million acres of public land here in America that we own, 700 million. Do you think we should timber any of it?

Mr. HOLMER. I believe that logging on the national forest is not the question before us today.

Mr. PETERSON. I'm asking you a question.

Mr. HOLMER. I don't have any problem with logging on national forests or on private or state lands. The question is where's the logging place, and what kind of logging are we talking about? You know, the fact is that these roadless areas are worth more protected, than they're worth logged, just for the clean water, just for the recreation, just for the fish and wildlife values. They're worth more protected, than they are logged.

Mr. PETERSON. Well, about 82 percent of the Forest Service land, which is not the set-asides, 82 percent of it, which is land for multiple use, we have lots of areas that are not for multiple use, but we're down to 18 percent that's now that you can practice forestry. It's been squeezed and squeezed and the squeeze is at a couple 3 more percent.

How does that make good public policy, that this land was put in public trust for multiple reasons, recreation, tourism, resources, and individuals and groups like yourself, want to lock up the resources? You don't want that to be a part of the multiple use. And that's your bottom line, I know that as well as you know that.

Mr. HOLMER. Well, that is not our stated position. Our position is to protect old growth and roadless areas, municipal watersheds, riparian areas, and we have an ecological basis for these protections, but I think if you wanted to look at them through an economic prism, and you look at the timber sale program through an economic prism, it doesn't make sense the way we're conducting logging on the national forest right now. The program needs to be massively scaled back, if not completely eliminated, until they can show that they can do the job right.

Mr. PETERSON. Well, it's one-fourth of what it used to be, and I'm sure you'll be happier when it's one-fifth of what it used to be, or when it's one-sixth—

Mr. HOLMER. I think it should be noted why the harvest came down. Judge William Dwyer cited a systematic and deliberate fail-

ure by the Forest Service to comply with laws effecting wildlife. Now do you think it's OK for the government to ignore these laws? I disagree, the public disagrees and most certainly, the court disagrees.

Mr. PETERSON. But I think your argument just makes the point. What works in Alaska has no relevance to what works in Pennsylvania. What works in California has no relevance to what works in Vermont and New Hampshire or New England. We're a diverse country, we're a diverse forest and a "one-fits-all" policy—if I come to Washington for reason, is to give government back to the people, not to have government at the Washington level, at the administrative level, to set rules and regulations which I fear more than law, under any issue, not just this issue, that's the worst government you can have, when rules and regulations are promulgated without any sunshine.

The basis of government, good government, is the people having a chance to share their views. Only the elite organizations of America had a chance to share their views on this issue, on both sides of the issue. The citizens that grub out a living, that carry a lunch bucket, that are fighting to feed their families, and want to have a quality of life in rural America, have not been heard and they deserve to be heard.

Mr. HOLMER. I would agree that public participation and sunshine is extremely important. I think in this case the provisions in your bill go a little too far, and I think based on the 20,000 comments the Forest Service has received, there are a lot of people in this country who are paying attention, and who have submitted comments.

Mrs. CHENOWETH. Thank you, Mr. Peterson. The Chair recognizes Mr. Vento.

Mr. VENTO. Well, thank you, Madam Chairman, I just want to say that I think that the purpose of public participation is good. I think the effect of this bill would be to obviously to completely frustrate exercise of this new policy, whether you agree or disagree with it, that's the effect of what this legislation does.

I'm pleased to see a Minnesota witness here, Commissioner Hahn. Do you have, how would you characterize the roads in the Superior Forest, I guess that's, in the Superior National Forest, are they in good repair, or not?

Ms. HAHN. I would say that that would depend on who owned the roads.

Mr. VENTO. Well, I'm talking about the Forest Service roads.

Ms. HAHN. Of the Forest Service roads, OK, because the State of Minnesota roads, we have an argument with. Again it would depend on what area you go to, I would like to point out that in the Superior National Forest, there's already 1.3 million acres set aside for wilderness where there are no roads, that's already roadless area.

Mr. VENTO. Well, I don't think there ever have been very many roads in those areas, and the few that there were, we're still fighting about.

Ms. HAHN. I'm sorry but we had a train route, there is still railroad—

Mr. VENTO. Yes, but what about the roads in the Superior National Forest, how many miles of roads are there in the Superior National Forest today?

Ms. HAHN. I'm sorry I don't have that figure with me.

Mr. VENTO. Do you know anything about the condition of them?

Ms. HAHN. I do just from driving on them on a daily basis.

Mr. VENTO. You don't have any official information on those roads in the Superior National Forest?

Ms. HAHN. I would be more than happy to get it out here for you.

Mr. VENTO. Well, I think we can get it from the Forest Service. I was just interested in, you know, whether you had knowledge about the issue with regards to the moratorium? Do you have any information on the Chippewa National Forest?

Ms. HAHN. No, and I am concentrating on the Superior. However, Koochiching County and Itasca are part of the counties that sent me out here. I guess our largest concern about this roadless area is the fact that our county is also on roads on those, in the national forest.

Mr. VENTO. Are they maintaining them?

Ms. HAHN. The counties do maintain the roads, and we are building new roads for logging jobs. Our part of Minnesota is dependent on the three T's, timber, tourism and taconite.

Mr. VENTO. Well, tourism is a big part of the Forest Service budget, and the Forest Service, we actually have about three times the number of visitor days in the forest as tourists, for instance, in the National Park System. Something like between 800 and 900 million visitor days, or visits to the national forest. And it's pointed out here that they actually result in a contribution of \$100 billion in dollars, that's 2.5 million jobs, just in terms of recreation, in terms of the forest, so it's changing. If you looked that 25 years ago, 50 years ago, it was much different. Don't you think that our policies need to adjust to deal with that?

Ms. HAHN. I'm sorry to disagree with you but 25 years ago—

Mr. VENTO. I didn't hear what you said.

Ms. HAHN. I'm sorry to disagree with you but 25 years ago tourism was as big as it is now.

Mr. VENTO. Yes.

Ms. HAHN. In our area of Minnesota.

Mr. VENTO. Well, that's all right, you can disagree with it, but you can't disagree with the facts in terms of the overall forests, and maybe that the areas in Superior is a different circumstance, and in other areas, I don't know, but we do, I know that there have been more visitor days in the Boundary waters and has increased since 1978 by 60 percent.

Ms. HAHN. And those visitor days are not having an impact of people outside the Boundary waters.

Mr. VENTO. Well, there is more people using it, I don't know if, you know, what the effect is.

Ms. HAHN. If you cut the roads by a one-third in the Superior National Forest, it will not only have an effect on our forest industry but in fact will have an effect on our tourism industry.

Mr. VENTO. Well, I think that that's something to be looked at. I guess that's why we're having hearings. We're talking about a

moratorium on road construction for a short period of time, and I think that there is a question of maintenance.

Now, part of the Chief's, Service's, testimony is that 80 percent of the people use about 20 percent of the roads. You disagree with that? Do you have any numbers that, you don't disagree with that?

Ms. HAHN. I do not disagree with that—

Mr. VENTO. Maybe the Superior is a-typical or maybe Chippewa National Forest is a-typical.

Ms. HAHN. I think that we have more hunters and fishermen up there than in some of the other areas. However, it still comes down to the basic fact that one of our main reasons for sending me here is the fact that there are county lands and state lands inside the Superior National Forest—

Mr. VENTO. I read your testimony with regards to that, and you know, as far as I know I don't know what that impact is, but I do not think there is an impact. Incidentally, you suggested that some people in Minnesota were going to have to travel 300 miles to get to St. Paul?

Ms. HAHN. That is in fact true.

Mr. VENTO. Well, I don't know it isn't, Two Harbors isn't 300 miles, is it?

Ms. HAHN. I am one of the lucky ones. However, when you happen to be living in Hovland, Minnesota or by Grand Portage, Minnesota, you do have a 300 mile trip.

Mr. VENTO. Well, you could, I don't know, I think it's, I think that for most it's a lot closer than that.

I appreciated your testimony, Mr. Holmer. You pointed out that, in fact that the roaded areas are more likely to be associated with fires, is that correct?

Mr. HOLMER. That's right. Chief Dombek has indicated—

Mr. VENTO. Well, there are two points, my time is up, but two points: one is that the roaded areas are more likely to be an intrusion into forest health and to cause a decline in forest health, in and around the roaded areas; and second, they are more likely to be associated with fire. Now, of course, there is some suggestion that if this moratorium would interfere with fire-fighting, I think that is not correct. But the fact is that we do get more fires in and around roads, you get more noxious weeds, you get more problems with forest health. That's the testimony of the Chief—

Mr. HOLMER. That's correct.

Mr. VENTO. [continuing] and that's the documentation of the scientists. You know, this isn't something that I have created to be contrary with some of the witnesses, or with the bill. That is the scientific information, that's the statistics, that's what they tell you. Just like the statistics on recreation and tourism. I thank you for your testimony, Mr. Holmer, you've—

Mr. HOLMER. Thank you.

Mr. VENTO. [continuing] been helpful, and others I've taken into consideration the questions that you've raised, Ms. Hahn, with regards with state and county lands, how they'll be effected by this moratorium, the short moratorium.

Mr. PETERSON. Recognize the gentleman from Montana, Mr. Hill.

Mr. HILL. Thank you, Mr. Chairman, Congresswoman Marlenee, thank you for coming. I appreciate it very much. How do you re-

spond to the Forest Service claim that it is allowing public input by having these regional hearings?

Mr. MARLENEE. It's a fraud, Congressman. To allow true public hearings, you've got to have them in the area where they are effected in every regional forests. In the State of Montana, for instance, Region 1, there are 10 national forests, 10 of them. The furthest forest district office is in South Dakota, some 700 miles away from the regional forest. Now it's easy to gather elitist in a center like Minneapolis or in a center like Mazula. They're the ones that will come down there from the organizations in an organized effort, and testify, and be at these hearings. But what about the wage-earner, the guy that's the shoe clerk, the mechanic, the fellow that's maybe a bank teller, and his hunting is affected in Montana, and the far eastern edge in South Dakota, or in Idaho, where there are two national forests that belong to Region 1. Is he going to be able to take the time and give his input? Of course not. And so they must have the hearings the Peterson bill provides.

Mr. HILL. You heard Mr. Holmer comment that this moratorium is not going to reduce sportsmen access in any way. Would you agree with that statement, or would you disagree with that statement?

Mr. MARLENEE. I need to catch that again, I apologize.

Mr. HILL. Mr. Holmer says that this moratorium is not going to reduce sportsmen access in any way, do you agree or disagree with that comment?

Mr. MARLENEE. Well, all you have to do is read their No. 1 objective in their proposal, rulemaking objectives, "roads will be removed where they are no longer needed and ecological values will be rehabilitated and restored in formerly roaded areas. These outcomes will be accomplished by aggressively decommissioning unneeded roads." Now first of all, the sportsmen have to have some input into what roads are going to be "decommissioned," and that's a very innovate word developed within the bureaucracy. Somebody will get a merit-pay raise because of that innovation and that creativity, I'm sure. But the point is that the decommissioning of these roads and the rehabilitation that will take place is bound to have an impact on sportsmen and their access, there's no question about it.

Mr. HILL. And they ought to have the right to comment on that, don't you think?

Mr. MARLENEE. They what?

Mr. HILL. They ought to have the right to make comments?

Mr. MARLENEE. Right, they have every right to make comments.

Mr. HILL. You mentioned in your testimony about pole gate barriers and other ways to close roads, what has been your personal experience with regard to that in Montana, or elsewhere?

Mr. MARLENEE. In one of the forests, I made the comment because already a vast number of miles of roads have been closed on national forests, maybe it's good, maybe it's bad, but nonetheless when you add that to new proposals, and additional closures, the public deserves the right to know how many miles have already been closed. Now my experience has been that forest, or that sportsmen, recreationists, berry pickers are running up against pole gates, barriers, "No motorized vehicle," signs, and when they

do, they're asking, "What's going on here?" Well the Forest Service has erected these.

I asked one forester for the information. I went to a Senator, and said give me this information. The Forest Service said, "Who wants to know?" The Senator said, "We do." It took them forever to come up with the information, but on that one forest, hundreds of miles of roads had been closed and well over 100, I'm thinking like a 120 pole gates and barriers had been put up in the last 10 years.

Mr. HILL. Thank you, Mr. Chairman.

Mr. PETERSON. The gentleman from Alaska, that was an issue you raised too wasn't it, would you like to again review in a little more detail what you would like to have added to the legislation?

Mr. DAVIDGE. Thank you, Mr. Chairman. I don't recall specifically raising that issue, but the point that I was making is the effectiveness of the Land Protection program, was that, a moratorium, if you will, in activity and acquisition while the planning process was taking place, until the unit plan was done, in this case, until you've completed your public participation, status quo is maintained.

One of the things that I again want to highlight, in the implementation of the Land Protection program, we found that most agencies did not have a reasonable understanding of how to do secondary impact assessments, looking at social, economic, and particularly cultural impacts. The General Accounting Office has done a number of investigations and published reports on the cultural impacts of public policy without these kinds of unit-specific considerations.

One of the criticisms that we received on the implementation of this program was that we were not given adequate notice. We directed that every landowner was given specific and individual notice. Certainly, in national forests, any national forest manager knows who the people are that are directly effected by these policies, and they should be given direct and individual notice as well. That's what I mean by full compliance with NEPA, and full compliance with APA, rather than just performing the minimum requirements which, I would say, the open house approach is doing.

Mr. PETERSON. As a public policy person had to make decisions, are you surprised with the, you know, the difference in all of our forests in America, I mean from Alaska to Maine, and from California to Pennsylvania, to have a national, aren't you surprised that we've come up with this sort of a national change or policy with not even a discussion with the regional foresters?

Mr. DAVIDGE. Mr. Chairman, I'm not surprised.

Mr. PETERSON. OK.

Mr. DAVIDGE. I've faced that challenge when I was with the Department of Interior, but one of the things that I've found, I'm probably one of the few people on this planet that has read every enabling act of every unit of the National Park System. One of the things that people don't remember is that most of these areas were created for specific purposes, or have specific amendments that allow acquisitions for specific purposes. With the implementation of the Land Protection program, the enabling acts, or the individual unit management plans had to be used as a guide in the implementation of these plans. That's why each unit plan was individual, but

still had to meet some basic characteristics, which included participation, direct notice, those kinds of things. I'm not surprised of the diversity of the forests, certainly, I was never surprised at the diversity of the National Park System, or the Fish and Wildlife Service, but that's why it's so difficult to apply a broad-brush national policy, without unit-specific planning. That's why you have unit-specific planning in the forest, every unit of the Federal estate has some level of management planning that are reviewed on a 5-year basis, that's why you do it, because you can't manage it from Washington, DC, you can't manage it from Seattle.

Mr. PETERSON. But too often we try to, don't we?

Mr. DAVIDGE. Yes, Mr. Chairman, because we're under pressure from our superiors to find a way to implement national strategies, but not only do they not work in natural resource management, they don't work in welfare programs, they don't work in housing programs. I visited 52 villages in Alaska, and I can tell you the history of Indian housing is terrible up there because the programs that are crafted in Washington, DC just don't work there.

Mr. PETERSON. I've been in public policy for quite a few years, and I know those who have resources and like to set public policy in whether it be education, or whatever the issue is, they much prefer dealing with one Federal Government and win one battle, than to win 50 battles with 50 states, and maybe hundreds or thousands of battles with all the individual counties or regions. But this is a very diverse country and I thank you for your testimony from Alaska.

The gentleman from Pennsylvania, what have you learned, you said a little bit in your testimony, but what have you learned on how this will impact the ANF?

Mr. KIEHL. The problem we have, we don't know how it's going to effect us. And to go—their meeting is clear up in Massachusetts I'm told. I mean, it's far enough to come down here and take time off for what I need to do. That's a problem, they don't even have a map of the roadless areas on the Allegheny National Forest. And the other thing is, you know, the Allegheny National Forest is very unique. Correct me if I'm wrong, but it is the most valuable national forest in the whole United States, it's one of the smallest, but it is the most valuable. But it is in very good shape, and contrary to what may be in other areas of the U.S. I know because my grandfather helped log it at the turn of the century. I can show pictures that all the hills were clear-cut. And now they're beautiful, very high-quality timber stands.

And I beg to differ with Mr. Holmer here. The Allegheny National Forest has generated \$105 million profit in the last 7 years, 1990 to 1997. And of that, \$26 million-plus has went to the local counties and school districts. We have returned that much money to the Treasury, OK. But we are being curtailed. We have an approved forest plan. We went through all the hurdles and all the input in 1986, it's scientifically based, the ASQ (Allowable Sale Quantity) of 94.5 million feet, they're not even going to get 16 million feet this year, you know. And I remember in 1986, the industry was roughly consuming 60 to 70 million board feet. The Forest Service told us as an industry, "You need to get the industry to consume this 94.5 million feet." So we did, we geared up, myself

and my two partners, there in 1988. We spent millions of dollars, were were in hock to our ears, OK.

And to utilize this, I feel betrayed, not only as a citizen—not as a business-owner, but as a citizen, as a taxpayer, and this moratorium is saying 18 months isn't very long, it very much is. It is. We need to be harvesting timber to manage it properly, and the Forest Service has done a tremendous job. That's why we have the quality timber stands that we have in our area, because they've done a tremendous job, but they need to be allowed to do their job. But they can't take a broad-brush to it. What works out in California, does not work in Pennsylvania.

Mr. PETERSON. Thank you. Mr. Vento.

Mr. VENTO. Well, thanks, Mr. Chairman. I, you know, the issue is what is the road condition in the Mahogany or the other forest that you have—

Mr. KIEHL. Allegheny.

Mr. VENTO. Allegheny in your area, what is the road, do you have any ghost roads there?

Mr. KIEHL. Sure.

Mr. VENTO. When I was listening to my colleague talk about, my former colleague actually acknowledge Mr. Marlenee on the Committee, I'm from St. Paul incidentally, is that what you were referring to, people from St. Paul. In any case, sometimes we know as much as people from Medota Heights that are in the Sahara Club, or it's the Safari Club, well, pardon me.

[Laughter.]

Mr. MARLENEE. I'll excuse you once.

[Laughter.]

Mr. VENTO. OK, OK. Or even some of the Sierra Club, probably more in the Sierra Club than in the Safari Club, I might say.

In any case, the issue of illegal roads and closing roads, you know, I remember my former staff member talking about, Dale Crane, talking about he tried when he was working for the Bureau, and how he tried to close some roads, and, you know, he eventually put up steel, he put up wood, they'd blow, finally it was dynamite that was used to keep it open. So there's a very determined group in terms of roads that are not legal.

And I think one of the issues here, I mean, we're all talking about what the Forest Service do. The question is nobody's offering any solutions in terms of maintaining those roads. Nobody's talked about where's the revenue is going to come to do it. Obviously, the Forest Service is looking at, I mean, as the forester Chief said, he said, "When you're in a hole and you want to get out," he said, "put down the shovel." At least for, I understand the concern. I mean I think there are differences in terms of soil types. I was reading an article here where it found that the slump and slide rate is four times higher where you have a harvested forest, or managed forest, as opposed to where it's not being directly managed for forest harvest.

I note that one of our witnesses referred today, said, "Roads are the No. 1 threat to water quality on the national forests. In addition, roads and logging are linked to increased landslides and flooding, threatening lives and property." I don't think anyone can deny that they, in other words, when roads aren't properly maintained

and so forth, that you're going to have a lot more intrusion. I mean, everyone talks about it as if it's being done ideally, but here we've got a situation where the forest harvest is down. Local governments obviously want the 25 percent set-aside, and we got, we don't have the revenue to maintain the forest coming into the KV or any other funds to maintain the roads. They're built, they're put in and after that it's up to the Forest Service to maintain, 373,000, plus 60,000 of illegal roads, which are maybe even tougher to maintain.

And of course, all within the forest but you've got this backlog of billions of dollars in terms of road maintenance and I don't see a solution that anyone's offering. I don't think anyone is talking about specifics, about how much road in the Allegheny is, what's the condition of the roads in the Allegheny, Mr. Kiehl.

Mr. PETERSON. Would the gentleman yield?

Mr. VENTO. I would yield to my colleague, sure.

Mr. PETERSON. Yes, well, we were talking about solutions and I was wondering if the gentleman from Minnesota would join me in this year's budget process to try to double the budget, instead of \$109 million, make \$218 million available to the Forest Service?

Mr. VENTO. Well, I think that I would be interested in increasing it if I thought that it was going to be for "reconstruction" is the word that they sometimes use for closure, Mr. Marlenee, not "decommissioning," that would be more direct. But reconstruction obviously is, in terms of trying to get in and solve some of the problems, or at least using a balance in terms of construction of new roads, and what we're going to do in terms of decommissioning. And I think that's the concern that many of us have, is that not going in to decommissioning in areas and having, rather than simply adding to the problem. But I think the problem that we have is that there's great reluctance to that.

And the other question in terms of the 18 months, if that's too long, and the Allegheny, as I said, what's in the pipeline in terms of what's available that is not, there's not much in the pipeline in the Allegheny so you got a more, he's shaking his head no, let the record know, we don't have a visual presentation.

Mr. KIEHL. No, there isn't in the pipeline—

Mr. VENTO. Yes, so there isn't enough in the pipeline to, so you have a special concern along those lines. And so it looks like, you know, there has to be some redress in terms of trying to deal with that if in fact there is going to be a hardship worked in that. Do you know what the condition of the road is in the Allegheny, in terms of how the Forest Service has rated them?

Mr. KIEHL. I don't know their rating, no.

Mr. VENTO. Oh, but it seems to me that that's essential if you're going to come and talk, I mean to me, that's essential information.

Mr. KIEHL. I know—

Mr. VENTO. Do you understand why I want that, why I asked that question, Mr. Kiehl?

Mr. KIEHL. Yes.

Mr. VENTO. It's a reasonable question I think, and you really should know the answer to that because that's your forest, that's what your depending upon, that is the forest you're testifying to, isn't it principally?

Mr. KIEHL. Yes.

Mr. VENTO. And so, I mean, it's absolutely essential to understand that. So, I mean, unless there's some understanding in terms of what that is, or if you disagree with their assessment, I mean that's possible, but I think most of this is done on an objective basis.

Mr. KIEHL. I can tell you from a personal standpoint—

Mr. VENTO. Well, I think we got a little of that from Lake County, but you go ahead.

Mr. KIEHL. OK. I can tell you when I buy a timber sale, OK, I have to pay to build the roads.

Mr. VENTO. Yes.

Mr. KIEHL. All right, and I do it to the Forest Service specifications and I do it, and if I don't do it within what they feel that it can be done for, I burden the costs. So in other words, to give you an example, if they feel that it costs \$100,000 to reconstruct, which is mostly all that we do in our area, our area is all roaded, OK, and if it costs me \$120,000 to do it, OK, I get tree credits for \$100,000, but that \$20,000 I pay for.

Mr. VENTO. Yes.

Mr. KIEHL. All right, now. Now listen, on top of that for every load of material, whether it's pulp wood or saw timber, I pay the Forest Service road maintenance, a dollar per thousand mile, and 50 cents a cord per mile for every load of material that I haul over the roads that I just paid to fix up. There's no subsidy. You know there's a misconception down here—

Mr. VENTO. Well—

Mr. KIEHL. [continuing] let me finish—

Mr. VENTO. Yes.

Mr. KIEHL. [continuing] there is a misconception, OK, there is no subsidy, all right at all. And the key is, for the Forest Service standpoint, I stand behind it. They get the roads the way they want them done, all right, and they get them done properly, all right.

Mr. VENTO. But anyway just reclaim my time, I understand that we could argue a long time on whether there's a subsidy but the issue is, at least at this point, what we're dealing with today is not that aspect of it—

Mr. KIEHL. [continuing] you asked.

Mr. VENTO. [continuing] I think is another, but we're dealing with once the road is in and you've done your part. You harvested your timber. There's probably less revenue coming from the road at that point because you've done your hauling over it in terms of the allowable sales, and it's been, it's not in the pipeline now, it's cut, it's out. Now we got the road and it's, you know, 5 years after there's no revenue coming from the Congress to maintain it, to in fact, or to close it, which is important, who pays for that?

In other words, there's a consideration here in terms of other values, in terms of recreation and other values that come into play, but the fact is that's why we got 433,000—or 373,000, any way, that are legal that are not being made, the others ones obviously is just a matter of having adequate monitoring and policing activities is what it gets down to and that's tough enough. That's where we get into our guys with the bad attitude.

But, I mean, that's where the issue here is, nobody is saying, "Well, this is the solution, we're going to solve this," because this is wrecking, you know, this is actually causing economic devastation. When we had that problems with trails, we had it. We built a lot of trails through the 1930's with the CCC's, and a lot of those trails are not being maintained today, and what we've done is had volunteers come in and try to take over but it's not adequate.

So it's just another case, it isn't just timber activity that has an infrastructure that's deteriorating. It's other aspects, but one closely related is, trails, and I'm sure there's statistics for that which obviously are a good concern. But this is the issue, you're all, it's easy to come in here and beat up on the Forest Service but nobody's presenting any solutions, that's got an answer to the question.

Mr. PETERSON. I will assure, though I'm only acting Chairman for the moment, I will assure the gentleman from Minnesota that I will give him an offer before this season is out, this budget season to measurably increase the Forest Service road budget and he can vote with me and help me get it passed.

Mr. VENTO. For maintenance and for closure and for reasonable—

Mr. PETERSON. We'll work it out, the Representative from Montana, Mr. Hill.

Mr. HILL. Mr. Kiehl, I just want to stay with this point, because I think you were making a valid point. I think the gentleman from Minnesota kind of misses it, and that is that timber harvest subsidizes road maintenance, not just road construction. It does subsidize road construction, but it also subsidizes the road maintenance because you pay to maintain all of the roads that you use, both prior to being able to use those roads, as well as during the period of time that you use them, is that correct?

Mr. KIEHL. That is very much correct.

Mr. HILL. And so the fact that we're reducing timber sales is reducing the amount of money of that is available for road maintenance, is that correct?

Mr. KIEHL. That's correct.

Mr. HILL. And the Chief earlier pointed out that with \$109 million we're able to maintain half of the Forest Service roads, that if we maintained a reasonable level of timber sales, we could increase that from half to perhaps, and we don't know the number, because they don't know the number, they're telling us that they can maintain roads for \$500 mile with a \$109 million budget, but they're saying they need \$26,000 a mile for the rest. Does it cost you \$26,000 a mile to maintain Forest Service roads?

Mr. KIEHL. I can build new roads for that.

Mr. HILL. You can build a road for that, it doesn't take that kind of money, what does it cost you to maintain those roads would you say while you're using those roads for your logging purposes?

Mr. KIEHL. In my previous job, I used to manage 29,000 acres for Hammermill Paper Company, OK, and my budgeted, and this has been 10 years ago, but even so, if I graded the main roads once a year and kept the ditches open and kept the culverts open, it would cost \$500 per mile, that's all the maintenance that I need to do in order to be able to come back. Now if you have constant

use at all times a year, of course, the cost goes up but it no way goes near \$26,000 per mile.

Mr. HILL. Doesn't get to \$26,500, does it?

Mr. KIEHL. No way.

Mr. HILL. Mr. Holmer, I'm just curious, has your group ever filed a formal statement with regard to a timber sale in support of it?

Mr. HOLMER. I don't recall that we have, we don't usually litigate or appeal timber sales, we tend to—

Mr. HILL. Mr. Holmer, do you believe that the NEPA process requirements with regard to social and economic impacts are an important part of the process?

Mr. HOLMER. Yes.

Mr. HILL. And do you believe that the process that is being implemented now with the moratorium, where we're having open houses complies with the provisions that require an evaluation of social and economic impacts?

Mr. HOLMER. I'm probably not the best person to judge that.

Mr. HILL. OK, have you ever been in a Montana forest?

Mr. HOLMER. Yes, I have.

Mr. HILL. Which one?

Mr. HOLMER. I've been to the Highlight Canyon on the Gallatin National Forest and also the Crazy Horse Mountains.

Mr. HILL. Good. Can you identify for me in either of those two forests where flooding or landslides were directly associated with forest road constructions.

Mr. HOLMER. I don't have any instances to report from those forests, I know that—

Mr. HILL. That's the one's I'm interested in. What percentage of the roads, of the 373,000 roads that are closed, what percentage of them, of the 373,000 miles of Forest Service roads, what percentage of those are closed today?

Mr. HOLMER. Well, at a Forest Service briefing I was told roughly 20 percent of the roads are closed at any one time, but it's not always the same 20 percent.

Mr. HILL. And do you know approximately how many acres are impacted by that?

Mr. HOLMER. I don't.

Mr. HILL. Mr. Dombek in earlier testimony with regard to this, identified the Interior Columbia Basin Study as the principal area with which they obtained new science with regard to making the determination for the road moratorium, would you agree that that science has been valuable in this exercise?

Mr. HOLMER. Well, I really think it is and there is science from other regions of the country that also basically support the broad conclusion that roadless areas should be protected.

Mr. HILL. Are you aware of the fact that in the Interior Columbia that it calls for mechanical management, aggressive mechanical management in areas that are now considered roadless?

Mr. HOLMER. Well I think we would disagree with that. I think in terms of priorities it would make more sense to focus on the managed areas—

Mr. HILL. No, I'm just asking if you were aware of the fact that that is identified in the science—

Mr. HOLMER. Is that in the scientific assessment or is that in the draft alternative?

Mr. HILL. It's in the scientific assessment.

Mr. HOLMER. I'd have to review that.

Mr. HILL. Do you know what it costs per mile to maintain gravel Forest Service roads?

Mr. HOLMER. I've heard \$500 per mile.

Mr. HILL. OK, and do you know what it costs per mile to obliterate a Forest Service road?

Mr. HOLMER. I've heard that that can vary tremendously depending on the landscape, if it's a steep slope, and how far the closures going to go, if it's just a gate—

Mr. HILL. Do you have any idea of the range?

Mr. HOLMER. I've heard anywhere from, you know, \$1,000 put a gate, to \$12,000.

Mr. HILL. No, to obliterate the road?

Mr. HOLMER. Up to \$12,000 a mile, I think.

Mr. HILL. \$12,000 per mile.

Mr. HOLMER. Again, I'm not a Forest Service road engineer, I'm just relaying what I had a briefing by a Forest Service road engineer.

Mr. HILL. Can you identify any of the 104 sales that will be canceled as a consequence of this moratorium that were uneconomic, below-cost sales?

Mr. HOLMER. I have not seen the list.

Mr. HILL. OK, thank you, Mr. Chairman.

Mr. PETERSON. Any further questions. I would like to thank the panel members for their traveling here and their good testimony, and their, just being a good sport to take the good and easy and tough questions together, so thank all of you for part of process today, and God speed.

[Whereupon, at 1:35 p.m., the Committee adjourned subject to the call of the Chair.]

[Additional material submitted for the record follows.]

## STATEMENT OF HON. MIKE DOMBECK, CHIEF, USDA FOREST SERVICE

Madam Chairman and Members of the Subcommittee:

Thank you for the opportunity to join you today to discuss the National Forest transportation system. What I have proposed is essentially a "time-out" on road building in roadless areas during which Congress, the Administration, and the American people can engage in a dialog about when and where roads will be built in our National Forests. We are going to develop a science-based forest transportation system that meets the needs of local people while minimizing, and reversing the adverse environmental effects erosion, landslides, and degradation of wildlife habitat and water quality roads often cause.

Let me outline my key objectives in developing this new policy. My first objective is to provide Forest Service managers with new scientific and analytical tools to make better, more informed decisions about when, where, and if new roads should be constructed. Second, we need to move quickly to decommission unnecessary and unused roads, as well as unplanned and unauthorized "ghost roads." Third, we intend to improve forest roads, where appropriate, to respond to changing demands, local communities' access needs, and the growing recreation use of the National Forest System.

This policy review is critical so we can focus our limited resources on the roads most in need. Finally, we intend to develop a road policy that allows us to "catch up" on our enormous backlog in road maintenance and reconstruction while meeting management objectives and access needs.

**Roads Leave a Lasting Impact**

The road network on the National Forest System is extensive and diverse. Many roads are essential for the active management of National Forest resources and provide many and varied benefits. They are critical to timber harvest, mineral extraction, livestock grazing and recreation access. They provide important access for fire control, law enforcement, search and rescue, wildlife habitat improvement, and research and monitoring. There is no question that the road network on our National Forest System serves, and will continue to serve, as a fundamental component for delivery of multiple use programs.

The simple fact is that the road system we have today is tremendously larger than what we can afford. Current funding is not sufficient to maintain all roads to the safety and environmental standards to which they were built. For example, we can only maintain 40 percent of the 373,000 miles to designated standards.

Building a road requires a short-term investment of revenue. Its maintenance over time, however, is a long-term financial commitment. The cost of delaying timely maintenance and reconstruction increases exponentially over time. For example, in Idaho, the road to Riverside Campground on the Targhee National Forest could have been chip-sealed a few years ago for about \$22,000. Today it will cost more than \$110,000. To reconstruct about five miles of Scout Mountain Road on the Caribou National Forest will cost \$1.4 million. We could have preserved most of our investment by spending \$100,000 five years ago.

In addition to the 373,000 miles of inventoried forest system roads, the Forest Service estimates that there are approximately 60,000 miles of roads that have been created by repeated use—we call them "ghost roads"—that are not managed or maintained by the agency as part of the forest road system.

While forest roads provide many benefits, they can also cause serious environmental damage. While new developments in road building technology result in fewer negative environmental effects, the environmental effects from existing roads are more extensive than previously thought. Road construction may cause increased frequency of flooding and landslides, and increased stream sedimentation, with associated reductions in aquatic habitat productivity and water quality. Roads may also fragment and degrade habitat for some wildlife species. Research indicates that road building may begin or accelerate the invasion of exotic plant species that ultimately displace native species and diminish the productivity of the land.

Public use of and demands on national forest resources have shifted considerably during the past 10 years. While there has been a decrease in timber harvesting and other commodity uses we have seen steadily increasing growth in the amount and type of recreation uses. Currently, more than 90 percent of the traffic using Forest Service roads is recreation-related. With this shift in public use has come changes in user expectations and access needs, requiring new approaches to decide which roads to close or leave open, and the appropriate standard and configuration of these roads.

### **Shifts in Resource Demands**

The Forest Service must thoroughly review its road management policy and develop a comprehensive science-based policy for the future. This policy must be based on the changing resource demands and public use, coupled with the need to ensure that decisions on road building and maintenance are grounded in the best scientific information available. With these policies and procedures firmly established, local managers can decide where and how individual roads should be managed working with local people. The Forest Service needs to balance scientific information, public needs, and funding levels when determining the size, purpose, and extent of the future forest road transportation system.

An essential element of this comprehensive overhaul of forest road policy is to develop improved analytical tools for land managers and resource specialists. To that end, agency researchers and specialists will develop an improved analysis process based on science and public involvement that ensures the ecological, social, and economic impacts of proposed construction and reconstruction of National Forest System roads are objectively evaluated, and that public demand on National Forest System roads is fully considered in the context of current scientific information. This analytical process will undergo an independent technical and scientific peer review before adoption.

This analytical process will not directly result in any land use changes that require amendments to land use plans for the National Forests. However, this process will be applied locally to determine where, when, and how roads will be constructed, reconstructed, or decommissioned.

### **Making Better Use with Limited Funds**

In the last two decades, public interest in, and scrutiny of, the forest road system have increased dramatically. At the same time, resource uses on the national forests have shifted. It is our obligation as stewards of the public trust to consider adjustments in the management of the forest road system to respond to these changes and to better serve present and future management objectives in a more efficient manner. The existing road system on National Forest System lands was largely funded through the timber program and constructed to develop areas for timber harvesting and, to a lesser extent, for the development of other resources. Over the last decade, the timber program has been reduced significantly, resulting in less money being generated for road reconstruction and maintenance. We do not expect timber harvest levels to return to pre-1990 levels because of our more broad-based approach to forest management. Therefore, the Forest Service must identify sustainable funding sources for maintaining the forest road system in an environmentally sensitive manner that best meets the needs of local communities, other users, and visitors to the National Forest System. In the President's fiscal year 1999 budget we have begun to direct more funding to maintain and decommission roads. We will do so in a public forum where all interests can be heard.

In the *Federal Register* of January 28, 1998, the Forest Service provided advance notice of its intention to overhaul its road policies, and to change how the road system is developed, used, maintained, and funded. As part of this notice, the Forest Service proposed to temporarily suspend road construction and reconstruction in most unroaded areas of the National Forest System. This proposed temporary suspension would expire upon the application of the new and improved analysis tools or 18 months, whichever is sooner. The Forest Service is seeking public comment on both the proposed interim rule to temporarily suspend road construction/reconstruction in unroaded areas and the way the Forest Service road system is developed, used, and funded.

The deadline for public comment on the proposed interim rule was February 27, 1998. As a result of early public and Congressional comment, we intend to extend the comment period on the interim rule another 30 days. We also will hold a series of public forums across the nation to assure full public participation in the roads policy revision. As of February 20, 1998, we have received 2,450 comments on both the interim rule and the Advance Notice of Proposed Rulemaking, as well as opinions on road management. I ask that copies of the two *Federal Register* notices be placed in the record along with my statement.

### **Effects of the Proposed Road Policy**

Under the proposed interim rule, a limited number of planned land management projects that depend on new road construction, such as timber sales, may not be implemented in the timeframe currently planned. During the interim period, some projects may proceed in an altered form, and some may be postponed until such time as the road assessment process is implemented. I want to emphasize that only new road construction or reconstruction within roadless areas is affected by our pro-

posal. Other needed forest management activities, such as thinning, helicopter logging, and prescribed fire could continue so long as they do not require new road construction.

It is difficult to estimate with precision the costs and benefits associated with deferring projects due to considerable variation in site-specific factors. For instance; some projects are in various stages of development and planning and analysis often take longer to complete than originally anticipated. Some project work can be shifted to other sites outside unroaded areas.

Although the precise amounts are difficult to estimate, our initial analysis indicates that a minimal amount of timber volume offered would be affected, which may lead to a small reduction in payments to states. It is expected that timber sales in the Intermountain and Northern Regions of the National Forest System be affected more from the suspension than other geographic regions of the country, such as California, because of a higher reliance on unroaded areas for timber production in these regions.

While the delay in some projects may have some adverse economic impact in the short term, these impacts are offset by the benefits gained from the temporary suspension of road construction and reconstruction in the long term. The environmental benefits gained will assure critically important water quality in the headwater streams that are found in many of the unroaded areas. The development of a new road analysis process also would allow proposed and future projects requiring road construction to reflect current scientific information and resource use trends. This will help managers and the public better understand the consequences of locating and building roads in unroaded areas.

As to how this proposal can affect the payments to states program, you should be aware that in its 1999 budget, the Administration has proposed providing predictable, reliable payments to states based on a formula similar to one now used for counties under the Pacific Northwest Forest Plan. We believe it is far more preferable for counties to have predictable payments rather than being affected by fluctuations in timber demand and supply from our National Forests.

### Summary

Madam Chairman, the Forest Service shares your concern for a transportation system that meets the needs of rural American. The Forest Service recognizes the need for a science-based process that enables us to manage our transportation system in a manner that minimizes—and in some cases reverses—environmental impacts that degrade wildlife habitat and water quality. Roads leave a lasting imprint on the landscape. What I have proposed is essentially a “time-out” on road building in many unroaded areas until Congress, the Administration, and the American people can engage in a constructive dialogue about when and where roads will be built in our National Forests. This hearing, together with the public comments on the proposed regulatory changes, is part of that dialogue.

That concludes my testimony Madam Chairman. I will be pleased to answer any questions the Subcommittee may have.

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### STATEMENT OF BRENT ATKIN, PRESIDENT, PUBLIC LANDS COUNCIL

Thank you, Madam Chairman, for the opportunity to testify today.

The U.S. Forest Service's January 28th proposal to suspend road construction activities in all roadless and other “special” areas, while it spends 18 months analyzing and revising the National Forest System transportation regulations, looks to me like a thinly-veiled attempt to essentially create de facto wilderness areas outside of the process that Congress has established.

By law, roadless area decisions are dealt with in the forest planning process and wilderness area designations have been clearly spelled out by Congress. Many states have reached agreements and established wilderness areas under the existing framework. There will be no incentives for local people to try and work through the existing processes to deal with local roadless area issues when this “one size fits all” policy from Washington becomes effective.

Unfortunately, this proposal seems to be the latest example of this Administration's lack of interest in adhering to the statutory boundaries established by Congress. In my two years of service as President of the Public Lands Council, I have witnessed this “administrative overreach” several times: the Interior Department's 1994 Rangeland Reform regulations (several parts of which were enjoined by a Federal District Court as a result of a lawsuit by the Public Lands Council); the uproar caused by the President's creation of the Grand Staircase-Escalante National Monument and now this roadbuilding proposal.

As a rancher who utilizes forage from Federal lands as part of my family's ranching operation, I find it difficult to understand how a top-down approach to Forest Service roadbuilding is going to benefit either the resources or the local people whose jobs depend on industries that use resources from Forest Service lands.

What I do see happening for sure is that this action is going to generate more questions than answers which, in turn, will continue to add to the economic instability that we already have enough of. Until the Forest Service completes its review and issues new regulations about roads, I guess all we can do is speculate about how this will affect grazing, timber, mining and recreation Forest Service lands. I wonder how ranchers with Forest Service grazing permits in these new designated roadless areas are going to explain this proposal to their bankers?

I can understand the desire of the Forest Service to ensure that its process for building and maintaining roads is based on the best science to ensure that roadbuilding is done in the least-damaging way, but their proposal seems to be putting the cart before the horse. If the Forest Service intends on evaluating all its lands to determine which lands should even have roads, it is turning the whole notion of multiple use on its head. Many multiple use activities, such as timber, grazing, recreation, hunting, and camping, are just going to require a certain amount of roads in order to facilitate the activity, a very common sense conclusion.

However, if roads are deemed to be "inappropriate" in a given area, then many multiple use activities will just not be able to take place. This is not the process that Congress has established for the Forest Service to make multiple use decisions. The decision to build, or not build, roads should be based on the multiple use needs of the specific location.

As it currently exists, this roadbuilding moratorium seems likely to have several negative impacts. Roadless areas with unnaturally high fuel loads will continue to be highly susceptible to fires; watershed restoration activities requiring access will not be able to occur; local economies dependent on access to forest resources will suffer more job losses; and it will undermine the ability of local foresters and communities to properly manage forests based on local conditions.

The Forest Service should withdraw its interim rule that places a moratorium on roadbuilding. It is not a necessary prerequisite for the Forest Service to be able to revise its roadbuilding regulations, and seems clearly designed to circumvent not only the multiple use decisionmaking process, but also the wilderness area designation process established by Congress.

If it does not withdraw the interim rule, at a minimum the Forest Service should eliminate the "Special Areas" categories (new 36 C.F.R. 212.13(a)(4) and (5)). This "special areas" authority would essentially allow Regional Foresters to prevent roadbuilding on every acre, not just roadless, of the National Forest System that has "unique ecological characteristics or social values," which would result in yet more acres being off-limits to multiple use activities.

Thank you, Madam Chairman, for the opportunity to testify today.

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STATEMENT OF HON. MIKE DOMBECK, CHIEF, USDA FOREST SERVICE

Madam Chairman and Members of the Subcommittee:

Thank you for the opportunity to continue the discussion of the National Forest transportation system, and specifically, the views of the U.S. Department of Agriculture on H.R. 3297, a bill suspending the development of a "roadless area policy" on the National Forest System. The Department of Agriculture cannot support H.R. 3297.

This bill is clearly a response to my proposed interim rule which, if adopted, would suspend temporarily road construction in National Forest System roadless areas. To reiterate my testimony two weeks ago before this Subcommittee, what I have proposed is essentially a "time-out" on road building in roadless areas during which Congress, the Administration, and the American people can engage in a dialogue about when, where and if new roads will or should be built in our National Forests.

During the last hearing, the Subcommittee was concerned about the urgency which would cause me to take such a strong action, knowing that the action would be controversial.

I do not make such decisions lightly. I want to assure the Subcommittee, Madam Chairman, that I have several very strong reasons for proposing the suspension. The first was basic common sense. Recently, a citizen wrote, "Chief, when you find yourself in a hole, the first thing you should do is put down the shovel." We presently have over a \$10 billion backlog in maintenance and reconstruction on our arterial and collector roads. That's a \$10 billion hole. These roads are the most heavily

used and represent only about 20 percent of our forest road system. We can only guess at what our maintenance and reconstruction needs are on the other 80 percent of the system!

In addition, we are only presently maintaining about 40 percent of our roads to the safety and environmental standards to which they were built. In 1991, we rated 93,600 miles of roads as driveable by passenger cars. By last year, that number had fallen to 86,000 miles. I state these facts because they represent the "hole" that we find ourselves in.

Given the current situation, it simply does not make sense to construct new roads in roadless areas when we cannot take care of the road system we already have. Our proposal is designed to give us the time to develop new scientific tools that our managers can use to make more informed local decisions about when, and if, to construct new roads. So, we are putting down the new road shovel.

In addition to the common sense reasons, there are compelling scientific reasons to call for a timeout of road construction in roadless areas. There is strong scientific evidence that demonstrates the social and environmental values of roadless areas. Recent information from the Columbia River Basin demonstrate these values.

For example:

- Only 7 percent of the degraded watersheds in the basin are found within roadless areas.
- About 60 percent of the best aquatic habitats were found in roadless or very low road density areas.

Beyond common sense and sound science, there is also a fundamental taxpayer perspective which is important to me. Many people, including some taxpayer organizations, have said, "look, don't spend any more of our money building something you may not need and that you definitely can't afford to maintain." Our fiscal year 1999 budget proposes a \$10 million savings in road construction costs by temporarily taking a time out to just figure out how to best maintain and manage access on national forests within our limited budgets can save taxpayer dollars over the long term.

Choosing to build roads in areas not currently roaded is a dividing issue in many communities. I chose to pull that controversy in from the field and off the shoulders of the Forest Supervisors. While I support local decisionmaking, when I see an issue dividing the local public from community to community throughout the nation it deserves a national approach. I take very seriously our commitment to work in a collaborative manner with others. I also take very seriously our professional obligation to advance proposals based on the best available science.

Let me again outline my key objectives in developing this new policy. My first objective is to provide Forest Service managers with new scientific and analytical tools to make better, more informed decisions about when, where, and if new roads should be constructed. Second, we need to move quickly to decommission unnecessary and unused roads, as well as "ghost roads." Third, we intend to improve forest roads, where appropriate, to respond to changing demands, local communities' access needs, and the growing recreation use of the National Forest System. While there may be some disagreement about how to achieve these goals, I believe that these objectives enjoy broad-based support.

Finally, I strongly believe that common sense, science, public accountability and fiscal responsibility all strongly support my decision to take a time out. This "time-out" is both logical and necessary.

At the last hearing, I committed to share the data the Forest Service has generated on the effects of the suspension. I asked each Forest to provide data on projects requiring road construction and reconstruction on certain lands in the National Forest System. We have received the requested data from each Forest and this information is included in the attached.

This data is a refinement of the previous data which appeared in the *Federal Register*. It shows that the planned timber sales within inventoried roadless areas affected by the suspension went down from a total of about 200 million board feet to about 100 million board feet. A 50 percent decrease from what we earlier assumed. In addition, we are still looking at other impacts of the suspension as to access the minerals and recreation. These numbers are still being validated with the regions.

Madam Chairman, I am well aware that my proposal to provide this road construction "time-out" has engendered adverse response on the part of some elected officials, organizations and individuals, mostly because of the possible reductions in timber harvesting and the reductions in more roadbuilding that the harvests would require. However, it has also gained much support from the broader public which sees their wildlands, wildlife and water quality jeopardized by more road building. To give everyone more of a chance to comment, we have extended the public comment period on the proposed draft Interim Rule. We also have scheduled public

meetings all across the country to allow more opportunity for people to provide us their comments in writing or orally on both the proposed interim rule and in response to the advance notice of proposed rulemaking for revising our National Forest System transportation policy.

Between March 10 and March 26, the Forest Service is holding 25 meetings in the nine Forest Service regions. Regional Foresters will attend some of these meetings, but given the short time frame and the number of meetings, they may not be able to attend all of these. However, Forest Supervisors and other key staff will be present to listen to public comments. These comments will be recorded and included in the public comment review. In addition, a small number of public meetings are being added to respond to requests by Members of Congress, such as a meeting in Missoula, Montana, Pennsylvania and the Southeastern United States.

#### **H.R. 3297**

Madam Chairman, Representative Peterson and Members of the Subcommittee, to the extent that H.R. 3297 is intended to ensure full opportunities for the public participation in developing a short-term and long-term roads policy and in determining whether we should temporarily suspend road construction in National Forest roadless areas, we are in agreement. My approach to resolving this does include a lot of public participation. The Administrative Procedure Act (APA) governs rulemaking. Subsequent to publication of the Advance Notice of Proposed Rulemaking (ANPR) and the draft Interim Rule, we have responded to the high level of interest in the proposal and to suggestions by you and other Members of Congress by extending the public comment period for the draft Interim Rule and by scheduling the public meetings for both the ANPR and draft Interim Rule. By following the requirements of APA, we have ensured public participation from the outset, especially by our choosing to publish an advance notice of proposed rulemaking rather than proceeding to a proposed rule that would comprehensively revise our roads policy.

H.R. 3297 would prohibit the Department of Agriculture from adopting a suspension of road construction rule unless we hold public meetings on every National Forest System unit and Regional Foresters would be required to participate in each of these meetings in order to adopt a final rule. These requirements are excessive in that they would require 120 meetings, stretching out the rule making timetable for at least 6-12 months, and add a significant cost to the taxpayer. The APA rulemaking process provides a structured process for public comment and we are following this process carefully to allow people to voice fully all of their concerns.

We do not believe that a public meeting on every National Forest is appropriate. The roads proposal is not an issue of great local public concern everywhere in the country. We do not believe it would be productive and cost effective to have that level of discussion everywhere. Again, we are holding 25 meetings to begin with and as the long-term roads policy develops, we will most likely hold more.

The bill directs the Forest Service to suspend the continued development of a roadless area policy on public domain units and other units of the National Forest System pending adequate public participation and determinations that a roadless area policy will not adversely affect forest health. While we fully support forest health, we find that the conditions in the bill for final approval of an interim roads policy are not consistent with the requirements for any other resource management decision. For example, if section (2)(B) were requisite for all decisions it might prohibit a wide array of activities (timber harvests, road construction, campgrounds, special use permits) that at some point preclude other activities. We have strongly supported the multiple use concept in our management of the public lands, but multiple use does not mean all uses on all lands at the same time. There is no reason these unique standards, which are different from the criteria on which we must base all other decisions, should be applied to this one decision.

We also find apparent inconsistencies between the stated goals of improving forest management and the conditions in this legislation. The road policy under this legislation would depend upon a Forest Service conclusion that the policy won't "adversely affect (economically or otherwise)" timber users, recreational users, State, county or local governments. This conclusion would have to be based solely on the public hearing, a practice which is contrary to all established practice and would likely require conclusions to match those of the most vocal minority or those who fear they have the most to lose by changing the status quo, rather than conclusions which reflect a balanced consideration of the facts and the interests of the taxpayers. We are also concerned that the conditions stated in section (2) are in conflict, which would hereafter permanently prevent any attempt to improve Forest Management.

In light of these concerns, the Department of Agriculture cannot support H.R. 3297. The APA provides adequate flexibility to address public participation, we have

moved to broaden the public participation opportunities. I would ask you to allow us to follow existing law in determining whether we will proceed to adopt a temporary road construction suspension in roadless areas. I pledge that we will seriously consider all comments in deciding how to proceed.

Madam Chairman, that concludes my remarks. I would be pleased to answer any questions you may have.

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STATEMENT OF HON. RON MARLENEE, CONSULTANT, GOVERNMENTAL AFFAIRS,  
SAFARI CLUB INTERNATIONAL

Chairman Chenoweth and members of the Subcommittee:

Safari Club International, as an organization representing a broad spectrum of sportsmen, supports the intent on Congressman Peterson's bill.

I appear here today as the consultant for Governmental Affairs for Safari Club International. In my 16 years in Congress I served on the committees responsible for forest management in both the Agriculture Committee and the Resources Committee. I have seen good management and I have observed bad management. I have seen good proposals and bad proposals. The proposal to unilaterally close roads is a bad proposal for sportsmen and other recreational users. The proposal is so bad that it must have the dedicated professionals in the Forest Service shaking their head.

Because access on public lands is important to good game management and to sportsmen, we have to question if the proposal to eliminate access on public land is a political decision.

We have to question what happened to validity of the Forest Management Plans that everyone participated in and that the taxpayers spent hundreds of millions of dollars on.

We have to ask if the Forest Service is repudiating the credibility and credentials of its personnel and the validity of its own findings. These were the professionals who evaluated watersheds, wildlife sensitive areas, recreational needs and validity of roadless and wilderness designations. The Forest Service does all of this prior to building a road or even establishing a trail.

We as sportsmen question the intent of a suddenly conceived or politically instigated concept that the bureaucracy must invoke a moratorium and involve themselves in a new round of evaluations of existing access to property owned by the general public.

If the Forest Service must persist in this duplicative effort, then sportsmen should have the opportunity to participate in hearings on every forest, just H.R. 3297 calls for. When ill feelings already exists about being defined access, to deny the opportunity for input is an insult to sportsmen, the elderly, the handicapped and the family oriented recreationist. We want to insure that this new effort does not further erode an already diminishing access to recreational opportunity on public lands.

Increasingly sportsmen are coming up against pole gates, gates, barriers and no motorized vehicles signs when they arrive at the edge of public property. They deserve to know how many miles have already been closed or lost before the Forest Service closes more.

We would suggest that this Committee amend the bill to require the Forest Service to provide data the local level on how many miles of roads have been closed in the past ten years and how many poles gates and barriers have been put up in the past ten years.

In an effort to justify further road closures the Forest Service implies that hunting in the forest system is having negative impact on wildlife. They contend that access has led to "increased pressure on wildlife species from hunters and fishers." My experience has been that the Forest Service consults extensively with state wildlife agencies and that the jurisdiction of wildlife and hunting is primarily a state right and responsibility. Because the Forest Service allegation appears in their public document, because it impugns the role of hunting in conservation and because it denigrates the capability of state wildlife management, I would suggest this Committee require the Forest Service to name even one state wildlife agency that is not fulfilling their obligations. We know none and resent the fact that this ill thought out statement is being used to justify closures considerations that could be harmful to sportsmen and to wildlife management.

The reason SCI is alarmed is that the public lands of the Forest Service are a destination for hunters in our country. Over 16 million days of hunting occurs annually in the National Forest. For many of these hunters and sportsmen the only opportunity to hunt is on public land. Safari Club International is committed to insuring access in the forest for this group of sportsmen. We are gratified to have worked

with both Federal public land managers and State Fish and Game officials. We hope we can do so again in an attempt to find reasonable solutions.

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STATEMENT OF STEVE HOLMER, CAMPAIGN COORDINATOR, WESTERN ANCIENT FOREST CAMPAIGN

The USDA Forest Service's proposed roadbuilding moratorium is a good first step towards improving management of National Forest roadless areas, but it falls short of President Clinton's statement that "These unspoiled places must be managed through science, not politics."

Roadless areas are critically important both to people and wildlife. They provide clean drinking water, opportunities for recreation, wildlife habitat, and spawning grounds for fish. Many communities depend on the clean water as well as the recreation and tourism from unroaded forest areas. Recent studies in the Northwest, Sierra Nevada, Columbia Basin and Southern Appalachians have documented the ecological importance of these pristine areas, and the need for their protection.

Taxpayer subsidies for timber roads facilitate the logging of roadless areas which would otherwise be uneconomical to log, thus adding to the red ink from National Forest timber sales. Those losses totalled \$502 million in 1996, according to economist Randall O'Toole. And with a \$10.5 billion backlog of needed repairs and maintenance on the 433,000 mile forest road system, only 40 percent of the roads are being properly maintained. *It doesn't make sense to continue expanding a road system that we cannot currently maintain.*

Would the roads moratorium prohibit forest health treatments? Recent scientific studies do not support either the need for treating roadless areas or the effectiveness of logging to reduce fire risk. The Columbia Basin Scientific Assessment concluded that roadless areas, *not managed areas*, are of the highest ecological integrity. According to Undersecretary of Agriculture Jim Lyons, "Roads are the #1 threat to water quality on the National Forests." In addition, roads and logging are linked to increased landslides and flooding threatening lives and property. The Sierra Nevada Ecosystem Project concluded that logging has actually increased fire risk by leaving flammable brush and changing the microclimate.

Would the moratorium deny access to our forests? No. There is already an extensive network of 433,000 miles of roads plus another 29,000 miles of county, state and Federal highways crisscrossing the National Forests. The Forest Service has indicated that 80 percent of all National Forest traffic is on 20 percent of the road system.

Would the moratorium invalidate the Forest Planning process? Regrettably, forest plan revisions have so far not adequately protected roadless areas. Two recently revised Forest Plans on the Black Hills NF and Rio Grande NF did not propose to protect any roadless lands.

A recent poll showed that 77 percent of Northwest voters believe that protecting pristine forest as wilderness is an effective means for safeguarding clean drinking water, salmon habitat and Ancient Forests. The roads moratorium is a step in the right direction, but the proposed Forest Service rule would exempt the Tongass National Forest, the forests under the Northwest Forest Plan, forests that have revised their plans, and many roadless areas of less than 5,000 acres.

A policy for roadless area management should end logging and roadbuilding in all inventoried roadless areas as well as in roadless areas of smaller size identified through an independent scientific assessment. Good stewardship of our National Forests requires that these last remaining wild places should be fully and permanently protected.

**Comments on H.R. 3297**

The Western Ancient Forest Campaign opposes H.R. 3297 because it would unnecessarily delay the implementation of the proposed roadbuilding moratorium. The bill requires 156 public hearings attended by the Chief or Regional Forester plus the creation of 156 separate analyses. This delay will cause substantial environmental harm from numerous timber sales now planned in National Forest roadless areas. I would like to enter *America's Wildlands at Risk*, which documents fifty timber sales now threatening roadless areas, into the official hearing record.

We were satisfied with the moratorium's original 30-day public comment period because extensive public debate has taken place on the issue of timber roads over the past two years and our position of roadless area protection is well established. The additional 30 day comment period and twenty-five open houses around the nation are giving interested citizens more than sufficient opportunity to register their concerns. At the recent open house in Anchorage Alaska, sixty citizens chose to par-

ticipate and submit comments. The agency allowed those present an overview of the comments received and fifty-nine of those comments were in favor of the proposed moratorium.

H.R. 3297 requires the Forest Service to determine that the moratorium will not adversely affect forest health. The best available science indicates the moratorium will help improve forest health by eliminating an activity that has been demonstrated to degrade watersheds with erosion and sediment, fragment wildlife habitat, and increase fire risks.

Past forest management that emphasized roadbuilding, logging, fire-suppression and grazing has caused substantial degradation of managed areas and it is in these areas that genuine restoration efforts should be undertaken, not in the roadless areas. According to Chief Dombeck, 87 percent of the areas at high risk of wildfire are in the managed areas, not the roadless areas.

In closing, while the stated intent of this legislation to increase public participation is laudable, the bill's provisions are excessive in this case. It is encouraging that the original co-sponsors of this bill, who universally supported the Salvage Logging Rider which suspended the public's right of appeal and judicial review, have reversed course and are now supporting public involvement in forest management.

Thank you for this opportunity to testify.

THE HYDROLOGIC IMPACTS OF ROADS AND TIMBER  
HARVESTING ON SUBALPINE FOREST HEALTH

by  
Charles F. Leaf, P.E.<sup>1)</sup>

The Rocky Mountain high country is blessed with an abundance of two vital resources: forests and snow. How these resources are managed (*or not managed*) is important to many current environmental issues concerning water yield and water quality.

In Colorado, virtually all of our water supply originates from vast subalpine forests of lodgepole pine, Engelmann spruce, Douglas fir, and quaking aspen. In their natural state, these forests are efficient producers of excellent quality water. The key to this dependable water supply is the favorable balance that exists between wind, snow, trees, and sunshine.

But, this balance can be interrupted from time to time by natural causes or by man's intentional (*and unintentional*) manipulation of the forest. Natural intervention includes mortality from blowdown and/or from insect attack and fire.

The Rocky Mountain subalpine zone has had a long history of extensive blowdowns, insect epidemics, and stand-replacing fires. In Alberta, Canada, for example, ninety percent of the lodgepole pine volume in natural, unharvested stands is less than 120 years old (Koch, 1996). In Colorado, approximately one-half of the subalpine forest consists of trees that are less than 120 years old (U.S. Forest Service, 1996).

#### Hydrologic Impacts From Wildfire

The recent fires in greater Yellowstone have provided quantitative data on hydrologic impacts (Troendle and Bevenger, 1996). In a paired watershed (*severely burned vs. not burned*) comparison, seasonal water yields were increased by 35 percent. Flows in the "bankfull" range (*1.5 - year return interval*) nearly doubled. Water quality from the burned watershed decreased considerably, primarily as the result of large amounts of introduced sediment which originated from erosion on severely burned areas.

#### Hydrologic Impacts From Roads and Timber Harvesting

We have heard much about the negative side of roads and timber cutting. Muddy water, increased flooding, and a badly scarred landscape, all can result from improper road construction and logging practices. Bad logging practices can produce hydrologic impacts similar to those resulting from fire. However, this need not be the case as discussed below.

Research by the U.S. Forest Service has shown that proper harvesting methods, careful placement of roads and skid trails, to minimize the number of stream crossings and soil disturbance, can greatly reduce erosion and virtually eliminate the introduction of sediment into streams.

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<sup>1)</sup> Consulting Hydrologist, Platte River Hydrologic Research Center, 59365 WCR R, Merino, CO 80741

For example, at the Fraser Experimental Forest in Colorado, removal of 35-40 percent of the forest cover in various systems of small openings, resulted in little or no introduced sediment (Leaf, 1970; Troendle and Olsen, 1993).

The watershed experiments cited above resulted in a 25 percent or more increase in water yield (Leaf, 1975; Troendle and King, 1987; Troendle and Olsen, 1993). Moreover, on one watershed that was strip-cut in the mid-fifties, water yield increases have persisted to the present time. It is estimated that it will take approximately 40 additional years before forest regrowth reduces water yields to pre-harvest levels.

The increased water yields from patch-cutting subalpine watersheds typically occur during the snowmelt runoff season, primarily during May and the first part of June, on the rising limb of the hydrograph (Troendle and Leaf, 1980). The duration of bankfull flows is nearly doubled, and peak seasonal flows are increased somewhat. While average annual peak flows are increased, peaks of a greater magnitude (*flood peaks*) are not.

The increased water yields and duration of bankfull flows have resulted in an increase in flow-induced sediment transport. However, the amount of channel erosion observed in the stable step-pool and mobile gravel bed streams, which are characteristic of the subalpine zone, is well within their ability to accommodate this impact (Leaf, 1998a).

#### Discussion and Conclusions:

##### Watershed Management and Current Environmental Issues

The application of today's technology and understanding, based on almost 100 years of research, can allow road construction and timber harvesting to take place without causing significant negative impacts to forest health.

The increased water yield associated with watershed management in the Rocky Mountain subalpine zone, should play a vital role in providing solutions to current environmental problems. For example, the U.S. Fish and Wildlife Service has determined that some 400,000 acre feet of "shortage reduction" are necessary for endangered species recovery in the Central Platte River at Grand Island, Nebraska (Bowman 1994; Bowman and Carlson, 1994). Moreover, the quantity of water necessary for offsetting these perceived target flow shortages will have to come from a substantial reduction in consumptive use (Leaf, 1997).

It is noteworthy that the cumulative hydrologic impact of U.S. Forest Service management practices since the early 1900's, in the North Platte River upstream from Saratoga, Wyoming, is a reduced annual water yield of some 130,000 acre feet due to forest regrowth (Leaf, 1998b). Environmentally sound patch-cutting and other forest clearing methods designed to enhance streamflow could replenish water yields from National Forest lands on the North Platte system upstream from Saratoga, Wyoming by at least 65,000 acre feet/year over existing levels. These increased yields could be beneficially used for endangered species recovery on the Platte River in Nebraska. The partial replenishment of water yields that formerly existed in the Platte River Basin, would significantly reduce the potentially severe negative impact of endangered species recovery on the Prior Appropriation Doctrine and private water rights.

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# federal register

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Wednesday  
January 26, 1996

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Part II

**Department of  
Agriculture**

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**Forest Service**

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**36 CFR Part 212  
Administration of the Forest Development  
Transportation System: Management  
Regulations Revision and Temporary  
Suspension of Road Construction in  
Roadless Areas; Proposed Rules**

**DEPARTMENT OF AGRICULTURE**

**Forest Service**  
**36 CFR Part 212**  
**RN AB-67-008**

**Administration of the Forest  
 Development Transportation System**

**AGENCY:** Forest Service, USDA.  
**ACTION:** Advance notice of proposed  
 rulemaking.

**SUMMARY:** The Forest Service proposes to revise the regulations concerning the management of the National Forest System transportation system to address changes in how the road system is developed, used, maintained, and funded. The existing road system on National Forest System lands was largely funded and constructed to develop areas for timber harvesting and the development of other resources. In the last two decades, interest in the appropriate uses of the resources of the national forests, as well as the costs associated with resource development, including road-building, has generated much public debate. At the same time, resource uses on the national forests have shifted substantially toward recreation. The agency believes this is an appropriate time to consider changes in public opinion, public demand, and public use of national forest resources in the context of the accumulated body of scientific information about the benefits and environmental impacts of roads, and to consider adjustments in the management of the forest road system to respond to these changes and, thus, better serve present and future management objectives in a more efficient manner. Public comments on the scope and nature of a proposed revision of the Forest Service road management policy are invited. The agency will consider all comments in developing the proposed rule.

**DATES:** Comments must be received in writing by March 30, 1998.

**ADDRESSES:** Send written comments to: Gerald (Skip) Coghlan, Acting Director, Engineering Staff, Forest Service, USDA, P.O. Box 98590, Washington, D.C. 20090-5090, and also at roads/wo@fs.fed.us on the Internet.

All comments, including names and addresses when provided, are available for public inspection and copying. Persons wishing to inspect the comments are encouraged to call ahead (202-205-1400) to facilitate entrance into the building.

**FOR FURTHER INFORMATION CONTACT:** Gerald (Skip) Coghlan, Acting Director, Engineering Staff, 202-205-1400.

**SUPPLEMENTARY INFORMATION:****Background**

The road system on National Forest System lands is extensive and diverse. It includes an estimated 373,000 miles of inventoried forest system roads. These roads are essential for the active management of the resources of the National Forests. They carry an estimated 9,000 Forest Service administrative vehicles daily throughout the forests to duties as varied as wildlife habitat improvement projects, maintenance of recreation facilities, fire suppression, law enforcement, and search and rescue activities. National Forest System roads also carry an estimated 15,000 vehicles daily that are associated with timber harvesting and the development of other resources.

Roads are also essential for public use and enjoyment of the National Forests and Grasslands. The agency estimates that 1.7 million vehicles involved in recreation travel forest roads every day, an increase of over 10 times since 1950.

In addition to the 373,000 miles of inventoried system roads, there are 60,000 miles of roads which exist on National Forest System lands, created by repeated public use, that are not managed or maintained by the agency or considered part of the forest road system.

Public use and demands on national forest resources have shifted considerably during the past 10 years. There has been a decrease in timber harvesting and other commodity uses and steadily-increasing growth in the amount and type of recreation uses. The shift in public use and associated changes in user expectations and access needs requires new approaches to deciding the appropriate size and configuration of the road system. In addition, current funding mechanisms and levels are not adequate to maintain roads to the standards originally planned, as well as to ensure efficient and safe use. Thus, the agency needs to explore new sources of dependable funding as well as ways to better manage roads with limited resources.

The accumulation of new scientific information is increasing the understanding of the ecological and social impacts of existing roads, new construction of roads in roaded and roadless areas, and the impacts of the management activities associated with maintaining and reconstructing roads. New developments in road-building technology have fewer negative ecological impacts; however, ecological impacts from existing roads are more

extensive than previously thought. For example, under some conditions, existing roads may cause increased frequency of flooding and landslides, increased stream sedimentation, and associated reductions in fish habitat productivity. There may also be concerns associated with the fragmentation and degradation of habitat for some wildlife species caused by roading, as well as reductions in travel corridors of species with large home ranges. Research also indicates that under some circumstances, roading may begin or accelerate the invasion of exotic plant species that ultimately displace native species.

In addition to the impacts of road-building and roads themselves, there are impacts associated with the increased levels of human activities in previously-inaccessible areas provided by new roads. For example, increases in visitor-use have associated resource impacts, including ground and habitat disturbance, increased pressure on wildlife species from hunters and fishers, and increased expectations for amenities. Also, increases in human access may be associated with increases in the frequency of person-caused fires. A more detailed listing of facts related to the nature and scope of the National Forest Road System, public demand, funding, and environmental impacts of roads are published as Appendix A at the end of this notice.

**Rulemaking Objectives**

The shifts in resource demands and public use coupled with the need to ensure that decisions associated with the location, design, construction, reconstruction, upgrading, decommissioning, and maintenance of roads are informed by current scientific information lead the Forest Service to conclude that it must thoroughly review its road management policy and develop a comprehensive science-based policy for the future. This policy should allow the Forest Service to balance scientific information, public needs and funding levels when determining the size, purpose, and extent of the future forest road transportation system and any specific road building activities. The following are among the expected outcomes and key features of such a long-range policy:

1. Roads will be removed where they are no longer needed, and ecological values will be rehabilitated and restored in formerly roaded areas. These outcomes will be accomplished by aggressively decommissioning unneeded roads to reduce adverse environmental impacts.

2. Roads most heavily used by the public will be safe and will promote efficient travel. These outcomes will be accomplished by aggressively updating roads (reconstruction, design and maintenance) and reducing environmental impacts in these areas.

3. New roads that are determined necessary for National Forest System management will be designed more carefully to minimize ecological damage, and limited funds will be spent appropriately. These outcomes will be achieved by carefully analyzing factors surrounding the decision to build new roads in roadless areas, as well as the decision to build new roads in roadless areas, to assure that managers make more informed decisions and that only necessary construction is taking place.

The agency invites comments and suggestions on procedures for improving management of the national forest road system.

#### Agency Actions

Several research efforts are underway to examine the National Forest road system and its uses; to synthesize scientific information on Forest Service roads; and to analyze attitudes toward roads as expressed in the news media. Drafts of these reports are available from Director, Pacific Northwest Research Station, P.O. Box 3890, Portland, OR 97208-3890, 503-808-2100 and also at [prw/rpwmw@fs.fed.us](mailto:prw/rpwmw@fs.fed.us) on the Internet.

An essential element of this comprehensive overhaul of forest road policy is to develop improved analytical tools for land managers and resource specialists. To that end, agency researchers and specialists are developing an improved analysis process that assures that the ecological, social, and economic impacts of proposed construction and reconstruction of National Forest System roads are objectively evaluated, and that there is a full consideration of public demand on National Forest System roads in the context of current scientific information. This process will undergo an independent technical and scientific peer review before adoption.

Until the effects of roads can be more rigorously assessed, the Forest Service is also proposing to issue an interim rule to temporarily suspend road construction and reconstruction in roadless areas for not more than 18 months. The proposed interim rule appears in the same separate part of today's Federal Register with a request for public comment and notice of the initiation of scoping under the National Environmental Policy Act of 1969.

Suggestions on the scope and nature of a proposed revision of the Forest

Service's road management policy, as well as comments on the agency's preliminary suggestions are invited. The agency will consider all comments in developing the proposed rule.

Dated: January 22, 1998.

Mike Dombeck,

Chief, Forest Service.

#### Appendix A—Facts About the National Forest Road System

1. The National Forest Road System is extensive and diverse; it includes an estimated 373,000 miles of forest roads.

a. One-fourth (23%) are called arterial or collector roads and they serve all users, including passenger cars.

b. Over one-half (57%) are roads that are only passable by high-clearance vehicles such as four-wheel drive.

c. One-fifth (20%) are closed by gates.

d. The Forest Service has identified an additional estimated 60,000 miles of "uninventoried roads" that were created by repeated use but never built or maintained to any standards. The actual number of miles of "uninventoried roads" is likely far greater than this estimate. There are also additional public roads on National Forest System lands, such as state and county roads that are typically maintained by others.

e. There are more than 7,000 bridges on forest roads, three-fourths of these are on the arterial and collector roads.

f. In 1996, new construction of National Forest System roads was 434 miles, or 0.1% of the total National Forest road system.

2. Roads are essential for public use and enjoyment of National Forests and Grasslands.

a. An estimated 15,000 logging trucks and vehicles associated with timber harvesting use National Forest roads each day, about the same number as in 1950.

b. An estimated 17 million vehicles associated with recreation activities travel forest roads each day, over 10 times more than in 1950. Recreation usage is projected to continue to increase.

c. An estimated 9,000 Forest Service administrative vehicles travel forest roads each day, conducting duties essential to the stewardship of forest resources, including special use administration, wildlife habitat improvement projects, maintenance and operation of recreation facilities, law enforcement, and fire suppression.

3. Public use and demands on National Forest System lands have shifted considerably during the past 10 years. The size and composition of the National Forest System road system has not been adjusted accordingly.

a. Recreation usage has increased from less than 250 million Recreation Visitor Days to almost 350 million and is projected to continue to increase.

b. Timber harvest has dropped to below 4 billion board feet from a high of about 12 billion board feet annually.

c. The need for, and understanding of, ecological benefits that these forest and rangelands provide has increased, such as clean water, wildlife habitat, and habitat for endangered species.

4. While a significant portion of the 191,000,000 acres of the National Forest System is roaded, a significant portion remains roadless.

a. An estimated 34,000,000 acres are currently designated as wilderness; an estimated 8,000,000 acres are designated as proposed wilderness in forest plans.

b. An estimated 33,000,000 acres are currently unroaded in blocks of 5,000 acres or more for which the existing forest plans have proposed management that could include building new roads.

c. Of the 33,000,000 acres that are unroaded and available for management activities that could include roading, an estimated 8,000,000 acres are classified as "suitable for timber production."

5. Current funding levels are inadequate to maintain the roads to planned standards that permit efficient and safe use and keep ecological impacts at acceptably low levels.

a. About 40% of National Forest System roads are fully maintained in the planned safety and environmental standards for which they were designed.

b. The backlog of reconstruction needs on National Forest System roads is considerable. For example, the backlog on arterial and collector roads alone is estimated to be over \$10 million, due to their age (three-fourths are over 50 years old) and their lack of adequate regular maintenance.

c. From 1991 to 1996, funding for decommissioning roads has only financed a reduction of about 0.5% of National Forest System roads per year.

6. New scientific information continues to increase our understanding of the ecological and social impacts from existing roads and associated management activities. In some instances, ecological impacts from existing roads are more extensive than previously thought. Examples of these impacts include:

increased frequency of flooding and landslides; increased stream sedimentation and associated reduction in fish habitat productivity; increased habitat fragmentation and degradation which reduces the travel corridors needed by species requiring large home ranges; increased frequency of arson-caused fires as a result of access; and invasion of exotic species that displace native species. In contrast, recently constructed roads that are better designed and better located than earlier roads, and result in fewer and less severe ecological impacts.

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#### DEPARTMENT OF AGRICULTURE

##### Forest Service

##### 36 CFR Part 212

##### RIN 94-08-0086

#### Administration of the Forest Development Transportation System: Temporary Suspension of Road Construction in Roadless Areas

AGENCY: Forest Service, USDA.

**ACTION:** Notice of proposed interim rule; request for comment.

**SUMMARY:** In an Advanced Notice of Proposed Rulemaking (ANPR) published elsewhere in today's Federal Register the Forest Service has announced its intentions to revise its management of the National Forest Road System. In concert with that ANPR, the Forest Service proposes to suspend temporarily road construction and reconstruction in most roadless areas of the National Forest System. The intended effect is to safeguard the significant ecological values of roadless areas from potentially adverse effects associated with road construction, while new and improved analytical tools are developed to evaluate the impact of locating and constructing roads. The temporary suspension of road construction and reconstruction would expire upon the application of the new and improved analysis tools or 18 months, whichever is sooner. This rulemaking is a component of a larger effort to address a number of National Forest System transportation issues. Public comment is invited and will be considered in adoption of an interim rule.

**DATE:** Comments are due by February 27, 1998.

**ADDRESS:** Send written comments to Director, Ecosystem Management Coordination Staff, MAIL STOP 1104, Forest Service, USDA, P.O. Box 96090, Washington, D.C. 20090-6090. Comments also may be sent via the Internet to roads/wo@fs.fed.us.

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying at the Forest Service National Headquarters Offices, 14th and Independence Avenue SW, Washington, D.C. Persons wishing to inspect the comments are encouraged to call ahead (202-205-0895) to facilitate entrance into the building.

**FOR FURTHER INFORMATION CONTACT:** Gerald (Skip) Coghlan, Engineering Staff, 202-205-1400 or Rhey Solomon, Ecosystem Management Coordination Staff, 202-205-0839.

**SUPPLEMENTARY INFORMATION:** This proposed interim rule is being published in association with an Advance Notice of Proposed Rulemaking (ANPR) published elsewhere in this separate part in today's Federal Register. In the ANPR, the Forest Service is giving notice of its intention to revise the regulations concerning the management of the National Forest System transportation system to address changes in how the

road system is developed, used, maintained, and funded. As part of the ANPR, the agency also indicates that the development of improved scientific and analytical tools for land managers and resource specialists is an essential element of the comprehensive overhaul of forest road policy.

As noted in the ANPR, the road system on the National Forest System is extensive and diverse. It includes an estimated 373,000 miles of forest system roads. Roads are essential for the active management of the resources of the National Forests and Grasslands. These roads also are essential for public use and enjoyment of the National Forest System.

In addition, the agency estimates that there are more than 60,000 miles of roads created by repeated public use of the National Forests and Grasslands. Although these roads occur on National Forest System lands, they are not planned, managed or maintained by the agency or considered part of the forest road system.

A growing body of scientific information demonstrates that road construction in sensitive areas, such as roadless areas, may cause the introduction of exotic plant species, disrupt wildlife habitat, and otherwise compromise the attributes that make roadless areas ecologically important and often unique. Roadless areas are often aquatic strongholds for fish of great recreational and commercial value. These areas also often provide critical habitat and migration routes for many wildlife species, and they are particularly important for those species requiring large home ranges, such as the grizzly bear and the wolf.

The effects of road construction may persist for decades. Many of the remaining areas with the National Forest System are in areas with steep slopes that surround headwater streams. Road construction increases the risk of erosion, landslides, and slope failure, which may compromise critically important water quality. Until new and improved analytical tools can be developed and implemented to evaluate the positive benefits and adverse impacts of roads, the adoption of an interim rule to temporarily suspend road construction or reconstruction within National Forest System roadless areas is viewed as critical to preserve land and resource management options.

**Draft Proposed Interim Rule**

The agency proposes to temporarily suspend road construction activities, including the construction of temporary roads on National Forest System roadless areas, through issuance of an

interim rule to a new § 212.13 of Part 212 of Title 36 of the Code of Federal Regulations. Specifically, the interim rule would apply the temporary suspension to roadless areas of 5,000 acres or more inventoried in RARE II (Roadless Area Review and Evaluation) and other unroaded areas, regardless of size, identified in a forest plan; unroaded areas greater than 1,000 acres contiguous to Congressionally-

designated Wilderness or contiguous to federally-administered components of the National Wild and Scenic Rivers System that are classified as "Wild"; and all unroaded areas greater than 1,000 acres contiguous to roadless areas of 5,000 acres or more on other federal lands. In addition, the suspension would apply to two other categories: (1) any National Forest System (NFS) area of low-density road development or (2) any other NFS area that retains its roadless characteristics which the Regional Forester subsequently determines have such special and unique ecological characteristics or social values that no road construction or reconstruction should proceed. The agency does not anticipate that Regional Foresters will create a new inventory of roadless areas that meet the criteria of these latter two categories. Rather, it is expected that Regional Foresters will apply these categories on a project-by-project basis. Examples of areas that might be considered under these latter categories are areas needed to protect the values of municipal watersheds, including public drinking water sources, or to provide habitat for listed or proposed endangered and threatened fish, wildlife, or plants. Another example might be the National Forest System roadless areas listed in Table 5.1 of the Southern Appalachian Area Assessment, Social/Cultural/Economic Technical Report, Report 4 of 5, July 1996.

The suspension would remain in effect until any suspended road construction could be evaluated using the new analytical tools that are being developed, but no longer than 18 months from the effective date of the interim rule.

The proposed interim rule would expressly exempt four categories of roadless areas from the temporary suspension of road construction and reconstruction:

1. Roadless areas within National Forests that have a signed Record of Decision revising their forest plans and have completed the administrative appeal process as of the effective date of the rule.
2. Roadless areas within National Forests that have a signed Record of

Decision revising their forest plans on which the administrative appeal process is underway, but not completed as of the effective date of the rule.

3. Roadless areas in Washington, Oregon, and California within those portions of National Forests encompassed by the Northwest Forest Plan; and

4. Road construction or reconstruction in roadless areas needed for public safety or to ensure access to private lands pursuant to statute or outstanding and reserved rights.

The exemptions for final revised forest plans and for the Northwest Forest Plan recognize the currency of the scientific information, evaluations, public participation, and decisions made in these plans and the need to minimize disruption in programs of work. The proposed interim rule also recognizes the necessity to ensure public safety and access to private property. The exemption for revised plans currently under appeal also honors existing decisionmaking and administrative appeal processes and seeks to avoid undue interruptions or interference with established planning processes. We specifically request comment on whether additional measures are needed to implement exemption (a)(2).

The proposed interim rule would not modify, suspend, or cause to be re-examined any existing permit, contract, or other instrument authorizing occupancy and use of the National Forest System, any land and resource management plan, any land allocation decision, or other management activity or use within roadless areas in which road construction or reconstruction are temporarily suspended. The intent is not to halt active management of roadless areas but to protect their values while improved analytical tools are developed to better assess the impacts of road construction on roadless area values.

#### Regulatory Impact

Under the proposed interim rule, some currently planned land management projects that are dependent on new road construction, such as timber sales and ecosystem restoration activities, may not be implemented in the timeframe currently planned. During the interim period, some projects may proceed in an altered form and some may be postponed until such time that the road assessment process is implemented. Those projects may eventually be altered as a result of new information provided by the forest road assessment process. It is difficult to estimate with precision the costs and

benefits associated with deferring projects due to considerable variation in site-specific factors; the fact that projects are in various stages of development and readiness to assess; the fact that planning and analysis often take much longer to complete than originally anticipated; and the fact that some project work can be shifted to other sites outside roadless areas.

Nationwide, the agency estimates that of the total 3.8 billion board feet planned for FY 1998, the volume of timber actually offered for sale will be reduced by 100-275 million board feet. Although the actual amounts are very difficult to estimate, this reduction in timber volume offered could lead to corresponding reductions in employment and in payments to states. It is expected that the Intermountain and Northern Regions of the National Forest System will experience a disproportionately higher effect from the suspension than other geographic regions of the country, due to the higher dependence on roadless areas for timber production in these regions.

While the delay in these projects will have some adverse economic impact in the short term, these impacts are offset by the benefits to be gained from the temporary suspension of road construction and reconstruction in these areas. The benefits would include the prevention of an increased risk of erosion, landslides, and slope failure, all of which may compromise critically important water quality in the headwater streams that are found in many of the covered roadless areas. The temporary suspension would also help to prevent introduction of exotic plant species into these areas. The development of a new road analysis process would also allow currently proposed and future projects requiring road construction to reflect current scientific information and resource use trends. This will help managers and the public better understand the consequences of locating and building roads in roadless areas.

This proposed interim rule has been reviewed under USDA procedures and Executive Order 12866 on Regulatory Planning and Review. It has been determined that this is a significant rule because of the importance of road policy issues. While this proposed interim measure would create some costs associated with temporarily suspending actions on road construction or reconstruction, the suspension is limited to roadless areas and some low-density roaded areas and is temporary, not to exceed 18 months. This proposed interim rule will not have an annual effect of \$100 million or more on the

economy nor have a significant adverse effect on productivity, competition, jobs, the environment, public health or safety, nor State or local governments. Accordingly, this proposed interim rule has been reviewed by OMB under Executive Order 12866.

Moreover, this proposed interim rule has been considered in light of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), and it is hereby certified that this action will not have a significant economic impact on a substantial number of small entities as defined by that Act.

#### Unfunded Mandates Reform

Pursuant to Title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538), the Department has assessed the effects of this proposed interim rule on State, local, and tribal governments and the private sector. This proposed interim rule does not compel the expenditure of \$100 million or more by any State, local, or tribal government or anyone in the private sector. Therefore, a statement under section 202 of the Act is not required.

#### Environmental Impact

Section 31.1b of Forest Service Handbook (FSH) 1909.15 (57 FR 43180; September 18, 1992) excludes from documentation in an environmental assessment or impact statement "rules, regulations, or policies to establish Service-wide administrative procedures, program processes, or instructions." The agency's assessment is that this proposed interim rule falls within this category of actions. Nevertheless, in furtherance of the purposes of the National Environmental Policy Act, the agency has elected to undertake environmental analysis and documentation prior to publication of the final interim rule. As part of the agency scoping under its NEPA procedures, public comment is invited.

#### No Takings Implications

This proposed interim rule has been analyzed in accordance with the principles and criteria contained in Executive Order 12630, and it has been determined that the proposed interim rule does not pose the risk of taking of Constitutionally-protected private property. There are no Constitutionally-protected private property rights to be affected, since the proposed interim rule applies only to federal lands and explicitly ensures access to private property pursuant to statute or to outstanding or reserved rights.

**Civil Justice Reform Act**

This proposed interim rule has been reviewed under Executive Order 12988, Civil Justice Reform. This proposed interim rule (1) preempts all State and local laws and regulations that are in conflict or which would impede its full implementation, (2) has no retroactive effect on existing permits, contracts, or other instruments authorizing the occupancy and use of the National Forest System, and (3) does not require administrative proceedings before parties may file suit in court challenging its provisions.

**Controlling Paperwork Burdens on the Public**

This proposed interim rule does not contain any recordkeeping or reporting requirements or other information collection requirements as defined in 5 CFR 1320 and, therefore, imposes no paperwork burden on the public. Accordingly, the review provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, et seq.) and implementing regulations at 5 CFR part 1320 do not apply.

**List of Subjects in 36 CFR Part 212**

Highways and roads, National forests, Rights-of-way, and Transportation.

Therefore, the Forest Service proposes an interim rule amending 36 CFR part 212 as follows:

**PART 212—ADMINISTRATION OF THE FOREST DEVELOPMENT TRANSPORTATION SYSTEM**

1. The authority citation for part 212 continues to read as follows:

Authority: Sec. 1, 30 Stat. 35, as amended sec. 205, 72 Stat. 907; 16 U.S.C. 551, 23 U.S.C. 205, unless otherwise noted.

2. Add a new § 212.13 to read as follows:

**§ 212.13 Temporary suspension of road construction in roadless areas.**

(a) *Suspensions.* Except as provided in paragraphs (b) and (c) of this section, new road construction projects, including temporary roads, and road reconstruction projects are suspended within the following areas of the National Forest System:

(1) ALL RARE II inventoried roadless areas of 5,000 acres or more within the

National Forest System and all other roadless areas, regardless of size, identified in a land and resource management plan;

(2) All National Forest System roadless areas greater than 1,000 acres that are contiguous to Congressionally-designated Wilderness Areas or that are contiguous to federally-administered components of the National Wild and Scenic River System (16 U.S.C. 1274) which are classified as Wild;

(3) All National Forest System roadless areas greater than 1,000 acres that are contiguous to roadless areas of 5,000 acres or more on other federal lands;

(4) Any National Forest System area, regardless of size, with low-density road development that essentially retains its roadless characteristics on which the Regional Forester subsequently determines that road construction or reconstruction should not proceed, because of the area's special and unique ecological characteristics or social values; and

(5) Any other National Forest System area, regardless of size, that essentially retains its roadless characteristics on which the Regional Forester subsequently determines that road construction or reconstruction should not proceed, because of the area's special and unique ecological characteristics or social values.

(b) *Exemptions.* Road construction and reconstruction projects within the following roadless areas are exempt from the suspension required by paragraph (a) of this section:

(1) Roadless areas within National Forests that have a signed Record of Decision revising their land and resource management plans prepared pursuant to the National Forest Management Act (16 U.S.C. 1604(f)(5)) on which the administrative appeals process under 36 CFR part 217 has been completed as of the effective date of the final interim rule;

(2) Roadless areas within a National Forest that has a signed Record of Decision revising the land and resource management plan prepared pursuant to the National Forest Management Act (16 U.S.C. 1604(f)(5)) on which the administrative appeals process under 36 CFR part 217 is underway as of the

effective date of the final interim rule. (For these forests, issues related to the construction of roads in roadless areas will be addressed in the appeal decision, when appropriate.);

(3) Roadless areas within National Forest System lands in Washington, Oregon, and California, that are encompassed by the Northwest Forest Plan which is described in the "Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and Standards and Guidelines for Management of Habitat for Late Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl, April 13, 1994," and

(4) Road construction or reconstruction in roadless areas needed for public safety or to ensure access provided by statute or provided pursuant to reserved or outstanding private rights.

(c) *Scope and applicability.* (1) This section does not suspend or modify any existing permit, contract, or other instrument authorizing the occupancy and use of National Forest System land. Additionally, this section does not suspend or modify any existing National Forest System land allocation decision, nor is this section intended to suspend or otherwise affect other management activities or uses within roadless areas in which road construction or reconstruction projects are suspended pursuant to paragraph (a) of this section.

(2) The suspensions provided by paragraph (a) of this section remain in effect until any suspended road construction in roadless areas can be evaluated using new analytical tools, or 18 months, whichever ever is first.

(d) *Effective date.* The suspension of road construction and reconstruction projects in roadless areas as provided in paragraph (a) of this section is effective upon the date of publication of the final interim rule.

Dated: January 22, 1998.

Mike Donohue,

Chief, Forest Service.

[FR Doc. 98-1906 Filed 1-27-98; 8:45 am]

BILLING CODE 3010-11-01

**STATEMENT BEFORE THE HOUSE RESOURCES COMMITTEE ON THE  
HISTORY OF ROADLESS AREA REVIEWS AND EVALUATION  
FOR THE NATIONAL FOREST SYSTEM  
by R. Max Peterson, Executive Vice-President,  
International Association of Fish and Wildlife Agencies  
and Chief Emeritus, US Forest Service  
February 25, 1998**

Introduction

It would take several days to provide an adequate presentation on the history of roadless area reviews and evaluation. Ideally it would also take several different people because there are many different perspectives as to the history and evolution of roadless area reviews. Roadless area reviews for many years were associated with the emerging concept of wilderness. In more recent years concerns about maintaining a component of old growth and old growth dependent wildlife including threatened and endangered species has been a significant factor.

I am going to attempt probably the impossible and that is to provide you a very general but hopefully useful overview of roadless area reviews and evaluation without expressing judgment as to the adequacy or outcome of the various reviews. I am not going to brief you on the recently announced moratorium on road building into most roadless areas because I know you will have separate detailed briefings by the Forest Service.

There is ample evidence that questions about administratively reserving certain areas in the National Forests to keep them roadless or with only primitive roads and limited development dates back to at least the 1910s.

For example, Arthur Carhart, a Forest Service landscape architect, was assigned in 1919 to lay out summer homes around Trapper Lake in Colorado. After spending some time at the lake and being impressed by its values as it was, he concluded that the lake should be retained in its current condition without roads or summer homes. I think he was surprised that the regional forester agreed with that conclusion.

Aldo Leopold, an early Forest Service forester, pushed the idea of large reserved roadless areas that would not be developed except possibly with very primitive facilities. His effort led to the designation of the Gila Wilderness of more than 400,000 acres in New Mexico in 1924, some 40 years prior to the Wilderness Act. As most of you know, Aldo Leopold is considered by many to be the father of modern wildlife management based on contributions he made largely as an avocation after he was assigned to the Forest Products Laboratory in Madison, Wisconsin. His keen observations over a long period of time as to the relationship between wildlife and habitat formed the foundation for early scientific wildlife habitat management.

### The 1920s

During the 1920s the status of roadless areas received increasing attention due to the interest of not only Carhart and Leopold, but others both inside and outside the Forest Service. As mentioned earlier, in 1924 the Gila Wilderness in New Mexico was administratively designated as wilderness. In 1926 the Forest Service began a general inventory of the remaining roadless areas in the National Forests. A national inventory was undertaken of all areas greater than 230,400 acres (360 sq. miles). That inventory reported that 74 tracks totaling 55 million acres still remained with the largest tract about 7 million acres.

In 1929 administrative regulation L-20 was issued by the Forest Service. That regulation envisioned areas that would remain rather primitive but allowed some timber harvest, primitive recreation facilities, and allowed mining to continue under the 1872 Mining Act. Also, the L-20 regulations did not necessarily envision permanent protection because of the concern that there might need to be changes in boundaries to reflect such things as future fires, insect outbreaks, mineral development, or the need for many new and growing communities that were just being established in the West. The L-20 regulations really called for a go-slow approach to those areas with an idea that any use would be very carefully done with an attempt to retain scenic recreational and other attractions of the area. Gradually there were 72 primitive areas established with a gross area of about 13.5 million acres in ten western states. Most of these allowed some road construction, logging, grazing and primitive types of recreational facilities. Only four primitive areas totaling about 300,000 acres absolutely excluded logging, grazing and roads.<sup>1</sup>

There were also a number of people within the Forest Service who were dissatisfied both with the system of designating areas as well as with the controversy surrounding attempts to establish new areas or to modify existing ones. One of those was Robert Marshall who came to the Forest Service in 1937 after being Director of the Forestry Division of the US Office of Indian Affairs. In that assignment Marshall had been responsible for the designation of 16 wilderness areas on Native American reservations<sup>2</sup>. Also, Marshall along with Aldo Leopold was instrumental in the establishment of The Wilderness Society in 1935.

In 1939 the L-20 regulations were superseded by regulation U-1, U-2 and U-3. Those regulations were much stricter than the previous L-20 regulations both in uses permitted and who could designate such areas. It recognized, for example, three kinds of areas: U-1 – wilderness, U-2 – wild areas, and U-3 – roadless areas. One of the purposes of the U-2 regulations was to review the 76 primitive areas that had been established without what were considered adequate surveys, adequate evaluation and or

<sup>1</sup> From Hendee, Stanke and Lucas. The Wilderness Act Legal Basis for Wilderness Management. Chapter 4.

<sup>2</sup> All of these areas were later abolished as not being consistent with the authority of tribes to manage their lands.

sometimes adequate protection. Between 1939 and the outbreak of World War II, only three of the primitive areas had been reclassified as wilderness, six as wild, and three were consolidated into the Bob Marshall Wilderness in Montana. Classification ceased during the war and by the end of the 1940s progress in reviewing the primitive areas had proven to be slow and sometimes controversial. The controversy surrounding the proposed re-classification of an area in the Three Sisters Primitive Area in Oregon, for example, resulted in Oregon Senator Richard Newberger to become a co-sponsor of a wilderness bill which would establish statutory protection for wilderness.

Time does not permit even a skimpy overview of the wrangling over roadless areas that occurred between 1949 and the passage of the Multiple Use Act in 1960 and the Wilderness Act in 1964. Such people as Howard Zahniser, Executive Director of The Wilderness Society, spent most of his career advocating the establishment of a congressionally designated wilderness system that would be managed as such in perpetuity. He envisioned that such a system would include not only areas within the National Forest System but within National Parks and the National Wildlife Refuge System. He also envisioned one day such designations being applied to lands administered by the Bureau of Land Management.

By the time the Wilderness Act passed in 1964, 54 areas totaling 9.1 million acres had been administratively classified by the Forest Service as wilderness, wild or canoe. Those became instant wilderness under the 1964 Act and another 34 primitive areas totaling 5.4 million acres were required to be studied and recommendations made to Congress within ten years.

The Secretary of Interior was also instructed to review roadless areas in the various units of the National Park System and the National Wildlife Refuge and Game Ranges in excess of 5,000 acres, as well as roadless islands, and to make recommendations to Congress within ten years.

In passing the Wilderness Act of 1964, the Congress not only defined wilderness, it prohibited a number of things such as mechanized equipment, roads and permanent buildings, and created as instant wilderness the previously designated 54 areas containing 9.1 million acres made up entirely of National Forest wilderness, wild and canoe areas. Also, the law required studies and reports to Congress on certain National Forest primitive areas as well as certain areas administered by the Secretary of Interior as indicated earlier.

The Congress also halted any further administrative designations as wilderness by providing that future wilderness designation could only be done by act of Congress. In other words, Congress reserved to itself the decision on what areas should be wilderness. Congress did not, however, repeal the authority of the President to create national monuments, an authority used by several Presidents in the historical creation of national monuments and more recently in December 1, 1978 by President Carter where 17 national monuments totaling nearly 56 million acres were created in Alaska,

including two on the Tongass National Forest, and finally the recent national monument created by President Clinton in Utah.

#### Formal Reviews

Let me now cover three major formal roadless area reviews.

1. Review of the primitive areas required by the Wilderness Act of 1964.
2. The nationwide administrative review of roadless areas, commonly called RARE I, completed in 1973.
3. A second nationwide review of roadless areas completed in 1979, called RARE II.

#### Primitive Area Review

The primitive area review was directed specifically at the 34 areas totaling 5.4 million acres that had been administratively designated primitive areas prior to passage of the Wilderness Act. As indicated earlier, not all the primitive areas were in fact roadless. Several had low standard primitive roads used primarily for fire protection and administration, and a few were opened to the public to reach primitive camping or picnic areas or for hunting and fishing access by road.

These reviews and recommendations were made to Congress, which generally tended to follow the recommendations of the Forest Service with some substantial exceptions. Some of this difference was due to different concepts of required "purity" for areas to be included in the wilderness system. A substantial number of people argued that to permit areas to be included in the wilderness system that contained roads, buildings, aircraft landing strips, mining development, etc. would make it more difficult to prevent such incursions into existing wilderness. Others including Senator Church from Idaho argued that the purity screen was simply meant to reduce the number of areas that qualified or to argue for administrative discretion.

One feature of the primitive area review that was little noticed that later came to the fore, was a specific provision allowing for the enlargement of an existing primitive area at the time the President submitted his recommendation to Congress.

This provision and other concerns that the original boundaries of primitive areas were not established with precision led to concern both inside and outside the Forest Service for a review of roadless areas not only adjacent to primitive areas but other existing areas larger than 5,000 acres that might need some consideration for potential wilderness similar to the review required by the Wilderness Act to be done by the Secretary of Interior for lands under Interior jurisdiction.

This led in 1972 to a decision that the Forest Service should look nationwide at areas within the National Forest System above 5,000 acres. This nationwide roadless area review was completed in October 1973. It was later called RARE I.

The result of that review was the selection of 274 new wilderness study areas from an inventory of 1,449 areas of roadless and undeveloped National Forest land. Such areas were to be further evaluated and recommendations made to Congress as to the suitability of adding them to the national wilderness preservation system. All but three of the new study areas containing almost 12.3 million acres were located in 11 westernmost states of the contiguous United States plus Alaska. Florida and North Carolina contained one area each, and the remaining new study was located in Puerto Rico. Remember that the only action available to the Forest Service at that time was to evaluate those areas and make recommendations to the President for submittal of a proposal to the Congress because the Congress, through the 1964 Wilderness Act, had reserved to itself whether to add areas to the National Wilderness Preservation System.

The summary of the October 1973 environmental statement, containing about 20 pages, provides very interesting background on roadless areas and previous action by the Congress to designate areas as wilderness as well as early administrative action. The environmental statement indicated five reasons for the roadless area review:

1. Insure optimum protection and use of the lands and resources of the remaining unroaded and undeveloped areas in the National Forest System through a nationwide analysis of such areas, rather than a consideration of each separately at different times.
2. Provide a systematic means of selection of areas with high wilderness potential as New Study Areas.
3. Provide continued recognition of wilderness values, and assure continued management of undeveloped areas to protect their wilderness characteristics until more detailed studies can be completed and a determination reached as to their classification for wilderness or other purposes.
4. Provide for orderly and meaningful involvement of the public in considering the best use of National Forest roadless and undeveloped areas.
5. Provide national perspective on the National Wilderness Preservation System in relation to all other Forest Service programs, goods and services.

During the RARE I inventory and evaluation procedure, there was concern both within the Forest Service and outside about the qualifications of areas in the east to be either inventoried or evaluated for wilderness because most areas in the east historically had been cut over, many had been farmed over, and most had been burned over lands prior to becoming National Forests. Because of that, many of the best appearing areas in the

east were restored areas that might have old roads, homesteads, plantations in straight rows and other very visible evidence of the imprint of man. To many these areas did not meet the basic criteria of the Wilderness Act. This led to interest in a new approach that was called by such names as Wildwood Heritage Areas or simply as Wild Areas. In 1971 prior to RARE I, the regional foresters in Milwaukee and Atlanta had proposed a distinctly separate system which would be the best of the areas available in the east for primitive type recreation but would also allow certain basic recreation facilities and in some cases for the development of water and simple sanitary systems because of concern for the health of users as well as for domestic water systems.

This effort was given a boost in 1972 when President Nixon recommended that Congress consider areas closer to population centers.

A bill to establish a wild area system was sponsored by Senator Talmadge and Senator Aiken and quickly passed out of Committee and was passed by the Senate in late 1972. It called for the establishment of an Eastern National Forest Wild Areas System. As a pragmatic approach to the physical condition of areas in the east, it was initially supported by a number of groups, but by 1973 initial congressional and outside support had largely disappeared. The Congress decided to drop the idea of two systems and the Forest Service then proposed that 16 eastern areas be made instant wilderness and that another 37 be studied for possible inclusion. The bill quickly passed the Senate, and after lengthy consideration in the House led by Chairman John Melcher and Congressman Saylor, a bill was ultimately passed which resulted in 15 wilderness areas and 17 areas for study. This represented an explicit decision by Congress to locate wilderness near population centers and it also included areas that were generally smaller in size and showed considerably greater evidence of past human use, disturbance and restoration.

#### Endangered American Wilderness Act of February 24, 1978

As indicated earlier, the RARE I process selected 274 new study areas containing 12.3 million acres from an inventory of 1,449 areas containing 56.174 million acres.

Omissions from the areas proposed for study and areas that some thought should be included in the inventory that were not, led to the idea of some type of omnibus bill to act immediately on some of the study areas as well as some areas that were not. With the support of Senator Frank Church and Congressman Mo Udall, an Endangered American Wilderness Act was introduced in 1976. Following the election of President Carter in November 1976 and when the chairmanship of the House Interior Committee passed to Congressman Udall in early 1977, the bill moved forward. The result was the Endangered American Wilderness Act signed by President Carter on February 24, 1978, creating 1.3 million acres of wilderness in 72 new wildernesses or additions to wilderness in Arizona, California, Colorado, Idaho, New Mexico, Oregon, Utah, Washington and Wyoming.

### RARE II, Another Nationwide Review and Evaluation

Many organizations, both those who favored wilderness and those who were concerned that ultimately more wilderness would be added than was appropriate, were concerned about the continued review and piecemeal additions of areas to the system. USDA Assistant Secretary Rupert Cutler, who had been a critic of RARE I and who had supported the Endangered American Wilderness Act, believed that piecemeal additions to the system might not create either the optimum wilderness system, nor adequately consider other multiple uses that would be more appropriate on some areas if the perspective were nationwide. This led to by far the largest and most comprehensive review of roadless areas ever undertaken by the Forest Service or by any other organization. The criteria for including areas in the inventory was substantially changed particularly to allow some primitive roads that were under Forest Service jurisdiction, some of the area to be in non-natural planted vegetation, some where timber had been harvested, and areas that could contain a few dwellings if the dwellings and access were somewhat obscured by natural features.

The emphasis was to be rather liberal in the inventory stage and then each area would be evaluated against criteria, which included such things as natural integrity, apparent naturalness, outstanding opportunities for solitude, primitive recreation opportunities, and then certain ecological, geological, scenic and cultural features.

A primary stated goal of the RARE II process was selecting "appropriate roadless areas to help round out the National Forest System's share of a quality national wilderness preservation system and at the same time maintain opportunities to achieve the fullest possible environmentally sound use from other multiple use resources and values. The RARE II process has carefully evaluated physical, biological, social and economic impacts and tradeoffs involved in development of the proposed action."<sup>3</sup>

The RARE II process was designed primarily to sort areas into three categories that would accomplish that overall goal. The three categories were:

1. Areas recommended for wilderness, Congress would have to designate them;
2. Areas allocated to multiple uses other than wilderness, generally referred to as non-wilderness; or
3. Areas needing further planning for all uses including wilderness.

The draft environmental statement contained ten alternatives ranging from continuing under existing land and resource management planning as if RARE II was not done, to all roadless areas allocated in non-wilderness use, to all roadless areas recommended for wilderness.

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<sup>3</sup> Page 2 of the final environmental statement filed January 4, 1979.

The public's response to RARE II exceeded all expectations. More than 264,000 separate replies from almost 360,000 people were received.

The final environmental statement, which was transmitted by Secretary of Agriculture Bergland on January 4, 1979, identified 2,919 roadless areas encompassing 62 million acres in National Forests and national grasslands in 38 states and Puerto Rico. Of those areas 624 areas containing 15,088,838 acres were recommended as wilderness, 1,981 areas containing 36,151,558 acres were allocated to multiple uses other than wilderness, and 314 roadless areas containing 10,796,508 acres were identified for further planning for all uses including wilderness.

It was hoped that this comprehensive inventory, review and evaluation would provide the Congress the basis for an omnibus wilderness bill that might at least make a major contribution to solving what appeared to be a perpetual argument over use of roadless areas. That aspiration proved to be rather short-lived. Congress simply was not prepared to handle that big package.

#### Litigation Following RARE II

The State of California, led by Huey Johnson, the Secretary of Natural Resources, considered that the RARE II process had moved too fast without adequate consideration on a state and local basis. He and others in California were also critical as to the number and size of areas recommended for wilderness classification. This led in July 1979 to the State of California challenging the RARE II decision as it related to roadless areas in California. The District Court for the eastern district of California ruled that the RARE II final environmental statement, in spite of its size, complexity and number of comments, did not comply with the requirements of NEPA in terms of site specific analysis of impacts and also that the National Forest Management Act and the implementing planning regulations did not envision such a nationwide evaluation of wilderness but rather that it be done as a part of the regular planning process.

In an interesting commentary on the process, the court specifically indicated that site specific, detailed NEPA type analyses were probably not feasible on a national roadless area review. It nevertheless indicated that doing a nationwide study did not relieve the agency from doing the detailed site-specific analysis normally provided in NEPA type statements.

It also became fairly obvious that the Congress was not willing or able to deal with a national omnibus bill that would implement the recommendations of RARE II. There were many reasons for this including such things as simply the size of the undertaking as well as practical back home considerations which meant many members of Congress were not particularly interested in taking on such a divisive issue at that time.

This led then to Congress making a pragmatic decision to consider wilderness designations on a state-by-state basis. In doing so they relied heavily on the maps as

well as the information and recommendations of RARE II. This state-by-state approach led to early questions as to what Congress was going to do about areas that were roadless that had been allocated to non-wilderness in the RARE II EIS which a court had found to be inadequate, as well as what to do with further planning areas. This led to the long and difficult history of something called "release language". Release language existed in so-called "hard" varieties, "softer" varieties and in-between varieties.

There is not time today to even give a thumbnail sketch of that history, but let me refer you, if you want to read further, to a report by CRS dated March 1, 1993 called "Wilderness Legislation: A History of Release Language 1979-1992."

The basic formulation that shaped up as release language for statewide bills was for the Congress to declare that it had made its own evaluation of what areas should be wilderness, which areas should be non-wilderness and thus released from further consideration as wilderness, or placed in further planning. The second and more difficult question for Congress to deal with though was what to do with areas that had been allocated to non-wilderness use since the RARE II EIS had been declared inadequate. One idea of "hard" release language was for Congress to decide that unless Congress decided otherwise, that non-wilderness areas should be managed for non-wilderness, that is multiple uses other than wilderness. Others wanted the language to be very "soft" which would say that even though Congress had decided certain areas should be wilderness, that the areas allocated to non-wilderness should be given a second look in the ongoing National Forest land management planning. Under soft release, bills were enacted for Alaska, Colorado and New Mexico in 1980 and for Indiana, Missouri and West Virginia in 1982. Then, as a result of debate over release language, further statewide bills were delayed.

After detailed and long negotiations, Senator McClure, then chairman of the Senate Energy and Natural Resources Committee and Representative John Seiberling, then chairman of the National Parks and Public Lands Subcommittee of the House Interior Committee, came up with so-called compromise release language. Basically that language said that areas allocated to non-wilderness need not be preserved by the Forest Service and that they could be developed under either existing or new land management plans, but that the question of wilderness would be revisited when the NFMA plans were revised in 10-15 years.

That compromise on release language resulted in resolution of the RARE II impasse in 18 states: Arizona, Arkansas, California, Florida, Georgia, Mississippi, New Hampshire, North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin and Wyoming. Except for the designation in Alaska in 1980 (which tripled the wilderness system), wilderness designation by the 98<sup>th</sup> Congress was the largest additions to the wilderness system since its creation in 1964. Unfortunately, a successful resolution was never achieved in Idaho and Montana.

Alaska

I have not dealt separately with Alaska which because of its size, complexity and history would warrant a separate detailed briefing. As most of this committee is well aware, the question of what to do in Alaska with the large acreage of lands then under the jurisdiction of the Bureau of Land Management had been controversial for years. One of the major issues was how much of those lands should be given to Alaska natives and how many acres should be subject to selection by the State of Alaska because of the fact that the Federal government owned more than 95% of the land area in Alaska.

This led in 1972 to the Alaska Native Land Selection Act, also called ANSCA, and ultimately in 1980 to the Alaska National Interest Lands Conservation Act (ANILCA). In 1977 the Carter Administration, with then Secretary of Interior Andrus its most vocal advocate, called for protection of the "crown jewels of Alaska" in a much enlarged National Park and National Wildlife Refuge System and for designation of large portions of those areas as wilderness, as well as substantial areas in the National Forest System.

There was much concern in Alaska that putting so much land off limits to either development or some traditional uses would very much inhibit the economic progress as well as reduce a lot of the common uses of land in Alaska that Alaskans had enjoyed over the years.

This led to a substantial amount of controversy between the State of Alaska and others who felt Alaska deserved a major hand in determining its own fate versus those who sought doing "the right thing" in Alaska by protecting some of the great national interest lands left.

When legislation to implement the administration's position on Alaska lagged, President Carter used executive authority to create a number of quite large national monuments in Alaska. The rules for use of those areas in many instances actually went even beyond the normal requirements of wilderness classification in that hunting and fishing was prohibited, except for subsistence use, on many of the national monuments that were to be administered by the Department of Interior. National Forest monuments were left open to hunting and fishing as is normal in other National Forest monuments and wilderness.

This ultimately led to the compromise legislation which was finally enacted by Congress in late 1980 following the defeat of President Carter for reelection and the decision by both the Alaska delegation and the administration to get the issue behind them.

Because the Alaska Lands Act and the various activities that preceded it are complicated, I have simply not tried to include a detailed overview of Alaska roadless areas in this presentation. If the committee desires to do so, it could be done separately, but if done I would recommend that several people with different perspectives be asked to give such a presentation to the committee.

### Conclusion

In this overview, I have attempted to provide just a brief history of roadless area reviews. In doing so I have not dealt with a number of important subjects such as the interrelationship between wilderness and old growth dependent wildlife species which has increasingly become an issue in recent years. The lack of even basic information on many species of wildlife that inhabit the sometimes remote areas has been a strong barrier to making important resource decisions. Many species that are considered to be old growth dependent or to require large areas are so-called nongame species that we know very little about. For example, the northern spotted owl was a species which, at one time, the best scientific information was that only 100-200 pairs existed and only in a very limited range in the Pacific Northwest. Even though research on wildlife dependent species had been accelerated by the Forest Service and by the Fish and Wildlife Service in the 1970s and early 1980s, I think everyone recognized that the information we have even today is woefully inadequate for many species, particularly those classified as nongame.

The recently announced moratorium on building new roads in most existing National Forest roadless areas is another chapter in the long-running struggle over the future management of roadless areas. It also spotlights the question of whether such decisions should be made nationally by an agency or the Administration, or whether they should be made locally as part of ongoing land management planning. It also raises questions as to the appropriate role of the Congress which, under the Constitution, has responsibility for the public lands.

As these roadless areas are evaluated for whatever uses, it is important to recognize that they usually contain a variety of fish and wildlife species as well as streams, forests, rocks and soil. Management of the wildlife in these areas is the responsibility of state fish and wildlife agencies and thus they are vitally concerned about future management decisions. These areas must be evaluated for fish and wildlife purposes within the context of the surrounding area, which may contain not only National Forest land, but a mixture of other public and private land. Because many species of fish and wildlife move frequently across these boundaries even within one year it is important to recognize that a scientifically adequate evaluation of future management of a roadless area simply cannot be done within considering the larger picture.

Whether to build a road into a roadless area is just one of many questions that needs to be made after rather than before future management of the area has been determined. That decision cannot logically be made from the top down or by those of us within the beltway without detailed knowledge of the area, its resources, limitations and capabilities within the context of other surrounding areas.

Rmp/avrn/c:\max\Roadless Area Statement

189

Testimony of

LAWRENCE A. DOLEZAL  
COUNTY COMMISSIONER  
LINCOLN COUNTY, MONTANA

Before the

COMMITTEE ON RESOURCES  
U.S. HOUSE OF REPRESENTATIVES

10:00 a.m.  
February 25, 1998

Thank you Madam Chair, and members of the Committee, for giving me the opportunity to appear before you today. My name is Lawrence A. Dolezal. I have been serving as a county commissioner in Lincoln County, Montana, for the past 12 years and am currently the chair of our Board.

As you may be aware, Lincoln County has been very active regionally and nationally in public land issues. I have testified before Congress on PILT and other legislation, attended various Committee hearings and meetings in Washington during my tenure as county commissioner, and am currently one of two county commissioners representing the Montana Association of Counties on the Eastside Ecosystem Coalition of Counties (EECC) actively involved in reviewing the Interior Columbia Basin Ecosystem Management Project (ICBEMP). One of my former colleagues, Noel Williams, sat on the National Association of Counties' Public Lands Steering Committee and was past president of the Western Interstate Region which consists of more than fifteen western states, as a division of the National Association of Counties.

Lincoln County is active in public land issues for many reasons. Our county consists of 3750 square miles. Almost 80 percent of the county is encompassed by the Kootenai National Forest, while 13 percent is comprised of corporate timberlands. Only 7 percent is other privately owned land that provides the tax base to support our public services. Recent statistics by the Bureau of Business and Economic Research at the University of Montana in Missoula indicates that 60% of our labor force is involved in the wood products industry and 30% is federal civilian work force, primarily U.S. Forest Service personnel in charge of managing public lands in our county. Those two groups alone comprise over 90% of our total work force which is the foundation of our basic economy. It is easy to see how virtually every local government, business, and citizen in Lincoln County is in some way affected by the management of the federal land within our county's border.

That is why I am here today. The U.S. Forest Service is proposing to revise regulations concerning the management of the National Forest System transportation system. These new regulations suspend road construction and reconstruction in roadless areas on land under the management of the U.S. Forest Service. Specifically, the suspension would apply to:

- (1) Roadless areas of 5,000 acres or more inventoried in RARE II or other unroaded areas, regardless of size, identified in a forest plan;
- (2) Unroaded areas greater than 1,000 acres contiguous to Congressionally-designated Wilderness or contiguous to federally-administered components of the National Wild and Scenic Rivers System that are classified as "Wild";
- (3) All unroaded areas greater than 1,000 acres contiguous to roadless areas of 5,000 acres or more on other federal lands;

- (4) Any National Forest System (NFS) area of low-density road development; and
- (5) Any other NFS area that retains its roadless characteristics which the Regional Forester subsequently determines have such special and unique ecological characteristics or social values that no road construction or reconstruction should proceed.

On the surface these may not sound like adverse regulations, especially if you read the alleged facts being released by the Forest Service for enactment of these restrictions. Claims like "resource use on national forests has shifted toward recreation and wildlife" and only "about 40% of National Forest System roads are fully maintained to the planned safety and environmental standards for which they were designed" would lead anyone not familiar with management on National Forests to support these proposed rules with open arms. It is time you heard the real facts.

I am here to tell this Committee, firsthand, that the conditions described and the economic data contained in the material released in support of these rules is inaccurate. I want to address this issue from both a regional perspective and a local viewpoint. My regional perspective is directly tied to my capacity with the EECC on ICBEMP. I would endeavor first to convey to you the concerns of the EECC as expressed directly to Chief Dombeck and other administrative staff recently. I will follow with a localized focus on what this may mean at the specific county and community level when where it is implemented and generates real life impacts.

We within the EECC certainly understand the position Chief Dombeck outlined before us Tuesday, February 10, 1998 at Boise, Idaho. He opened the meeting by apologizing for proceeding with the proposal without first having involved the counties in the Basin. He termed it a serious mistake. He then proceeded to explain the reasons for his initiative: that he nearly lost one-quarter of the USFS road budget by one vote in the Senate last year; that 60% of the 373,000 miles of USFS roads are not to standard; that the American people see the roads as subsidies for logging companies, and that view must be changed; that actual use is now overwhelmingly by recreationists; that the roads are an important part of rural infrastructure; that his agency can no longer ride on the back of timber for road revenues; that the USFS spends a tremendous amount of energy in roadless management appeals; and that the moratorium is simply a limited "time-out" to get a permanent policy in place. He acknowledged that 40 million of the 191 million acres of national forest are at risk of catastrophic fire, but that if we stay in a zone of controversy, we cannot treat the problem. Later Chief Dombeck noted in addition that 80% of headwaters are on forest service land; that with the changes in expectations and use of national forests the biggest challenge will be balancing uses; that he is committed to active management; and that there is a road maintenance backlog of over \$10 billion.

Regarding the ICBEMP, Chief Dombeck noted that the 18-month sunset is on track with the Final Environmental Impact Statement, and that the moratorium would end earlier if the road/risk assessment is in place. He agreed "in blood" that the moratorium would end 18 months

after its adoption. He restated that this was his initiative, but also admitted that he had to fight for the exemption for the westside area encompassed by the Northwest Forest Plan.

Commissioners commented that Basin counties, which have carried the ICBEMP, were blind-sided by the moratorium, and that what the ICBEMP science has shown is the need for active management to prevent wildfires. This moratorium represents a serious breach of trust between governments. The Chief acknowledged this damage to trust and encouraged the counties to offer a way during the 30-day comment period to repair that trust.

At another meeting that week, BLM Director Pat Shea, who acknowledged the grave error in process in the USFS proposed moratorium, said that he understands fully if the EECC steps away from the ICBEMP, but asked that the EECC stay because it is the best hope of resolving the federal land management issues for the Basin.

Apart from the breach of trust in EECC good faith efforts within ICBEMP, it would appear at first blush that this moratorium is logical and based upon sound reasoning. However, the EECC has identified additional concerns with this proposed interim policy that severely jeopardize our continued involvement in the ICBEMP.

These reasons are straight-forward. First, the ICBEMP cannot succeed if it is overridden by a piece-meal approach toward federal land management. The ICBEMP is to resolve these very kinds of issues - such as proper treatment of roadless areas and forest health - for the region. Pieces should not be taken out of the landscape for special treatment in direct violation of an ecosystem-wide plan.

Second, the ICBEMP is science-based. The EECC fully supports having sound and direct scientific results coupled with adaptive management. This policy would be an edict to be applied nationwide regardless of local ecosystems. It is not based on science, but rather on politics. It abuses the whole idea of the ICBEMP. If this multi-year effort is to succeed, politics cannot be elevated over science.

Third, we have been assured throughout this project that the results will be a regional solution based on regional ecosystems and collaboration. This policy, however, is a national, one-size-fits-all edict that violates the promise and integrity of a regional ecosystem-based solution we have all been engaging within ICBEMP.

Fourth, the Administration has emphasized collaboration of all "stakeholders" as the most sound approach to difficult federal land management policy issues. With the participation of the EECC, counties have been at the ICBEMP table from its inception as a deeply involved partner to the process. County officials have absorbed tremendous political heat holding to the process and seeking the very best outcome for the Basin and its communities. With this reported policy, we wonder if we are indeed partners. We have not been invited to consult about it; our opinion has not been requested in any way. Can we trust that collaboration is in fact important to federal

agency leaders and the Administration? One primary justification EECC members make to remain engaged in the ICBEMP process is our assurance to our constituents that this will not be a top-down approach. We have been seriously compromised by the Administration with this proposed interim rule.

Fifth, on the ground it would potentially stop forest health fire prevention sales designed to address the tremendous buildup of fuel loads on forests throughout the Basin. This would include the biggest sale pending within the Okanagan National Forest in the state of Washington.

The EECC wants the science-based ICBEMP to work. We do not want political gamesmanship to destroy it. We sincerely hope that the Administration lets it work by not imposing this policy on the Basin. The EECC made it clear from the outset that the problems between counties and the federal government originated above the USFS Chief and BLM Director, and from their level down the relationship remains productive.

It is extremely difficult for county commissioners to ask our constituents to give the ICBEMP one more chance after the goal posts have been moved again. Local pressures to abandon the ICBEMP process continue to mount. Many county commissioners may have already been targeted as sacrificial lambs on the election alter this year due to their failure to directly oppose ICBEMP.

Since the USFS has taken science from the ICBEMP to formulate the base for justification of this proposed moratorium, we suggest that same science ought to be utilized to provide a basis for special treatment for federal lands within the Basin.

The current position of the EECC is somewhat precarious. Following a lengthy complicated discussion and deep soul searching, the EECC decided to withhold a decision on whether to stay with the Project (ICBEMP) until a final decision is made on the USFS roadless area moratorium. The EECC will work with the federal team to find language based upon the ICBEMP science and DEIS to create special flexibility or a full or partial exemption for national forests within the Basin. Since the exemptions included in the proposed interim rule were granted for decisions, and the ICBEMP was precluded because it is not at the decision point yet, we need to explore the DEIS and the scientific assessment to see if we can discover grounds that could be considered a decision at least on an interim basis to cover this 18 month period. The federal team has agreed to work with us to this end under the authorization of Chief Dombeck.

Now I will shift gears and we will zoom in on our communities within Lincoln County to get a closer look at real impacts to people in rural America. In order for you to fully appreciate the weight of my concerns, I must first provide you with a brief background profile of Lincoln County and the Kootenai National Forest. Bear in mind that roughly 2/3 of the counties within this Basin are similar in most respects.

When I attended school some 25 years ago we were taught that science was the

observation of fact. As such, scientific observation yielded indisputable results. We have evolved into a complex society now where scientists view their field of expertise differently and interpret the facts in varying ways. We have scientists relating information as a result of research that is accurately based upon statistical, factual information that is indisputable. However, we also have scientists that teach their philosophies based upon unproven theories. Yet it is characterized as science. People who want to prove their point or persuade others to see things their way will obviously only engage the services of the scientists that will generate reports that espouse or validate their position. We must now be cautious that we do not embrace selective science but only accept sound science that is proven to be based upon the gathering of factual information and/or peer reviewed by other scientists for concurrence as to its authenticity and accuracy. We feel that in many respects the selective science approach was taken within the ICBEMP rather than pursuing a course of action that assured sound science!

I want to provide you with a scientifically sound profile of my communities and our forest that is based upon accurate statistical information that was gathered the hard way, on the ground, by measuring existing quantities or interviewing real people.

First of all you need to understand the physical nature of the Kootenai National Forest (KNF). We do not have a problem growing trees here in our mostly moist temperate forest. Roughly 1.1 million acres of a total forested acreage of 2.1 million acres is classified as suitable timberland. A small portion of the 1.0 million acres of unsuitable for timberlands is classified as tentatively suitable, because, in most cases due to market conditions, the cost of recovery in these areas exceeds the revenue that would be generated, and some of these areas are sensitive or would be difficult to regenerate. The remaining 200,000 acres is comprised of water bodies: lakes, rivers, reservoirs, etc. The point being made is that 1.2 million acres are already set aside from timber production for a variety of reasons: water, wilderness, viewshed, rocky and barren, uneconomical to manage, sensitive, etc. This means that only about 48 percent of our KNF is being managed for timber. About 52 percent of our KNF is being managed almost exclusively for other values.

The KNF has an annual growth of somewhere between 500 and 600 MMBF, an annual mortality of between 250 and 300 MMBF, or more, and we are currently harvesting about 100 MMBF, or less, annually. The last few years somewhere around 10 percent of our harvest was green trees and roughly 90 percent of our harvest has been dead trees, classified as salvage sales. Another way of describing this is an annual growth of 160 bf/acre that is being harvested at an annual rate of 45-55 bf/acre.

If these two methods of analysis are averaged it reveals that we are currently only harvesting one-fourth of the annual growth. What is happening to the other three-fourths of annual growth? It continues to grow or die from insect, disease, fire or windthrow. Ultimately it adds to the tremendous fuels building up in our forest. This greatly increases the threat of catastrophic fires. The more recent fires we have endured would have been catastrophic if there had been stronger winds. The only way to treat the health of our forest and minimize the threat

of catastrophic fires is to increase silviculture prescriptions to generate harvests that approach average annual growth, or at least annual average mortality. This can be accomplished within sustainable forest ecosystem management if we only had the courage to do it. We are experiencing larger stand-replacing fires burning at a more intense heat and, in some cases, baring the landscape down to mineral soils which creates a moonscape that is susceptible to noxious weed invasion or the introduction of exotic plant species as much or more than road construction. What adverse impact is this policy having on watershed health? How long will it take these fire-damaged and destroyed ecosystems to recover and heal? What can we do to restore this massive destruction and damage once it occurs? These fires leave huge irreparable marks on the land due to mismanagement through neglect.

Many of our recent fires also would have been even more catastrophic if it weren't for the presence of roads and old or recent harvest units on the landscape. These provided a barrier that either slowed the fire down to a manageable level or stopped the fire completely in its tracks. Meteorologists predict that El Nino may contribute to another extreme fire season this year. Is wildfire a prudent manner in which to manage our forests? We think not! We appeal to your sense of reason to concur. Aggressive restoration based in scientifically sound silvicultural prescriptions is crucial in order to properly reduce wildfire risk.

Much ado is made about the siltation and environmental damage done to ecosystems by roads, primarily focused in the Yaak drainage back home. I would invite you all and your colleagues to come and visit us and see for yourselves that the Yaak River is one of the cleanest rivers you will ever see. It flows with very negligible sediment loading, even during spring runoff, and even below vast areas that suffered major disturbance from large fires and have been harvested with salvage sales. These areas included road construction and reconstruction, yet have been treated in a responsible and sensitive manner. Please don't be swayed by pictures from other areas that falsely portray problems in the Yaak. If you will come and see for yourselves I will personally host you in my home to minimize your expense. As the highest calling for the USFS, according to Chief Dombeck, watershed maintenance and restoration will not be accomplished by simply closing or obliterating roads. These roads are providing a measure of forest protection that is just not being recognized.

The accumulation of woody debris and excessive, untreated growth also has a detrimental affect on the quality of wildlife habitat. This aspect of our forest is in decline, because thick tree growth crowds out forage for big game. Our big game populations are showing a downward trend consistent with the loss of forage. Other factors include weather, hunting and security, but the aspect of forage is often overlooked. Areas where trees have died and fallen over cannot be utilized by deer, elk or moose. This becomes lost habitat for them.

Another aspect of our forests, too often overlooked, or manipulated with various means of accounting, is the fiscal responsibility our government has to our people here in the United States. Certainly we recognize there are many values that compete for the priority attention on managing these lands. However, it is seldom pointed out that the value to the federal treasury

lost each year must be staggering. What is the return to the people when this timber burns or rots? What is the benefit to the wildlife killed in these fires? What recreational benefit is realized by these losses? We have tremendous assets in place in the form of the timber on these suitable timberlands. Remember this is less than half of the KNF. Would we let our money burn or rot, or would we invest it prudently? \$0.75 on the dollar goes to the federal treasury from timber receipts of timber harvests. The other \$0.25 is returned to the counties to help fund roads and schools, which are critical infrastructure supporting our rural communities.

Currently we see over 99 percent of our forest receipts on the KNF generated from timber harvest stumpage revenues. Less than 1 percent is generated from recreation. No one is asking how much it will cost us to recreate on public lands if we are to make up the shortfall from declining timber receipts via recreational use fees. No one from the USFS, BLM, the ICBEMP staff or any federal agency posed with this question can answer how high the fees would have to be to hike, camp, fish, hunt, etc. on our public lands to offset the loss of timber receipts.

This leads us into the social aspect of our rural American dilemma. A recent study was completed under the direction of Rebecca Templin Richards, Assistant Professor in the Department of Sociology at the University of Montana at Missoula titled "Wild Resource Use". We understand that there was a response rate of the randomly sampled households in Lincoln County in excess of 80 percent. Of the responding households, between 60 and 84 percent said they regularly cut firewood, pick huckleberries, hunt and fish on public lands. Over 90 percent of the surveyed households identified the following resource economic activities to be very important to the economy of our local communities: cutting sawlogs, posts and poles; huckleberry picking; cutting firewood; fishing and hunting. Again, over 90 percent of the responding households identified logging as the most important economic activity in our local community. This is clearly consistent with the other basic economy statistics generated by the Bureau of Business and Economic Research at the same university. The data collected and formulated reveals that for the past twenty years and longer, wood products, mining and federal civilian (greater than 90% USFS) collectively comprise 90-95 percent, or more, of our economic base. We have sustained closures of two major mining operations and numerous wood product mills along with the downsizing of our wood products industry that resulted in a loss of over 1,000 basic industry jobs over the past 5-10 years. This gave rise to my home community of Troy being designated as one of the top ten threatened and endangered communities across America in a listing compiled by the National Association of Counties. Libby, our county seat 18 miles to the east, could easily have been included. And yet our basic economy remains at 90 percent, or more, wood products and federal civilian. These are the working families that form the backbone of our communities. The management of our natural resources here is simply, indisputably, the foundation upon which the rest of our economy is built. Incidentally, the non-resident travel or tourism component of our basic economy ranges from 1 to 3 percent. Those people whose employment is directly tied to recreation here are relatively insignificant to our basic economy. For this reason, we strongly dispute the socio-economic data within the ICBEMP regarding the overstatement of recreation.

One primary reason people rely so heavily on wild resources in our rural communities is that they are sacrificing earning capacity to live in the least best place. The supplemental food, heat, exercise and income these wild resources provide enable hardy people to live in rural America. Possibly the most critical issue that ties this all together is access to our public lands. The forest receipts that were discussed previously not only provide for maintenance of USFS system roads, but also provide the major revenue to maintain county roads. These county road systems provide a vital link from primary and secondary highway systems to USFS system roads that ultimately facilitate travel to public lands for work and recreation. The work aspect is tied primarily to USFS direct management activities or via contract and also the wood products industry with a very small percentage of outfitters and guides. The recreation access is primarily comprised of those local people employed in direct, indirect or induced jobs who are outside on non-work time, be it evenings, weekends, holidays or vacations going for a pleasure drive or hunting, fishing, picking huckleberries, cutting firewood, etc. Here the recreation activity tied to guides and outfitters providing a paid experience is primarily limited to five weeks of hunting season and seasonal fishing, which takes place mostly on major river systems that would not require USFS access.

On the KNF almost 60 percent of the USFS system roads are closed and within my home district 75 percent are closed, primarily due to transportation system management dictated by grizzly bear recovery. In those same grizzly bear management units, we are only able to access under 2% of our suitable timberlands in a decade. **That's right, only 2 percent in a given 10 year period!** All of those local wild resource activities we local people enjoy are concentrated on a very small fraction of our forest, unless you have strong young legs or horses. Most of the forest unsuitable for timber is unroaded with some trail systems, so we are already severely restricted to foot, bike or horseback access on over 50 percent of our forest. Add to this the severe access restriction to our suitable timberlands and it brings blood to boil in the veins of many local people. These grizzly bear management units are fast becoming a de facto wilderness area. The same Wild Resource Survey mentioned previously disclosed that responding households in Lincoln County identified the two **huge problems** that affect their harvest of wild resources the most are **national forest road closures and public land access - hands down!**

We recently had meetings on proposed recommendations to change road management standards in grizzly bear recovery areas that comprise around 40 percent of our KNF. Public support and confidence in the recovery program is essential to its success. Strong showings of local people in three communities yielded over 10 hours of presentation and discussion with a clear message. **Local people are adamantly opposed to further access restrictions.** They want a more **reasonable** approach to access management that provides **flexibility** for seasonal access to be restored to many areas currently closed that were traditionally accessed for a variety of use, for decades. The supplemental information for the proposed interim rule suggests that those species requiring large home ranges should receive special consideration. **What consideration will our people get?** The director of the grizzly bear recovery program, Chris Servheen, told us that grizzlies and people were compatible. He also told us that proper timber harvests enhance bear habitat and that people and bears could co-exist without significant impact

to our lifestyle. This has simply proven to be untrue. Over the past ten years, human activities have been almost totally eliminated from bear habitat. People back home are threatened by the grizzly bear manager's intrusive impact on our custom and culture and our traditional lifestyle. The grizzly bear recovery experts are creating a social jeopardy for this animal that far overshadows the biology and habitat benefits they may be achieving. In fact, it has been suggested to me that the most substantial thing I could do to attain the status of a local hero and assure re-election would be to go out and kill a grizzly bear. The grizzly bear is fast becoming public enemy no. 1 because of the severe social engineering being imposed on my constituents. Wherever potential conflicts occur with people, the management decisions are dictated to favor the bear.

A combination of these forgoing concerns is faced by an effort to diversify our local economic base. The Treasure Mountain Ski Area adjacent to our Cabinet Mountains Wilderness Area would also help us stabilize our local economy. It is on an ideal northeast aspect within a grizzly recovery area only twenty minutes from downtown Libby. This project is currently undergoing an EIS process scheduled to be completed in September this year which will be compiled with business, market and feasibility studies already completed. This site is currently excluded from pending proposed additional wilderness areas and has been in the process of review and study approaching 10 years. The proposed roadless moratorium presents some very real obstacles that could cause this project to be aborted. Will there be a provision of an appeal process for projects such as this? Is there consideration for an application process to be included in the 18 month moratorium that would provide for exemptions for these kinds of projects? The USFS has recently placed an emphasis on recreation. It seems like federal hypocrisy for the USFS to delay and possibly impede an economic diversification effort that has merit and funding from other federal agencies. We can only ask what happened to the alleged partnership of the USFS with rural America? If this project is approved, the minor road construction necessary could not be implemented while this moratorium is in effect. A recent report indicates the Montana ski industry is bucking the national trends with a virtually uninterrupted climb in skier and snowboarder visits since 1986. The booming Montana ski industry is luring skiers from throughout the United States and all over the world. Please recognize our dilemma and make sure there is some provision for exemptions for this and similar ongoing projects within USFS managed public lands during the life of the interim policy. How is Chief Dombeck going to concentrate his efforts on recreation concerning these situations? Please help him fulfill his own commitment to his stated priority.

When we refer to our threatened custom and culture, there are a couple more things that need clarification. Foresters, loggers and mill workers have been employed in the wood products industry here for decades. We too are environmentalists. We want to take care of our land. We don't want to foul our own back yard. It is our future. It is the future of our children and grandchildren. Technology has allowed us to be lighter on the land. In some applications the need for roads is reduced by up to 67 percent, or more. Vast improvements are in place and being upgraded continually to enable us to be responsible stewards of our heritage on these public lands. Rhetoric characterizes timber as a limited resource. We must not forget that trees

grow and timber is a renewable resource. We want a working national forest! Our people don't want welfare! We want to work!

Many of you are probably unaware that the U.S. combined with Japan, Germany, Britain and France comprise about 10 percent of the world's population. Our combined rate of consumption for wood products and metals totals 30 to 54 percent of global consumption. The United States is now a net importer of wood and wood products and other construction materials, as well as most metals and plastics. We know that the homes we live in are largely made of wood, by far the most preferred raw material for building homes.

In Montana, the USFS has reduced timber harvest by more than 50 percent since 1950. Yet consumption is never discussed when decisions are being made to reduce harvests. We need to rethink the commonly-held notion that the answers to many of the world's environmental problems is to simply designate ever-larger resource-rich areas as parks and preserves. The majority of the appeals and litigation in opposition to these extraction activities originate with groups that have publicly stated their ultimate goal is ZERO CUT! We are told to think globally and act locally. Decisions are being made on a daily basis and at all levels of government to restrict raw materials extraction, almost always on environmental grounds. No one is addressing our global responsibility. Few are asking what the environmental impacts are when our raw materials are imported from somewhere else. There are no parallel announcements on programs to reduce consumption when projects for minerals, oil and gas or wood production are eliminated.

In our research on this proposed moratorium there remain many unanswered questions that will likely not be fully addressed before some time in March or later. That begs the question for an extension to the comment period. Hopefully we have made it clear to you that it is imperative that any long term policy goal includes budgeting more money to maintaining existing roads that provide very limited access now, as well as expanding seasonal access to meet the historical and growing social needs of our rural community custom and culture. We also don't object to developing a new process for determining where and how we build roads, but this new process must be based upon sound science; it must not duplicate or add to processes that are already mandated by current laws in order to eliminate further delays in planning; and, most of all, any new process must be firmly imbedded in collaboration and consultation with local affected communities. There must also be incorporated into this collaborative process a vehicle for local affected community involvement in deciding which roads need to be maintained and/or upgraded or those that need to be decommissioned.

We have specific concerns about all categories within the moratorium. We will address them beginning with category (1). Currently, approximately 10% of KNF suitable timberlands fall within inventoried roadless areas. The main reason for this is that the planned and approved transportation system to provide economical access to these resources just had not yet been put in place. This means we are realistically reduced from 48 percent to accessing about 43 percent of the KNF for timber management. Due to costly controversies revolving around listed species or

potentially listed species like grizzly bear and bull trout, water values and wilderness or aesthetic characteristics, etc. the standing foregone conclusion seems to be that it is simply not economical to pursue activities in these areas, and they would likely not be proposed for entry for reasons such as these.

We also have concerns about categories (2) and (3) dealing with contiguous roadless areas greater than 1,000 acres. Just how will this be defined, and will it remove more of our suitable timberlands so that we are left with less than 43 percent on the KNF? We need answers to these critical questions before any interim rule is implemented that may affect the adoption of a long-term rule. When the restrictions within grizzly bear management units is factored into this equation, we are realistically accessing 39 percent, or less, of the KNF for timber management.

Our greatest concern, based upon what we know to date, falls within the proposed interim policy suspension categories (4) low density roaded areas, and (5) special and unique areas. We currently understand that these two categories are left up to the discretion of the individual Regional Foresters. We are very concerned that these two categories in particular are too vague and consequently subject to individual interpretation. This potentially will place tremendous undue pressure on the Regional Foresters. This will also certainly set the stage for appeals and challenges by people who have different ecological or social values than the Regional Forester or those who simply favor no activities at all.

As I end my testimony before you today, I would like to summarize what I feel the most important issue is for you to consider. It is not the issue of a road building moratorium. It is the constant barrage of federal edicts enacted from above that are threatening our custom and culture; our traditional way of life in rural communities out west. We have been encouraged to "come to the table" to negotiate and review forest management practices through the ICBEMP process. We have kept our promise and stayed active in this process under tremendous political adversity. Our constituents tell us "You can't trust the federal government any more". They tell us to look at the effects of the grizzly bear protection and other endangered species management. They see forests that are in dire need of help and could catastrophically burn this summer. They attend public meetings to voice their opinions but feel as if their input falls on deaf ears. I used to tell them that we still need to try to work for a common goal and work out our differences in a managed plan that can benefit all interests. I constantly appeal to them to attend one more meeting or write one more letter that will hopefully influence decisions. I am not sure that I can tell them that any longer. Every effort we have made to work together with federal agencies to solve the important management decisions with words of reason have been ignored by this Administration which continues to impose additional regulations with no understanding of the effects on rural America. We are being backed further and further into a corner and are fighting for our survival. We want the simple rights of Americans to pursue life, liberty and happiness - all of which are being denied us by current public land management decisions.

This time, it may be the "straw that broke the camel's back". Trouble is brewing in the West. People are tired of not being heard! The common sense and practical approach of rural

people living on the land continues to fall on deaf ears. Special interest groups now seem to be the managers of our national forests. What they list as valuable and endangered does not include the vanishing rural American lifestyle of the West. It is time that we place this management back under sound scientific means and remove politics from it. **It is time to listen to the people! It is time to manage our land responsibly!** You may very well hold the keys to the future of rural life in the West. You must prevent this looming disaster!

**THE FOREST SERVICE'S PROPOSED ROAD MORATORIUM\***

Testimony by William H. Banzhaf, CAE  
Executive Vice-President, Society of American Foresters  
before the

COMMITTEE ON RESOURCES  
Subcommittee on Forests and Forest Health  
U. S. House of Representatives  
February 25, 1998

Mrs. Chairman, my name is William H. Banzhaf, Executive Vice-President of the Society of American Foresters (SAF). The more than 18,000 members of the Society constitute the scientific and educational association representing the profession of forestry in the United States. SAF's primary objective is to advance the science, technology, education, and practice of professional forestry for the benefit of society. We are ethically bound to advocate and practice land management consistent with ecologically sound principles. I am especially pleased to be here today to discuss the subject of the Forest Service's proposed road moratorium, and to thank the Subcommittee for its continued support of professional forestry. I thank the Chair for the opportunity.

We do not believe an eighteen-month moratorium on road building in roadless areas does anything to support Chief Dombeck's stated goals to develop a new set of transportation regulations that:

- establish a new process for making road building decisions so that managers can make better onsite decisions about where and when to build roads;
- decommission at least 60,000 miles of existing roads;
- establish an approach to upgrade roads as appropriate so that current roads can meet environmental standards and handle the use they currently receive;
- identify a sustainable funding source for its entire road program.

By and large we support Chief Dombeck's goals, but wish to point out that the Forest Service can develop a new set of regulations at anytime without halting the activity in question.

In addition to our concern that halting road building does not support the agency's goals, we also believe that the policy undermines years of hard work in making decisions about federal lands. Congress, the Forest Service, and many citizens have contributed significant time and resources in

\* Adopted as an emergency position statement by the officers of the Society on February 25, 1998. This position statement will expire February 25, 1999 unless, after thorough review, it is renewed by the SAF Council.



*The Forest Service's Proposed Road Moratorium*  
Testimony by William H. Banzhaf, CAE  
February 25, 1998

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determining which lands ought to be designated as Wilderness, which should continue to be studied, and which should be released for multiple-use management. The proposed interim rule should clarify that land allocations will not be changed as a result of the moratorium. This proposed moratorium seriously threatens years of negotiations and compromise that went into the development of current forest plans. Chief Dombek has stated that certain forests are exempted from the moratorium because "it is important to people that we retain the integrity of the planning process and appeals processes." This commitment to the integrity of the planning process should apply to every unit of the National Forest System with a forest plan; therefore the moratorium is not necessary.

The moratorium also undermines the ability of forest managers and interested citizens to address critical needs in certain forest areas. By the agency's own admission 40 million acres of its lands are at risk from catastrophic fire. The moratorium will prevent managers from constructing roads to enter a significant portion of these acres to apply fire-prevention techniques. The proposed interim rule should clarify that construction of fire lines is not road building and will be allowed under normal procedures during fire situations. The current proposal is unclear on this point. The recent ice storm in New England presents another example of the dangers of a road moratorium: managers on the White Mountain National Forest may not be able to treat some of the acres that sustained significant ice storm damage because of the inability to build roads.

Yet another concern is how the policy will affect state, county, and private access to lands intermingled with Forest Service properties. Access to adjacent lands must be maintained.

Another concern with the policy is its vague and subjective criteria for lands included in the moratorium. The inclusion of lands "because of their unique ecological or social values" simply sets the stage for more acrimony and legal entanglements. Every acre of the national forests could be off limits to any type of management activity based on this criterion. This provision should be removed.

The real issue the Forest Service should be addressing is the backlog in maintenance and reconstruction needs of the existing road system. Chief Dombek has stated he will work on this serious problem. We, however, fail to see how the moratorium does anything to address this maintenance and reconstruction backlog. The Society of American Foresters has examined the broader question of roads in the National Forest System, and we would like to submit our position on the subject for the record.

Thank you for the opportunity to appear before you today.

**Roads in National Forests**  
The Position of the Society of American Foresters

**Position**

The Society of American Foresters believes forest roads, properly constructed and maintained, are a critical part of forest management and recreation use, and are an increasingly important part of the rural transportation system. Roads should be constructed and maintained in an environmentally sound manner following existing standards, laws, and regulations.

The National Forest Road System is facing a crisis. Maintenance and reconstruction (the practice of rebuilding, moving, or improving roads) of existing roads have not kept pace with repair needs in recent years. This is largely an issue of federal appropriations. The USDA Forest Service should propose a realistic work-plan and budget to address its road system backlog. Congress should seriously consider the proposal and fund the appropriate maintenance, reconstruction, or obliteration needs of roads in the National Forest System.

The environmental laws and regulations that govern the activities of the USDA Forest Service are intended to protect against environmental degradation that can result from poorly planned or constructed roads. Decisions about roads in national forests should be made at the local level, under an overarching legal framework. The manager on the ground, with input from the public, is able to make decisions about roads based on existing laws and regulations, the values the public holds for the forest, and the needs of the individual forest.

**Issue**

The practice of road building in the national forests has generated significant controversy in recent years. This controversy involves several connected but distinct issues, including building roads in areas where there are currently no roads (viewed by some as potential wilderness), the mechanisms available to pay for new road construction to support forest management needs and opportunities, the maintenance of existing roads, and the environmental effects of road building. The Forest Service is struggling to manage a road network that was largely designed to remove timber, but now serves a variety of purposes, including rural access, recreation, firefighting, and other forest management and administrative activities.

Adopted by the officers of the Society on February 20, 1998. This position statement will expire on February 20, 1999 unless, after subsequent review, it is decided otherwise by Council.



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*Roads in National Forests*  
The SAF Position Statement

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**Background**

**The Condition of the Roads in the National Forest System**

The condition of existing roads in the National Forest System is of real concern to the Society of American Foresters. According to the Forest Service, three quarters of the agency's roads are more than 50 years old, and 60 percent of them are being maintained below the Forest Service standards for which they were designed. (For Fiscal Year 1998, direct road construction is funded at \$88 million, down \$5 million from Fiscal Year 1997. Maintenance is funded at \$85 million. The President's Fiscal Year 1999 budget proposal requests a 20 percent increase in funding for road maintenance.) Natural resource managers and the agency need to better understand the ecological impact of existing forest roads and the building of new ones, and how to minimize those impacts. The Forest Service needs to make sure these roads are safe for public and agency use and that they are not causing environmental damage due to inadequate maintenance.

**Benefits and Costs of Roads**

Most of the roads in the National Forest System were originally constructed to access timber, but now support many other purposes. Roads in forested areas allow access for the application of scientifically based forest practices designed to maintain or enhance the health of forest ecosystems. Roads provide access for recreation, rural travel, fighting forest fires, and controlling outbreaks of pests and diseases. Roads also provide people with access to commodities, such as timber, oil, natural gas, minerals, livestock grazing, and special forest products.

Roads represent an environmental challenge. Drainage from roads and their associated features can cause erosion and reduce water quality. Roads can help the spread of forest diseases, exotic plants and other pests, and fragment wildlife habitat (Gorte 1997, Johnson et al. 1995). The challenges roads present can be overcome through proper design, construction, use, and maintenance.

**The Purpose of Roads in the National Forest System**

Under the National Forest Management Act, the Forest Service must develop a management plan for each unit of the National Forest System. The Multiple Use and Sustained Yield Act, the Wilderness Act, the National Forest Management Act, and the agency's 1897 "Organic Act" require that the Forest Service manage for seven separate purposes—water, wildlife, recreation, timber production, grazing, minerals, and wilderness. Roads in the National Forest System are important for all these purposes, but increasingly for recreation access. More people visit the national forests than the national parks by at least a factor of two. During Fiscal Year 1996, Forest Service roads carried 76 million Americans to 133,087 miles of hiking trails; 96 Wild and Scenic Rivers covering 4,348 river miles; 120 National Scenic By-ways extending for 8,000 miles; 397 designated wilderness areas totaling 34.7 million acres; and 23,000 developed facilities such

*Roads in National Forests*  
The SAF Position Statement

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as trailheads, boat ramps, visitor centers, campgrounds, picnic areas, and other special places the American people count on to enjoy their national forests. (USDA Forest Service 1997).

To implement management plans, the Forest Service must have access to the forests through a well-maintained road system. This requires a substantial, dependable road budget for maintenance as well as reconstruction. Severe cuts in the Forest Service's road program have resulted in the agency's using timber purchasers to perform some work on existing roads that are in need of repair. A purchaser of Forest Service timber often needs to build or reconstruct roads to access a timber sale area. For example, for the 2,844 miles of road reconstructed in 1996, 80 percent of the reconstruction work was performed by timber purchasers (Gorte 1997, Price Waterhouse LLP 1997). It should be noted that new road construction on the national forests has declined by 75 percent in the past decade (Gorte 1997). The work the purchaser performs on the road is essentially paid for by part of the price paid for timber the purchaser harvests: the agency allocates assets in the form of timber as payment for building or reconstructing assets in the form of roads. Roads should be seen as a capital investment. This system of trading one asset (timber) for another (reconstructed roads) should be maintained as an option for forest managers. When it comes to roads, the Society of American Foresters' primary concern is maintaining an infrastructure to address the health of our national forests.

Federal direct appropriations provide a line-item in the Forest Service budget for funding road construction. These limited funds primarily go toward the reconstruction and repair of existing roads, not new road construction.

Road reconstruction and maintenance are critical to helping maintain healthy forests. The Forest Service may maintain only a segment of a transportation system that is supported by broader jurisdictions. Oftentimes there are several entities responsible for maintaining part of the system. All such legally responsible entities should maintain their share of the roads, otherwise the poor stewardship of one can result in the breakdown of the entire system. There are also serious liability reasons to keep roads in good condition.

The Forest Service should be addressing the backlog in maintenance and reconstruction needs of its existing road system. The agency has the tools, environmental protections, and knowledge to develop a realistic work-plan and budget to address this serious road system backlog. They should submit this plan to Congress, which, in turn should take this proposal very seriously. A road in a serious state of disrepair can contribute to undesirable environmental and social conditions within as well as far from forest borders.

*Roads in National Forests*  
The SAF Position Statement

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**ABOUT THE SOCIETY**

The Society of American Foresters, with about 18,000 members, is the national organization that represents all segments of the forestry profession in the United States. It includes public and private practitioners, researchers, administrators, educators, and forestry students. The Society was established in 1900 by Gifford Pinchot and six other pioneer foresters.

The mission of the Society of American Foresters is to advance the science, education, technology, and practice of forestry; to enhance the competency of its members; to establish professional excellence; and to use the knowledge, skills, and conservation ethic of the profession to ensure the continued health and use of forest ecosystems and the present and future availability of forest resources to benefit society.

The Society is the accreditation authority for professional forestry education in the United States. The Society publishes the *Journal of Forestry*; the quarterlies, *Forest Science*, *Southern Journal of Applied Forestry*, *Northern Journal of Applied Forestry*, and *Western Journal of Applied Forestry*; *The Forestry Source*; and the annual *Proceedings of the Society of American Foresters national convention*.



TESTIMONY BEFORE THE HOUSE SUBCOMMITTEE  
ON FORESTS AND FOREST HEALTH  
February 25, 1998  
Presented by  
DONALD C. AMADOR

Madam Chairman and distinguished members of the committee, it is indeed a honor for me to be given the privilege of testifying before you today. As the Blue Ribbon Coalition's lead spokesman on the issue of forest roads, I must say the Coalition is greatly troubled by the Administration's roadless area policy.

The Coalition represents over 600 multiple-use oriented groups and businesses with 650,000 members. Our membership includes, but is not limited to: mineral and gem collectors, hunters and fishermen, off-highway motorcyclists and all-terrain vehicle enthusiasts, backcountry horsemen, cross-country skiers, hikers, sport utility vehicle owners, snowmobilers, senior citizens, four-wheel drivers, disabled Americans, and other outdoor enthusiasts. We also work with groups such as outfitters and guides.

After carefully studying this new policy, the Coalition has concluded that this proposal is nothing but a de facto Wilderness grab designed to thwart the will of Congress as outlined in the National Forest Management Act.

Never before in my many years of working with the Forest Service, either in my capacity with the coalition or as chairman of the Off-Highway Motor Vehicle Recreation Commission at the California Department of Parks and Recreation, have I ever witnessed a more anti-access or anti-recreation policy.

Chief Dombeck's promise to "aggressively decommission old, unneeded, and unused roads" is alarming and is in violation of the National Environmental Policy Act. I have received many phone calls from former Forest Service employees who have told me that de facto Wilderness and denying the general public access to federal forest lands is what this policy is all about.

Recent claims by the Forest Service that this policy will protect the environment are false and mislead the public. This policy is bad for the environment and people. As one who drove over 4,000 miles last year on Forest Service roads and trails in California, Nevada, and Idaho, I can testify that the over 373,000 miles of forest roads, including so-called ghost roads, are critically important for dispersed recreational opportunity.

**What the Forest Service fails to recognize is that the road obliteration process is as, if not more, intrusive than the actual road building.** As a heavy equipment operator and former operating engineer, I find no environmental documentation on how the Forest Service expects to mitigate the disastrous environmental impact of increased sedimentation and silt-outs caused by this program. If this program is implemented on a national level the consequences to fish habitat will be incalculable. As most road engineers will tell you the most serious environmental impacts to habitat occurs within the first 4-6 years post construction. By proposing a national road rehabilitation (e.g. *ripping the road bed, outsloping, pulling out culverts, etc.*) program, the Forest Service will be actually causing far more environmental damage than if the old road/trail systems were left "as is" and maintained with volunteer partnerships between recreation organizations and the agency.

By wrongly focusing on closing unimproved roads, the Forest Service will be concentrating a growing number of Americans who are demanding access to active forms of recreational opportunity on federal forest lands. California already has twenty-two percent of its forest lands in Wilderness designation and can ill afford this policy. California's forests have witnessed a thirty to forty percent increase in active visitor use days in just the last several years. We need more multiple-use access -- not less.

Page 2

The Forest Service fails to recognize that the unimproved road system is the "product" and the reason why many families (Exhibit A) travel to the forest. Without a large and viable unimproved road system that provides public access for fishermen, hunters, mountain bikers, sight seers, disabled Americans, senior citizens (Exhibit B), off-highway recreationists, equestrians, and rock hounders, the forest -- as a recreation or tourist attraction -- ceases to exist.

While that may be an attractive prospect or goal for many of the national green advocacy groups (GAGs) or their law firms, the Forest Service must fulfill its mandate to serve all of the people and not succumb to the desires of an elitist few.

Needless to say, I am skeptical when the Forest Service claims that this policy is not anti-access or anti-recreational.

As most of you know, the State of California has a user-pay/user-benefit motorized recreation program. Each year, multiple-use recreationists contribute (in the form of state grants) approximately five million dollars to the Forest Service to provide environmentally sound off-highway recreation on federal lands. Over thirty percent, as mandated by state law, is used for law enforcement, resource management, and for the protection of critical habitat.

Sadly, the Forest Service -- while claiming to be focusing on recreational opportunity for all Americans -- has been quietly implementing many of the road closing aspects of the Draft Resources Planning Act of 1995, a plan that has yet to be approved by Congress.

While Chief Dombeck alluded to the lack of maintenance funding as a reason for closing roads, it often appears that the so-called "lack-of-funding" (even when funds are offered by the state for road/trail repair) is just an excuse to further the de facto Wilderness agenda (Exhibit C) of the GAGs and their willing accomplices in the Administration and Forest Service.

Considering the number of personal friends that I have in the Forest Service and that I deeply treasure the state/federal partnership that exists in many regions, it pains me greatly to be giving this testimony today.

Expressing my current distrust and frustration with the Forest Service's new proposed "roadless" policy (and I think they have it aptly named -- for it is indeed a true ROADLESS policy) is something I take no pleasure in. However, considering its lack of outreach to the multiple-use community with no apparent language guaranteeing a viable "road to four-wheel driveways" or "roads to multiple-use trails" program, I hereby state the Blue Ribbon Coalition's opposition to this policy as written and urge this committee to direct the Forest Service to follow its multiple-use mandate.

Thank you again for allowing me the privilege to testify before you today.

Respectfully submitted,



Donald C. Amador  
CA/NV Representative  
Blue Ribbon Coalition

EXHIBIT A

## Forest Roads Provide for Year-Round Recreation

by Off-Highway Motor Vehicle Recreation Commission Chairman Don Amador

California's Off-Highway Motor Vehicle Recreation (OHMVR) program was created in 1971 by the state Legislature to manage the growing number of off-highway vehicles (OHVs) being used for family oriented recreation. In 1982, the Off-Highway Motor Vehicle Act established the OHMVR Commission and Division.

The seven-member commission serves as an advisory board and provides policy direction for the Green Sticker Program. Members are appointed by the governor of the Legislature. The commission also provides grant funding to the U.S. Forest Service, the Bureau of Land Management, counties, and various other agencies for operation and maintenance, resource protection, and law enforcement in more than 100 riding areas on nearly 100,000 miles of roads and trails.

Since 1988, the Green Sticker Program has allocated more than 30 percent of its annual budget to protecting critical habitat, riparian zones and large mammal winter range. The funds for managing the largest program of its kind in the country are generated through vehicle registration, user fees, and fuel taxes collected from off-highway use.

### OHV Recreation Generates \$3 Billion

A 1992-93 study by California State University, Sacramento, shows that OHV recreation generates more than \$3 billion in economic activity annually, and supports 43,000 jobs. Most of the sport's economic benefits are realized in the rural areas of California.

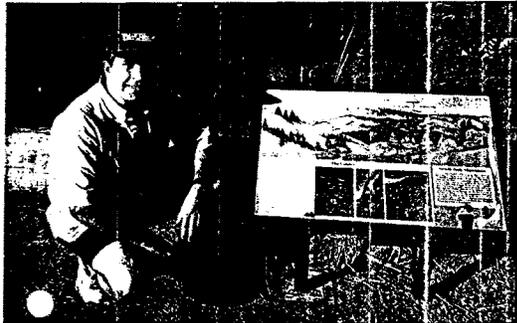
While many folks regard the OHV program as being only for dirt-bikers and those with 4-wheel-drive vehicles, surveys show that OHVs also are used by many bikers, fishermen, disabled veterans, youth camping organizations, photographers, minorities, senior citizens, bird watchers, sport utility vehicle (SUV) owners and sightseers for access to our public lands.

Under Gov. Wilson's leadership and direction, the OHMVR Division has teamed up with the California Police Activities League and now is offering, at five-state vehicular recreation areas throughout California, off-road riding programs for our inner-city youth. This outreach effort shows at-risk kids that police officers really do care and that there are viable and fun alternatives to gangs, drugs and other criminal activities.

Another exciting new outreach program is called the California Back Country Discovery Trail. The OHV community has long had a vision of a multiple-use "pony express-style" route, using existing roads and trails that would run from the Mexican border to Oregon. Approved by the OHMVR Commission in 1995, a strategy was developed for the implementation and growth of the trail. Segments of the route recently were dedicated on the Mendocino and Six Rivers National Forests.

This shared-use trail, primarily on unpaved roads, partially is designed for the growing SUV market whose owners are looking for a back-country adventure and to learn more about this state's ecology and colorful history.

Recent surveys from several of this state's 18 national forests have shown recreation demands rising to 40 percent in many locations. Not surprisingly, most of the increase is in the area of "active" recreational pursuits (camping, organized youth activities, rock-hounding, off-roading, fishing, skiing, mountain-biking, driving for pleasure in SUVs, and by people who simply want to be in touch with the environment).



(Above) Don Amador at Discovery Point on South Fork Mountain along the California Back Country Discovery Trail. (Left) "Preserving our natural resources FOR the public instead of FROM the public," Blue Ribbon Coalition.

NOVEMBER/DECEMBER 1997

[www.forestnet.org](http://www.forestnet.org)

CALIFORNIA FORESTS AND FISHES 21

### Forest Health Important to Recreation

To better serve the seven million Californians who now are demanding active recreational opportunities, we should recognize that forest health and public access are two of the most important environmental issues that land managers, politicians and resource professionals will face during the next decade.

From a recreation manager's perspective, I think our government land-management agencies and resource-related associations should address the following seven forest health and access concerns:

1. **Reduce Tree Density** - A common complaint I hear from a diverse cross-section of the recreational public is that in many of our forests, the tree stands are too dense (200-500 trees per acre) and detract from a quality recreational experience. Most experts agree that 25-40 trees per acre are what makes for ideal habitat and a quality recreational experience. In many of our forests we quite literally "can't see the forest for the trees." This unchecked density also has cost many families their homes and has destroyed environmentally sensitive areas due to wildfire.

2. **Reduce Forest Fuel Loads** - While many developed campsites have addressed fuel loading problems in the immediate area within the campground, most dispersed camp sites and those timber stands near developed camping opportunities are literal fire-bombs waiting to explode. The public deserves better and soon will demand it.

3. **Adequately Fund the Forest Roads Program** - Besides allowing resource professionals access to manage our federal and state timber lands, forest roads benefit all Americans who use them for recreational

activities. Each year, millions of Californians depend on a properly maintained forest-road system. On a national basis, there is a \$440 million backlog in road maintenance due to federal budget cuts, and that road work in the national forests has declined steadily since

1991. Total spending on road construction and reconstruction declined by 47 percent from 1991 to 1996, from \$141 million to \$74 million. Just as public demand for recreational opportunity in our forests has risen nearly 40 percent during the last five years, funding for that access has decreased by 47 percent — something's wrong with this picture.

4. **Support the Purchaser Road Credit Program (PRCP)** - The vast majority of California's sportsmen should appreciate the fact that since 1985 the PRCP has provided this state with access roads at an average cost of only \$26,000 per mile, which is less than half the price of forest-roads constructed with appropriated funds at a cost of approximately \$60,000 per mile. When was the last time you saw a government program actually save money?

5. **Private Timber Land Owners Should Consider Developing Recreation Partnerships with the Public** - Understanding the increased public demand for multiple-use recreational opportunities on federal forest lands and that said lands available

for active recreation are apparently on a decrease, I would encourage the private landholder to consider an outreach program, on a collaborative basis, to recreation interests.

6. **Reinsert Responsible Timber Harvesting Back Into the Forest-Health Equation** - In my opinion, the gravest mistake Americans have made in the last decade is that they have allowed the unjust political illegitimization for forestry professionals.

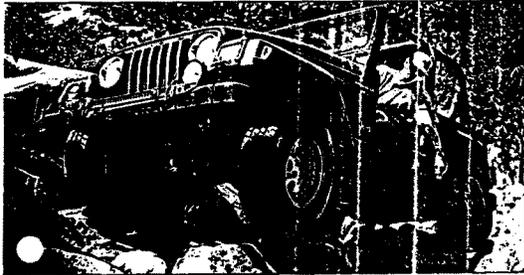
With current clean air standards and regulations restricting the use of prescribed fire for fuel load reduction programs, the very fact that an aggressive tree density reduction program (logging) using modern forest practices has not yet been openly embraced by both sides of the political spectrum is irresponsible.

7. **Recognize the Dynamics of Tourism and Resource Industry on Rural Economic Sustainability** - Having

**"While many folks regard the OHV program as being only for dirt-bikers and those with 4-wheel-drive vehicles, surveys show that OHVs are used by many hikers, fishermen, disabled veterans, youth camping organizations, photographers, senior citizens, bird watchers, sport utility vehicle owners and sightseers for access to our public lands."**

toured the many boarded-up "timber towns" — with closed-down gas stations and restaurants — of Northern California during the last few years where "rural tourism" was to have replaced the high-paying job of forestry professionals, it should be noted that many towns identified as tourist destination points now are nothing more than wide spots in the road. As the civic infrastructure (i.e. schools, fire and police departments, etc.) — once supported with timber sales receipts — becomes nonviable, a service-based industry is, typically, unable to sustain itself or the economic needs of the local populace.

Only as more of our political leaders have the courage to find consensus, and once found, act, I fear it will be politics as usual with the process being more important than the product. The real losers in this game are this country's future generations and the millions of Americans who depend on access to our public lands for family get-a-ways and expect a healthy forest once they arrive. **A**



Millions of Californians demand active recreational opportunities such as off-roading, rock-hounding and mountain-biking. A four-wheeler takes on the "Sierra Trek," a 15-mile trail from Eagle Lakes to Summit City in the central Sierra.

## EXHIBIT B

## AUDUBON

I agree that overcrowding in national parks is a major problem that impinges on both the visitors' experience and wildlife. Clearly one must reduce the number of visitors by some fair method. My concern is that in the process, consideration of cost will eliminate people like me from the parks. At 70, I use a walker on good days and an electric scoot-

er otherwise. I have been eliminated from several wildlife areas, national forests, etc., because the simplest way to control people is to make them walk farther.

I realize that handicapped facilities can be expensive, but they should be considered in the planning process. It could be you, your spouse, or your child that is someday affected.

HARRY JOHNSON  
Riverside, California

EXHIBIT C

# ways to save our national forests

Chainsaw-wielding profiteers have taken charge of our public woodlands. Here's how to stop them.

by John J. Berger

YOU'RE PLANNING A VACATION AND DECIDE to visit one of America's national forests. Maybe you envision clear streams, placid lakes, abundant wildlife, and a verdant canopy of tall, old trees. If you're lucky, you just might find such an idyllic place in the country's 191 million acres of national forestland. But you could just as easily wander into a forest with miles of bald, eroding clearcuts, scarred and gouged by the tracks of heavy logging equipment. Welcome to Big Stump National Forest.

Enjoy the moonscape, because you probably paid for it. National-forest logging is heavily subsidized by the American people. The U.S. Forest Service leaves "beauty strips" of healthy trees along highways to impress the public, but beyond these thin green lines of respectability the agency has violated our trust. Set up in 1905 to protect forest resources from logging abuses, the Forest Service was supposed to regulate logging with the goal of maintaining a healthy forest. Nearly a century later, the agency has all but eradicated our original woodlands and destroyed wildlife habitat, streams, and recreation areas. It has driven populations of rare and endangered species toward extinction. And for what? Today national forests provide a mere 4 percent of the nation's timber supply, a quantity easily replaceable by recycling and more efficient use of wood.

The best way to preserve your public forests is to pressure your public officials. Here's what they need to know, and what you need to tell them.

## 1. Stop the Logging

You'll often hear that commercial logging of our public lands is good for the economy. In truth, such logging reduces the value of the forest for recreationists, hunters, and anglers—who contribute 37 times more income to the U.S. economy and produce 32 times more jobs than logging in the national forests



does. In addition, the Forest Service spends almost \$1 billion a year for logging research, administration, replanting, and roads not paid for by logging companies—money that would be better spent restoring land, retraining forest workers, and helping communities adapt to the inevitable end of the timber boom.

The Sierra Club believes that tree cutting is acceptable in our national forests only for domestic firewood, to reduce the hazard of forest fires where absolutely necessary, and to restore damaged forests. The Club maintains that all commercial logging on federal forests should be banned because the Forest Service has proven that it cannot manage it responsibly.

Advocating a ban to logging is not enough, however, for Club activists from around the country who have other ideas for saving our national forests—including policies that can be implemented immediately as they work toward a total ban.

## 2. Protect Sensitive Areas and Old Growth

Roadless areas, which the Forest Service defines as 5,000 or more acres of wildland, contain most remnants of the nation's primeval forest and hundreds of at-risk species. They must immediately be put off-limits to commercial logging. Likewise, streamside areas—with their unique ecological features, importance in flood prevention, and susceptibility to damage from logging—must be protected.

"Many people do not trust us to do the right thing," Forest Service Chief Mike Donbeck recently told the Senate Energy and Natural Resources Committee. "Until we rebuild that trust and strengthen those relationships, it is simply common sense that we avoid riparian, old-growth, and roadless areas." These welcome words need to become official agency policy, enforced on the ground. To provide permanent protection, Congress

should add most of these areas to the National Wilderness Preservation System—or offer other forms of protection. If Congress balks, President Clinton should use his power under the Antiquities Act, as he did in setting up Grand Staircase-Escalante National Monument in Utah in 1996, to establish an array of ancient-forest national monuments.

### **3. Halt Roadbuilding**



Measured by its ability to erode soils and destroy streams and other wildlife habitat, roadbuilding is one of the most egregious aspects of the Forest Service's commercial logging program. The 377,000-mile-long national-forest road system is already almost eight times longer than our interstate highway system, and additional roads are being built. Taxpayers are unwittingly paying \$50 million a year to make it happen. (See "Loggers' Free Lunch," page 22.)

### **4. Reward Stewardship**

Today Congress evaluates the Forest Service primarily on how well it "gets out the cut," meaning how close it comes to meeting Congress' astronomical logging quotas. These quotas should be eliminated. The agency's performance should instead be measured by how well it has performed its job of protecting the ecological quality and health of the forests, including wildlife, wetlands, lakes, and rivers. Salary increases and promotions should be based on the same criteria.

### **5. Look Again at Wilderness**

To keep the log trucks rolling, Forest Service officials have excluded millions of acres of pristine wildlands from the agency's official maps of roadless lands. In Washington's Okanogan National Forest, for example, roadless acreage was understated by 30 percent. "The Forest Service included a lot of nice rock and ice," says Sierra Club forest activist Mark Lawler, "but excluded areas with big trees." Because Congress uses these maps to delineate and establish federally protected wilderness areas, a new inventory of roadless areas should be conducted—not by the Forest Service, but by an objective advisory board appointed by the president. Once the inventory is complete, roadless areas should be placed off-limits to logging until Congress considers whether they should be included in the wilderness system.

### **6. Restore the Damage**

After cutting an area, the Forest Service has often compounded the damage by replanting it as a single-species tree farm. Moreover, the agency has misappropriated a third to a half of all the money earmarked for reforestation and mitigation of timber-sale damage, using it for administrative expenses. Logging and roadbuilding funds should be redirected to repairing environmental damage. At the top of the list of areas to be restored should be logging roads (and many off-road-vehicle trails), especially those in sensitive areas; riparian zones and wetlands; moose, elk, caribou, and other large-mammal winter-

range and reproduction areas; underrepresented habitat types, such as ponderosa pine in Colorado; and habitat for sensitive species.

A federally funded restoration corps should be set up to spearhead such efforts, and to stabilize and recontour disturbed slopes, burn brush and trees where necessary to reduce wildfire risk, and control the spread of non-native species. Out-of-work loggers should be given hiring preferences for these and other federal restoration projects.

### **7. Help Logging Communities**

If commercial logging on public lands is outlawed or severely restricted, some timber-dependent communities will need assistance building a new economy. The federal government should help them find environmentally sustainable ways to provide jobs. The restoration corps mentioned above is one logical step. Another is setting up temporary programs, such as the Agriculture Department's Office of Forestry and Economic Assistance in Portland, Oregon, to help communities maintain social services and search for economic alternatives.

### **8. Promote Land Ethics**

Drives of untanned hikers, campers, bicyclists, horse-packers, hunters, and anglers can make a mess by leaving garbage, trampled campsites stripped of wood, and rutted trails. The Forest Service should more actively promote programs that teach recreationists low-impact practices. Conservationists should seek partnerships with nonmotorized recreationists to defend public lands from such destructive activities and to maintain and monitor trails.

### **9. Take a Personal Stand**

The Sierra Club is working to convince the Forest Service and elected officials to make the kinds of policy changes listed above. We invite you to join your local Sierra Club's forest-protection committee. If you want to do more, urge President Clinton and your congressional representatives to support legislation to stop commercial logging on public land. In addition, you can volunteer on a restoration project, write letters to your local newspaper urging protection for our national forests; photograph clearcut, trail, and stream damage when you see it and send the pictures to local media; and let your nearest Forest Service office know that healthy forests and native fish and wildlife are what you value most on these public lands. ■



JOHN J. BERGER, who has a doctorate in ecology, is an author and environmental policy consultant. His primer on forests will be published by Sierra Club Books next year.

► For more information about how to get involved in the Sierra Club's forest work, contact your Sierra Club chapter or group conservation chair. To join the Sierra Club Activist Network, write the Office of Volunteers and Activist Services, 85 Second St., 2nd Floor, San Francisco, CA 94105 or e-mail [activist desk@sierraclub.org](mailto:activist desk@sierraclub.org).

The threats to Sequoia National Forest are mirrored throughout the 430-mile-long Sierra Nevada, John Muir's "divinely beautiful" Range of Light. Clearcuts pockmark the mountain chain. Trees are being cut on steep slopes with poor soil, causing erosion and silt-laden streams. And more than a hundred years of fire suppression have left the forest to become dangerously tangled with underbrush and dense stands of small trees, creating a situation in which concerns about fire safety are exploited to justify old-style cut-and-run logging.

The Sierra Club is working toward permanent federal protection for the range's entire ancient-forest ecosystem. That's a tall order given that the Sierra spans nine national forests and three national parks. The most immediate obstacle is the anti-environmental bent of the current Congress. But instead of waiting for Washington, the Club is laying the groundwork for lasting protection by influencing administrative policies in the short term and building public support for a healthy Sierra Nevada.

For the next 10 to 15 years, whether the range can be protected will be determined largely by how well the U.S. Forest Service treats the California spotted owl. Under the National Forest Management Act, the agency is required to protect this species in decline. A draft environmental impact statement focusing on preserving owl habitat is due this fall.

### The Grand Plan

The Sierra Club, fighting for strong spotted-owl protections, conducted a successful phone-call and letter-writing campaign that convinced the White House to order the Forest Service to delay Issuing its spotted-owl plans until it incorporates the findings of the \$7 million congressionally mandated Sierra Nevada Ecosystem Project. That study, the most comprehensive ever completed on an ecosystem as large and complex as the Sierra Nevada, backs up environmentalists' concerns about threats to the range's forests, lakes, and rivers with indisputable scientific evidence.

During the past year, the Sierra Club turned much of its attention to blocking the effects of the salvage-logging rider that was attached to the 1996 federal budget and allowed unchecked logging on forestlands. Although environmentalists could not persuade the Clinton administration to cancel the rider, they won signifi-

cant smaller victories and, just as important, convinced many government officials that "logging without laws" is disastrous for our nation's forests. In California, those efforts forced the Forest Service to halt or significantly alter 93 timber sales. In Sequoia National Forest, activists convinced the Forest Service to convert all proposed rider sales into sales that could be appealed by citizens, slowing the saws—for now.

Today the Sierra Club can focus more attention on educating the public about the long-term threats the Sierra Nevada faces. Through media outreach and

hands-on community organizing, Club activists are taking their message to their neighbors, building the kind of grassroots support that can move even hostile Washington. It's a task as big as the Sierra itself, but it didn't stop John Muir and it surely won't stop his Sierra Club.

For more information, contact the Sierra Club's California/Nevada/Hawaii field office, 4171 Piedmont Ave., Suite 204, Oakland CA 94611, (510) 654-7847.



SIERRA BENT NEL THE SPOTTED OWL

IN THE SUBCOMMITTEE ON FORESTS AND FOREST HEALTH  
U.S. HOUSE OF REPRESENTATIVES  
Congresswoman Helen Chenoweth, Chair

TESTIMONY OF ALASKA FOREST ASSOCIATION  
Jack E. Phelps, Executive Director  
Offered February 25, 1998

*Opposing the USDA Forest Service Proposed Rulemaking Concerning Roadless*

*Areas of the National Forest System*

Chairwoman Chenoweth and Subcommittee members, my name is Jack Phelps. I am the Executive Director of the Alaska Forest Association (AFA). AFA is a private, non-profit organization. The association consists of more than 100 member companies which are directly involved in the forest products industry in Alaska and account for more than 1,400 direct year-round job equivalent employees. AFA also represents an additional 200 associate member companies that provide goods and services to Alaska's timber industry. The livelihoods of many of AFA's members, their workers, their families, and the timber dependent communities in which they live depend upon the availability of timber from the Tongass and Chugach National Forests and are affected by Forest Service decisions pertaining to these forests.

I am here today not only on behalf of the AFA, but also the forest products industry nationwide. The actions that Chief Dombeck and the Forest Service are now taking or proposing to take regarding roadless areas on the national forests are, quite simply, in violation of the federal laws and regulations which govern the responsibilities of the agency and its management of these forests. The unilateral moratorium imposed by the Forest Service on the majority of our national forests would suspend road construction on millions of acres of roadless areas and significantly affect pending and future access to those areas for a multitude of uses. For example, Regional Foresters will be given broad authority to, in effect, enlarge existing wilderness areas by locking up roadless areas of 1,000 acres or more which are contiguous to existing Congressionally-designated wilderness areas or which are contiguous to roadless areas of 5,000 acres or more of federal land. Such actions will allow the Clinton Administration to override existing forest plans that have been developed through the National Forest Management Act planning process. The unilateral nature of this policy unlawfully excludes the public from informed decisionmaking and debate about how the forests will be managed.

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Testimony of Alaska Forest Association, Jack E. Phelps, Executive Director  
Opposing Forest Service Rulemaking Regarding Roadless Areas of the National Forest System

The National Forest Management Act (16 USC § 1604) requires that any change to the management of a national forest for which a plan exists must go through the forest planning amendment process. If the amendment is a significant change to the existing plan's management of a particular forest, as is the case in implementing the moratorium, then the agency *must* undertake meticulous review of its actions in accordance with the National Forest Management Act, the agency *must* prepare an environmental impact statement and consider a broad array of alternatives to the proposed amendment in accordance with the National Environmental Policy Act (42 USC § 4321 *et seq.*), and the agency *must* provide for public participation in the development and review of such amendments.

These requirements are completely ignored by the imposition of the new moratorium:

- ◆ 16 USC § 1604(f)(4) provides that amendment of forest plans "in any manner whatsoever" resulting in significant change be made in the same manner as the plan itself was developed. A plan is developed by the Forest Supervisors using the NEPA process as the decision making process for meeting the NFMA planning requirements (36 CFR 219.1 *et seq.*) Hence, a proposed amendment must follow the same process as the original plan.
- ◆ 16 USC § 1604(d) and 36 CFR § 219.6 require the agency to provide for meaningful public participation in the development, review, and revision of a forest plan, including plan amendments. (16 USC § 1604(d); 36 CFR § 219.6.)
- ◆ The above description of the process for amending a forest plan is corroborated by the agency's regulatory requirements and the Forest Service Handbook and Manual (*see, e.g.*, 36 CFR § 219.10(f) and FSH 5.32.5 (both of which require preparation of an EIS for a significant plan amendment). If a proposed change to an existing plan is significant, then the plan must be amended in accordance with the forest planning process, including full public participation.

Although the Tongass National Forest in Alaska is allegedly "exempted" from the nationwide moratorium, we are very concerned about a "backdoor" imposition of the moratorium on the Tongass. The agency proposes to deal with

Tongass roadless areas "when appropriate" during its review of appeals filed on the recently revised Tongass Land Management Plan. We are concerned that the Forest Service will impose the moratorium by characterizing its action as ameliorating or addressing appeal points raised by environmental groups. The Forest Service can only correct legal errors which occurred during the forest planning process. It cannot make new policy.

Again, changes to policy which significantly affect an existing forest plan such as the Tongass Land Management Plan can only be made by meeting the full planning process requirements, including public participation and preparation of an environmental impact statement which thoroughly documents the need for and impacts of the proposed amendment. And any action the Forest Service will take during the Tongass appeal process regarding management and treatment of roadless areas will indeed be significant.

With respect to the Chugach National Forest, similar concerns arise. The Forest Service has just begun the process of revising the Chugach Land Management Plan. The scoping period ended on December 31, 1997, and a draft revised plan and its accompanying draft environmental impact statement are expected later this year. For the Forest Service to unilaterally foreclose by implementation of the moratorium the multiple use options which would otherwise be available for consideration during the public planning process is unacceptable under our democratic system. The problem is especially acute on the Chugach where more than 98 percent of the forest is currently inventoried roadless.

In addition to the above, the Forest Service is expressly prohibited by federal law from even studying federal lands within Alaska for purposes of establishing additional wilderness, conservation units, recreational units or similar areas. The Alaska National Interest Lands Conservation Act is clear – only Congress can approve the establishment of such areas or the study of forest lands for such purposes in Alaska. (16 USC § 3201 *et seq.*) The attached briefing paper sets forth these important provisions controlling agency action on federal lands in Alaska.

In conclusion, Madam Chairwoman, the proposed rulemaking on roadless issues, both in its interim form via a moratorium, and in its more permanent form, runs contrary to all the laws by which public lands, particularly National Forest System lands, are to be managed. Because of the paucity of roads in our state, Alaska will be disproportionately harmed by this administrative policy. But the rest of the country will be adversely and unjustly punished as well. It is not only the industries that work in

the forests who will suffer harm, but every American who wants to be able to drive into the national forests which belong to all of us. Congress must do all in its power to stop implementation of this unacceptable policy, and to insist that the Clinton Administration follow the law when it proposes to make changes to the management of National Forest System lands.

Supplemental Sheet to Testimony of Jack E. Phelps  
Opposing Forest Service Rulemaking Regarding Roadless Areas of the  
National Forest System  
February 25, 1998

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**BRIEFING PAPER ON THE FOREST SERVICE'S PROPOSED ACTION FOR  
ADDRESSING ROADLESS AREAS ON THE TONGASS NATIONAL FOREST**

Prepared by the Alaska Forest Association (AFA)  
February 6, 1998

**INTRODUCTION**

On Thursday, January 22, 1998, Forest Service Chief Mike Dombeck made the remarkable announcement that the agency will be making new determinations regarding roadless areas on the Tongass National Forest during the current Tongass Land Management Plan (TLMP) appeal process. Apparently, the Forest Service intends to implement a new roadless area *policy* for the Tongass through the administrative appeal process, contrary to the statutory and regulatory authorities controlling such policy determinations and despite the fact that the Forest Service is limited to correcting *legal errors* during the administrative appeal process.

Chief Dombeck made the announcement about the Tongass roadless areas during the course of announcing two Forest Service rulemakings impacting other national forests. First, the Forest Service gave advanced notice of its intent to develop a new long-term policy regarding the construction of roads in roadless areas on the national forests. Second, the Forest Service immediately implemented a moratorium suspending all road construction and road reconstruction activities in roadless areas on the national forests until the long-term policy is promulgated. Although the Tongass National Forest is exempted from the moratorium that the Forest Service implemented with respect to roadless areas in the majority of the national forests, the Forest Service's announcement that Tongass roadless areas would be addressed during the TLMP appeal process is a portent of new agency policy regarding the classification and treatment of Tongass roadless areas.

No regulatory or statutory mechanism or process exists for the Forest Service to unilaterally change the recently revised TLMP during an appeal process or otherwise. Any determinations that the Forest Service attempts to make during the TLMP appeal process must be limited to correcting what the Forest Service agrees were legal errors in the TLMP planning process. Any other changes (including changes to the Tongass roadless areas policy) must be pursued as a plan amendment through the appropriate Forest Planning regulations, in the same way that the AFA is pursuing plan amendments through the process established in the regulations.<sup>1</sup>

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<sup>1</sup> See AFA's October 17, 1997 letter to Regional Forester Phil Janik (copied to the three Forest Supervisors), which proposes a number of amendments to the revised TLMP.

The purpose of this briefing paper is to outline why the agency's proposed action to change its Tongass roadless areas policy would be unlawful under the National Forest Management Act (NFMA) of 1976 (16 USC § 1604), the National Environmental Policy Act (NEPA) of 1969 (42 USC § 4321 *et seq.*) and the Alaska National Interest Lands Conservation Act (ANILCA) of 1980 (16 USC § 3201 *et seq.*). It is the further purpose of this briefing paper to describe why implementation of a new policy in the guise of correction of a legal error in preparation of TLMP would likewise be unlawful under the above statutes and regulations.

#### **DISCUSSION**

Chief Dombeck's recent announcement notifies the public of two agency actions. First, the agency intends to develop a long-term policy with respect to road management in roadless areas on the national forests.<sup>2</sup> The Forest Service will be conducting studies for at least the next 18 months to determine what that policy will be and how it will apply to approximately 33 million acres of roadless areas, 9 million of which are suitable for timber harvest. Chief Dombeck stated that "[w]e anticipate that the final long-term road policy will apply to *all* forests." (Forest Service News Release dated January 22, 1998 (emphasis added).)

Second, the agency is implementing an interim policy which places an 18-month moratorium on road construction and reconstruction in roadless areas.<sup>3</sup> The moratorium immediately<sup>4</sup> suspends road construction and road reconstruction in areas equal to or greater than 5,000 acres in inventoried RARE II (Roadless Area Review and Evaluation) areas in the national forests and in "other unroaded areas, regardless of size, identified in a forest plan."<sup>5</sup> The moratorium also applies to unroaded areas greater than 1,000 acres which

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<sup>2</sup> The agency published advanced notice of this proposed rulemaking in the Federal Register on January 28, 1998. (63 Fed. Reg. 4350 (1998) (to be codified at 36 CFR Part 212).) A copy of the notice is attached as Exhibit 1. The public comment deadline for this notice is March 30, 1998.

<sup>3</sup> The agency published notice of this interim rule/moratorium in the Federal Register on January 28, 1998. (63 Fed. Reg. 4351 (1998) (to be codified at 36 CFR 212.13).) A copy of the notice is attached as Exhibit 2. The public comment deadline for this notice is February 27, 1998.

<sup>4</sup> The moratorium became effective as of the date of publication in the Federal Register, January 28, 1998.

<sup>5</sup> Several Tongass roadless areas were designated as wilderness as part of the RARE II Environmental Impact Statement (EIS) process. (See RARE II Final EIS, Appendix A. See also discussion under Section I, Part B and Section II, Part C, below (stating that ANILCA prohibits the Forest Service from further

are contiguous to (1) wilderness areas, (2) wild and scenic rivers that are classified as "wild," and (3) roadless areas of 5,000 acres or more which are located on other federal lands. Furthermore, the moratorium will apply to two other categories of land:

(1) any National Forest System (NFS) area of low-density road development or (2) any other NFS area that retains its roadless characteristics which the Regional Forester subsequently determines have such special and unique ecological characteristics or social values that no road construction or reconstruction should proceed. The agency does not anticipate that Regional Foresters will create a new inventory of roadless areas that meet the criteria of these latter two categories. Rather, it is expected that Regional Foresters will apply these categories on a project-by-project basis. Examples of areas that might be considered under these latter categories are areas needed to protect the values of municipal watersheds, including public drinking water sources, or to provide habitat for listed or proposed endangered and threatened fish, wildlife, or plants. ...

(63 Fed. Reg. at 4351-52.) The moratorium will remain in effect for 18 months ~~or~~ until the agency has developed "improved analytical tools" for making future road decisions, whichever is earlier. The agency believes that the moratorium may have some impacts on other activities already approved for these areas.

The Forest Service exempts the Tongass National Forest from the moratorium. Instead, the agency states that "issues related to the construction of roads in roadless areas [on the Tongass] will be addressed in the [TLMP] appeal decision, when appropriate." (Parenthetical statement found at end of proposed 36 CFR § 212.13(b)(2), 63 Fed. Reg. at 4354.) The agency specifically requests "comment on whether additional measures are needed to implement the [Tongass] exemption."

- I. **The Forest Service cannot make unilateral or "back door" policy changes to a forest plan in the guise of granting a forest plan appeal point. Any development and implementation of a new roadless area policy on the Tongass must be formulated as a forest plan amendment in accordance with the process set forth in NFMA, must**

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reviewing roadless areas for wilderness designations or recommendations.)

**provide for full and meaningful public participation, and must meet the environmental review requirements provided under NEPA.**

AFA is concerned that the Forest Service may seek to implement a new roadless areas policy on the Tongass by either

- (1) announcing a unilateral agency change in the recently revised TLMP to prohibit or severely limit any development activities (including logging and road construction) in Tongass roadless areas<sup>6</sup> or
- (2) justifying application of the new roadless area policy to the Tongass based upon the agency's purported corrections of alleged legal errors raised by environmental groups appealing the revised TLMP.

Either approach would violate NFMA and NEPA.

NFMA establishes a process for forest plan amendments (such as the new roadless area policy) when the agency proposes significant changes to a forest plan. Development and implementation of a new roadless area policy will constitute a significant and major plan amendment because it will affect the classification and use of resources on millions of acres of forest land. Under NFMA, a plan amendment which results in a significant change in a plan must undergo the same land management planning process that is used for original and revised plans, including, but not limited to, the preparation of an environmental impact statement (EIS) in accordance with NEPA. (16 USC 1604(d)-(g).)

**(A) NFMA Prohibits Unilateral Forest Service Changes to Forest Plans**

The NFMA establishes a process for amending a Forest Plan:

- ◆ 16 USC § 1604(c) states that "[u]ntil such time as a unit of the National Forest System is managed under plans developed in accordance with this subchapter, the management of such unit may continue under existing land and resource management plans." The necessary implication is that once a plan (such as the revised TLMP for the Tongass) has been developed, management pursuant to that plan must continue until the plan is amended.

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<sup>6</sup> For purposes of this Briefing Paper, AFA's discussion is intended to cover all areas deemed to be roadless on the Tongass, including roadless watersheds.

- ◆ 16 USC § 1604(f)(4) provides that amendment of forest plans “in any manner whatsoever” resulting in significant change be made in the same manner as the plan itself was developed. A plan is developed by the Forest Supervisors using the NEPA process as the decision making process for meeting the NFMA planning requirements (36 CFR 219.1 *et seq.*) Hence a proposed amendment must follow the same process as the original plan.
- ◆ 16 USC § 1604(d) and 36 CFR § 219.6 require the agency to provide for meaningful public participation in the development, review, and revision of a forest plan, including plan amendments. (16 USC § 1604(d); 36 CFR § 219.6.)
- ◆ The above description of the process for amending a forest plan is corroborated by the agency’s regulatory requirements and the Forest Service Handbook and Manual. (See, e.g., 36 CFR § 219.10(f) and FSH 5.32.5 (both of which require preparation of an EIS for a significant plan amendment).) If a proposed change to an existing plan is significant, then the plan must be amended in accordance with the forest planning process, including full public participation.

In short, the Forest Service cannot dictate a change in how roadless areas on the Tongass will be treated and/or classified under the revised TLMP without first initiating the plan amendment process.

#### (B) NFMA Prohibits “Back Door” Policy Changes to Forest Plans

During the administrative appeal process, the Forest Service can only correct what it agrees are *legal* errors which occurred in the forest planning process. It cannot change agency *policy* during the administrative appeal process. If the Forest Service implements the roadless area policy by granting a point made on appeal of the TLMP by an environmental group, such “back door” action to implement a new policy would also be a violation of the NFMA planning regulations and NEPA.

AFA presents the following examples to illustrate how Forest Service determinations based on various appeal points will violate federal law:

- ◆ As part of its administrative appeal, the Southeast Alaska Conservation Council (SEACC) has requested that the agency reclassify SEACC’s list of “special areas” as remote recreational, since that classification would be most similar to LUD II roadless areas. (See selected pages from SEACC’s Appeal attached as

Exhibit 3.)<sup>7</sup> The Forest Service did not develop such land use designations as part of the planning process and was not required to do so by the planning regulations. Thus, the agency cannot now, without commencing the plan amendment process, including the opportunity for public participation, change TLMP in response to SEACC's appeal.<sup>8</sup> Such a change could only be made through the plan amendment process, and then only if statutory constraints on the classification and/or withdrawal of federal lands in Alaska do not preclude a proposed amendment. (See discussion under Section II, below.) As such, changes to the Tongass roadless area policy cannot be addressed by the Forest Service during the administrative appeal process.

- ◆ SEACC asserts that the Forest Service did not conduct an adequate review of roadless areas pursuant to 36 CFR § 219.17, in order to determine whether to recommend any of these areas as additional wilderness. (SEACC Appeal at 42-48.) AFA disputes that contention and agrees with the agency's assertions that Congress addressed wilderness issues in the Tongass Timber Reform Act (TTRA) of 1990 (16 USC 539(d)).<sup>9</sup> Moreover, ANILCA § 708(b)(4) prohibits any further review of roadless areas for purposes of wilderness recommendations.

Throughout the TLMP revision process, the Forest Service has stated that no additional wilderness was included in any plan revision alternative.<sup>10</sup> There is no requirement that the Forest Service recommend any additional wilderness

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<sup>7</sup> SEACC's request for relief on this issue does *not* raise a claim of *legal* error. Rather, SEACC is requesting the Forest Service to make a change in its policy regarding the referenced areas.

<sup>8</sup> Several other environmental groups appealed land allocation decisions under the revised TLMP by either adopting SEACC's appeal for certain areas or by separately requesting reclassification of roadless and/or "special areas" to nondevelopment status. These groups include the National Audubon Society, Alaska Society of American Forest Dwellers, Cleveland Users Coalition, Prince of Wales Conservation League, City of Tenakee Springs, and Sitka Conservation Society. AFA's comments herein regarding the Forest Service changes to policy regarding Tongass roadless areas also apply to all of these appeals.

<sup>9</sup> AFA also disputed the case authorities SEACC cited in challenging the Forest Service's wilderness review. (See AFA's Intervenor Comments at 71-74.)

<sup>10</sup> In the 1991 SDEIS at 3-264, the Forest Service stated "[n]o additional Wilderness is proposed for any alternative." In the 1996 RSDEIS at 3-204, the agency stated that "[n]o additional Wilderness proposals, or any changes to existing Wilderness are being proposed at this time." In the 1997 RSDEIS at 3-169, the agency stated that "[n]o additional Wilderness is proposed in any alternative."

areas. Indeed, as the Ninth Circuit noted in City of Tenakee Springs v. Block, ANILCA "prohibits any further review of National Forests in Alaska 'for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.'" (778 F.2d 1402, 1406 (9th Cir. 1985) (quoting the statutory language in ANILCA § 708(b)(4) (Pub. L. No. 96-487, 94 Stat. 2371, 2421 (1980)).) Only Congress can authorize such reviews. (ANILCA § 708(b)(4).) Thus, SEACC's appeal points regarding roadless area reviews are directly contrary to federal law specifically dealing with national forest lands in Alaska, and the Forest Service cannot rely on SEACC's appeal or similar appeals to further review roadless areas in Alaska for purposes of recommendation or designation as wilderness.

- ◆ The National Audubon Society (NAS) challenges the TLMP standards and guidelines which permit construction of roads and logging in roadless watersheds, including the Kadashan Watershed, which potentially provide habitat for brown bears and wolves. (See NAS appeal at 6-7 and 10.) The appeal challenges the agency's decision not to fully adopt the recommendations of the brown bear and wolf assessment panels. This appeal point challenges agency policy regarding the management of watershed areas and does not allege a legal error. As such, changes to the Tongass roadless area policy cannot be addressed by the Forest during the administrative appeal process.

**(C) A Forest Plan Amendment is the Only Process for Changing the Existing Plan on the Issue of Roadless Areas**

All of the above points, considered together, demonstrate that the law commands the Forest Service to abide by its own statutory forest planning process. If the Forest Service wants to develop a new roadless areas policy for the Tongass, it must refer the proposal to the Forest Supervisors who will then consider it in accordance with the process described in 36 CFR 219.1 et seq. If the Forest Service wants to set aside and reclassify certain roadless areas on the Tongass as remote recreational, natural research area, or for some other nondevelopment purpose, the agency cannot do so on the basis of roadless area challenges made by environmental groups in their appeals, because the agency never included alternatives for review during the revision process which proposed such set asides and reclassifications. A "back door" attempt at implementing a purported road management policy is clearly prohibited by law.

- II. ANILCA prohibits (1) Forest Service studies which contemplate the establishment of additional conservation, recreation, or similar units, (2) the withdrawal of more than 5,000 acres of land, in the aggregate, without Congress's approval, and (3) the review of roadless areas on national forest lands in Alaska for the purpose of evaluating their suitability as wilderness.

Even if the Forest Service commenced the plan amendment process in accordance with NFMA and NEPA to establish a change in policy for Tongass roadless areas, the Forest Service faces other strict constraints prohibiting further withdrawals of federal lands in Alaska. Although the Forest Service maintains that "issues related to the construction of roads in roadless areas [of the Tongass] will be addressed in the appeal decision," the real purpose of the proposed action is to study and/or withdraw millions of acres of Tongass roadless areas and reclassify them as conservation, wilderness, recreational or other similar units.<sup>11</sup> Under ANILCA § 1326,<sup>12</sup> the Forest Service is prohibited from (1) using the plan amendment process, the moratorium, or any other process to conduct additional studies of public lands in Alaska, the single purpose of which is to set aside roadless areas from further development and (2) withdrawing lands in excess of 5,000 acres in the aggregate, without Congressional approval.

(A) ANILCA's "No More Studies" Clause

Under the "no more studies" clause, ANILCA § 1326(b) prohibits the executive branch from studying federal lands in Alaska for the single purpose of considering whether to establish "a conservation system unit, national recreation area, national conservation area, or for related or similar purposes" unless authorized under ANILCA or by Congress. (16 USC § 3213(b) (emphasis added).) Thus, the Forest Service is prohibited from studying any roadless areas during a plan amendment process, much less the administrative appeal process, if the purpose is to establish a conservation unit, recreation area, conservation area or any other unit serving related or similar purposes.

The single purpose of reviewing roadless areas as a result of the TLMP appeal process would be to conduct a Forest Service study of a proposed action which will probably

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<sup>11</sup> Indeed, this proposed action comes on the heels of a heated "roads" debate in the 1997 Congress about how to treat roadless areas of the national forest. The real proponents of this action are Vice President Al Gore and the environmental groups who, failing to achieve their special interest goals in the legislative arena, now seek to force land use decisions on the public through executive branch mandates.

<sup>12</sup> A copy of ANILCA § 1326 (16 USC 3213) is attached as Exhibit 4.

result in a decision to lock up millions of acres of Tongass roadless areas, essentially converting several of these areas to remote recreational, conservation, or some other type of nondevelopment status. Such a study is banned under ANILCA § 1326(b).

Furthermore, Congress expressly stated that the conservation areas established under ANILCA were sufficient protection "for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska." (16 USC § 3101(d).) Congress also expressly stated that because ANILCA established a "proper balance" of interests and uses of federal lands in Alaska, no further legislative designations of conservation areas (including recreation areas) were needed. (*Id.*) If the Forest Service proceeds to study roadless areas during the appeal process or as part of a plan amendment, the agency action establishing new conservation areas in Alaska that ban road construction, timber harvesting, and other development activities, will violate Congress' explicit finding that additional conservation and recreational units and units serving related or similar purposes are not needed.

#### **B. ANILCA's "No More Withdrawals" Clause**

In addition to the "no more studies" provision, ANILCA also states that the permanent withdrawal of public lands in Alaska greater than 5,000 acres in the aggregate, will not become effective "unless Congress passes a joint resolution of approval within one year after the notice of such withdrawal has been submitted to Congress. (16 USC § 3213(a).) At a minimum, the Forest Service must give specific notice of those Tongass roadless areas it intends to withdraw under this section via notice in the Federal Register and to both Houses of Congress. (*Id.*) Even then, however, the identified land withdrawals will not become effective unless Congress approves them through a joint resolution within one year. Given the congressional opposition expressed in ANILCA to the withdrawal of additional lands on national forest lands and the heated "roads" debate from last year, it is highly unlikely Congress would approve any land withdrawals on the Tongass.

The process set forth in ANILCA §1326(a) is the only process established for the Forest Service to withdraw more than 5,000 acres, in the aggregate, of public land on the Tongass. As a result, the Forest Service cannot make such withdrawals through the TLMP administrative appeal process or through a proposed plan amendment.

#### **C. ANILCA's "No More Wilderness Reviews" Clause**

As stated in Section I, Part B, above, ANILCA prohibits the Forest Service from conducting further review of roadless areas on national forests in Alaska "for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System."

(ANILCA § 708(b)(4); *City of Tenakee Springs v. Block*, 778 F.2d at 1406.) The Forest Service has no independent authority to embark on such a wilderness review without the express authorization of Congress. (ANILCA § 708(b)(4).)<sup>13</sup> Thus, the Forest Service cannot recommend or designate any of the Tongass roadless areas as wilderness, either through the plan amendment process or the administrative appeal process.

#### CONCLUSION

The Forest Service cannot change its roadless areas policy for the Tongass as part of the agency's deliberations during the on-going administrative appeal process. Such action would violate NFMA and NEPA. Furthermore, ANILCA prohibits the Forest Service from conducting further studies of public lands for the purpose of establishing additional conservation units or similar units, which surely will be the purpose of the roadless area review during the administrative appeal process.<sup>14</sup> ANILCA also prohibits the Forest Service from withdrawing from development roadless areas of more than 5,000 acres, in the aggregate, if such withdrawals are attempted as a part of determinations made during the administrative appeal process rather than in accordance with the express process set forth in ANILCA. Finally, ANILCA expressly forbids the Forest Service from reviewing Tongass roadless areas for purposes of determining whether those lands are suitable for wilderness status.

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<sup>13</sup> ANILCA § 708(b)(4) provides, in its entirety, that:

unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Alaska for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

<sup>14</sup> The Alaska Legislature has introduced a resolution opposing any further withdrawals of lands in Alaska, citing ANILCA, and opposes any unilateral amendments to the revised TLMP without public participation. (See attached Exhibit 5, Committee Substitute for Sponsor Substitute for Alaska House of Representatives Joint Resolution No. 49.)



## THE WILDERNESS SOCIETY

**STATEMENT OF CRAIG GEHRKE, REGIONAL DIRECTOR  
OF THE IDAHO OFFICE OF THE WILDERNESS SOCIETY, ON THE  
U.S. FOREST SERVICE'S INTERIM NATIONAL FOREST  
TRANSPORTATION POLICY, BEFORE THE SUBCOMMITTEE ON  
FORESTS AND FOREST HEALTH, HOUSE COMMITTEE ON RESOURCES,  
FEBRUARY 25, 1998**

The Wilderness Society appreciates this opportunity to testify on the U.S. Forest Service's initiative to develop a new national forest transportation system policy. The Wilderness Society has worked to protect the last remaining roadless, undeveloped areas on the national forests. The Society has also worked to protect the public resources of the national forests from the environmentally harmful and fiscally wasteful road building program of the Forest Service.

While The Wilderness Society welcomes the Forest Service's attention to the remaining roadless areas on the national forests and need to realistically address the existing road network, the interim policy has significant deficiencies. The exemption of 15 million acres of national forests in Alaska, California, Oregon, Washington and Colorado significantly weakens the intent of the program. Similarly, the interim policy fails to provide the level of protection necessary to prevent the further loss of roadless areas on the national forests. For example, it is expected that the Forest Service will proceed with plans to log nearly 20 million board feet of timber from the Deadwood roadless area on the Boise National Forest, despite the moratorium on roadbuilding in roadless areas. A sale of this size illustrates how the interim policy fails to fully protect roadless areas. It is our hope that the Forest Service will substantially strengthen the proposed policy after the comment period closes and provide full protection to the remaining roadless areas on the national forests.

The Wilderness Society strongly believes that all remaining national forest roadless lands larger than 1000 acres should be protected from any further loss or degradation. The Forest Service should immediately discontinue selling timber, building roads, and allowing other activities that degrade these areas. The Wilderness Society also urges that Congress stop funding the construction of logging roads in the national forests. The federally-funded national forest road construction program and the development of roadless areas together have badly degraded many of the natural resources found on the public's national forests.

I would like to focus my testimony on the state of Idaho and its national forest roadless areas. Few other states so typify the need to protect the remaining national forest roadless

lands and bring under control the construction of more roads on the national forests as does Idaho. Idaho holds a unique position in this nation. It has more wild, unprotected forest land than any of the other states except for Alaska. In addition to the 4 million acres of federal land that Congress has designated as wilderness, there are more than 8 million roadless, undeveloped acres in national forests that qualify for wilderness protection. Idaho's wild lands support a wealth of resources deserving permanent protection. Many of the nation's rarest wildlife and fish species, including gray wolves, woodland caribou, grizzly bears, and chinook salmon owe their continued existence in the lower 48 states in part to Idaho's wild land heritage. From these roadless lands flow some of Idaho's clearest, cleanest rivers, providing habitat for sensitive fish species such as cutthroat and bull trout. These lands also provide habitat for other species such as wolverine and the Canada lynx that need large, undeveloped areas for survival.

For years the very remoteness of Idaho's wild lands protected them. Roadless areas are often located in steep, rough terrain that is difficult, environmentally risky, and expensive for road construction. More productive and accessible areas for timber harvesting were available. But those areas have been roaded and logged. The legacy of those logging efforts speaks for itself. On Idaho's national forests is a road network of over 30,000 miles - six times the length of Idaho's state highway system. The Forest Service acknowledges that it does not have the funding to perform even the most basic maintenance work on this network. Last year the Idaho Panhandle National Forest only had funds to perform approximately 25% of its road maintenance needs. The inability of the Forest Service to maintain its road system is resulting in numerous road failures which dump large amounts of sediment into streams and rivers.

Idaho's remaining roadless lands have been under siege by the Forest Service's roadbuilding and logging efforts. Last year The Wilderness Society conducted an inventory of Idaho's remaining national forest roadless lands and found that in just a little more than a decade, the total acreage of roadless land in Idaho's national forests had dropped by one million acres. That translates to a loss of about 11 acres of wild lands every hour, every day.

Building roads may be the Forest Service's single most environmentally destructive land management practice. Roads have damaged water quality and fish habitat by increasing landslides, erosion, and siltation of streams. Roads also fragment forests and degrade or eliminate habitat for species that depend on remote landscapes for their survival.

Maintaining roadless areas has many environmental advantages. Several recent studies and assessments provide evidence that forests and streams in wilderness and roadless areas are consistently in better ecological condition than in roaded areas. The scientific assessment that was part of the Interior Columbia Basin Ecosystem Management Project (ICBMP) found that the roadless areas surrounding Idaho's Salmon River drainage, Yellowstone National Park, and Glacier National Park were among the healthiest, most ecologically intact lands in the Columbia River Basin. Forests in roadless areas are in

relatively healthy condition because they have been less accessible to logging, fire suppression, and non-native weeds that are spread from roads.

The best water quality and fish habitat in the region also are found in wilderness and roadless area streams. While salmon, steelhead and resident trout populations have greatly declined overall, the ICBEMP scientific assessment found that some strong populations remain, particularly in high-elevation forested roadless areas. The agency scientists identified a system of "stronghold" watersheds where the healthiest fish populations remain and concluded that designated wilderness and potentially unroaded areas are important anchors for strongholds throughout the Basin.

Logging and road building have long been recognized as contributing to the degradation of fish habitat. Logging and roadbuilding have reduced habitat complexity, increased sedimentation, and eliminated woody debris needed for healthy salmon habitat. A recent study on the Clearwater National Forest found that substantial differences exist between streams in managed and unroaded areas of the Clearwater National Forest. That study found that much of the best fish habitat on the Clearwater Forest is in unroaded areas, where levels of fine streambed sediment are generally lower than in managed landscapes. Similarly, ICBEMP found that roadless areas, not including designated wilderness, provide nearly one-third of the stream habitat for Idaho's chinook salmon, one-fourth of the steelhead habitat, more than one-fourth of the westslope cutthroat trout habitat and well over one-third of bull trout habitat.

The U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the Environmental Protection Agency have also emphasized the importance of roadless areas to Idaho's wild fish populations:

Tenants of ecosystem management include protection of existing species strongholds, connectivity of corridors between metapopulations, and restoring degraded habitats to support expansion of the species as habitats become available. The existing reduced status of riparian-dependent species populations in the (Interior Columbia River ) Basin require a conservative approach to land management activities. Strongholds will need to be protected for the maintenance and protection of species that have been reduced in other areas. Aquatic strongholds most often occur in unroaded areas which require that these areas remain unroaded since roads and associated management are often the primary source of sedimentation and damage to aquatic habitats.

The federal government's study of the Columbia Basin provides a broad-scale evaluation of the ecological integrity of all lands in Idaho. For example, forestlands in the Columbia River Basin were rated in terms of tree density, prevalence of exotic species, amount of snags and down wood, impacts of wildfire on forests, and changes in fire severity and frequency. Comparing the ICBEMP analysis with the roadless area inventory conducted by The Wilderness Society found that Idaho's roadless areas are in much better ecological condition than non-wilderness lands. Designated wilderness areas are clearly in the best

ecological shape, with more than 90% having high ecological integrity. One-half of the roadless land has high ecological integrity, compared to just 21% of other, non-wilderness national forest lands. A mere 5% of Idaho lands outside the national forests has high ecological integrity, most of it on lands administered by the Bureau of Land Management.

In relation to total acreage, roadless areas include more high integrity landscapes than wilderness areas, non-wilderness national forest lands, and other lands. The ICBEMP analysis identified a total of 12 million acres on all ownerships in Idaho as having high ecological integrity. Of that amount, 35% are in roadless areas, 31% are in wilderness areas, 19% are in non-wilderness national forest lands and 15% are BLM lands and other lands located outside the national forests.

The effects of road building and timber harvesting on streams and rivers was dramatically driven home on the Clearwater National Forest in the winter of 1995 and 1996. Two large rain-on-snow events superimposed on previously rain-saturated soils caused nearly 1000 landslides to occur. Subsequent evaluations by the Forest Service and independent scientists found a high correlation between landslides and roads and timber harvest activities.

An independent survey of landslides in the upper Lochsa River drainage found that at least 95 percent of the impacts to streams were derived from logging roads and harvest units. This same survey found no landslides or stream "blowouts" on Weir Creek, an undeveloped watershed in the upper Lochsa or along the roadless South Lochsa Face. Similarly, the Forest Service's surveys on the Powell Ranger District of the upper Lochsa found that 93% of all landslides were directly related to timber harvests and associated road systems.

The forest-wide landslide study on the Clearwater Forest found 70% of the landslides could be attributed to roads and timber harvest. However, many believe that this number significantly underestimates the connection between landslides, roads, and timber harvesting. In contrast to the forest-wide study, most of the flood-related events identified by the Powell District, which found 93% of the landslides related to roads and timber harvest, were ground verified. The forest-wide study relied heavily on aerial photo interpretation for its survey of landslides. If the forest-wide study had been ground verified, it is likely that a higher correlation between roads, timber harvesting and landslides would have been produced.

Looking at the distribution of landslides across the Clearwater Forest shows dense concentrations of landslides in the following areas: Upper Lochsa (Squaw/Papoose Creeks), Lower Lochsa (Pete King/Smith Creek), Orogrande Creek and the Moose Creek/Deception Creek subbasins. These areas are some of the most heavily roaded and harvested lands on the Clearwater National Forest. Most of the landslides were associated with roads and timber harvest. There were few landslides in the large roadless tract of land extending from Kelly Creek to the Fish/Hungery Creek complex. There were also

few landslides in the roadless areas south of the Lochsa River and the Upper North Fork Clearwater River.

Opponents to protection of roadless areas in Idaho typically argue that the timber and other commodity resources in roadless areas are vital to the state's economic well-being and must be extracted. Yet there is growing evidence that Idaho's remaining roadless lands are more important to the state's economy in their natural state rather than as a source of raw materials for extraction. Idaho's undeveloped forest lands contribute much to the state's appeal and quality of life.

Economists working with ICBEMP found that the economic benefits of roadless areas, as measured by their "existence value," far exceed the value of timber and livestock forage on public lands in the Columbia Basin. Existence value represents the benefit in personal well-being or satisfaction that people derive from simply knowing that a certain resource exists. According to the ICBEMP economists, the existence of unroaded areas currently provides 47% of the economic value that federal lands in the Basin provide to society, while recreation use, timber, and range provide 41%, 11% and less than 1%, respectively.

The ICBEMP found that federal lands in the Columbia Basin contain 70 percent of the unroaded areas 200,000 acres or greater in the lower 48 states. Few other areas can match the combination of large-scale, undeveloped areas and low human density population. Access to wildland-based recreation opportunities is important to the rural-oriented lifestyle of the area residents and contributes importantly to the region's identity. The Columbia Basin assessment also found that nationally the greatest shortages in recreational opportunities are for primitive camping, backpacking, hiking, horseback riding, nature study and wildlife observation. These are recreational settings for which the Basin public lands have a comparative advantage that, if maintained, will increase in value. In the future, recreational demands for the public lands in the Basin will continue to increase.

While overall employment in Idaho has expanded during the past decade, the number of jobs in natural resource extraction industries such as mining and logging are dwindling. In fact, those industries lost almost 15,000 jobs between 1976 and 1989. In 1976 one out of every four jobs were in resource extraction industries, but by 1989 that ratio had dropped to one in nine. Similarly, the relative contribution of the lumber and wood products industry to the Gross State Product in Idaho declined from 6% in 1977 to 3.7% in 1990. Idaho's service industry, which includes recreation, business, medical, legal, educational and social services, added tens of thousands of new jobs during the same time period. As of 1993, resource extraction industries produced just 6% of total personal income in Idaho.

While the notion that timber harvesting is directly related to employment, statistical analysis of that relationship paints a different picture. Studies that have examined the statistical correlation between timber harvesting and employment in forest products industries have routinely concluded that there is little or no relationship between sustained

or increased harvests and employment. In this regard Idaho is no different from the rest of the nation. Both employment and national forest harvests are driven by market forces. Demand for wood products is affected by a wide variety of factors including processing, marketing and distribution technologies and prices, the availability of substitutes, demand for final products, and technological improvements in production.

This is not to say that management actions on public lands do not affect the adjacent communities. The national forests are far more than a source of logs. There is a growing body of analysis that supports the premise that some of the amenity values of the forest - scenic beauty, recreational opportunities, clean air and water, fish and wildlife habitat - are directly connected to the economic well-being of communities.

In summary, The Wilderness Society appreciates the attention the Forest Service is starting to pay to roadless areas and its existing road network. The interim transportation policy, however, fails to adequately protect the remaining roadless lands on the national forest system. The Wilderness will continue its efforts to secure permanent protection for these remaining vital parcels of the nation's public forest heritage.

Testimony of Robert Powers  
The United Brotherhood of Carpenters and Joiners of America  
Page 1

On behalf of the 500,000 members of the United Brotherhood of Carpenters and Joiners of America, all of whom are impacted by restrictions on access to federal lands, we are pleased to address this Subcommittee to express our opposition to the proposed new policy on roadless areas recently unveiled by the Clinton administration. The Subcommittee may be interested to know that representatives of the Carpenters Union met with Forest Service Chief Michael Dombeck earlier this month to voice our concerns over the moratorium. My remarks before the Subcommittee today reflect many of the same topics raised at that meeting.

Union forest products workers are concerned about protecting our environment and our public lands. Our members have long supported responsible forest management practices and sustainable forestry. Through the years, we have worked closely with our employers to push for advancements in forestry and forest practices that reflect the best science and a heightened concern for forest ecosystems. That is why we often support efforts to help the Forest Service better respond to forest health issues.

Although a close examination of current policies governing roadless areas may be necessary to address forest health and environmental concerns, we are concerned that through the moratorium, the Forest Service is circumventing thorough public debate and input from scientists and stakeholders. With so much at risk, an open public process is the only appropriate course of action before any new roadless area policy or revised approach to forest roads construction is implemented. Our union would be eager to participate in such a process.

Year after year, the now familiar political bloodletting over forest roads policies causes extreme uncertainty for forest workers, sawmill owners and timber-dependent communities. Instead of short-term, politically motivated policies such as the moratorium, the administration should work with Congress to develop a comprehensive long-term plan for forest roads construction that is based on the best available science and addresses the environmental and

Testimony of Robert Powers  
The United Brotherhood of Carpenters and Joiners of America  
Page 2

forest health concerns surrounding roadless areas. Incredibly, notably absent from the proposed rule is any reference to a scientific rationale behind a moratorium. It seems as though the intent of the policy is to set-aside roadless areas permanently as wildlife habitat under the guise of addressing environmental concerns.

Even the Forest Service admits that the moratorium would conflict with environmental responsibility by preventing the implementation of ecosystem maintenance and enhancement activities. Indeed, the moratorium will unduly add to the Forest Service's huge backlog of such activities. As a result, wildfire fuel loads will be allowed to accumulate in the critical habitat areas that the moratorium aims to protect. According to the International Association of Fire Fighters, lack of active forest management activities has resulted in hotter and more intense forest fires, placing the lives of fire fighters at risk and devastating millions of acres of wildlife habitat. In 1994, for example, the cost of fighting the record number of wildfires approached \$1 billion. With recent El Nino rainstorms soaking the West, it is likely that wildfire fuel, such as thick low growth and grasses, will build up, providing the ingredients for yet another year of record-breaking wildfires. Without well-maintained forest roads providing fire fighters with safe access to remote areas, the costs of fighting fires could far exceed \$1 billion and include extensive wildlife habitat and property damage. Ultimately, poorly maintained forest roads threaten the lives of fire fighters.

The Forest Service recently acknowledged that there are thousands of miles of "ghost" or non-system forest roads in roaded and roadless areas of the national forests causing extensive environmental damage. If ghost roads in roadless areas lie in disrepair during the moratorium, at least 18 months of environmental damage, such as road run-off which leads to a build-up of river sediment, could occur before maintenance could be allowed. Given the opportunity, our workers could assist the Forest Service in addressing the backlog of forest management activities as well as other environmental concerns.

Testimony of Robert Powers  
The United Brotherhood of Carpenters and Joiners of America  
Page 3

Most troubling, perhaps, is that the proposed rule goes beyond just applying a moratorium on roadless areas. The "special areas" loophole effectively leaves the door wide open for regional foresters to end all construction of forest roads in roaded areas as well. The broadly defined provision, section 212.13 subsection (a)(4), suspends road construction in "Any National Forest System area. . . on which the Regional Forester subsequently determines that road construction or deconstruction should not proceed because of the area's special and unique ecological characteristics or social values." This alarming provision constitutes an unprecedented expansion of roadless areas and spells even greater danger for the health of our national forests.

As it is, the moratorium would place a minimum of 33 million acres off limits to forest road construction activities. The economic repercussions of such an unprecedented land grab are enormous and would be tantamount to an economic timebomb for timber-dependent workers, communities and families. In 1995 alone, harvesting and processing of timber in national forests supported more than 63,600 jobs, generating some \$2.2 billion in employment income. Additionally, \$257 million – 25 percent of the gross receipts of the federal timber sale program – were returned to states and counties to support local schools and other essential public services as payments in lieu of taxes. A moratorium will likely end federal payments to many timber-dependent communities and at the same time jeopardize the livelihoods of thousands of forest workers nationwide. Our conservative estimates indicate that at least 12,000 jobs will be lost as a result of the proposed moratorium. The special areas provision could force many more mills to close, resulting in thousands more unemployed workers.

Sadly, our members have already felt the ill effects of landbase restrictions in national forests throughout the Pacific Northwest and Northern California, where more than 20,000 men and women – thousands of whom are our members – have been tossed to the unemployment line as more than 200 mills have closed in the last seven years due to restrictions on timber harvesting.

**Testimony of Robert Powers**  
**The United Brotherhood of Carpenters and Joiners of America**  
**Page 4**

The Carpenters Union supports the Subcommittee's efforts to scrutinize the proposed moratorium. It is economically unsound and environmentally risky. The administration should withdraw this proposal and, instead, work with the Congress in taking a broad look at land use policies with the goal of developing a long-term, balanced approach to land use. For too long, the livelihoods of timber-dependent workers and communities have been held hostage by inconsistent Forest Service policies, unbalanced judicial decisions and frivolous timber sale appeals.

The Little Alfie timber sale in Minnesota, for example, is a small timber sale involved in a big battle that exemplifies the problems inherent in the current system. Although the Forest Service went through all the necessary legal and scientific steps to authorize the sale of 6,000 red pines in the Superior National Forest, environmentalists have stopped the sale by blocking forest roads and successfully bringing a lawsuit. The sale has been tied up for more than a year, placing the livelihoods of a small sawmill and its workers — including members of our union — at stake.

We urge Congress and the administration to set aside the partisan battles and develop a balanced approach to land management aimed at preserving ecosystems while minimizing job loss and economic disruption. We suggest that a new federal land management policy might include mechanisms to:

- Streamline the timber sales appeals process;
- Require the Forest Service to obliterate more road miles than are constructed;
- Allow the Forest Service to contract the construction and reconstruction of forest roads;
- Replace the purchaser road credit program with a system of environmental credits where timber is traded for environmental restoration; and, critically,
- Provide a safety net for displaced workers and communities impacted by legal or administrative restrictions on access to federal lands.

**Testimony of Robert Powers**  
**The United Brotherhood of Carpenters and Joiners of America**  
**Page 5**

Instead of pursuing an unwise, harmful moratorium, the administration should instead address the many concerns surrounding land management the right way — through an open public process that aims to develop a balanced, long-term policy. We are eager to provide assistance toward developing such a policy and to provide the insight of timber-dependent workers into these important issues.

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2-25-98  


BEFORE THE HOUSE COMMITTEE ON RESOURCES  
SUBCOMMITTEE ON FORESTS AND FOREST HEALTH  
HEARING ON FOREST SERVICE ROADLESS AREA MORATORIUM

Testimony of Timothy J. Coleman, Director,  
Kettle Range Conservation Group, Republic, Washington  
February 25, 1998

I spent my youth in the heartland of America, Iowa. I grew up working on my uncle's farm, spending my summers as a ranch hand, working cattle, swine, putting up hay, weeding beans, detasselling corn and many less pleasant work assignments. I learned from an early age how to work and accomplish goals.

I spent four years of my life in military service to my country during, and following, the Vietnam War. My wife Susan and I live in a log home that we built together in a forest north of the small rural community of Republic, Washington. My work in forest ecosystem conservation began during my senior year in high school where I became interested in water quality after a class assignment brought me in contact with water pollution created by agricultural runoff and watershed deforestation.

For the past 16 years I have worked on Federal forest conservation, becoming intimately familiar with relevant law, policy and management practices impacting the National Forests. During this time I have watched the forest around my home change, and I have learned that change comes in obvious and subtle ways. I have learned that making decisions about that forest at any given moment without regard to it's future needs and those of the forest ecosystem may have disastrous results. I believe my multiple levels of on-the-job experience as a forest conservationist, and as a private forest owner, provides a background that is both rooted in science and practical application.

With regard to the Forest Service interim directive on new road construction in National Forests, I feel it is both scientifically and economically justified, however, it does not go far enough. The stated intention of President Clinton in calling for a moratorium on new road construction was that it be scientifically-based. I believe the draft policy fails to meet this mandate.

Scientists from across America have called for unroaded regions 1,000 acres and larger, and those biologically significant, to be protected from logging and new road construction. The draft interim directive applies to only RARE II inventoried roadless areas 5,000 acres and larger, Wild and Scenic Rivers, and Wilderness Areas, and those uninventoried roadless 1,000 acres and greater contiguous with these areas.

The interim directive does not apply to national forest land covered by the Northwest Forest Plan. The directive does not apply to the 14 million acres of inventoried roadless land in Alaska's Tongass National Forest where 38,000 acres of virgin rainforest will be leveled each year, costing American taxpayers millions of dollar in direct subsidies, environmental degradation, and foregone

fishing, hunting, solitude and other amenities.

In Washington state, nearly one million acres of uninventoried roadless lands are not included in the directive. Roadless areas like East Deer Creek in the Colville National Forest, which supplies the sole source of drinking water to the town of Orient, will not receive interim protection. Owl Mountain's (Colville NF) 16,000 acres of ancient forest and pristine watersheds will receive no protection – there are tens of millions of unroaded acres in Washington and across America that will not be protected by the directive as currently written.

The interim directive does not preclude logging in roadless areas. Logging in roadless areas is economically and ecologically insupportable.

In December a letter signed by over 100 scientists and university professors called on the President to protect roadless areas. The letter concluded by stating "In our view, a scientifically-based policy for roadless areas on public lands should, at a minimum, protect from development all roadless areas larger than 1,000 acres and those smaller areas that have special ecological significance because of their contributions to regional landscapes." These scientists did not say logging in roadless areas is ecologically justified. Clearly, improvements to the draft interim directive are warranted.

#### **INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT**

The Interior Columbia Basin Ecosystem Management Project (ICBEMP) provides supporting evidence for protecting roadless areas. The Project concludes that "Over 60% of the healthiest aquatic habitats occur in roadless or very low road density areas on federal land in the Columbia River Basin, which includes all or parts of seven western states. Certain aspects of roads negatively affect 70% of key wildlife species in this area." In addition, ICBEMP found:

- remaining healthy fish populations tend to be in watershed with the fewest roads and other land management impacts;
- undeveloped, roadless areas (1) are critically important for sustaining native fish and water resources, (2) have a great deal of economic value to society, and (3) are in relatively good ecological condition and therefore have relatively little need for active restoration work (Scientific Assessment, p. 68, 82 & 108);
- roadless areas currently account for 47% of the value to society provided by public lands in the Columbia Basin, while recreation provides 41%, timber 11%, and range 1% (Scientific Assessment, p. 82);
- fires in the roaded forest commonly are more intense, due to drier conditions, wind zones on the foothill/valley interface, high surface-fuel loading, and dense stands. The effects of these fires often cause serious erosion, nutrient loss, slumps and stream sediment hazards, when combined with high road densities (Vol. I, p. 281, Evaluation of Alternatives);

- ▶ regarding unroaded steeper mountain areas, there is high risk to watershed capabilities from further road development. In general, the effects of wildfires in these areas are much lower and do not result in the chronic sediment delivery hazards exhibited in areas that have been roaded (Ibid, p. 282):
- ▶ regarding noxious weed spread, there is high potential for continued spread of exotic herbs in the forest environments as a result of road disturbance and traditional soil disturbing harvest, fuel management, site preparation, and stand improvement activities (Ibid, p. 283).

### ECONOMICS

In a January letter to the President, thirty-two economists and university professors stated that "From an economic perspective, the ecological [roadless] systems at issue are assets that provide economic value by satisfying a wide variety of human wants." In addition to recreation and other non-extractive uses, pristine forestlands provide economic value that is independent of direct use." A growing body of empirical work in this area suggests that such values constitute a large portion of the total economic value of public forestland." As wilderness becomes increasingly scarce, the recreational and existence values of our remaining roadless areas can be expected to increase over time relative to the value of extractive uses of these areas."

ICBEMP findings show that timber and woods products employment account for 2.5 percent of all jobs in the Columbia River Basin where one-quarter of National Forest land exists. In Northeast Washington state in an area encompassing both the Colville and Okanogan national forests, county employment in Ferry, Okanogan, Stevens and Pend Oreille counties account for 4 to 9 percent of total jobs. The vast majority of timber cut in this region comes from private land.

Please note the attached graph developed by The Wilderness Society using government statistics. The graph clearly shows increased logging levels has little to do with increased timber jobs.

According to draft 1995 Forest Service RPA data recreation usage on Federal land is dollarized at \$6.8 billion for FY 1993. Usage is anticipated to increase valuation to \$12.7 billion by year 2045. Please note the attached letter to the President, listing unprotected roadless area trails in Washington state by Ira Spring, Washington Trails Association.

According to Forest Service research associated with the Northwest Forest Plan, by year 2000 there will be public demand for roadless recreation that exceeds Congressional protected roadless areas by over 8 million acres in the Pacific Northwest. The research found that roaded recreation exceeds demand by 8 million acres (Swanson, Loomis, 1996). Forest Service data shows that 30 percent of National Forest System roads are used for the majority of public motorized access, only 23 percent are suitable for passenger cars, and 57 percent are only passable by high-clearance vehicles such a 4-wheel drives.<sup>1</sup>

The current road system on Federal forests is bloated and poorly maintained. Forest Service estimates are that \$10 billion backlog in repair and maintenance of the National Forest System road structure presently exists. It seems incredibly foolish to add new roads to the System when we can not maintain the current system.

#### **CONCLUSION**

The forest "health" calamity facing our federal forests is both misplaced and non-existent. Forest Service data clearly shows that mortality in the Rockies and Pacific Northwest is less than 1 percent. It is important to note that ecologically, insect, disease, wind-throw and fire are all natural, important and necessary functions of a forest ecosystem.

Roads degrade water quality, fisheries and wildlife habitat. An excessive road system inventory exists on the National Forest, so excessive as to be unmaintainable. New road construction will further degrade aquatic and terrestrial species habitat, and outdoor recreation.

As owners of private forestland, my wife and I are economically effected by Federal forest management. Each time the Forest Service dumps subsidized, below-cost timber on the market it impacts raw log prices. This impacts the value of private forests. Private forests comprise the best growing forest areas whereas most National Forest lands are poor tree growing sites. It is simply bad policy for the government to drive down timber prices that end up costing taxpayers and private forest owners huge sums of money.

Roadless areas are for the most part unroaded and unlogged because they contain the most marginal forest growing sites, are prohibitively expensive to log, and are located on steep slopes with unstable soils. According to The Wilderness Society, only 16 percent of roadless area forest (RARE II and uninventoried) are considered suitable for timber production by the Forest Service. It will cost American taxpayers billions of dollars in subsidies just to road and log roadless areas.

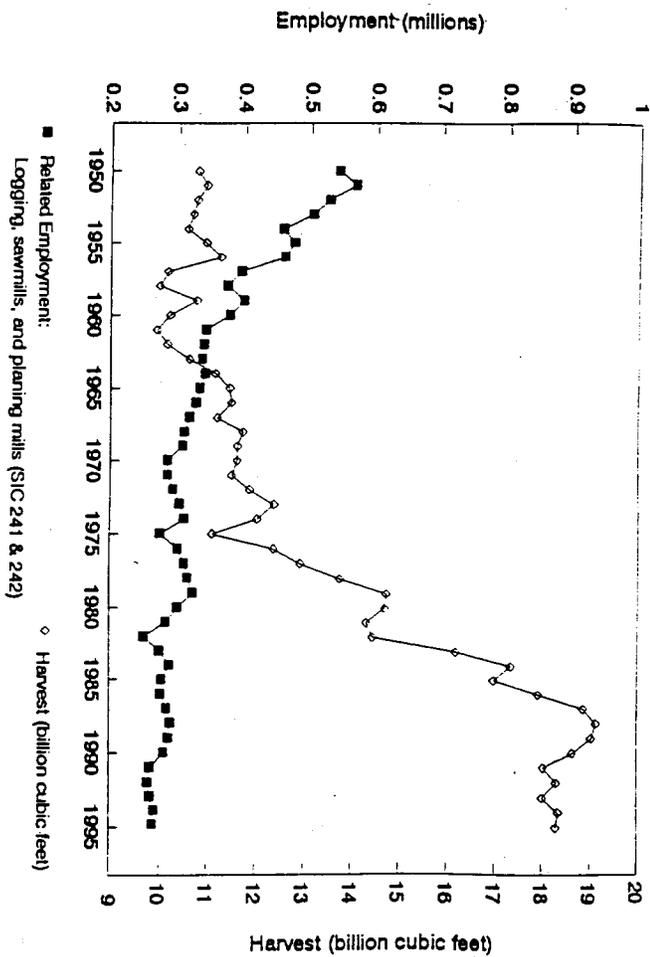
It is not only prudent from an ecological and economic standpoint to protect roadless areas, it is morally the right thing to do. We have nothing to fear from erring, if error we make, on the side of conservation of roadless areas. This is not irreversible. However, logging and roading roadless areas will irreversibly alter their character. Making decisions today that are in fact the right of future generations to make, is ethically unsound.

Washington Governor Gary Locke has unequivocally stated that protecting salmon is "not optional". "It is our duty -- to our ancestors, to our children and their children. We have to act now." Salmonids depend on cold, clean water. It is no surprise that most of the best habitat for spawning and rearing salmonids currently exists in unroaded areas. Nor is it a surprise that cold and clean water comes from unroaded watersheds.

In closing, the Forest Service must protect roadless areas 1,000 acres and greater and those found to be biologically significant. There are no good and honest excuses for doing otherwise.

*end*

### U.S. Timber Harvests and Related Employment



Source: The Wilderness Society

President Bill Clinton  
 White House  
 Pennsylvania Avenue  
 Washington, D.C.

Dear Sir:

**Roadless areas are extremely important to the 1,000,000 hikers living in the state of Washington as over 1/3rd of forest trails for day hiking in the Cascade Mountains of Washington are in roadless areas.**

As past president of Washington Trails Association, I, too, applaud your proposal to protect roadless areas and urge you to protect our trails here in the Northwest from further road building.

My father took my brother and me on our first 18-mile backpack in 1929. Since then I have hiked on trails all over the world.

I am co-author of a series of 12 hiking guidebooks in the Northwest and Europe that have, so far, sold over a half million copies.

In my own state:

*100 Hikes in Washington's South Cascades and Olympics*

**20 of the 100 are in unprotected Forest Service Roadless Areas**

*100 Hikes in Washington's Alpine Lakes*

**29 of the 100 are in unprotected Forest Service Roadless Areas**

*100 Hikes in Washington's Glacier Peak Region*

**56 of the 100 are in unprotected Forest Service Roadless Areas**

*100 Hikes in Washington's North Cascades*

**34 of the 100 are in unprotected Forest Service Roadless Areas**

I have provided the photography for:

*Best Short Hikes in Washington's South Cascades and Olympics*

**35 of the 105 hikes are in unprotected Forest Service Roadless Areas**

*Best Short Hikes in Washington's North Cascades and San Juan Islands*

**59 of the 104 hikes are in unprotected Forest Service Roadless Areas**

*Best Hikes With Children Volume 1*

**34 of the 102 hikes are in unprotected Forest Service Roadless Areas**

*Best Hikes With Children Volume 2*

**30 of the 82 hikes are in unprotected Forest Service Roadless Areas**

That means 297 of the day hiking trails out of the 793 trails on Forest Service land have little if any protection.

With a million hikers in Washington State alone, the importance of Northwest trails cannot be denied. As day hiking activities are increasing rapidly, roadless areas you will be able to save will become more important every year.

January 12, 1998

The Honorable William Jefferson Clinton  
President of the United States  
The White House  
Washington, D.C. 20500

Dear Mr. President:

It has come to our attention that your administration is in the process of developing a new scientifically based policy for the management of roadless areas on public forestlands. As economists who specialize in natural resource issues, we are writing to provide input regarding the economics of roadless areas.

As was pointed out in a recent letter to you signed by over 100 scientists, there is a substantial body of scientific evidence regarding the importance of roadless areas in protecting ecological systems (Henjum, et al. 1994; Quigley, et al. 1996; SNEP 1996; USDA, et al. 1993). Roadless areas are critical in maintaining water quality, biodiversity, and the ecological integrity of national forests. They provide essential habitat for sensitive plant and animal species. The fragile ecology of most roadless areas means that road construction and other forms of development within them pose serious threats to many of the economic goods and services that flow from public forestlands.

From an economic perspective, the ecological systems at issue are assets that provide economic value by satisfying a wide variety of human wants. Debates about the economics of public land use tend to focus on the commercial benefits of extractive activities such as timber harvesting, grazing, and mining. Such benefits are relatively easy to measure using market data. But this focus is too narrow. There are non-extractive uses for which markets are either incomplete or nonexistent, but which nonetheless provide significant economic value. For example, many people enjoy recreating in pristine forest environments. Although these activities may not be purchased in market transactions, the time and other goods that people give up in order to enjoy them provide evidence of their economic value. Existing wilderness areas in our national forests and national parks meet some of this recreational demand. But as these protected areas become increasingly congested, the recreational value increases for other roadless areas that are currently unprotected.

In addition to recreation and other non-extractive uses, pristine forestlands provide economic value that is independent of direct use. There is growing recognition that wilderness and biodiversity contribute to human well-being through their mere existence. Many Americans consider these to be important national treasures, the loss of which would diminish our well-being. This "existence value" is measurable in principle, and recent advances have improved its measurement in practice. In recognition of these advances, existence value is now included in damage assessments permitted by the Natural Resource Damage Assessment procedures implemented under the Oil Pollution Act and CERCLA. A growing body of empirical work in this area suggests that such values constitute a large portion of the total economic value of public forestlands. The substantial benefits from protecting roadless areas are documented in peer-reviewed scientific articles such as Walsh, Loomis, and Gillman (1984) and Pope and Jones

(1990). Regarding the protection of Option 9 roadless areas, studies identifying the benefits of protecting spotted owl habitat include Rubin, Helfand, and Loomis (1991), Hagen, Vincent, and Welle (1992), and Brown, Layton, and Lazo (1994).

While the evidence suggests that protection of roadless areas would yield substantial benefits, such protection would also impose costs. At the national level, these costs may take the form of reductions in timber supply and resulting increases in wood product prices, while at the local level there is the potential for adverse impacts on employment and income in the timber industry. In particular, concerns recently have been expressed regarding potential job loss associated with protection of roadless areas covered under the spotted owl conservation plan (within which some timber harvesting is permitted under Option 9). The probable sale quantities of timber within these areas, however, represent only a very small share of total timber production within the region, and thus cannot be expected to have a substantial impact on industry employment or earnings, or on timber prices. The total roadless area in the affected national forests within Washington, Oregon and Northern California is just over 3 million acres, of which approximately 318,000 acres are suitable for timber production under Option 9 (Johnson, et al., 1993). The probable sale quantity for these areas is approximately .07 billion board feet per year (Johnson, et al., 1993, Table 19). This is less than one percent of the total annual timber harvest in Oregon and Washington alone (Warren, 1997, Table 16). These numbers should be kept in mind as your administration considers the inclusion of these lands in your roadless area initiative. The employment, income, and price impacts of protecting these areas are likely to be extremely small in percentage terms.

As wilderness becomes increasingly scarce, the recreational and existence values of our remaining roadless areas can be expected to increase over time relative to the value of extractive uses of these areas. Each acre that is lost makes preservation of the remaining acreage ever more valuable.

We commend you for your attention to the stewardship of our natural heritage, and we urge you to consider the economic benefits discussed above as you move toward a final decision on the management of our remaining unprotected roadless areas.

Sincerely yours,

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"Further, the Forest Service is developing a scientifically based policy for managing roadless areas in our national forests. These last remaining wild areas are precious to millions of Americans and key to protecting clean water and abundant wildlife habitat, and providing recreation opportunities. These unspoiled places must be managed through science, not politics."

--William J. Clinton  
November 14, 1997

The Honorable William Jefferson Clinton  
President of the United States  
The White House  
Washington, D.C. 20500

December 12, 1997

Dear Mr. President:

In mid-November, you announced that the Forest Service is in the process of developing a scientifically based policy for managing roadless areas in the national forests. As scientists with many years of professional experience in biological conservation, we are writing to commend you for your leadership on this important matter and to offer some thoughts on the state of knowledge regarding the ecological values associated with roadless areas.

A substantial amount of scientific information collected from both aquatic and terrestrial environments has demonstrated the importance of roadless areas in protecting the nation's wildlife, fisheries, and water resources. Roadless areas are critical because they represent the least human-disturbed habitats in an almost universally disturbed landscape. As such, they act as de facto refuges for numerous sensitive plant and animal species, reservoirs of genetic material, and benchmarks for experimental restoration efforts in intensively managed landscapes. Streams flowing out of roadless areas typically provide supplies of the purest water, untainted by chemical pollutants and within the cool temperature range required by many native fish species. In addition, most roadless areas are dominated by steep slopes, high elevations, and unstable or highly erosive soils. The ecological risks associated with developing these areas are extremely high, and may jeopardize the flow of goods and services that the national forests currently provide to human society.

Regional ecosystem assessments completed for the Pacific Northwest (USDA et al. 1993), the Sierra Nevada (SNEP 1996), eastern Washington and Oregon (Henjum et al. 1994) and the Interior Columbia Basin (Quigley et al. 1996) highlight the significance of roadless areas in maintaining the integrity of ecosystems on federal lands. These and other studies describe the extensive environmental damage caused by roads, road construction, and other development. Roads fragment wildlife habitat, alter the hydrological processes of watersheds, discharge excessive sediment to streams, increase disturbance to forest animals, make fish and wildlife vulnerable to excessive harvest, and facilitate the spread of alien species. In the Pacific Northwest, roads have also been implicated as a major cause of environmentally destructive and life-threatening landslides. Protection of roadless areas alone will not secure the conservation of biodiversity on the nation's federal lands, but we believe it would be a major step forward.

To date, the Forest Service has considered roadless areas only in terms of their value for primitive and semi-primitive recreation opportunities. In the late 1970s, roadless areas greater than 5,000 acres in size and those immediately adjacent to designated wilderness and national parks were identified through the Roadless Area Review and Evaluation process (i.e. RARE I and RARE II). A small proportion of these inventoried roadless areas have since been designated as official wilderness, but the vast majority remain unprotected under existing

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**Interim Protection for  
Late-Successional Forests, Fisheries,  
and Watersheds**

**National Forests East of the Cascade Crest,  
Oregon and Washington**

A Report to the United States Congress and the President

**Executive Summary  
September 1993**

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## Executive Summary

For the past decade, the national forests of western Washington and Oregon have received regional and national attention because of their central role in the economic and ecological health of the Pacific Northwest. The national forests east of the Cascade crest<sup>1</sup> are no less important and, like the western forests addressed by the President's April Forest Conference and resulting Forest Plan, are also receiving national attention. Yet despite the importance of these Eastside forests, we have no synthesis of scientific information about their status and that of the associated biological resources.

To fill this void, a bipartisan group of seven members of the US House of Representatives approached several scientific societies to form the Eastside Forests Scientific Society Panel to "initiate a review and report on the Eastside forests of Washington and Oregon." They hoped to make "every effort to include the Eastside forests in whatever ancient forest legislation is considered by the Congress." The panel's mandate was to broadly review the status of all Eastside forests and their associated resources. In contrast, the mandate of the Forest Health Assessment Team (the Everett Panel) was narrower. This team focused largely on forest health and only in six river basins; their report is described as "general in nature" (US Forest Service 1993).

The geographical extent of old-growth forest ecosystems in Eastside national forests has been dramatically reduced during the twentieth century; continued logging of old growth outside current reserves will jeopardize unknown numbers of native species. Forest harvest and other human actions have also changed the character of many other components of Eastside landscapes, including rivers with their populations of resident and migratory salmonids. Many ecologists believe that the combined effects of logging old growth and fire prevention have significantly increased the vulnerability of Eastside landscapes to catastrophic disturbances, further threatening what are already severely reduced habitats.

The Eastside Forests Scientific Society Panel pulled together existing information in a report that defines current conditions and offers interim recommendations for protecting the remaining resources until a long-term plan for protection and restoration can be formulated. This executive summary provides an overview of the report and the panel's interim recommendations; the complete printed report will be available in October 1993.

### The Data Sets

Our analysis of late-successional/old-growth forest (LS/OG)<sup>2</sup> is based largely on (1) the National Audubon Society Adopt-a-Forest Project carried out in cooperation with the US Forest Service (USFS) and (2) in-house USFS old-growth inventories. Both projects involved interpretation of aerial photography and validation by ranger, district staff and, sometimes, field

<sup>1</sup> Ten national forests (Fremont, Winema, Deschutes, Ochoco, Malheur, Umatilla, Wallowa-Whitman, Wenatchee, Colville, Okanogan) occupy lands between the Cascade Crest and the eastern boundaries of Washington and Oregon.

<sup>2</sup> In this report we follow the definition of late-successional/old-growth forest (LS/OG) as stated in Hopkins (1992), Hopkins et al. (1992a,b), and Williams et al. (1992a,b) with two important exceptions: (1) We adopt a minimum patch size for LS/OG of 0.5 acres, as opposed to the 10 to 80 acres in USFS interim guidelines, and (2) an old-growth tree is defined by either size or age, not both (see full report for more detail).

reconnaissance. USFS also furnished many additional details about the national forests of the Eastside. Recent efforts by state and regional chapters of the American Fisheries Society defined aquatic diversity management areas (Oregon) or their equivalents (Washington). All available geographical data were assembled in a geographic information system (GIS) by the Sierra Biodiversity Institute.

### Resource Conditions

The forest ecosystems east of the Cascade crest differ significantly from those west of the crest. Compared with Westside forests, forests east of the crest grow in a more extreme climate—hotter and drier in summer and colder in winter—and on soils that are often less productive. Their structure is more open, with a grassy understory maintained by frequent, light groundfires; the habitat requirements of fish and wildlife may also differ.

#### Late-successional/old-growth forest

Current levels of late-successional old growth on the Eastside fall far below historic levels, particularly in lower-elevation forests dominated by ponderosa pine, western larch, and Douglas fir. Only about 20 to 25% of remaining LS/OG is currently protected administratively or by statute (from 8% in Wallowa-Whitman National Forest to 32% in Deschutes National Forest). From 70 to 95% of the LS/OG patches that remain cover less than 100 acres each—too small to provide for the basic needs of many LS/OG-associated species. Three national forests (Colville, Wallowa-Whitman, and Winema) have no LS/OG patches larger than 5000 acres; of the seven LS/OG patches in three national forests (Malheur, Ochoco, and Umatilla) that are larger than 5000 acres, only one is protected.

Continued logging of currently unprotected LS/OG at 1980s rates would reduce the area occupied by these unique ecosystems to between 7 and 13% of forested lands in the national forests. Further reduction in LS/OG is likely to jeopardize many components of the biological diversity of Eastside forests and increase the numbers of threatened or endangered species, especially among sensitive wildlife such as the American marten, northern goshawk, pileated woodpecker, white-headed woodpecker, and flammulated owl.

Many areas set aside in current forest plans as "designated old growth" are not old growth. The overlap of actual and designated old growth varies significantly among national forests: in Winema National Forest, only 16% of designated old growth patches contain more than two-thirds actual old-growth forest, but in Wallowa-Whitman National Forest, 70% of designated old-growth patches contain more than two-thirds actual old growth.

Ponderosa pine forests have been especially hard hit by logging. Only 3–5% of the original ponderosa climax old growth remains in Deschutes, 5–8% in Winema, and 2–8% in Fremont national forests. But the impact of human actions in Eastside forests goes well beyond logging. Road construction, grazing, and fire control also may degrade forests and associated resources.

#### Aquatic systems

Since Europeans settled the region, the ability of aquatic systems to sustain populations of native vertebrates has been compromised: large numbers of fish and amphibian taxa now face extinction in watersheds throughout the Eastside. Salmon production in the Columbia River has declined to less than five percent of its historic levels. At least 106 major populations of migratory salmon and steelhead trout have been extirpated on the West Coast, many of these east of the Cascades. Resident species that complete their life cycles within freshwater habitats are also threatened

with extinction. In Oregon, 24 of 25 at-risk resident fish species or subspecies occur exclusively in Eastside waters; 14 are found in watersheds within the boundaries or immediately downstream of national forests.

#### Roadless regions

Because roads crisscross so many forested areas on the Eastside, existing roadless regions have enormous ecological value. Unfortunately, few of these remaining areas are protected; in the Blue Mountains of eastern Oregon and Washington, for example, less than 8% of 722,000 acres of forested, roadless area is administratively protected. Although roads were intended as innocuous corridors to ease the movement of humans and commodities across the landscape, they harm the water, soils, plants, and other animals in those landscapes.

#### Riparian corridors

Riparian (river, stream, and lake-edge) corridors—which link forest and stream environments, serve as buffer zones protecting water resources, and support a disproportionate share of regional biological diversity—have been damaged by logging, road construction, and grazing throughout the Eastside. This destruction also threatens the flow of high-quality water for use by humans.

#### Soils

Soils on steep slopes, especially pumice, are vulnerable to erosion when disturbed, leading to siltation and reducing soil fertility. It takes a minimum of 200 years to reestablish old-growth forests on the best, most stable sites after logging; it could take much longer on fragile sites. In particularly fragile areas, forest cover could be permanently lost.

#### Elements and processes

In short, the elements (genetic diversity and richness of species and habitats) and processes (hydrological, biological, and ecological) that characterize the ecosystems and landscapes of the Eastside have been heavily altered by recent human activities. What many people do not realize is that such alterations in turn jeopardize the very real services provided to human society by these elements and processes. Only by implementing an ecologically sound management program can future generations continue to harvest the benefits of these forests and their associated resources. The following recommendations are designed to protect the remaining resources until a long-term strategy of protection and restoration can be developed.

### Interim Recommendations of the Eastside Forests Scientific Society Panel

1. **Do not log late-successional/old-growth forests in eastern Oregon and Washington.**  
The significantly reduced area and fragmentation of Eastside late-successional/old-growth forests from past logging and road construction threatens many forest and aquatic species. Furthermore, the ability of regional landscapes—critical aquatic and terrestrial habitats, especially—to absorb and buffer natural and human-induced disturbances is diminished. Deferring LS/OG logging on all remaining fragments will create a "time out," allowing scientists to rigorously assess the status of LS/OG forests and develop a strategy to protect them.
2. **Cut no trees of any species older than 150 years or with a diameter at breast height (DBH) of 20 inches or greater.**  
It is essential to conserve as many of the mature trees of Eastside forests as possible in the short term to sustain these forests in the long term. Mature trees have lived for decades, even centuries; their very existence demonstrates that they have the genetic characteristics to survive the full range of environmental variation present in eastern Oregon and Washington. They are reservoirs of genetic diversity and serve as irreplaceable seed sources for forest regeneration; they replenish the depleted supply of large snags and fallen logs, providing nest and den sites for many animals; and they furnish unique historic records. As forester Boyd E. Wickman (1992) points out, they are "living examples of our long-term objectives."
3. **Do not log or build new roads in aquatic diversity management areas (ADMAs).**  
ADMAs are defined as locations where native aquatic species are at risk of extinction and vulnerable to future disturbance, whole watersheds that represent the best remaining examples of native aquatic ecosystems, or connecting corridors that provide an essential link between habitats required to support fish populations at critical times in their life cycles. Such areas contain the last vestiges of quality habitat and genetic resources for native fish and other aquatic biota. They serve as cornerstones for any future efforts to protect dozens of at-risk stocks or to rebuild the lost production of native fishes. In addition, they provide the benchmarks for evaluating effects of land management and defining the ecological processes that restoration should emulate.
4. **Do not construct new roads or log within current (1) roadless regions larger than 1000 acres or (2) roadless regions that are biologically significant but smaller than 1000 acres.**  
Roadless regions exemplify the least human-disturbed forest and stream systems, the last reservoirs of ecological diversity, and the primary benchmarks for restoring ecological health and integrity. Roads fragment habitat; alter the hydrology of watersheds; supply excessive sediment to streams; increase human access and thus disturbances to forest animals; and influence the dispersal of plants and animals, especially exotic species, across the landscape.
5. **Establish protected corridors along streams, rivers, lakes, and wetlands. Restrict timber harvest, road construction, grazing, and cutting of fuelwood within these corridors.**  
Riparian corridors are particularly important in the semiarid environments dominating eastern Oregon and Washington. Seventy-five percent of terrestrial species known to occur in

the Blue Mountains, for example, either depend directly on riparian zones or use them more than other habitats. Riparian areas also function as buffers that can reduce the effects on waterways of human land use, such as fertilizer and pesticide runoff from agriculture. Perennial streams with and without fish should be protected by a buffer zone on each side that is at least 300 feet wide horizontally, regardless of slope, or as wide as the 100-year floodplain, whichever is greater. Lakes, ephemeral and intermittent streams, seeps, springs, and wetlands should be protected by a buffer at least 150 feet wide on all sides.

Furthermore, modifying stream configuration by means of instream structures such as deflectors and cabled logs should not be done as a surrogate for riparian-zone recovery. The greatest limitations to Eastside fish production, for example, are high water temperatures and sediment loads; structures do nothing to mitigate or reverse the effects of either of these factors. Instream structures should not be installed without thorough watershed-level analysis to determine the approach that best protects and restores ecological elements and processes.

6. Prohibit logging of dominant or codominant ponderosa pine from Eastside forests. Restoring ponderosa pine to its former position of dominance in Eastside forests must be done to protect and restore Eastside forest ecosystems. The mature ponderosa pines that remain constitute important points of origin for any recovery process, whether or not these trees are in LS/OG patches. Their protection must be a high priority independent of the patch size in which the trees are located.
7. Prohibit timber harvest in areas prone to landslides or erosion unless it can be conclusively demonstrated by peer-reviewed scientific study that no associated soil degradation or sediment input to streams results from that harvest. Protecting soil fertility and stream water quality must be a high priority of all land management. Therefore, no logging should be permitted on slopes with a gradient steeper than 30% on pumice soils and 60% on other soil types. Logging on slopes between 30 and 60% should retain 40% of maximum basal area,<sup>3</sup> at least one-half of this basal area in trees larger than the quadratic mean diameter of unlogged trees.
8. Prevent livestock grazing in riparian areas except under strictly defined conditions that protect those riparian areas from degradation. Poorly managed grazing in riparian zones often contributes to degradation of the terrestrial and aquatic components of regional landscapes. Grazing may therefore be incompatible with protection of LS/OG and ADMAs, including assurance of their role as sources of colonists for restoring adjacent areas.
 

The first step is to evaluate the condition of riparian areas in Eastside forests, including the extent to which grazing is injuring those areas. The second step is to initiate long-term monitoring programs to track the condition of grazed and ungrazed areas. If these evaluations or monitoring programs demonstrate a threat to the health or integrity of LS/OG and ADMAs, grazing should be prohibited. Elsewhere, (a) if an area has not been degraded by previous grazing, grazing could be permitted, but only when management plans (e.g., allotment management plans) are revised to incorporate ecological standards consistent with

<sup>3</sup> Basal area is the summation of the area in a stand occupied by tree boles; quadratic mean diameter is the mean size of trees in a stand.

the long-term protection of streams, and the grazing does not degrade the riparian zone; (b) no grazing should be permitted in degraded riparian zones until conditions have been restored; (c) after restoration, livestock grazing should be permitted only to the extent that it does not damage restored areas, and management plans have been revised to meet appropriate ecological standards.

9. Do not log on fragile soils until it is conclusively demonstrated by peer-reviewed scientific study that soil integrity is protected and that forest regeneration after logging is assured.

Many Eastside forests grow on areas that are transitional to grassland or desert (at low elevation) and to alpine habitat (at high elevation). Mature trees probably became established in transition areas only during periods of unusually favorable weather. Their persistence helps maintain soil structure and populations of beneficial soil organisms, and mature trees can survive low-intensity groundfires. Forest regeneration on transition and high-elevation sites may be difficult. Moreover, soils such as ash soils may be relatively productive but vulnerable to compaction and loss of topsoil. Noxious weeds (usually introduced exotic species) contribute to site degradation if the cover of mature trees is removed from fragile sites. With proper silvicultural techniques, however, soils can probably be protected and forest regenerated on many transition sites. Before logging is permitted on a site, site-specific logging plans should be required to demonstrate that silvicultural techniques will not diminish the productive capacity of local soils.

10. Establish a panel with the appropriate disciplinary breadth to develop long-term management guidelines that will protect Eastside forests from drought, fire, insects, and pathogens.

Fire prevention and early logging practices have altered some LS/OG systems, making them vulnerable to drought, insects, and fire. Salvage (removing dead, fallen woody material) and thinning (cutting small live trees) are two legitimate techniques—but not the only ones—for lowering risk from such disturbances. But lack of consensus and past abuses, in which large healthy trees were cut in the guise of salvage, lead us to recommend a comprehensive study of this issue. Scientists disagree over how to define the goals of salvage and thinning and over the rules for selecting areas where salvage or thinning is required. No consensus exists on silvicultural practices for minimizing effects from drought, fire, insects, and pathogens; on the conditions under which LS/OG should be entered to reduce risk of catastrophic loss; or on the levels of treatment that reduce risk without compromising ecological values. Sustaining regional natural resources and their use depends on enlightened and comprehensive approaches to protecting forest health.

11. Establish a second panel to produce a coordinated strategy for restoring the regional landscape and its component ecosystems. Emphasize protecting the health and integrity of regional biotic elements as well as the processes on which they depend. Existing forest plans are inadequate to address the complex ecological issues in Eastside forests, especially with regard to management of late-successional/old-growth systems. Forest plans must be revised to integrate new ecological understanding of the influences of Euroamerican settlement with the changing societal attitudes now defining desirable conditions of regional landscapes and their resources. Before those plans can be revised,

comprehensive inventories of the status of natural resources must be completed for each forest.

National policies need to be brought into line with national priorities for public lands. To meet current needs for protection and restoration, USFS personnel need to be supported with appropriate funding and incentives. Because federal lands are embedded in landscapes that often contain significant amounts of private, state, and tribal lands, regional programs must be grounded in cooperation among diverse ownership groups. Long-term management programs designed to protect the ecological integrity of regional landscapes must be given the highest priority on private as well as public lands. That integrity depends on protecting both the elements (genetic diversity, richness of species and habitats) and the processes (demography, hydrology, nutrient cycling, fire) within regional landscapes. We especially note that this goal cannot be accomplished by applying techniques intended to mimic an assumed historical distribution of major habitat types or forest age classes. Mimicking "old-growth structure," as advocated by some silviculturalists, is not enough to protect the elements and processes of living late-successional/old-growth forests and their associated resources.

The panels called for in recommendations 10 and 11 should include representatives from all relevant disciplines and members from federal and state agencies, academia, scientific societies, and other groups with appropriate expertise.

### Summary

Our recommendations concentrate on the protection of remaining late-successional/old-growth forests, aquatic diversity management areas, roadless regions, and riparian corridors because they are the basic building blocks for reconstructing or restoring the Eastside landscape. Without them, opportunities will be limited for building a long-term strategy to ensure sustainable supplies of Eastside natural resources.

### Acknowledgments

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267

**TESTIMONY**

**CLINTON/GORE ADMINISTRATION'S  
FOREST SERVICE ROADLESS AREA MORATORIUM**

25 February 1998

For:  
U.S. House of Representatives  
Committee on Resources  
Subcommittee on Forests and Forest Health

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**Testimony for House Subcommittee on Forests and Forest Health**

The Forest Service states that the intent of their proposed moratorium on road construction and reconstruction within roadless areas is to protect their values, not halt active management or use. They claim a compelling need to develop improved analytical tools to assess the impacts of road construction on values associated with roadless areas. Unfortunately, these assertions defy logic and ignore history.

Such a compelling need can exist only if one believes that the entire Forest Service has failed in fulfilling its duties for the past 29 years. Certainly no one in industry or on this Subcommittee would believe such an assertion. While the various resource dependent industries have criticized some agency actions over the years, they have always respected the skills and professionalism of the Forest Service. They appreciate the difficulty of balancing conflicting mandates.

Please keep in mind that the Forest Service has been in a continuous cycle of environmental evaluation and land management planning since 1969. This began with the passage of NEPA, expanded in 1974 with the passage of RPA, and accelerated in 1976 with NFMA. There have been numerous amendments to every Forest Plan, over the years, to incorporate lessons learned as well as scientific advances. Is it possible this massive effort has been so ineffectual that the roadless area attributes and legal management direction identified in every forest plan nationwide must be suspended for 18 months? If so then we all have a much bigger problem than may exist within roadless area management.

According to the proposed suspension notice, the rule would remain in effect until new analytical tools are developed, but no longer than 18 months from the effective date of the rule. This is the same agency that established two interim management policies to protect watersheds and fisheries - PACFISH and INFISH. These were interim rules that were to last 18 months, and are now in their third year with no established time frame for their replacement. However, activities were not suspended under these rules while the technology was being developed for watershed analysis.

Consideration of roadless area values and protective requirements have been part of Forest Service actions since RARE I was initiated over 25 years ago. If the agency hasn't figured out how to do the job in over 25 years, what sort of miracle is going to occur in the next 18 months? It almost seems like someone high in the administration has decided it is time to begin RARE III. If we haven't learned the values of these areas in 25 years, then I strongly urge you to examine the other agendas that infer we can protect the values in 18 months.

Reducing the revenue generating capacity of National Forests would provide no support for managing the forests - or for State and local governments, let alone the transportation system for both. The Roads and Trails Fund (16USC501) allows the collection of 10% of the gross receipts from such things as timber sales, mineral leases, grazing and recreation. This is trust fund money to be used for the construction and maintenance of roads and trails, without priority based on point of origin. This is a source of money that is based on economic capabilities of managed forests.

Various cooperative efforts like riparian conservation agreements, county land use plans, range management plans and others have been developed over many years of hard work at the local and agency level. These were developed with the best social and environmental science available. They

were developed according to accepted legal process under existing laws, rules and regulations. They were developed in conjunction with current National Forest Land Management Plans, and they supposedly recognized statutory rights of state and local governments

What are the real problems that even the proposed moratorium won't solve, and may even make worse? Allow me to cite a few for you:

First is the perennial shortfall between the programs the Forest Service is responsible for conducting and the budget available. The moratorium can only result in further reduction of revenue available for road maintenance. Even worse will be the additional economic hardships for rural communities already hard hit by previous access restrictions. A significant credibility gap already exists between federal land management agencies and local communities surrounded by federal holdings. This proposal will make that gap larger than the Grand Canyon. It will severely damage the ability of the Forest Service to carry out the mission assigned by Congress. Those of us in rural communities will no longer be partners shaping our futures. The partnerships and collaborative process developed in the past will be dissolved, or severely damaged.

Second, the proposed policy language is open-ended regarding statutory rights of access. It provides no guidance for Forest Service managers. There are profound differences between discretionary access for timber management and non-discretionary access, such as granted under the General Mining Laws. Everyone must realize that what forest users might call a road could be considered a "way" or "trail" by the agency. In practical terms it means there may be a lot more areas considered "roadless" than the Forest Service is willing to admit. Thus we are faced with the specter of not being able to use environmentally stable access that many have been using for years, but the Forest Service does not recognize them as roads. I would suggest that the mineral industry take an immediate, aggressive posture to seek more specific language than that currently proposed. I would suggest the same posture for State and local governments. I ask the Subcommittee to make crystal clear to the Forest Service that non-discretionary access not be impaired.

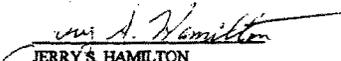
Third, counties and other legitimate forest users will be severely impacted by the moratorium due to access restrictions and reduced road maintenance budgets. Ongoing maintenance and "reconstruction" by county governments and private industry has helped to significantly reduce sedimentation in sensitive streams. The moratorium threatens to reduce gains made in restoration of Salmon fisheries and elsewhere. Circumvention of the legally mandated process demanded by NEPA will not provide proper evaluation of these adverse effects.

Other very important points for your consideration are that:

- The policy would preempt all state and local laws and regulations in conflict with road access
  - In both the West and East we have roads that pre-date the national forest system - that are on public lands - that are inventoried - that have statutory rights - that are still being used by recreationists, ranchers, forest service, outfitters, guides, environmentalists, and others. An undetermined number of these people suffer disabilities. It is a foregone conclusion that this interim policy will generate costly lawsuits.

- The policy would reduce school funding, affecting school building maintenance and education for thousands of kids in natural resource dependent communities.
- Unemployment rates could rise as much as 33% in 7 western and some eastern and southern states as a result of lost industry jobs alone. Resource dependent jobs would also suffer. The agency analysis of this impact is not visible. (Univ. of Idaho for USFS, B.M. and Lemhi Co. - prediction of 10,000 jobs lost)
- This policy would reduce dispersed recreation opportunities by cutting access up to 25%. (Based on predicted road closures down to 1 mile/1.6 miles<sup>2</sup> of land remaining after wilderness, RARE II and other roadless designation)
- The policy would invalidate existing forest land management plans
- The policy could close public access by up to 47% of the land base outside wilderness, as well as affect some wilderness access
- The policy would create multiple economic losses that, in our estimation, would far exceed the \$100 million limit set by the Unfunded Mandates Reform Act of 1995
- The policy is intended to improve road construction techniques and decrease road density, but it will channelize increased visitor traffic into areas with existing high road density where the potential for stream sedimentation is greater and has its most immediate effect on water quality and species habitat. In addition, county road maintenance funds will be reduced and county roads are usually the primary access routes to the national forest system. The policy analysis does not address these effects in regard to the Clean Water Act. It attempts to bypass NEPA provisions for addressing environmental standards.

In his memoirs in 1947 Gifford Pinchot wrote that the "Service had a clear understanding of where it was going, it was determined to get there, and it was never afraid to fight for what was right. Every man and woman in the Service believed in it and in its work, and took great pride in belonging to it." Something has drastically changed from that observation! Walk into any Forest Service office these days and tell me if you see that same devotion. Morale is down - people in mid career cannot wait to retire - their hard field work - their budgets - their professional expertise - their genuine desire to do the best professional job usually gets undermined by a last minute 32 cent appeal or a top down Washington office notice of intent that becomes arbitrary policy! The service provided to the American public is down, and so is the respective public opinion of Forest Service ability to manage the land.

  
 JERRY S. HAMILTON  
 Environmental Coordinator  
 Formation Capital Corporation  
 USFS - Regional Silviculturist R4, Retired



1220 L Street, Northwest  
Washington, D.C. 20005-4070  
202-682-8100

**Red Cavonoy**  
President & CEO

February 25, 1998

The Honorable Helen Chenoweth  
Chair, Subcommittee on Forests and Forest Health  
House Committee on Resources  
Washington, DC 20515

Dear Madame Chair:

Attached please find a statement for the record in your Subcommittee's oversight hearing on the proposal of the U.S. Forest Service to impose an 18-month moratorium on construction of roads on Forest Service lands designated "roadless areas." This statement reflects the views of the American Petroleum Institute, the Independent Petroleum Association of America, the Midcontinent Oil and Gas Association, the Rocky Mountain Oil and Gas Association, and the Western States Petroleum Association.

The Forest Service moratorium would have a material impact on domestic oil and gas operations. It would effectively withdraw more public lands from oil and gas development without justification, to the detriment of the nation's energy supply.

Thank you for providing our industry the opportunity to comment on this important access issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Red Cavonoy'.

Statement Submitted to the  
Forests and Forest Health Subcommittee of the  
House Resources Committee by  
the American Petroleum Institute,  
the Independent Petroleum Association of America,  
the Mid-Continent Oil and Gas Association,  
the Rocky Mountain Oil and Gas Association and  
the Western States Petroleum Association.  
February 25, 1998

The nation's foremost petroleum industry associations appreciate this opportunity to present their views on the Forest Service's proposed moratorium regarding new road construction on its unroaded lands. This statement is presented on behalf of the American Petroleum Institute (API), the Independent Petroleum Association of America (IPAA), the Mid-Continent Oil and Gas Association (MCOGA), the Rocky Mountain Oil and Gas Association (RMOGA), and the Western States Petroleum Association (WSPA).

API represents more than 400 companies involved in all aspects of the oil and natural gas industry, including exploration, production, transportation, refining and marketing. IPAA represents explorers and producers that drill some 85 percent of the nation's oil and gas wells. MCOGA represents petroleum companies in Alabama, Louisiana, Mississippi, Oklahoma and Texas. RMOGA represents hundreds of companies, large and small, that account for 90 percent of the oil and gas exploration, development, and transportation activity in the Rocky Mountain states. And WSPA promotes policies that will help meet energy needs of the West and the nation.

The Forest Service has published an Advance Notice of Proposed Rulemaking to announce its intention to revise its management of the National Forest Road System. These cooperating trade associations will wish to comment on any longterm road and land-use policies that the Forest Service may propose. For now, we are very concerned with the agency proposal to temporarily suspend road construction and reconstruction in unroaded areas of Forest Service lands until its new policies are in place. Through the ban on reconstruction, the moratorium would effectively create new roadless areas in lands that have previously been available for multiple use. In this way, the Forest Service would circumvent congressional intent and ban activities that are consistent with multiple use.

The proposed moratorium also presents substantive problems: It would effectively withdraw more public lands from oil and gas development without justification, to the detriment of the nation's domestic energy supply. And it would exact costs from local economies in affected states and cause a decline in federal revenues from bonus bids, rents and royalties on exploration and production on federal lands. Moreover, consideration of new transportation policies is insufficient justification to shut down oil and gas activities in affected areas.

#### Land Use Trends

There are some 33 million acres in unroaded tracts of 5,000 acres or more that are currently classified in Land and Resource Management Plans as Non-Wilderness-

Developed, thus available for multiple uses, including mineral production. If the moratorium on roads is implemented, these 33 million acres will be closed to oil and gas leasing for a minimum of 18 months. In addition, an undetermined amount of acreage may be included that the Forest Service defines as having low-density road development or unique ecological characteristics or social values. This could involve the elimination of many miles of existing roads.

When the Forest Service devised its long-term strategic plan in 1990, under the Resource Planning Act, its stated petroleum leasing strategy was designed to “meet most demands for access to explore and develop mineral resources, except when doing so would pose unacceptably high risks to other resources.”

This goal was articulated by the agency in the aftermath of a 1988 controversy in which the Forest Service admitted that it paid “little attention... to minerals while making land use decisions that restrict mineral exploration access.” Since that time, the managements of the National Forests have paid minimal attention to mineral resources in drafting their land-use plans. As a result, a vast amount of Forest Service acreage has been placed off-limits to oil and gas leasing.

Today, the Forest Service asserts that its recent policies and current road construction proposals are based on goals that have changed over the years, from a system “largely funded and constructed to develop areas for timber harvesting and to allow the

development of other resources. In the last two decades, interest in the appropriate uses of the resources... has shifted toward recreation and wildlife.”

This shift away from development of the natural resources on federal lands is of great concern to the oil and gas industry. From 1983 to 1996, oil and gas leasing on National Forest and Bureau of Land Management lands in eight western states declined by a drastic 72 percent, from 114.2 million acres to 32.6 million acres. Across the entire National Forest system, lands in Designated Wilderness Areas, which are barred from petroleum leasing, increased substantially—from 9.3 million acres in 1964 to 35 million acres in 1996. An additional 5.3 million acres of Bureau of Land Management land is now Wilderness. Moreover, millions more acres remain in limbo as Wilderness Study Areas—nearly 6.1 million acres of Forest Service lands and more than 21 million acres of Bureau of Land Management lands. The Forest Service decisions regarding potential wilderness were made as a result of the Roadless Area Review and Evaluation (RARE) I and II processes, and what industry terms RARE III, which was conducted as part of the Forest Service land and resource management planning process completed between 1985 and 1990.

It is evident that the real issue at stake is expanding wilderness acreage throughout the entire National Forest System. The first wilderness designated by Congress in 1964 totaled 9 million acres. Since then, an additional 100 million federal acres have been designated wilderness nationwide. In addition, other categories, including the Forest

Service's "further planning" areas, recommended wilderness areas and wilderness study areas (designated by the agency and Congress), amount to more than 27 million acres. Combined with other set-asides, such as national parks and refuges, native claims selections in Alaska and special management areas, more than 50 percent of federal lands—some 300 million acres—are already completely off-limits to oil and gas leasing and exploration. Of the federal lands available to leasing, more than half are subject to severely restrictive land classifications or lease stipulations. The cumulative effects of this expansion has major consequences for those whose role in the economy depends on important resources located on federal lands and for the nation.

#### Economic Impacts

The proposed moratorium on roads continues the trend toward less development of the natural resources beneath federal lands. No new leases of Forest Service lands could be granted where roads must be constructed to achieve the purposes of the lease. In addition, the Forest Service has indicated that it may not permit existing leases, sold before the moratorium was announced and which have previously met environmental requirements, to be developed. Even though additional analysis may be conducted prior to project implementation, the Forest Service suggests "it would be prudent" for an official to consider roading issues before approving an environmental impact statement. "If there is doubt, these projects may be delayed," says the agency, until new procedures have been approved. Even restoration of roadways no longer required by the industry could be suspended.

The resulting decrease in petroleum activities will have a significant impact on jobs. Drilling activities for a single well require as many as 20 workers for up to three months, generating some \$150,000 in wages. Another \$1 million must be expended on equipment, goods and services for a typical well. Most of this money is spent in the local area where a well is drilled—for severance taxes, production royalties, payments in lieu of taxes (PILT) income taxes and so forth, where previous decreases in oil and gas activity have already had a significant economic impact.

This withdrawal of lands from leasing will have a seriously negative impact on the national treasury and the national interest. Under the competitive leasing system, the federal government receives a minimum bid of \$2 an acre to lease these lands for petroleum development. By imposing this moratorium on roads—which are essential to oil and gas development—the Forest Service is postponing or even foregoing a potential for at least \$66 million in leasing revenues. If there is more than one company interested in leasing in a parcel of land, the high lease bid in the past has gone up to as high as \$1,000 an acre or more. Bonus bids amounting to the first year's rent are also paid at the time a lease is sold. In addition, the moratorium risks not only lease rentals and bonuses, but also production royalties.

Petroleum reserves and federal ownership of lands are extensive in the West and oil and gas are important sources of state revenues. In Montana, for example, oil and gas

producers and refiners paid nearly \$100 million in state and local taxes in 1996. In Wyoming, the oil and gas production industry paid \$378 million, and in North Dakota, \$53 million. In Utah, the state severance tax on oil and gas produced \$46 million in 1983—but only \$12 million in 1996.

Revenues, in these and other states, will steadily decrease if currently producing oil and gas leases on Forest Service lands are not augmented by new leases and subsequent development. The moratorium on roads, and more restrictive policies under consideration by the Forest Service and the Clinton Administration, will discourage, delay and very likely eliminate further petroleum activity on Forest Service lands.

#### Maintenance Costs

One argument advanced by the Forest Service is the high cost of maintaining roads. The agency claims a \$10 billion backlog for maintenance and reconstruction of existing roads on its lands. However, it should be noted that the oil and gas industry funds the private construction, maintenance and reclamation of the roads needed to find and produce oil and gas from beneath Forest Service lands. It does not depend on assistance from the federal government. Moreover, if a prospect turns out to be a “dry hole,” the industry removes the road and reclaims the land. The only time the petroleum industry leaves intact a road that it has constructed is when the Forest Service requests it. Thus, the Forest Service is only required to maintain roads for public use. Ironically, while road maintenance payments to the Forest Service have declined in recent years, it is the

decreasing access of commercial users, including the oil and gas industry, that has led to this decline.

#### Multiple Uses

It is also important to note that oil and gas development does not prevent leased land from being used for other purposes or by other users. Under the terms of a federal oil and gas lease, the operator cannot construct housing, farm the land, or remove any minerals other than oil and natural gas. The Forest Service is free to grant permits for non-petroleum uses to others or allow activities which require roads but do not require permits, such as mountain biking, cross-country skiing, fishing, hunting, sight-seeing or picnicking.

The Forest Service exempts revised Land and Resource Management Plans (LRMPs) from the road moratorium. However, agency's proposal does not mention the supplemental oil and gas leasing environmental impact statements which have been completed on nearly all top priority oil and gas forests, such as the Custer (in Montana and North Dakota), Shoshone and portions of the Bridger-Teton (Wyoming) and the Routt (Colorado) National Forests. Oil and gas leasing was not resumed when LRMPs were completed because the agency decided that, before leasing could take place on forests in the Rocky Mountain states, additional analysis was required under the National Environmental Policy Act. In some of these areas, leasing has been delayed for more than a decade.

The oil and gas industry supports reasonable measures to protect fish, wildlife and other environmental resources. This industry has repeatedly demonstrated its commitment to operating in an environmentally sound manner, with vigilant consideration given to the all sensitive resource values. This record should provide a basis for a policy that does not prevent oil and gas activity in the unroaded areas. Moreover, the Forest Service's authority under current policies gives the agency almost complete control over how surface resources are managed, providing additional assurance that exploration and production will be conducted with respect for environmental values.

#### Conclusion

This industry is very concerned that the Forest Service has proposed to place 33 million acres in de facto wilderness withdrawal. These lands have repeatedly been found not to meet the 1964 Wilderness Act criteria and were released to multiple use during the comprehensive RARE I and II processes and the Forest Service planning process. This proposal appears to be an alternate method of prohibiting activities that are consistent with congressionally mandated multiple-use. The proposal would impose high costs on many people—severe economic impacts on local communities, effects on the price and availability of oil and gas, hardrock minerals, lumber and paper products and other goods and services. Moreover, there would also be a cost in more limited recreational opportunities to the public. The gain—preserving unroaded acreage with the National Forest System—does not appear to equal the cost.

We urge Congress to carefully review the Forest Service's proposed moratorium on road building. A new transportation plan can be developed in these unroaded areas without halting all activities on the lands for 18 months or more.

**Congress of the United States**  
 Washington, DC 20515

March 10, 1998

Mr. Michael Dombeck  
 Chief, U.S. Forest Service  
 P.O. Box 96090  
 Washington, D.C. 20090-6090

Dear Chief Dombeck:

Please reconsider the Forest Service's recently proposed, two-part policy limiting the construction of roads on federal forest lands and the management of the federal forest road system.

The first part of your proposal, to impose a sweeping moratorium, will halt activities on extensive federal forest lands that require new or improved road access. Secondly, you propose to review and develop policies on the broader issues relative to how our National Forest transportation system is developed, funded, and managed.

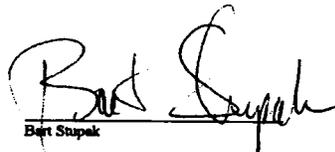
The proposed moratorium is generating intense and growing controversy. Its impact will subvert ongoing efforts by local communities to participate in National Forest plans and erode public confidence in the Forest Service. At the February 25th oversight hearing before the Subcommittee on Forests and Forest Health, it became clear that even your subordinate foresters are perplexed as to how to implement such a policy. The moratorium is widely viewed as a Washington directive that is insensitive to local participation and concerns. It has a polarizing effect that serves only to divide our communities and the Congress.

Before the Subcommittee on Forests and Forest Health you agreed with us that the Forest Service could devise and implement a long-term forest roads plan without an 18-month moratorium. We hereby commend an alternative that would allow for a cooperative and expedient way to consider forest road policies, while minimizing disruptive impacts to ongoing uses of our forests. We are calling upon you to avert heated controversy and further polarization by withdrawing your proposal to implement a moratorium. The moratorium is not essential nor even necessary to accomplish a broader review of road policies. Given the controversy and emotions surrounding this issue, such an approach is counterproductive.

Alternatively, we offer our commitment to taking a more intensive, expedited, careful and balanced look at how the forest road system is developed, used, funded, and maintained over the same time period that a moratorium would have been imposed. Such cooperative efforts will better assure the resources and expertise necessary to accomplish this task. By working together, we can review transportation policy more efficiently and more equitably. We are willing to work with you and the administration to develop a roads policy that respects local needs, incorporates good science and allows for the responsible use of our national forests. We implore you to receive this request enthusiastically and endorse it affirmatively on your earliest occasion.

Very truly yours,

  
 Bob Schaffer

  
 Bert Stapak



**Dick Cheney**  
500 North Akard Street # 3600  
Dallas, Texas 75201  
(214) 978-2813

March 6, 1998

Mr. Rhey Solomon  
USDA Forest Service  
Director, Ecosystem Management Coordination Staff  
Mail Stop 1104  
Washington, DC 20090-6090

Dear Mr. Solomon:

The current effort to impose an 18-month moratorium on USFS "ROADLESS" areas within the state of Wyoming prompts me to write this letter. This effort is clearly outside the legal bounds of the Wyoming Wilderness Act of 1984. The state of Wyoming is entitled to exemption from this proposed action.

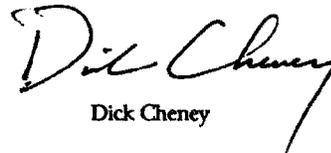
Nowhere in the Federal Register's Proposed Interim Rule (36 CFR Part 212) RIN AB-68-0095-Temporary Suspension of Road Construction in Roadless Areas is the language of the Wyoming Wilderness Act recognized. Having co-sponsored this historic legislation when I was a member of the U.S. House of Representatives representing Wyoming, I now feel compelled to help bring this to your attention. Roadless areas no longer exist within the state of Wyoming. Attempts to reinterpret the intent of this legislation or its language would move the USFS efforts outside of all legal bounds and compromise the agency's integrity.

This congressionally approved legislation designated specific Wilderness, Wilderness Study Areas, and released for multiple use all other RARE II forest service lands. This action legally eliminated the Roadless category within Wyoming's state boundaries.

**Mr. Rhey Solomon**  
**March 6, 1998**

The clear intention of the Wyoming congressional delegation at that time was to insulate Wyoming from constantly changing political agendas, and provide a legal basis for utilization of public lands within the state. Wyoming fulfilled its obligation to contribute to our nation's legacy of Wilderness for other generations. I trust that our federal government will meet its obligation to a trusting nation by respecting the public laws.

Sincerely,



Dick Cheney

cc: U.S. Senator Craig Thomas  
U.S. Senator Mike Enzi  
✓U.S. Congresswoman Barbara Cubin  
U.S. Secretary of Agriculture Dan Glickman  
Asst. U.S. Secretary of Agriculture Jim Lyons  
Governor Jim Geringer, Wyoming

Thank you Madam Chair, I am pleased to have the opportunity to address you and the Committee here today on an issue such as this one before us and is so critically important to the communities I represent.

My name is Sharon Hahn and I am an elected County Commissioner from Lake County, Minnesota. However I am also here today representing the Arrowhead Counties Association which represents seven counties and is made up of 37 elected officials from Northeastern Minnesota.

I am here to support HR 3297 and urge its passage.

As a lifelong resident of the region, I find that we are almost continuously assailed by one ill-conceived regulation or another which directly affects our livelihood, our economy, and welfare. Once again we find a federal agency unilaterally making an unfounded decision without consultation or input from citizenry and without understanding or even a basic idea of its effect.

In fact some of my associates have been trying for several weeks to determine the known extent of how this will affect our National Forests and we cannot get definitive information or maps showing the affected regions. We are told only that it could affect some 74 thousand (74,000) acres on the Superior National Forest which were identified in Rare II. I cannot tell you what it means in the other National Forests in our region. The Forest Service cannot, or will not, tell us the possible extent of their regulation resulting from "wilderness boundary" or "Special Areas".

Instead, we are invited to travel up to 300 miles to go to an "open house" for a cup of coffee, to stand around and listen to staff tell us what they don't know. We don't see that as real input. It is virtually insulting.

Let me examine some of the detail in their proposed regulation.

I find the proposed rules on road building to be ambiguous at best and threatening to local businesses, other land managers, and individuals. More specifically I will comment on each of the proposed rules.

**Rule (1)  
Roadless areas**

The Federal government has been studying roadless areas for over 70 years on the Superior National Forest. It began with the Forest Plan in 1926 and continues today. We have gone through Wilderness designation twice (1964 & 1978), RARE I, RARE II, Forest planning, and are currently involved in Forest Plan revision. Wilderness or roadless area review is a mandatory requirement for Forest Plan revisions. This process has no end. Forest Service decision making is inefficient and not effective particularly in regard to roadless areas. Something may need to be done. But this, in my opinion, is not it.

**Rule (2)  
Areas contiguous to Wilderness**

Rule (2) which deals with areas "adjacent" to wilderness, has profound potential for wilderness expansion by fiat in several Minnesota counties. Tens of thousands of acres, perhaps hundreds of thousands of acres could be added by a "defacto" process to the existing wilderness area since the existing boundary has 396 miles of "Adjacent" lands.

**Rule (3)  
Other Federal Lands**

I am not sure what "other federal lands" means, but in Northern Minnesota the Superior National Forest adjoins Indian reservations and the Voyageurs National Park. Approximately eighteen (18) miles of the Voyageurs National Park boundary is shared with the Superior National Forest. Again, thousands of acres could be affected by this policy.

**Rule (4) and (5)  
Low road density development**

There are in the proposed regulations no hint of what this could be. Low compared to what? This could include most National Forest land. Certainly there are roads in National Forests but compared to urban, rural, agricultural, and industrial lands forest lands are areas of low road density. There is no size requirement. The only areas exempted from the proposed rule are the few acres with a road or other facility sitting on top. For the life of me I cannot figure out the difference between rule 4 and rule 5. Without some definitions, guidelines, or criteria it is impossible to estimate effects and comment constructively. How the National Forests intend to implement this requirement is a complete mystery.

Special and unique ecological characteristics or social values is the most puzzling and potentially most dangerous part of the proposed regulations.

If one turns the statement around and asks what lands are there that do not have special, unique, or has social value it becomes more clear. A judicial interpretation of this regulation could shut the National Forests down. Whose social values will be considered? Who and how will the Forest Service determine the values that dictate to other social values?

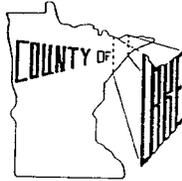
It is clear that decision making, at least in this instance, is being centralized to the Regional and Washington offices of the Forest service. Projects planned and designed at the District level need to be decided or otherwise approved by the Region. This is a backward step in terms of efficient and effective management decision making. It is another example of top down government that is insensitive to local needs and concerns.

**State and County Lands**

Although private lands are expressly exempt from these regulations, the regulations are silent in regard to other intermingled public ownership. In the eastern region, where National Forest lands were acquired as opposed to land provided through public domain, there is a large amount of both private, State, and County land intermingled with National Forest land. Within the Forest boundaries of the Superior National Forest and outside of the existing wilderness area there are over 1 million 700 thousand (1,700,000) acres of nonfederal ownership. State and County forest land makes up the bulk of these acres. In addition, the State manages hundreds of thousands of acres of water within the Forest. We are deeply concerned about the consequences to other public ownership. We fully intend to access and manage our forest lands and water. This leads to an interesting dilemma. If other public land and water is not exempt how does the Forest Service intend to deal with the consequences? If on the other hand, other public land and water is exempt, together with private ownership, how does the Forest Service intend to limit road building on it's land? This is simply not going to work for most eastern National Forests!

The meeting places suggested for public input are simply not acceptable. They are all in large cities where the bulk of the citizens are not adversely affected or even care about these regulations. It is estimated that 50 - 55 million board feet of planned timber sales would be affected by these proposed regulations on the Superior National Forest alone. Jobs, families, businesses, and communities within my county will be severely impacted by these proposed regulations. Meetings with Northern Minnesota citizens that will certainly be adversely impacted by these rules and will need to live with the consequences must have a real opportunity to be heard. This can only be done by having meetings in each National Forest as described in H.R. 3297.

In summary, as proposed, these regulations will not result in better land management, especially in the Eastern Regions. Roadless area issues are not going to be resolved by interim roadless regulation. Madam Chair, I thank you for the opportunity to carry our message to this Congress and to point out the shortcomings of the proposed Forest Service roadless area regulations. Especially the certain impacts and new burdens placed upon rural forest communities without even so much as a proper opportunity for input into the process. H.R. 3297 would at least begin to restore sanity to this proposal.



COMMISSIONERS OFFICE  
**County of Lake**  
 Courthouse  
 601 Third Avenue  
 Two Harbors, MN 55616  
 (218)834-8320 FAX 834-8365

FIRST DISTRICT  
 CLAIR A. NELSON, FINLAND  
 SECOND DISTRICT  
 DERRICK L. GOUTERMONT, SILVER BAY  
 THIRD DISTRICT  
 SHARON NAH, TWO HARBORS  
 FOURTH DISTRICT  
 WILLARD M. CLARK, TWO HARBORS  
 FIFTY DISTRICT  
 STANLEY A. NELSON, TWO HARBORS

LAND OWNERSHIP - LAKE COUNTY

STATE:	Acquired	15,018	
	Acres/Other	<u>172,898</u>	
	Total	187,916	13.7%
TAX FORFEIT:		148,998	10.9%
FEDERAL - BWCA		332,000	
Outside BWCA		<u>422,000</u>	
		754,000	55.2%
725,695	53%		
		1,365,596	

25% TIMBER SALE PAYMENTS FROM FEDERAL GOVERNMENT

			<u>Total Payments</u>
1992	Roads and Bridges	72,656.32	
	School District	72,656.32	145,312.64
1993	Roads and Bridges	90,431.07	
	School District	90,431.07	180,862.14
1994	Roads and Bridges	93,740.80	
	School District	93,740.80	187,481.60
1995	Roads and Bridges	119,308.54	
	School District	119,308.54	238,617.08
1996	Roads and Bridges	139,179.75	
	School District	139,179.75	278,359.50
1997	Roads and Bridges	107,832.86	
	School District	107,832.86	215,665.72

FY 96 IN LIEU OF TAX MS 477A 11-14, PAYABLE JUNE 97

County	Acres	Acq Pmt	Acres	Payment	Acres	Payment	75/Acre	Gross	MS 84A 51	MS 87A 061MS	272.6	Previous	Adjust	Payment
				0.375/Acre				Payment	Con Con	Hunt Grnds	70 / 30	Payments	Ments	In-Lieu
ANOKA	17,124	51,372	1,312	492	508	391	52,245	(36,082)	(170)	(36,252)	15,983			
BECKER	14,692	52,546	41,537	15,614	74,089	55,567	123,727	(14,566)	(14,566)	109,161				
BELTRAMI	2,654	7,962	561,717	210,644	148,674	110,006	329,612	(1,037)	(287,691)	288,210				
BENTON	1,706	5,118	365	137	51	38	5,293	(3,958)	(30)	(3,988)	1,305			
BIG STONE	4,556	23,221	3,829	1,436	42	32	24,686	(16,877)	(16,877)	6,013				
BLUE EARTH	3,665	10,995	50	19	268	201	11,215	(10,561)	(150)	(10,711)	504			
BROWN	3,546	33,740	237	86	27	20	33,849	(23,515)	(8)	(23,523)	10,326			
CARLTON	7,787	23,361	70,362	26,397	73,261	54,646	104,704	(3,107)	(143)	(3,250)	101,454			
CARVER	1,329	3,967	9	3	10	6	3,966	(13,107)	(393)	(13,500)	0			
CASS	10,375	31,125	180,086	67,532	285,527	191,645	260,302	(13,969)	(796)	(14,765)	275,337			
CHIPPEWA	6,087	26,804	3,896	1,461	306	230	28,485	(80,281)	(60)	(80,281)	20,893			
CHISAGO	14,972	44,916	991	372	404	303	45,591	(11,839)	(60)	(11,839)	0			
CLAY	6,480	19,360	971	394	241	191	19,925	(2,836)	(2,836)	17,089				
CLEARWATER	19,635	59,905	35,412	13,280	90,265	67,699	139,684	(41,969)	(2,776)	(41,969)	136,949			
COOK	6,158	20,875	126,636	47,488	5,860	4,410	72,874	(2,554)	(2,403)	(2,403)	72,874			
COTTONWOOD	5,223	46,493	850	319	50	38	46,860	(3,760)	(88)	(3,760)	4,881			
CROW WING	4,421	13,263	26,401	9,000	103,300	77,476	100,638	(2,403)	(2,403)	(2,403)	95,308			
DAKOTA	3,966	11,868	431	162	241	181	12,241	(3,760)	(3,760)	8,636				
DODGE	1,090	3,160	3	1	0	0	3,161	(11,399)	(88)	(11,399)	0			
DOUGLAS	5,463	16,389	347	130	458	344	16,863	(2,964)	(2,964)	5,474				
FARIBAUT	2,376	7,128	168	63	0	0	7,191	(3,549)	(3,549)	4,227				
FILLMORE	12,501	37,503	483	185	0	0	37,688	(2,575)	(2,575)	34,051				
FREEBORN	2,233	6,699	151	57	0	0	6,796	(1,663)	(1,663)	4,161				
GOODHUE	3,472	10,416	631	237	9	7	41,697	(6,842)	(6,842)	40,014				
GRANT	658	95,356	496	186	141	106	65,848	(3,815)	(513)	(4,328)	3,598			
HENNEPIN	13,818	41,448	1,210	454	186	147	42,049	(13,010)	(186)	(13,196)	61,320			
HOUSTON	41,338	124,008	48,826	17,560	137,312	102,964	244,562	(16,836)	(16,836)	231,356				
HUBBARD	3,120	19,802	2,105	786	170	128	20,919	(2,560)	(150)	(2,560)	3,863			
ISANTI	21,566	64,668	298,282	111,856	300,467	225,350	401,874	(51,509)	(150)	(51,509)	369,314			
JACKSON	5,092	56,500	43	16	7	6	56,581	(7,745)	(19)	(7,745)	4,922			
KANABEC	3,485	10,455	20,474	7,678	9,619	7,214	26,347	(7,062)	(7,062)	17,602				
KANDIYOH	6,251	18,753	466	175	490	368	19,298	(25,836)	(19)	(25,836)	1,315			
KITSON	30,467	91,371	38,842	14,596	398	297	106,234	(1,202)	(1,202)	80,398				
KOOCHECHING	2,019	6,057	1,090,742	409,028	285,670	214,253	629,338	(56,012)	(56,012)	44,656				
LAC QUI PARLE	10,622	96,814	6,763	2,636	0	0	61,360	(668)	(668)	62,136				
LAKE	15,018	80,763	172,898	64,837	148,996	111,749	287,349	(321,957)	(8)	(321,957)	3,338			
LAKE / WOODS	1,392	4,066	434,787	163,045	1,534	1,151	168,282	(8,546)	(8,546)	168,151				
LESJEUR	3,942	11,826	158	59	17	13	11,899	(6,538)	(6,538)	3,352				

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March 12, 1998

The Honorable Helen Chenoweth  
Chairman  
Subcommittee on Forests and Forest Health  
House of Representatives  
United States of America

Madam Chairman:

It was a delightful surprise and honor to be called and invited to appear before you during this important hearing on public resource management policy. It is great to be back in Washington, D.C. and to have some of the work I was privileged to do for our nation, while serving with the US Department of the Interior, recognized and revisited.

During my tenure as an assistant to Senator Ted Stevens I was responsible for a number of federal resource policy issues, one of which dealt with the continuing controversy surrounding the federal acquisition of private property within federal management areas. For a number of years the level of discretion, at the local unit, the regional offices, and nationally, that the four federal agencies used in expending federal Land and Water Conservation Act funds caused legal, social, economic, and even cultural disorder and destruction. These actions also often directly violated the language and intent of many unit enabling acts.

The task, for Senator Stevens, was to investigate and understand what was going on and then to craft a public policy that would bring order, as well as establish a rational and resource appropriate structure, to the "inholding" challenges faced by federal managers, rural communities, and landowners.

The efforts for Senator Stevens resulted in a number of General Accounting Office reports and investigations as well as Senate and House oversight hearings that were critical of both the Department of Interior and the Department of Agriculture. The conclusion of these hearings never really congealed until I found myself appointed to the US Department of Interior as an Assistant to the Assistant Secretary for Fish, Wildlife, and Parks.

It was in this capacity that I was appointed to serve as the Chairman of the Federal Land Policy Group. This group, consisting of the Directors of the National Park Service, the Fish and Wildlife Service, the Bureau of Land Management, and the Chief of the US Forest Service, and/or their representatives, is responsible for the allocation of Land and Water Conservation Funds (LWCF) and the establishment and implementation of public policy in that fund allocation process. As you know Congress has authorized up to \$900 million a year from offshore oil development to the LWCF.

While Chairman of the Land Policy Group, we developed and promulgated a FORMAL policy addressing the protection of non-federal lands within federal areas through the use of LWCF allocations. This policy later became known as the Land Protection Policy and required all four agencies (NPS, BLM, FWS, FS) to develop, hold public hearings, and update every 5 years, Land Protection Plans.

On March 18, 1982 the Federal Register gave public notice of the proposed policy (A copy of that Fed Reg. Notice and associated Fed Reg. publications has been provided to the committee) and requested public and agency comments.

On May 7, 1982, following a review of comments, the Federal Register gave public notice of the adoption of the policy and outlined its implementation through Land Protection Plans for all federal land management units, including the lands within the management authority of the US Forest Service.

The key components of the Land Protection Policy (LPP) and its unit based management plans included the requirement that,

"agencies using the Federal portion of the Land and Water Conservation Fund will, to the extent consistent with statutory authorities:

Identify what land or interests in land need to be in Federal ownership to achieve management unit purposes consistent with public objectives in the unit.

Use to the maximum extent practical cost-effective alternatives to direct Federal purchase of private lands and, when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.

Cooperate with landowners, other Federal agencies, State and local governments, and the private sector to manage land for public use or protect it for resource conservation.

Formulate, or revise as necessary, plans for land acquisition and resource use or protection to assure the socio-cultural impacts are considered and that the most outstanding areas are adequately managed.

Let me highlight one important point here. This was a "FORMAL" public policy in stark contrast to two decades of "INFORMAL" policies and discretionary actions by all levels of these four federal agencies (NPS, FWS, BLM, FS) since the creation of the LWCF in the early 60's. Because it was a formal policy, the effected public were properly noticed, comments were solicited, received and reviewed.

Implementation of the Land Protection Policy was at the unit level. Each unit manager, whether they wanted to or not, were required to initiate a formal planning process consistent with the directives of the policy. Unit scoping sessions were held, a DRAFT plan was prepared by the agency, it was released for public review and comment, a final plan was prepared in response to public comment, and it was reviewed by the Land Policy Group to ensure policy compliance, and then formally approved.

One of the more difficult aspects of this policy implementation was serious consideration of "secondary impacts" or the socio-cultural and economic impacts of each plan as required by NEPA. Many plans were returned to the unit managers by the Land Policy Group because these issues were not adequately identified and/or addressed. The assessment of secondary impacts became a key and controversial point of conflict, but it often resulted in pointing new directions toward resource management that were more rational for both people and natural resources, consistent with the purpose of the individual units as stipulated by their enabling acts, and in context with local realities.

Over time, and with constant vigilance by the Land Policy Group, the Land Protection Policy and its enabling unit specific plans were institutionalized in each of the four agencies.

This policy and its implementation were not without detractors. Many unit and regional managers directly and indirectly opposed or delayed the effort. They were losing powerful discretion in the use of formidable tools such as federal condemnation, declarations-of-taking, and the expenditure of millions of public dollars. But for the first time the people, businesses, and rural economies impacted by federal policy were directly involved in what it would be, how it would be applied, and understood the implications of its application. In time the agencies found that this effort was very cost effective and greatly increased the cooperation of local citizens and their communities.

With respect to the application of this concept on the controversy before this committee, I believe a similar approach can be crafted into statute. The arbitrary national imposition of a federal moratorium on roads within National Forests is not unlike the informal directives by administrations, prior to the LPP, to eliminate all non-federal lands within units of the National Park system. This capricious action purposefully ignored the enabling legislation and subsequent statutory amendments as well as extensive unit management plans of each of 335 units of the NPS, which were often in direct contradiction to this policy. There was no consideration of the social, cultural, or economic impacts of such a policy, and as the GAO found, such impacts could be significant culturally as well as economically devastating, and racially discriminatory. Additionally, the decision to implement such a policy required the development of at least a programmatic NEPA compliance document, if not a unit specific EIS. Neither was even attempted.

If each unit of our national forests were required to prepare, through an open and participatory process, consistent with all applicable federal laws including NEPA and the American Disability Act (ADA), **Forest Access and Transportation Management Plans** that considered both the primary and secondary impacts of such significant federal actions, we could achieve a more integrated, sensible, and stable public management philosophy for our timber and recreational resources under Forest Service management.

On behalf of my former colleagues on the Federal Land Policy Group, I offer to the committee the example of the federal Land Protection Policy and its unit specific Land Protection Plans as an illustration of a tested and successful approach to rational natural resource management in the face of declining revenues and human resources. I believe that a statute crafted on the template of this approach would not only work, but provide the appropriate mechanism for better natural and human resource decisions.

Policy pronouncements, or the passage of statutes from Washington, DC, are only effective if they are fully integrated and institutionalized in an agency at the local unit and regional levels in a manner that fosters community cooperation and understanding. These policies must also be consistent with the purpose and function, as outlined in each units enabling act, of a federal management area and also comply with NEPA and ADA.

Again, let me thank you madam chairman and your staff for this gracious invitation to appear before you today. And thank you for recognizing the wisdom of the effort we made some 16 years ago to bring sanity, stability, and sensibility to at least one aspect of managing our public resources.

Respectfully,

Ric Davidge, MPA



A handwritten signature in black ink, appearing to read "Ric Davidge", written over the typed name and extending upwards and to the right.

Some of the lands have been withdrawn for reclamation purposes. Any use of these lands will be subject to the provisions of these existing withdrawals.

Dated: March 10, 1982.  
Darral Barnes,  
Chief, Branch of Lands and Minerals Operations.  
(FR Doc. 82-1782 Filed 3-17-82; 8:49 am)  
BILLING CODE 4310-04-0

#### National Park Service

Grand Canyon National Park, Ariz.; Comprehensive Design and Environmental Assessment, North Rim Development, Availability

Notice is hereby given that the Draft Comprehensive Design and Environmental Assessment for the North Rim Development at Grand Canyon National Park is available for public review and comment.

The draft plan proposes a number of measures to mitigate problems of congestion and deteriorated visitor use facilities which have been compounded with recent increases in public visitation to the North Rim.

The methods for dealing with these problems are defined in the approved 1976 master plan for Grand Canyon National Park.

Actions proposed in the draft Comprehensive Design include rehabilitation and relocation of structures and uses, more efficient vehicular and pedestrian circulation and combining National Park Service and concession support functions for more efficient operation.

The document is available for distribution to all interested individuals, organizations and government agencies. The public record will remain open for comment until May 3, 1982.

Anyone wanting copies of the Comprehensive Design and Environmental Assessment may write to the National Park Service, Western Regional Office, 450 Golden Gate Avenue/Box 38063, San Francisco, California 94102, Attention: Division of Park Planning.

Dated: March 8, 1982.  
Howard H. Chapman,  
Regional Director, Western Region, National Park Service.  
(FR Doc. 82-1781 Filed 3-17-82; 8:48 am)  
BILLING CODE 4310-70-0

#### Office of the Secretary

##### Proposed Policy for Use of the Federal Portion of the Land and Water Conservation Fund

AGENCY: Office of the Secretary, Interior.  
ACTION: Notice of proposed policy and opportunity for comment.

SUMMARY: The Assistant Secretary for Fish and Wildlife and Parks is proposing to adopt a policy statement concerning use of the Federal portion of the Land and Water Conservation Fund (LWCF). This policy statement will provide broad guidance to four Federal agencies in use of the LWCF to achieve natural, cultural, wildlife, and recreation management objectives in accordance with Congressional mandates and statutory authorities.

The proposed policy will apply to the National Park Service, Fish and Wildlife Service, and the Bureau of Land Management, in the Department of the Interior and the Forest Service in the Department of Agriculture. The statement currently under consideration was developed by the LWCF Policy Group which is composed of the Directors of these three Interior agencies, the Chief of the Forest Service, and a chairman who is designated by the Assistant Secretary for Fish and Wildlife and Parks. The LWCF Policy Group (LPG) was originally established in 1974 to review, comment on and coordinate proposals that may affect the Federal portion of the Land and Water Conservation Fund.

DATE: The Department will consider all comments received by April 19, 1982.  
ADDRESS: Comment and data should be sent to Ric Davidge, Chairman, LWCF Policy Group, Room 3156, Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: William Hartwig, Staff Director, LWCF Policy Group (202-343-4943).

SUPPLEMENTARY INFORMATION: The proposed policy was developed in response to the decreasing availability of Land and Water Conservation Fund monies annually appropriated by Congress, concerns voiced by a number of sources including hearings by the Senate Subcommittee on Public Lands and Reserved Waters on July 9 and 10 of 1981; and reports by the General Accounting Office concerning Federal land acquisition practices. The current draft generally refines and expands the basic concepts included in the policy statement which appeared in the Federal Register of May 7, 1980 (43 FR 30508). This previous policy statement only addressed studies and recommendations for new areas to be

funded under the Land and Water Conservation Fund program. The recent drop in the level of the annual Land and Water Conservation Fund appropriation has created a need to apply the various alternatives to fee title land acquisition to all currently authorized areas in an effort to stretch available LWCF monies. The current proposal would amend and supplement the 1980 statement to include existing units of the National Park, Wildlife Refuge, Forest, and recreation or conservation area systems where acquisition of private land is planned using LWCF monies.

The proposed policy provides general guidance and will not replace the more detailed policies and procedures governing the land acquisition and management programs of each agency. However, each agency affected by the Policy is expected to make revisions in its policies and procedures as necessary and appropriate to reflect the direction of the general policy. This direction includes emphasis on responsiveness to Congressional mandates; cost effective alternatives to Federal fee simple purchase of private lands; improved cooperation with landowners, other Federal agencies, and State and local governments, and the private sector; and development of plans considering socio-cultural impacts.

Reports of eight case studies designed to explore alternatives for protecting units in the National Park System without relying entirely on direct Federal fee simple purchase of private lands are being compiled by the National Park Service and will be available by contacting the Director, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240 after April 12, 1982. The findings and recommendations in each of the eight case study reports do not reflect official positions of the National Park Service or the Department of the Interior. The case studies were undertaken in response to recommendations by the General Accounting Office in recent reports including *Federal Land Acquisition and Management Practices* (GEO 81-138) and a workshop on public land acquisition and alternatives conducted by the Senate Committee on Energy and Natural Resources on July 9 and 10, 1981. Implementation of any recommendations or proposals discussed in the case studies will take place in accord with established Departmental and National Park Service procedures or the legislative review processes.

STATEMENT OF POLICY: The Assistant Secretary for Fish and Wildlife and Parks is seeking public comment on the

proposed policy. The following statement is under consideration: Proposed Policy for Use of the Federal Portion of the Land and Water Conservation Fund.

The Federal portion of the Land and Water Conservation Fund will be used to acquire lands, waters, and interests therein necessary to achieve the natural, cultural, wildlife, and recreation management objectives of the National Park Service, Fish and Wildlife Service, Bureau of Land Management, and Forest Service. The fund will be used in accord with management objectives for each currently authorized area based on agency missions and Congressional mandates. The agencies using the Federal portion of the Land and Water Conservation Fund will, to the extent consistent with statutory authorities:

—Identify what land or interests in land need to be in Federal ownership to achieve management unit purposes consistent with public objectives in the unit.

—Use to the maximum extent practical cost-effective alternatives to direct Federal purchase of private lands and, when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.

—Cooperate with landowners, other Federal agencies, State and local governments, and the private sector to manage land for public use or protect it for resource conservation.

—Formulate, or revise as necessary, plans for land acquisition and resource use or protection to assure the socio-cultural impacts are considered and that the most outstanding areas are adequately managed.

Ric Davidge,  
Acting Assistant Secretary for Fish and Wildlife and Parks.  
(78 Dec. 28-728) (Pub. 5-17-82 2-62 am)  
BILLING CODE 4310-10-02

#### INTERSTATE COMMERCE COMMISSION

(Ex parte No. MC-43)

##### Lease and Interchange of Vehicles by Motor Carriers

Decided: March 3, 1982.

Lester C. Newton Trucking Company (No. MC-113388) and New Truck Lines, Inc. (No. MC-118315) have filed a petition for waiver of Paragraph (c) of Section 1087.11 of the *Lease and Interchange of Vehicles Regulations* (49 CFR Part 1087) with respect to equipment segmented among them.

##### Findings

1. Petitioners are commonly controlled and administer a common safety program.
2. Petitioners have acceptable fitness records.
3. Greater economy and efficiency would result if the waiver were granted.

##### It is ordered:

1. The Petition of Lester C. Newton Trucking Co. and New Truck Lines for waiver of Paragraph (c) of § 1087.11 is granted with respect to equipment segmented between them.
2. The waiver granted in this decision does not affect the application of the leasing regulations to a lease between an owner-operator and the lesser carrier.

By the Motor Carrier Leasing Board, Board Members J. Warren McFarland, Bernard Gulland, and John H. O'Brien, Board Member McFarland not participating.  
Agathe L. Margasewich,  
Secretary.  
(78 Dec. 28-728) (Pub. 5-17-82 2-62 am)  
BILLING CODE 7000-01-02

(Ex parte No. MC-43)

##### Lease and Interchange of Vehicles by Motor Carriers

Decided: March 3, 1982.

Toos, Inc. (No. MC-41700) and Fowler & Williams, Inc. (No. MC-7688) petition for waiver of Subpart B (Sections 1087.11 and 1087.12), except for paragraph (b) of § 1087.11, and § 1087.22 of Subpart C of the *Lease and Interchange of Vehicles Regulations* (49 CFR Part 1087), with respect to equipment segmented between them.

##### Findings

1. Petitioners are commonly controlled and jointly administer a common safety program.
2. Petitioners have acceptable fitness records.
3. Greater economy and efficiency would result if the requirements of Subpart B were waived in part.
4. Waiver of § 1087.22 is not warranted.

##### It is ordered:

1. The petition of Toos, Inc., and Fowler & Williams, Inc. for waiver of Subpart B (§§ 1087.11 and 1087.12), except for paragraph (b) of § 1087.11, with respect to equipment segmented between them, is granted, provided petitioners or their authorized representatives agree in writing that the lessee shall have control and responsibility for the operation of the

equipment from the time possession is taken by the lessee and the receipt required under paragraph (b) of § 1087.11 is given to the lessee until possession of the equipment is returned to the lesser and the receipt required under paragraph (b) of § 1087.11 is received by the lessee or possession of the equipment is returned to the lesser or given to another authorized carrier in an interchange of equipment. A copy of the agreement must be furnished to the equipment while it is in the possession of the lessee.

2. The petition for waiver of § 1087.22 is denied.

3. The waiver granted in this decision does not affect the application of the leasing regulations to a lease between an owner-operator and the lesser carrier.

By the Motor Carrier Leasing Board, Board Members J. Warren McFarland, Bernard Gulland, and John H. O'Brien, Board Member McFarland not participating.  
Agathe L. Margasewich,  
Secretary.  
(78 Dec. 28-728) (Pub. 5-17-82 2-62 am)  
BILLING CODE 7000-01-02

##### Motor Carriers; Finance Applications; Decision-Notice

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11543 or 11544. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 940 of the Commission's Rules of Practice (49 CFR 1100.240). See Ex Parte 83 (348 No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11544 and 11548*, 303 I.C.C. ¶90 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the Federal Register. Failure to comply with these rules will be construed as a waiver of opposition and participation in the proceeding. If the proffer includes a request for oral hearing, the request shall meet the requirements of Rule 945 of the special rules and shall include the justification required.

432, New York, New York 10278, (212) 224-4711. Under Section 307(b)(1) of the Clean Air Act, judicial review of these determinations is available only by the filing of a petition for review in the

United States Court of Appeals for the appropriate circuit by (30 days from the date on which these determinations is published in the Federal Register). Under Section 308(b)(1) of the Act, these determinations shall not be subject to

later judicial review in civil or criminal proceedings for enforcement. Josephine R. Schaler, Regional Administrator.

Name of applicant	Type of license	Appropriate location	Type of fuel action	Date of final action
B. F. Goodrich Company	Extension of existing aircraft ground	Indianapolis, IN	Final PMS permit	5/24/82
Hess Oil Virgin Islands Corporation	Extension of petroleum storage facilities of new fuel supply, existing units.	St. Croix, VI	Final PMS permit	5/24/82
Westchester County Industrial Development Agency	New solid waste transfer recovery facility	Putnam, NY	Final PMS permit	5/24/82
The Procter and Gamble Company	New large diameter boiler to be installed at existing plant	Patuxent Island, MD	Final PMS permit	5/24/82
Acme Portland Cement Company	Expansion of feed system and construction of existing cement plant	Camden, NY	Final PMS permit	5/24/82
New York City Department of Environmental Protection	Installation to design of secondary sewage treatment plant	New York City, NY	Final PMS permit	5/24/82
U.S. Army Corps of Engineers	Addition of a heat recovery incinerator at existing existing	Fort Lee, NJ	Final PMS permit	5/24/82
Eastern North Carolina	Addition of a new pulverized coal suspension-fired boiler at existing existing plant	Wilmington, NC	Final PMS permit	5/24/82
North Carolina Department of Community Development	New large diameter boiler to be installed at existing existing plant	Wilmington, NC	Final PMS permit	5/24/82
Puerto Rican Cement Company	New solid waste transfer facility	Puerto Rico	Final PMS permit	5/24/82
General Electric Company	Addition of a new gas turbine incinerator at existing existing plant	Washington, DC	Final PMS permit	5/24/82

(FR Doc. 82-0887 Filed 5-6-82; 8:48 am) BILLING CODE 6950-01-8

**DEPARTMENT OF THE INTERIOR**

Policy for Use of the Federal Portion of the Land and Water Conservation Fund

AGENCY: Office of the Secretary, Interior.  
ACTION: Notice of final policy statement.

**SUMMARY:** The Assistant Secretary for Fish and Wildlife and Parks has adopted a policy statement concerning use of the Federal portion of the Land and Water Conservation Fund (LWCF). This policy statement provides broad guidance to four Federal agencies in use of the LWCF to achieve natural, cultural, wildlife, and recreation management objectives in accordance with Congressional mandates and statutory authorities.

The policy applies to the National Park Service, Fish and Wildlife Service, and the Bureau of Land Management, in the Department of the Interior and the Forest Service in the Department of Agriculture. The statement was developed by the LWCF Policy Group which is composed of the Directors of these three Interior agencies, Chief of the Forest Service, and a chairman who is designated by the Assistant Secretary for Fish and Wildlife and Parks. The LWCF Policy Group (LPG) was originally established in 1974 to review, comment on and coordinate proposals that may affect the Federal portion of the Land and Water Conservation Fund.

EFFECTIVE DATE: May 15, 1982.  
FOR FURTHER INFORMATION CONTACT: Rita Davidge, Chairman, LWCF Policy

Group, Room 9186, Department of the Interior, Washington, D.C. 20246.

**SUPPLEMENTARY INFORMATION:** The public was invited to comment on the proposed policy statement which appeared in the Federal Register March 18, 1982, (Vol. 47, No. 53, pages 11777-81).

There were several comments received via phone expressing support for the policy statement and an interest in the rapid implementation of the policy. Seventy-five written comments were received. Seventy fully supported the policy and its immediate implementation by all of the Federal agencies using the Land and Water Conservation Fund. Five comments expressed concerns that the new policy was too general to be evaluated, eliminated the use of full fee title acquisition, was contrary to the 1980 policy for potential additions to the Federal estate, and that a fair analysis could not be made without analysis of the case studies that are not as yet available.

The new policy is by design general. Its purpose is to encourage the use of cost effective tools to protect the unaccounted resource values in authorized areas. Full fee title acquisition is anticipated in areas where this method of acquisition is required by the land protection plan. Each individual area land protection plan must comply with all environmental protection requirements and it is at this specific point where the application of the policy should be evaluated. This policy is an extension of the 1980 policy for potential

additions to the Federal estate in that it encourages the same alternative protection and acquisition methods but for authorized rather than proposed areas. Review and comment on the subject policy should not have been dependent upon a review of the case studies that were to be made available by the National Park Service after April 15, 1982, as reported in the March 18, 1982, Federal Register. These case studies were undertaken to provide the National Park Service with an initial sample of how land protection plans could be recruited and were not a test of the policy per se. It is anticipated that these case studies will be available on or about June 22, 1982.

The policy was developed in response to the decreasing availability of Land and Water Conservation Fund monies annually appropriated by Congress, concerns voiced by a number of sources including hearings by the Senate Subcommittee on Public Lands and Recovered Waters on July 9 and 10 of 1981; and reports by the General Accounting Office concerning Federal land acquisition practices. The recently adopted policy generally defines and expands the limits on lands included in the policy statement which appeared in the Federal Register of May 7, 1980 (43 FR 20220). The previous policy statement only addressed studies and recommendations for new areas to be funded under the Land and Water Conservation Fund program. The recent drop in the level of the annual Land and Water Conservation Fund appropriation created a need to apply the various

alternatives to fee title land acquisition to all currently authorized areas in an effort to stretch available LWCF monies. The recently adopted policy supplements the 1980 statement to include existing units of the National Park, Wildlife Refuge, Forest, and recreation or conservation area systems where acquisition of private land is planned using LWCF monies.

The policy provides general guidance and does not replace the more detailed policies and procedures governing the land acquisition and management programs of each agency. However, each agency affected by the Policy is expected to make revisions in its policies and procedures as necessary and appropriate to reflect the direction of the general policy. This direction includes emphasis on responsiveness to Congressional mandates; cost effective alternatives to Federal fee simple purchase of private lands; improved cooperation with landowners, other Federal agencies, and State and local governments, and the private sector; and development of plans considering socio-cultural impacts.

**ADOPTED POLICY:** The following statement has been adopted after consideration of public comments: Policy for Use of the Federal Portion of the Land and Water Conservation Fund.

The Federal portion of the Land and Water Conservation Fund will be used to acquire lands, waters, and interests therein necessary to achieve the natural, cultural, wildlife, and recreation management objectives of the National Park Service, Fish and Wildlife Service, Bureau of Land Management, and Forest Service. The fund will be used in accord with management objectives for each currently authorized area based on agency missions and Congressional mandates. The agencies using the Federal portion of the Land and Water Conservation Fund will, to the extent consistent with statutory authorities:

—Identify what land or interests in land need to be in Federal ownership to achieve management unit purposes consistent with public objectives in the unit.

—Use to the maximum extent practical cost-effective alternatives to direct Federal purchase of private lands, and when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.

—Cooperate with landowners, other Federal agencies, State and local governments, and the private sector to manage land for public use or protect it for resource conservation.

—Formulate, or revise as necessary, plans for land acquisition and resource use or protection to assure the socio-cultural impacts are considered and that the most outstanding areas are adequately managed.

Dated: April 28, 1982.  
D. Ray Ansell,  
Assistant Secretary for Fish and Wildlife and Parks.  
FR Doc. 82-1288 Filed 5-6-82 and  
GSA GEN. REG. NO. 27

**ENVIRONMENTAL PROTECTION AGENCY**

(EPA-FRL-2151-1)

Availability of Environmental Impact Statements Filed April 26 Through April 30, 1982 Pursuant to 40 CFR Part 1506.9

RESPONSES: AGENCY: Office of Federal Activities, Ms. Kathi Wilson, (202) 245-3008.

Corps of Engineers  
EIS No. 82024, Draft, COE, GU, Apue Harbor/Commerical Port Navigation Improvement, Dec. June 21, 1982.

EIS No. 82027, Draft, COE, HS, Alameda Street and Watershed Flood Control, Hawaii County, Dec. June 21, 1982.

EIS No. 82026A, Final, COE, LA, Lafayette Parish Flood Protection Operations, Parish, Dec. June 3, 1982.

EIS No. 82025, Final, COE, MI, Grand Marsh Harbor Shoreline Erosion Control, Alagoa County, Dec. June 7, 1982.

EIS No. 82028, Final, COE, OR, North Bay Marine Industrial Park Development, Permit, Coos County, Dec. June 7, 1982.

EIS No. 82026B, Final, COE, SEV, AL, MS, Tennessee-Tombigbee Waterway Navigation Project, Dec. June 14, 1982.

Department of Energy  
EIS No. 82029, Draft, EPA, SEV, PRO, 1982, EPA Wholesale Power Rate Increase, Dec. June 25, 1982.

EIS No. 82028B, Final, EPA, WA, Crow Butte Slough Crossing/Asho River Transmission Line, Astoria Co., Dec. June 7, 1982.

Department of Interior  
EIS No. 82026, Draft, BLM, CA, San Geronimo Pass Wind Energy Site-Specific Project, Dec. June 8, 1982.

EIS No. 82028, Draft, BLM, ND, West Soudur Energy Management Program, Dec. July 8, 1982.

EIS No. 82029, Draft, BLM, OR, Brothers Area Grazing Management Program, Dec. June 21, 1982.

Department of Transportation  
EIS No. 82027, Draft, FHWA, IN, Western Grand Avenue Improvements, Bayette County, Dec. June 23, 1982.

EIS No. 82028, Draft, FHWA, MD, TTY-60 Improvements, St. James to Washington, Dec. June 23, 1982.

EIS No. 82028, Draft, FHWA, TN, I-55 Interchange Construction at Humber Road, Knox County, Dec. June 21, 1982.

Environmental Protection Agency  
EIS No. 82024, Final, EPA, SEV, MS, Lead-Acid Battery Manufacturing, Standards, Dec. June 7, 1982.

EIS No. 82024, Final, EPA, ND, Twining Wastewater Treatment Facilities, Grant, Teton County, Dec. June 7, 1982.

Department of Housing and Urban Development  
EIS No. 82021, Final, HUD, GA, Indian Creek Development Mortgage Insurance, DeKalby County, Dec. June 7, 1982.

National Regulatory Commission  
EIS No. 82021, Final, NRC, FL, St. Lucie Plant, Unit No. 2 License, St. Lucie County, Dec. June 7, 1982.

Department of Agriculture  
EIS No. 82026, Draft, APH, MT, Beaverhead National Forest Land Management Plan, Dec. June 21, 1982.

EIS No. 82028, Draft, APH, CO, Unsupervised National Forest Land Management Plan, Dec. June 21, 1982.

EIS No. 82023, Final, SCS, MS, Upper Yanna River Watershed Flood Control Project, Dec. June 7, 1982.

Amended Notices  
EIS No. 82024, Draft, APH, AK, Birch River WMA and Stream Degradation Study, "Published FR 4-30-82 with increased due date Dec. July 29, 1982."

EIS No. 82028, Draft, DLA, CA, Terminal Island Complex, Fuel Pier Relocation, Los Angeles County, "Published FR 4-30-82 with increased due date, Dec. July 1, 1982."

EIS No. 78028, Draft, MGA, MD, Bart and West Flower Cardene Master Sanctuary, "Published FR 4-13-79—Officially Withdrawn, Dec."

EIS No. 82028, Final, COE, IA, Retained Local Flood Protection Plan, Mississippi River, Scott Co., "Published FR 4-30-82—Review period reestablished due to noncompletion of distribution, Dec. June 7, 1982."

Deleted May 4, 1982.  
Paul C. Cahill,  
Director, Office of Federal Activities.

FR Doc. 82-1288 Filed 5-6-82 and  
GSA GEN. REG. NO. 27

(EPA-FRL-2151-1)

Cancellation of Environmental Impact Statement, East Texas Synthetic Project and Troup Lignite Mine

AGENCY: U.S. Environmental Protection Agency, Region 6.

Reason: Cancellation of the EIS on the East Texas Synthetic Project and Troup Lignite Mine.

Summary: Exxon Company, USA, has decided it will not proceed at this time with the East Texas Synthetic Project and Troup Lignite Mine near Troup, Texas. In light of this development, EPA has terminated the Environmental Impact Statement that was under preparation for the proposed issuance of

NEW AND IMPROVED SERVICE  
NEAR PROPERTY

Title	Description
<b>Chapter 2 Land Acquisition Plans</b>	
(a) Water requirements for development versus water available on site.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site. The water available on site is determined by the water available on site.
(b) Traffic, roads, and availability of water for water acquisition and development.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
(c) Evaluation of effects location that would result in the environmental stability of the land through treatment facilities, forests, proposed development, etc.).	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
(d) Evaluation of water quality and quality available for human consumption and wildlife needs.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
(e) Evaluation of available power supplies.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
(f) Evaluation of soil conditions.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
(g) Evaluation of topographic or geologic features.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
<b>C. Land Protection Plan (LPP)</b>	
(1) The purpose of the LPP is to provide information to the public in a clear and concise format regarding resource protection needs, the implementation schedule and priorities, and the direction of Service preservation proposals. Such information also only informs landowners and the public of Service plans, but can stimulate public participation and stimulate reevaluation of Service acquisition initiatives.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
(2) Regional Directors are responsible for consultation with the Department of the Interior's policy on land protection. Regional Directors were given the discretion to determine which projects would require a LPP by considering the following key factors: the number of landowners, acreage, size of the acquisition, and the amount of public investment. Land Protection Plans will be prepared for all current and future acquisition projects unless a written request for an exemption is approved by the Director. Exemptions will generally be granted for high priority and small numbers of landowners with whom there can be easy communication; are non-contiguous and are not publicly sensitive; and can be satisfactorily excluded from NEPA planning requirements.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
(3) Language should be non-technical and in layman's English (or other language in Spanish circumstances). Maps, photos, tables, and other graphic displays should be used to assist the understanding of the landowners. A picture map will be supplemented by a legend map which identifies the landowners; how they will be involved.	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.
(4) In conjunction with the draft EA, a draft LPP will	also be designed to all landowners and the public. The water requirements, available, and the water available on site will be determined by the water requirements. This is done by the water available on site. The water available on site is determined by the water available on site.

FISH AND WILDLIFE SERVICE  
REAL PROPERTY

Real Property

Part 25.1 Land Acquisition

Chapter 2 Land Acquisition Planning

Part 25.1.1.1

withdrawal, transfer, or exchange. In the discussion, care should be taken not to confuse or mix item (d) protection alternatives (lands) with acquisition alternatives (lands).

(ff) Coordination? Disclosure of past and ongoing coordination is usually appropriate, keeping in mind for whom this document is being written.

(gg) Sociocultural Impacts. Emphasis should be on cultural effects on local people; i.e., effects on life styles, activities, a traditional way of living, and well-being of landowners or others directly impacted by the proposed action. Effects on public health, safety, and education are the immediate concern. Will visitors likely harass or benefit the local people? If no sociocultural factor is to be affected, there is no point in trying to report them unless there is a significant local perception of impacts that is in error and should be addressed.

(hh) Table: Summary of Proposed Action. The table should contain at least six items:

(i) tract numbers or land description; (ii) protection priorities by tract or land description (this should also be discussed in the text explaining the rationale for the various priorities); (iii) acreages of tracts; (iv) ownership; (person's name or simply indicate private or named public agency); (v) type of protection by tract; and (vi) type of acquisition by tract.

(i) Maps. Include a map showing general location within the State, a map which zooms in on the proposal, and another with sufficient detail to identify individual tracts shown in the priority table (b) above. In some situations, a single map could be used. The map itself may indicate priorities if priority classifications are grouped. The maps may also summarize other pertinent information; however, care should be taken to avoid confusing clutter.

(j) Pictures. Quality photographs or drawings with simple legends can illustrate the project and aid in the understanding of the project. However, reproduction can be a problem, and time and costs should be weighed against effectiveness in deciding to include them.

(k) In general, the LPP has evolved into an important part of the local public involvement aspect of planning. In cases where the landowners have not actively participated in planning, a reasonable length of time should elapse between release of the document and plan implementation. During this period of time, feedback can be obtained from the landowners that

may strengthen or improve the plan. A comment period may not be necessary where there are few landowners and they have been involved in the planning or are otherwise well informed. In that case, the LPP can be a confirmation of intent. It is a line of communication with the public that is important and effective and should be at levels of the Service, the Secretariat, and, where appropriate, Congress.

6. Conceptual Management Plan.

(1) The purpose of the conceptual management plan is to provide at a minimum, a general picture of how the refuge would be operated and managed until the comprehensive management plan has been developed and finalized. The plan should be designed to answer those questions commonly posed by landowners and the general public during the entire planning and public involvement process. A sample conceptual management plan is provided in Exhibit 3 - Sample Conceptual Management Plan.

(2) In addition to the location and site map of the proposed refuge, the conceptual management plan should include the following:

(a) Introduction—a very brief purpose statement for the concept management plan.

(b) Goals of the National Wildlife Refuge System—standards statement.

(c) Refuge Administration—a statement on the administrative aspects of the refuge including location of refuge headquarters, personnel requirements, facilities, and an estimated budget for the refuge.

(d) Habitat Management—a brief statement on the conceptual plans for management of the existing habitat including discussions on use of management tools to restore and/or enhance habitat (e.g., burning, impoundments, mowing).

(e) Population Monitoring—a brief statement on the need for population surveys on the refuge.

(f) Public Use Opportunities and Management—a statement on the preliminary plans for wildlife and wildlife oriented public use on the refuge, including discussions on public access, hunting, fishing, viewing, environmental education, and law enforcement.

(g) Facilities Management—a discussion on the preliminary plans for the maintenance of the refuge facilities including the status of the buildings, paving of roads, signs, and maintenance of the roads within the refuge boundary.

25.1.1.1.1

25.1.1.1.1



Sustainable Forestry • Environmental Stewardship • Multiple-Use Management

**Statement of David W. Kiehl  
before the  
Subcommittee on Forests & Forest Health  
Committee on Resources  
U. S. House of Representatives  
March 17, 1998**

Madam Chairman and members of the subcommittee, I am David W. Kiehl, Vice President and one of the owners of North East Hardwoods of Marienville, Pennsylvania. North East Hardwoods is a small, privately-owned producer of high-quality Allegheny hardwood lumber. We also buy and sell veneer logs.

We started our business in 1988. At that time there were just my two partners, my wife, Jody, and myself. During the last decade we have grown slowly, but steadily. Currently, we employ 20 people directly and support several logging crews. In 1988, we began with an 8' x 12' building, three leased pickups, and a ten acre log yard. After recent expansions, we have nearly 50,000 square feet of manufacturing and storage facilities on 165 acres.

Lumber production, mostly 4/4 lumber but also 5/4 and 8/4 depending on log sizes, goes directly to furniture companies and distribution yards, and is typically resold to small customized businesses such as small cabinet makers. Our lumber mostly goes to New England, with smaller percentages going to Canada, the South, and a few export markets.

Nearly all of the timber we use in our business comes from the Allegheny National Forest. For our company and many others, this national forest is literally the mainstay of our rural way of life.

I am testifying today on behalf of The Allegheny Forest Alliance a coalition of individuals, school districts, townships and boroughs, hardwood lumber and veneer manufacturers, trade associations, and sporting and wildlife conservation organizations. The Alliance supports sustainable forestry, environmental stewardship, and multiple-use management of the Allegheny National Forest and other public forest lands. We oppose the proposed moratorium on the construction of roads into national forest roadless areas. If such a moratorium is necessary, then Congress should enact H.R. 3297, legislation sponsored by Rep. John Peterson (and others) to require extensive local hearings beforehand.

**The Allegheny National Forest**

The 513,000 acre Allegheny National Forest (ANF) is located in northwestern Pennsylvania within Elk, Forest, McKean, and Warren counties. Although it is one of 15 national forests in the Eastern United States, it is Pennsylvania's only national forest. Established by Presidential proclamation in 1923, the ANF is administered by the U. S. Forest Service. *It is the model of a well-managed, multiple-use forest.*

The ANF is located on the Allegheny Plateau. Many creeks and streams cut deeply into the plateau, creating a rolling and sometimes steep topography ranging from 1,046 feet to 2,263 feet above sea level. Like other national forests east of the Mississippi, the ANF was almost completely cut-over around the turn of the century. During the 1920s and 1930s, the federal government acquired these cut-over lands and established the Allegheny National Forest.

Through proactive forest management, the young trees within this second-growth forest have slowly matured. Now, through patient nurturing, the forest is at peak economic and biologic condition. For the most part, the ANF is *extremely* well-stocked with black cherry, maple, ash, and other valuable hardwood species. In fact, about one-third of the world's commercial supply of black cherry timber, suitable for use in fine furniture and veneers, is found on the Allegheny National Forest.<sup>1</sup>

The ANF is managed for sustained-yield and multiple-use. Foresters and other trained professionals harvest timber and improve the forest using a variety of methods. The average acreage harvested annually since 1987 is 7,705 acres (1 to 2 percent of the total acreage). The primary method is thinning (5,319 acres), followed by final harvest (2,024 acres), and selection cuts (362 acres). The annual Allowable Sale Quantity (ASQ), set in the 1986 Forest Plan is 94.5 million board feet (mmbf). However, the 1995 Timber Harvest Capability Report temporarily reduced sales to 53.2 mmbf per year. The average annual harvest during the past 25 years was 58 mmbf.

Most (if not all) of the unique and/or ecologically-significant roadless areas within the ANF have already been set-aside under a variety of designations,<sup>2</sup> and the road system within the forest is essentially complete. Counting state and township roads, there are 1,983 miles of road within the forest. Some 1,206 miles are in the Forest Road System and thus maintained by the Forest Service. These roads are used primarily for recreation (more than 90 percent of use), resource protection, and resource management.

Obviously, the proposed roadless area moratorium will have a different effect on the use and management of the ANF than on other national forests where the roadless acreage is much greater. To summarize: most of the unique and important roadless areas identified in RARE I and RARE II have been set-aside; there are few (if any) remaining roadless areas of any size or consequence; and the road network is essentially complete.

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<sup>1</sup> Approximately 80 percent of the black cherry veneer comes from either the ANF or the Monongahela National Forest in West Virginia.

<sup>2</sup> Special areas within the ANF include the Tionesta National Scenic Area (2,018 acres), Hearts Content National Scenic Area (122 acres), Tionesta Research Natural Area (2,113 acres), Hickory Creek Wilderness (8,663 acres), Allegheny River Islands Wilderness (368 acres), Allegheny National Wild and Scenic River, Clarion National Wild and Scenic River, Allegheny National Recreation Area (23,100 acres), and the Kane Experimental Forest (1,650 acres).

**A National Moratorium Can't Account for Local Conditions**

Madam Chairman, the Administration announced its proposed roadless area moratorium in the January 28th edition of the *Federal Register*.<sup>3</sup> The moratorium would apply to:

1. RARE II areas of 5,000 acres or more.
2. Other unroaded areas, regardless of size identified in a forest plan.
3. Unroaded areas greater than 1,000 acres contiguous to Wilderness areas or Wild rivers.
4. All unroaded areas larger than 1,000 acres contiguous to roadless areas of 5,000 acres or more.
5. Areas of "low-density" road development with "special or unique ecological characteristics/social values."
6. Any other area that retains its roadless characteristics which the Regional Forest subsequently determines has "special or unique ecological characteristics or social values."

Certain national forests would be exempt from the moratorium. However, the ANF does not qualify for any of the exemptions set forth in the *Federal Register*. According to ANF officials, there are roadless areas within the forest that meet one or more of the six criteria described above. So, clearly, the proposed moratorium would have some measurable effects.

To help citizens in our area comment on the proposed moratorium (comments are accepted until March 30), we made several inquiries with staff of the Allegheny National Forest. In each instance we asked Forest Service officials to tell us *precisely* how the moratorium would effect the ANF. To date, we have received information about *what* is proposed by the Administration, but *no* information about how our forest would be affected. (We understand that local Forest Service officials are not preparing an analysis of effects because such an analysis is being done at the Washington Office level.)

*I don't think you need any other justification for the forest-by-forest hearings proposed in H.R. 3297 than the complete and total absence of any meaningful site-specific information about the local effects of the proposed national moratorium.*

**The Allegheny Forest Alliance Supports H.R. 3297**

Madam Chairman, I have reviewed the statements made by various witnesses at this subcommittee's hearing on February 25, 1998, concerning the Administration's proposed moratorium. I am satisfied that the witnesses at that hearing provided you with a complete range of opinion about the justification (or lack thereof) for the proposed moratorium. The remainder of this statement will not, therefore, deal with that subject. Instead, I want to conclude by focusing on the merits of the ideas advanced by Rep. Peterson in H.R. 3297.

As you are aware, this legislation is very straight-forward. The principal elements are as follows:

- No interim or final rule to suspend or to temporarily suspend road construction activities in roadless areas within the National Forest System may be issued until the Secretary of Agriculture:

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<sup>3</sup> *Administration of the Forest Development Transportation System: Temporary Suspension of Road Construction in Roadless Areas, Federal Register*, January 28, 1998, pp. 4351-54.

- (1) conducts within each national forest a public hearing (at which the Regional Forester or Chief is in attendance) on the interim or final rule;
  - (2) issues a report based on the record of each hearing which concludes that any road moratorium will not:
    - (A) result in diminished forest health;
    - (B) adversely effect such multiple-use activities as timber sales and recreation; and
    - (C) hurt (economically or otherwise) state, county, or local governments; and
  - (3) submits such report to Congress.
- Each hearing shall be held at or near the relevant national forest and shall serve as a forum to discuss: the effects of a road moratorium (on that forest), the multiple-uses thereof, forest management, forest health, and the economic viability of governmental units dependent upon that forest.
  - If a moratorium rule is issued before the date of enactment, such a rule shall be suspended until the Secretary is in compliance with the Act.
  - Any interim or final rule shall not affect federal obligations, such as contracts, leases, and permits.

I ask you, how can anyone be against this bill? All it does is require the agency to do what it should have done in the first place: start at the bottom and work its way up. The Forest Service, at least in our part of the country, has not even prepared a map showing which portions of the ANF remain roadless. A national roadless moratorium poses risks for companies that rely upon national forest timber sales and school districts and local governments that receive a portion of national forest receipts. But the greater risk is to the forest itself.

An 18-month moratorium on road building in national forest roadless areas will tie the hands of those we have entrusted to manage our forests. Of particular concern to us—and to the sponsors of H.R. 3297—is how forest health could be impacted. There are many situations where building a road is necessary to fight wildfire or otherwise protect the forest ecosystem. Therefore, we ought to assess the forest health implications of a road building moratorium *before* such a moratorium is adopted.

Madam Chairman, in closing, let me quote from a statement released recently by the Independent Forest Products Association, IFPA, an association of family-owned businesses (and a member of The Allegheny Forest Alliance), urged support for H.R. 3297, saying:

*"[I]t is entirely appropriate to take a look at how national forest roads are engineered, built, and maintained. These roads provide vital access for people living in and around our federal forests and for those who travel long distances to enjoy such outdoor activities as boating, camping, hiking, hunting, and fishing. The roads also provide access for forest managers and timber purchasers. Consequently, a broad group of people are affected by and have a stake in national forest road policies and procedures. We agree that it is time to take another look at these issues, especially in light of the large forest road maintenance backlog that currently exists.*

*"However, decisions about when and where roads should be built in national forest areas that are presently unroaded are decisions that should remain at the local level. Traditionally, these decisions have been made after the extensive public participation that precedes adoption of the forest plans required by the National Forest Management Act. We believe that local and regional Forest Service officials acting after public hearings with local people (who are most affected by such decisions) is a tradition that must continue."*

The Allegheny Forest Alliance will continue to oppose the proposed roadless area moratorium. However, if such a moratorium is inevitable, then top-level Forest Service officials should receive testimony from local citizens at hearings in or near every national forest. We urge the Forests and Forest Health Subcommittee to promptly approve H.R. 3297 to ensure that such hearings take place.

Thank you for the opportunity to voice our concerns.

# # #

## **America's Wildlands at Risk:**

### **The Need to End Logging in National Forest Roadless Areas**

**Western Ancient Forest Campaign  
December, 1997**



*"These last remaining wild areas are precious to millions of Americans and key to protecting clean water and abundant wildlife habitat, and providing recreation opportunities. These unspoiled places must be managed through science, not politics."*

**President Bill Clinton**  
November 14, 1997

## Unroaded Areas: A Valuable National Resource

Unroaded areas on our National Forest lands comprise much of our nation's last remaining unprotected wilderness. These vital reservoirs of biodiversity provide the best habitat for fish and wildlife, including many threatened and endangered species. Unroaded areas serve to sustain healthy forest and aquatic ecosystems which provide us with clean water, recreation, and the unique outdoor experiences of solitude and spiritual renewal. These areas hold and safeguard our natural heritage for future generations.

The value of these areas are well known by the millions of visitors who enjoy them each year, but it is not just recreationists that recognize their importance. Studies from all fields of the natural sciences teach that unroaded areas are some of the most ecologically valuable parts of the landscape.

*"Roadless regions exemplify the least human-disturbed forest and stream systems, the last reservoirs of ecological diversity, and the primary benchmarks for restoring ecological health and integrity. Roads fragment habitat; alter the hydrology of watersheds; supply excessive sediment to streams; increase human access and thus disturbance to forest animals; and influence the dispersal of plants and animals, especially exotic species, across the landscape."*

**M.G. Henjum et al.**

"Interim Protection for Late-Successional Forest, Fisheries, and Watersheds," A Report to the Congress and the President. 1994.

## Unroaded Areas Protect Our Water Quality

The first Chief of the US Forest Service, Gifford Pinchot, recognized the need to protect forests in order to provide clean water and sustain healthy fish populations. In 1910 Pinchot wrote, "The relation between forests and rivers is like that between father and son. No forests, no rivers." Today, after decades of clearcutting and road building, Pinchot's words ring more true than ever.

*"Our number one water quality problem in the National Forest System is roads."*

**Jim Lyons**  
USDA Under Secretary  
May 23, 1997

According to the Forest Service, 922 communities get their drinking water from National Forest streams that are frequently harmed by the building of logging roads. When logging and

**America's Wildlands at Risk**  
 WAFC - December, 1997

road construction remove forest cover they also impair the ability of the land to hold rain and snow runoff. Healthy forests help regulate the flow of streams and provide clean filtered water to cities and towns. Logging and road building turn normal runoff into torrents that deliver silt and mud into municipal water supplies, sometimes disabling entire water systems. The city of Salem, Oregon lost its water supply for several weeks in 1996 due to sediment increases caused by logging in the Santiam Watershed. Flooding results in not just clogged pipes but a big increase in the cost of drinking water treatment and reservoir maintenance.

### **Fish Habitat Threatened by Roadbuilding**

Today, the National Forest System includes over 380,000 miles of roads and each year the Forest Service proposes to build more. Most of these roads were built for the Forest Service timber program. When this massive road system is combined with the damage caused by decades of over-logging the effects are devastating. Run-off from roads and clearcuts increases the amount of fine sediment in streams. Sediment accumulation smothers and kills developing fish eggs and disrupts normal feeding activity.

*"Intact and pristine watersheds (e.g. roadless and wilderness areas) serve to function as critical habitats and biotic refuge areas for fish and wildlife of adjoining ecosystems."*

**R. Wissar et al.**

"A History of Resource Use and Disturbance in Riverine Basins of Eastern Oregon and Washington,"  
Northwest Science, 68, (Special Issue) 1994.

The deleterious effects of road construction is so well documented that the National Marine Fisheries Service concludes, "*Road construction has been a primary cause of salmonid habitat decline.*" Formerly abundant populations of salmon and trout have been virtually eliminated from great portions of their historic range. Both the coho salmon and bull trout are under consideration for listing under the Endangered Species Act and other aquatic species face extinction. The once-famed salmon runs of the Pacific Northwest, an important part of the region's culture and heritage, continue to decline. Will future generations have the opportunity to know these magnificent fish?

The commercial and recreational fishing industries are major sectors of the Northwest economy. In 1988, the salmon industry contributed approximately \$1.25 billion to the Pacific Northwest's economy and generated over 62,000 jobs. In Southeast Alaska, the commercial

**America's Wildlands at Risk**  
WAFC - December, 1997

fishing industry contributes \$250 million annually and supports 5,000 direct jobs. Continued loss of fish habitat as a result of road building and logging will have severe costs from an ecological, cultural and economic standpoint.



Unroaded forests provide clean drinking water and fish habitat.

### **Roadbuilding and Landslides**

Deadly landslides captured national attention a year ago when four Oregon citizens were killed in their house by a mudslide that started out of a ten-year-old clearcut. Two days later another area resident was killed when a landslide swept her car off a road and into a raging river.

America's Wildlands at Risk  
WAFC - December, 1997

*"Within any particular area there was an obvious and visible association between roads and landsliding, and between recent harvesting (clearcutting) and landsliding."*

**William Weaver and Danny Hagans**  
Aerial Reconnaissance Evaluation of 1996 Storm Effects on Upland Mountainous Watersheds. Pacific Watershed Associates, 1996.

Unfortunately, the problem of landslides and their connection to logging roads and clearcutting is not new or rare. Hundreds of slides that occurred on National Forests in November and December of 1996 were in areas that are roaded and/or heavily logged. Studies by the Forest Service conclude that clearcutting increases the risk of landslides from 2 to 7 times. An even greater factor is roads which increase the risk of slides by as much as 30 times. Catastrophic slides destroy wildlife habitat and often require taxpayers to pay for rebuilding roads and replacing culverts. The human and environmental costs from landslides are reason enough to place roadless areas off limits to logging.

### **Endangered Species and Endangered Ecosystems**

Many wild animals avoid or will not cross roads. Elusive predators such as grizzlies and cougars are especially wary of roads and by avoiding roads they are limited to smaller portions of viable habitat. The damaging effects of roads hurt other species including the Northern-spotted owl, large game species such as elk and interior forest neotropical songbirds. Roads fragment wilderness areas and form habitat into isolated islands. Habitat islands are more prone to natural and human disturbances and, in time, these disturbances result in species loss.

*"The first step to (preserve biodiversity) ... would be to cease developing any more relatively undisturbed lands."*

**Paul Ehrlich and E.O. Wilson**  
"Biodiversity Studies: Science and Policy,"  
Science, vol. 253 (Aug. 16, 1991): 761.

The loss of habitat from roads and clearcuts also contributes to a decline in wildlife populations and roads give more access to poachers. Roads also spread noxious weeds that choke out native plants and alter ecosystems. We can best protect and restore numerous species

America's Wildlands at Risk  
WAFC - December, 1997

of endangered predators, invertebrates and plants by preserving unroaded areas and decommissioning old roads.

### Quality of Life

It's no secret that National Forests provide wonderful opportunities for many varied outdoor recreation experiences. In fact, last year 830 million visitors made their way to the National Forests. Recreation activities on National Forest lands in the year 2000 are projected to generate over \$97.8 billion dollars into the economy. Resource extraction, including all mining and logging, is projected to produce only about one-tenth of that.

*"I want to add my emphasis to the point that riparian, old growth, and roadless areas are vitally important to the character, productivity, and values for which so many treasure the National Forests."*

**Robert W. Williams**  
Regional Forester, USFS Region 6  
May 2, 1997

Only 26 percent of all National Forest logging roads are built to standards suitable for the low-clearance passenger vehicles that average citizens use. But, surveys show that Americans want more and higher quality backcountry recreation opportunities, not more roads. The largest growth in recreation over the next 50 years is projected by the Forest Service to be wildlife viewing and backpacking; both require unroaded healthy ecosystems. Unprotected wilderness areas can provide these needs but not if they continue to be lost to logging and road construction.

### Subsidizing The Timber Industry

There are strong economic, as well as ecological, justifications for an end to roadbuilding in National Forests and the permanent protection of existing unroaded areas. Protecting unroaded areas would save taxpayer's money. Unroaded areas are generally very steep and inaccessible and, with road construction costing an average of \$30,000 a mile, logging in these areas is only possible because of massive taxpayer subsidies. Roadless area timber sales almost always result in a loss to the federal treasury, not only because of the cost of road building but also because they are usually not productive sites for silviculture. The White House Council of

America's Wildlands at Risk  
WAFC - December, 1997

Economic Advisors says the timber program lost \$234 million in 1995 and the costs of building logging roads is a major reason the program lost money. Taxpayers are continually forced to pick up the tab for corporate loggers. Though the Forest Service has continually explained away these yearly losses, the agency did admit recently to losing \$15 million on their 1996 timber program.

*"The U.S. government is the only property owner I know of that, in effect, pays private companies to despoil or deplete its own resources."*

Rep. Jim Leach (R-Iowa)  
The Washington Post  
Nov. 21, 1997

In an era of government cutbacks, we cannot afford to subsidize the timber industry by building, maintaining and repairing their logging roads. There is currently a \$440 million backlog of maintenance and repairs for the road system; money appropriated for road construction should be spent instead on the maintenance of existing roads and the decommissioning of old roads.

#### **A Needless Controversy**

Overall, the National Forests supply a mere 3.9% of all wood products consumed in the US. Recent data from the Forest Service reveals that, outside of Alaska, only 5% of the timber sale program for FY 98-99 is planned by the agency for roadless areas. In other words, the sales in this catalogue and other roadless sales -- while incurring enormous environmental and economic costs -- contribute an insignificant amount of volume in proposed National Forest timber sales and the wood product consumption of Americans. There is no compelling reason for the Forest Service to continue planning timber sales in our unprotected wildlands.

#### **Legacy of the Clearcut Logging Rider**

In 1996, numerous timber sales proposed by the Forest Service under the Rescissions Act Logging Rider threatened our unprotected wilderness areas. In response to a massive public outcry against these sales, the Clinton Administration issued a directive which ordered the Forest Service to stop offering new sales in inventoried roadless areas and to withdraw many sales already offered. Known as the Glickman Directive, this expired with the Logging Rider on

America's Wildlands at Risk  
WAFC - December, 1997

December 31, 1996 and now many of the previously withdrawn roadless area sales are being reissued by the Forest Service. The Administration should use its authority to stop these destructive sales and prohibit the Forest Service from logging or building roads in all unroaded areas.

*"The unfortunate reality is that many people presently do not trust us to do the right thing. Until we rebuild that trust and strengthen those relationships, it is simply common sense that we avoid riparian, old growth, and roadless areas."*

Forest Service Chief Mike Dombeck  
Statement to the Senate Committee on Energy and Resources  
February, 1997

### **The Citizen's Call to Protect Old Growth and Roadless Areas**

It is time for permanent protection of remaining unroaded areas on the National Forests. There is an overwhelming public consensus on the need to protect unroaded areas. Almost every national environmental group, over three hundred grassroots organizations and hundreds more individuals including scientists, recreational and business leaders and municipalities concerned about clean drinking water have already endorsed the Citizen's Call for the Protection of Old-Growth Forests and Roadless Areas. Our lawmakers, Administration officials and public land managers should act now to protect our remaining roadless areas.

*"Ancient forests and roadless areas are among our nation's most valuable resources. They provide homes for wildlife, the source of much of our drinking water, spawning grounds for some of our most valuable fisheries, buffers against flood damage, and opportunities for human recreation and solitude that refresh our bodies and nourish our souls..."*

*...We call for an immediate halt to logging and roadbuilding in old growth forests and roadless areas nationwide. These areas must be recognized as national treasures and permanently protected as part of our American heritage. Only by protecting these last pristine forest ecosystems can we fulfill our responsibility to be good stewards and pass on to future generations clean water, abundant wildlife, and a healthy environment."*

- The Citizen's Call

America's Wildlands at Risk  
WAFC - December, 1997

**Roadless Area Timber Sales Threaten Old Growth, Wildlife, Water Quality, and Recreational Use of America's National Forests.**

This is a partial list of timber sales currently pending in National Forest roadless areas. In virtually every case, the sales will cause irreversible damage to water quality, wildlife habitat, old growth forests and other environmental values. Logging should and must end in our National Forest Roadless Areas.

**ALASKA**

**Port Houghton/Cape Fanshaw  
Tongass National Forest**

This sale, located in the Petersburg and Juneau ranger districts, is scheduled to clearcut over 100 mmbf from the largest remaining unprotected block of old growth on the Tongass. Designated as wilderness in the 1989 House passed version of the Tongass Timber Reform Act, the Port Houghton/Cape Fanshaw area was not protected in the final bill. Because of public concern the USFS has had to revisit their decision.

**Control Lake Timber Sale  
Tongass National Forest**

Initially the Forest Service proposed logging of up to 187 mmbf from a roadless area north of Craig-Klawock on Prince of Wales Island. With the cancellation of the 50 year Ketchikan Pulp Company contract and better habitat protection guidelines the USFS has decided to withhold their previous decision. Though the USFS is developing a supplemental DEIS they have still defined the "purpose and need" to be a timber volume of 90 mmbf and are going through with the sale.

*For more information on these timber sales call the Southeast Alaska Conservation Council at 907/586-6942.*

**ARIZONA**

**Ritter Timber Sale  
Coconino National Forest**

The Ritter Timber Sale will log 4.3 mmbf including 1383 old growth ponderosa pines. The Forest Service plans to build three miles of new road at an estimated loss of \$200,000. This sale is in a lightly roaded area but is adjacent to Oak Creek Canyon, a highly popular recreation

**America's Wildlands at Risk**  
**WAFC - December, 1997**

area which the Arizona Department of Game and Fish declared as the best remaining habitat for wild turkeys on the Coconino. This sale is also directly adjacent to the Red Rock/Secret Canyon wilderness. Conservationists have appealed the sale but the Forest Service denied the appeal.

**Sundown Timber Sale**  
**Apache-Sitgreaves National Forest**

The Forest Service plans to log 8 mmbf of ponderosa pine on 4000 acres and 20 mmbf of pinyon and juniper including 15,000 acres of old-growth. The Forest Service, which has said it plans to log 300 acres a year for 50 years, has claimed that juniper has "invaded" natural grasslands. How the juniper can be considered old growth and invasive is not explained.

*For more information about these timber sales call Peter Galvin of the Southwest Center for Biological Diversity at 520/623-5252.*

**CALIFORNIA**

**Salt Log Timber Sale**  
**Mendocino National Forest**

This sale was originally planned under the Recissions Act Logging Rider. The US Forest Service plans to log one mmbf of old growth and mature forest from approximately 200 acres. The sale will also build a mile of logging road over an old trail used for hiking. The forest offers suitable habitat for pileated woodpeckers, northern spotted-owls, Pacific fishers and goshawks. This sale will also damage the water quality of Grindstone Creek which has been proposed for Wild and Scenic River status and is a source of municipal drinking water. Though the area is roadless the Forest Service has said they will not do the required full EIS.

**Blands-Steel Timber Sale**  
**Mendocino National Forest**

This sale was previously planned under the Recissions Act Logging Rider. The Forest Service plans to log 4 mmbf from 7000 acres and build one mile of new road with two miles of "reconstructed" road. This sale is planned for the Big Butte-Shinbone Roadless Area and all forest slated for logging is either mature or old growth and is suitable habitat for old growth dependent species. The area proposed for logging is sandwiched between the Yolla Bolly-Middle Eel Wilderness and the Middle Fork Eel Wild and Scenic River. The Middle Fork is also designated as a key watershed and is habitat for the largest remaining population of summer-run steelhead in California. The Traveller's Home National Recreation Trail also passes

**America's Wildlands at Risk**  
**WAFC - December, 1997**

through the area.

**Medicine Lake/Highlands Geothermal Project**  
**Modoc National Forest**

This project will clearcut a swath through the heart of the Mount Hoffman Roadless Area and remove 5 mmbf of timber in spotted-owl habitat to make way for a geothermal power line. The project will build 3.25 miles of permanent road and 24 miles of powerline construction. This area is suitable habitat for old growth dependent species and is also considered sacred by local Native Americans. The Forest Service is close to issuing the final decision.

**Dutchman Timber Sale**  
**Six Rivers National Forest**

This timber sale was previously issued under the Salvage Logging Rider but pulled for being in the Soldier Roadless Area. The Forest Service plans to log 5.25 mmbf from 598 acres. The sale will also build six miles of "temporary" roads and one-half mile of "reconstruction." The Dutchman sale abuts the North Fork Eel Wilderness and the North Fork Eel Wild and Scenic River. The North Fork Eel is also a designated key watershed because of summer and winter runs of steelhead and coho salmon populations. The area is also home to numerous old growth dependent species. Though the USFS admits the watershed is threatened by high summer temperatures and sediment runoff from roads and livestock grazing, the agency plans to build roads across six riparian reserves. This will degrade municipal water supplies downstream.

*For more information on these timber sales or others in California call Ryan Henson of the California Wilderness Coalition at 916/758-0380.*

**COLORADO**

**Ouray Springs/Darling Timber Sale**  
**Grand Mesa-Uncompahgre and Gunnison National Forests**

The Ouray Springs timber sale will log a total of 6.1 mmbf from a total of 1055 acres. This sale also plans 7.9 miles of "temporary" roads and will reopen 2.1 miles of closed logging roads. The Forest Service refused to prepare a complete Environmental Impact Statement and instead issued an Environmental Assessment. Though the sale has been approved by the Forest Service, local conservationists are appealing the timber sale.

**America's Wildlands at Risk**  
WAFC - December, 1997

#### **Spruce Mountain Timber Sale**

##### **Grand Mesa-Uncompahgre and Gunnison National Forests**

This timber sale is proposed for 700 acres of a roadless area adjacent to the north end of the Tabeguache Special Management Area - an area designated by the 1993 Colorado Wilderness Bill as a wilderness, but without water rights. The Forest Service proposes to clearcut 2.8 mmbf and build 3.3 miles of "temporary" roads and 0.5 miles of new road. As with almost all aspen timber sales on the Uncompahgre Plateau in the last 20 years this sale is a below-cost sale. The Forest Service has estimated it will cost taxpayers \$37,000 to "sell" these trees. The Forest Service is still completing the Environmental Assessment.

#### **Sheep Flats, Grove Creek, and Valley View Timber Sales**

##### **Grand Mesa-Uncompahgre and Gunnison National Forests**

The Forest Service plans to build 24 miles of new roads and 11 miles of "reconstructed" roads for these three timber sales and prefers the management alternative that logs the maximum amount of old-growth of the management options considered. These sales plan to log 15 mmbf over 23 square miles with 11 mmbf of the total coming from within the Priest Mountain and Salt Creek Roadless Areas. This timber sale is by far the largest planned on the GMUG National Forest in recent years. The USFS is completing the Environmental Impact Statement.

#### **Morrison Creek Timber Sale**

##### **Routt National Forest**

The Forest Service plans to build 7 miles of new roads into the inventoried RARE II Bushy Creek and Morrison Creek Roadless Areas. The sale will log an unspecified amount of timber from 750 acres. Much of the area contains steep slopes and highly erosive soils. The USFS is completing the DEIS.

#### **Dome Timber Sale**

##### **White River National Forest**

The Dome timber sale plans to build 1.5 miles of logging roads and "temporary" road to cut 3 mmbf in a premier backcountry recreation area. The Dome sale is another former Recissions Act Logging Rider timber sale that was previously cancelled for "significant public concern." This sale will enter and destroy the wilderness values of approximately 800 acres of the inventoried Dome Peak Roadless Area which is directly adjacent to the Flat Tops Wilderness Area.

**America's Wildlands at Risk**  
**WAFC - December, 1997**

**South Quartzite Timber Sale**  
**White River National Forest**

The South Quartzite sale was originally planned under the Salvage Logging Rider but stopped by Secretary Glickman's directive because of "significant public concern." Now the Forest Service wants to revive this timber sale that will log 5 mmbf over 2 square miles in the inventoried Grizzly Creek Roadless Area. This sale could cause significant degradation to the public water supply of Glenwood Springs, CO. In a bit of confusion, the Forest Service's DEIS "preferred alternative" recommended that the sale not enter the Grizzly Creek roadless area. However, in the same document the "proposed action" recommended entering the roadless area.

**Basalt Mountain Timber Sale**  
**White River National Forest**

Though over 700 citizens have signed letters and petitions opposing this sale, the Forest Service plans to log 6 mmbf from over 1400 acres where they will build 7 miles of new logging roads and 7.2 miles of "reconstructed" roads. This sale would affect roughly 300 acres of one of the only remaining roadless areas on Basalt Mountain which happens to be prime elk habitat. Not only will the amount of road construction in this sale be a big cost to taxpayers, this sale is already expected to lose money because of the poor quality of the timber. The USFS is completing a DEIS.

*For more information on these timber sales call Rocky Smith at Colorado Environmental Coalition at 303/837-8704 or Jeff Widen of the Western Ancient Forest Campaign at 970/884-1356.*

**GEORGIA**

**Mountaintown Creek Timber Sale**  
**Chattahoochee National Forest**

The Forest Service is planning to log 325 acres with this 1.5 mmbf timber sale in the Pink Knob Roadless Area. The sale will build 1.1 miles of permanent road dumping sediment into several creeks in the Coosa River watershed.

**Tuckaluge Creek Timber Sale**  
**Chattahoochee National Forest**

The Forest Service has planned this sale for the Rabun Bald RARE II Roadless Area. This 3.5

**America's Wildlands at Risk**  
**WAFC - December, 1997**

mmbf timber sale would log over 650 acres and is the largest sale ever proposed for the Southern Appalachian region. The sale would build 3.8 miles of "temporary" roads and reconstruct another 5 miles of roads. It is currently under litigation.

**Big Net Timber Sales**  
**Chattahoochee National Forest**

The Forest Service has planned this 342 mbf sale for the Tray Mountain RARE II Roadless Area. It is estimated that the logging of this sale and the construction of one mile of "temporary" road would dump an extra 12.7 tons of sediment into several trout bearing streams in the Hiwassee River watershed. This sale is currently under litigation.

*For more information on these timber sales call Rene Voss of the Georgia Chapter of the Sierra Club at 404/872-9453.*

**IDAHO**

**Deadwood River Timber Sale**  
**Boise National Forest**

This sale was originally planned under the Salvage Logging Rider but then cancelled for not being "imminently susceptible to fire" as the Forest Service had claimed. The sale is planned to build 10.9 miles of road in the Deadwood River Roadless Area which is home to wolves, bull trout and lynx. It is estimated this sale will cost taxpayers \$884,400.

**French Creek-Patrick Butte Roadless Area Timber Sale**  
**Payette National Forest**

This is a popular recreation area with steep river breaklands, high alpine meadows, glacial cirque basins and 50 lakes where fish and wildlife abound. The Forest Service plans to build 6 miles of new road and log 15 mmbf of trees.

**Secesh Roadless Area Timber Sale**  
**Payette National Forest**

Once the most productive summer chinook salmon habitat in the Columbia Basin, the South Fork of the Salmon River was devastated in the 1960s by erosion from logging roads and clearcuts. The area suffered more damage following last January's heavy rainfalls but now the Forest Service plans to remove 3 mmbf of timber along the South Fork Salmon River.

**America's Wildlands at Risk**  
**WAFC - December, 1997**

**North Lochsa Face Timber Sale**  
**Clearwater National Forest**

Though the Clearwater National Forest has been hard hit by mudslides and erosion caused by logging roads in the last three years, the Forest Service designed a timber sale that could log thousands of acres along the Lochsa Wild and Scenic River, much of it in roadless areas. The Forest Service's preferred option is to log 63 mmbf - enough to fill 12,600 logging trucks. This sale will also further the destruction of prime steelhead habitat in an area where the Forest Service, Bureau of Land Management and the conservation group Trout Unlimited have already started a \$5 million effort to restore native fish habitat.

**Weir-Post Office Roadless Area Timber Sale**  
**Clearwater National Forest**

Beside the designated Wild and Scenic Lochsa River the Forest Service plans to log 5.5 mmbf of trees. The area contains a National Recreation Trail leading to the Colgate Warm Springs and a portion of the registered National Historic Landmark Lolo Trail. Half of the timber volume is scheduled to be logged from the roadless area.

*For more information on these timber sales call John McCarthy of the Idaho Conservation League at 208/726-7485.*

**MONTANA**

**Jericho Timber Sale**  
**Helena National Forest**

This sale was originally proposed under the Salvage Logging Rider but was pulled for entering the Jericho Mountain Roadless Area. The sale has been reintroduced with the exact same components. The Forest Service plans to log one mmbf from 200 acres with clearcuts exceeding the 40 acre size limit and build 2 miles of "temporary" road. The sale would adversely affect Telegraph Creek, a water quality limited segment that fails to meet Clean Water Act standards due to past logging and roadbuilding. The Forest Service plans to log at high altitudes on the Continental Divide which will ensure slow regeneration. This sale is expected to lose money.

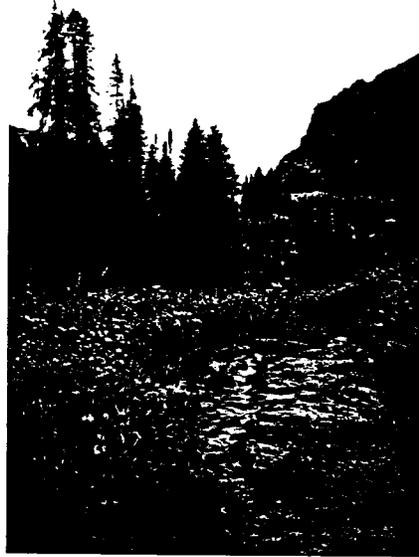
**America's Wildlands at Risk**  
WAFC - December, 1997

**Camp Reimiel Timber Sale**  
**Bitterroot National Forest**

This sale proposes to log 3.9 mmbf from 1200 acres and building 3.5 miles of road. Logging and road building are proposed in the uninventoried roadless areas adjacent to the Tolan and Allan Mountain Roadless Areas. Conservationists have appealed the sale.

**Berray Mountain Timber Sale**  
**Kootenai National Forest**

The Forest Service plans to log 3.2 mmbf over 862 acres with 95% of the sale coming from the roadless area. After the timber is helicopter logged, the Forest Service plans to survey the logged area to decide if it maintained its roadless characteristics or if the roadless area acreage will be officially decreased. This sale has been sold but logging has not yet begun. The Department of Agriculture could negotiate to stop the logging of this sale.



Upper Hyalite Creek on the Gallatin NF. Photo by Rob Ament.

*For more information about these timber sales call Kim Davitt of American Wildlands at 406/586-8175.*

**OREGON**

**Judie Timber Sale**  
**Umpqua National Forest**

This sale, sold under the Recissions Act Logging Rider, is proposing to log 7.4 mmbf (enough to fill about 1500 log trucks) from over 1000 acres of the Hardesty Mountain RARE II Roadless

**America's Wildlands at Risk**  
WAFC - December, 1997

Area. The Forest Service is planning to build a total of 2.2 miles of new roads and "reconstruct" 6.8 miles of additional roads. Two-thirds of the total roads have already been built. The Forest Service is also planning to use helicopters to log additional remote sections of this unprotected wilderness area. Though camping and swimming are currently prohibited within this municipal drinking watershed, this sale will clearcut in those same areas. One mile of existing recreational trail will be obliterated by new logging roads. Rep. Peter DeFazio (D-OR) has written a letter to the USFS asking for a buy back of this timber sale.

**Peanuts Timber Sale**  
**Umpqua National Forest**

This sale is mostly replacement volume for previous sales that were determined to be illegal. The sale is awarded to Sun Studs and Scott Timber and a small portion is still up for auction. The Peanuts Timber Sale involves construction and reconstruction of logging roads in two unprotected wilderness areas each over 1000 acres in size. Nearly three miles of permanent and semi-permanent logging roads will be built to access this timber sale, and over eight miles will be reconstructed. One and one-quarter miles of the new permanent logging roads will be built in the headwaters of Loafer Creek in spite of the watershed analysis which says: "The length of haul roads and yarding roads which site specifically direct runoff into streams should not be increased in Loafer Creek." Seven million board feet of trees will be cut from 297 acres in the high Cascades as a part of the Peanuts sale. The Forest Service has denied the appeal on the sale.

**Pigout Timber Sale**  
**Umpqua National Forest**

The Forest Service has planned this timber next to a 1500 acre roadless area that holds the popular Umpqua Hot Springs. The sale will affect habitat of the Northern Spotted-Owl, Bald Eagle, Peregrine Falcon and California Wolverine. One unit of this planned sale experienced a large landslide in a recent storm, demolishing a canal and dumping sediment into the Clearwater River. This 27 mmbf sale is a replacement for "like kind and volume" of the canceled Prong timber sale. The Forest Service is attempting to get an "incidental take" permit for Peregrine Falcon in order to issue the sale.

*For more information on these timber sales call Francis Eatherington of Umpqua Watersheds at 541/673-7649.*

**America's Wildlands at Risk**  
**WAFC - December, 1997**

**Cold Springs/Switchback Timber Sale**  
**Winema National Forest**

This timber sale, on the flanks of Pelican Butte and the Sky Lake Wilderness Area in southern Oregon, will enter approximately 850 acres of a 17,000 acre unprotected wilderness area. It will also log in an Ancient Forest Reserve established under President Clinton's Northwest Forest Plan. Large, old growth Shasta Red Firs are scheduled to be cut within the unprotected wilderness. Additionally, several bald eagle nests lie within the timber sale area. After 20 conservation groups appealed the Forest Service's decision the agency is re-evaluating the sale.

**Pelican Butte Ski Resort Development**  
**Winema National Forest**

Development of a large, full-scale ski resort is being planned in the heart of the Pelican Butte unprotected wilderness area. The ski resort and development would also be in an Ancient Forest Reserve under the Clinton Forest Plan. The resort would permanently cut ancient forest to create ski runs and would build roads and parking lots in areas within one of North America's largest bald eagle special management areas.

*For more information about these timber sales call Wendell Wood of Oregon Natural Resources Council at 541/783-2206.*

**Eagle Timber Sales**  
**Mt. Hood National Forest**

These sales, sold under the Salvage Logging Rider, will log over 28 mmbf (enough to fill over 5,600 log trucks) from 1018 acres in steep areas within the Eagle Creek watershed, one of the more pristine forests within the Mt. Hood National Forest and a "key watershed" under the President's Forest Plan. Native cutthroat reside in the sale area and remnant populations of wild coho, salmon and steelhead exist downstream of the sale area. This sale will degrade the watershed which serves as a year round drinking water source for 175,000 residents of several Portland suburbs and serves the City of Portland as a back-up water supply. The Forest Service planned much of this logging in inventoried roadless areas, which will harm both existing and potential new wilderness areas.

**Mineral Hill Fork Timber Sale**  
**Siskiyou National Forest**

This timber sale will enter the 10,200-acre Windy Valley Roadless Area. This unprotected wilderness area represents one of the largest blocks of intact coastal forest west of the

**America's Wildlands at Risk**  
**WAFC - December, 1997**

**Kalmiopsis Wilderness.** The timber sale area is habitat for old-growth dependent forest species including chinook salmon and steelhead trout. The Mineral Hill sale will log in the two main tributaries of Eagle Creek, which flows into the National Wild and Scenic Chetco River, a world-class fishery famous for its salmon, wild steelhead trout and exceptional water quality.

**Washington-Watershed Timber Sale**  
**Wallowa-Whitman National Forest**

This sale is planned to log in the Elkhorn Mountains, one of the largest pieces of inventoried unprotected wilderness in the Blue Mountains of eastern Oregon. The sale will log in pristine ancient forest, impacting 3500-4000 acres of the roadless area. This sale was originally offered on the market twice but had no bidders. The USFS then split the sale into two parcels and renamed it the Washington-Watershed sale. The Washington parcel, adjacent to the municipal watershed for Baker City, OR, was offered for sale. The Watershed parcel was transformed into a pilot project that would allow the purchaser to log the site, pick the trees of their choice and leave the rest for the USFS to sell. The Forest Service has obviously gone to great lengths to sell public timber at a loss to taxpayers.

*For more information about this sale call Regna Merritt of the Oregon Natural Resources Council at 503/295-6730.*

**Aldrich Timber Sale**  
**Malheur National Forest**

The sale on Aldrich Mountain enters 40,000 acres of unprotected wilderness which is part of the 30,000 acre Murderers Creek unprotected wilderness area. The Aldrich



Old growth Ponderosa pine forests once covered the west.

**America's Wildlands at Risk**  
**WAFC - December, 1997**

timber sale is mostly green trees, with some large (greater than 21 inches in diameter) old growth ponderosa pine. Approximately 3500 acres of pristine forest will be impacted, including the headwaters of Widows Creek, a historic steelhead spawning stream. The area is also ideal elk and deer habitat in its natural, unlogged condition.

**Summit Fire Timber Sale**  
**Malheur and Umatilla National Forest**

This sale enters part of a 40,000 acre unprotected wilderness area in the Greenhorn Mountains of northeast Oregon. The sale will cut 100 mmbf of dead and green trees, many of them over 21 inches in diameter. Part of the sale will impact 5000 acres of this unprotected wilderness in the Forest Service's Indian Rock Scenic Area. Logging will destroy old growth and riparian areas in the upper reaches of watersheds that contain chinook salmon, steelhead, and bull trout in the Middle Fork John Day River system.

*For more information about these timber sales call Tim Lillebo of the Oregon Natural Resources Council at 541/382-2616.*

**PENNSYLVANIA**

**Mortality II Timber Sale**  
**Allegheny National Forest**

This sale plans to build 2.3 miles of new road, reconstruct 2.8 miles and "restore" 31.8 miles of road. The sale stands to threaten habitat for the endangered Indiana bat, but the Forest Service claims the area is "unoccupied habitat" although surveys for the bat were never started. Conservationists have appealed the sale but have been turned down. The sale was recently placed under injunction requiring the USFS to prepare a full environmental impact statement.

**Minister Valley Timber Sale**  
**Allegheny National Forest**

This timber sale will include 509 acres of shelterwood cutting, 45 acres of commercial thinning and will reconstruct 4.9 miles of road and will spray herbicides on 569 acres. The Minister Valley is one of the most popular roadless recreation areas on the Allegheny National Forest and is adjacent to the Hickory Creek Wilderness. The sale is now being litigated.

*For more information on these timber sales call Jim Kleissler of the Allegheny Defense Project at 814/226-4918.*

**America's Wildlands at Risk**  
**WAFC - December, 1997**

**TENNESSEE**

**Slide Hollow Timber Sale**

**Cherokee National Forest**

The Forest Service planned this 1 mmbf timber sale entirely within the 4400 acre Slide Hollow Roadless Area. This area is important black bear and songbird habitat and is suitable for future wilderness designation. The Forest Service failed to conduct a full Environmental Impact Statement including surveys and effects on sensitive plants and animals. As a result of an appeal by seven local conservation groups the Forest Service has decided to delay the implementation of the sale while they study the project further.

**Devil's Backbone Timber Sale**

**Cherokee National Forest**

The Forest Service proposed this sale in a roadless area despite the area being considered for designation as Wilderness. When a coalition of conservation groups appealed the sale the Forest Service denied it on the grounds that the potential wilderness area was less than 5000 acres. In the appeal decision the USFS Region 8 Forester explicitly dismissed the counsel of Chief Mike Dombeck to avoid roadless areas as "merely comments until they are translated into policy through established administrative procedures." This sale is scheduled to be logged soon.

*For more information on these timber sales call Peter Kirby of The Wilderness Society at 404/872-9453.*

**UTAH**

**South Manti Timber Sale**

**Manti-LaSal National Forest**

Due to a successful appeal by local citizens, the Manti-LaSal National Forest is being forced to prepare an Environmental Impact Statement for the South Manti timber sale. As originally proposed, the South Manti sale was the largest in Utah's history. The Manti-LaSal NF, which usually has an Allowable Sale Quantity of nearly 4 mmbf, originally offered this 72 mmbf sale under the Recissions Act Logging Rider. After the rider expiration, the Forest Service attempted to release the unsold volume without public comment and only an Environmental Assessment. The South Manti project area contains six inventoried roadless areas.

**South Tent Timber Sale**

**Manti-LaSal National Forest**

Similar to the South Manti Sale, the South Tent project proposes logging as a means to reduce

**America's Wildlands at Risk**  
**WAFC - December, 1997**

recent spruce bark beetle populations. The sale, proposing to log 10,000 acres, includes two inventoried roadless areas being managed for semi-primitive non-motorized recreation. Failing to recognize the requirements of NEPA, the Forest Service is again proposing to log in roadless areas without first preparing an Environmental Impact Statement. Instead, the Forest Service is using inadequate Environmental Assessments.

**Spruce Ecosystem Recovery Project (SERP)**

**Dixie National Forest**

While much of the proposed logging is slated for roaded and previously logged areas, a portion of the SERP project enters "The Spruces" roadless area. This sale is just one example of a project that includes extended logging into roadless areas to compensate for other below-cost timber salvage sales. Throughout the scoping process, the Forest Service failed to acknowledge the RARE II inventoried status of the Spruces area. According to the EIS, SERP will have high impacts on the Southwestern Willow Flycatcher, the Mexican Spotted Owl, the Spotted & Western Big-eared Bats, the Northern Goshawk, the Flammulated Owl, and the Three-Toed Woodpecker.

*For more information on these timber sales call Amelia Jenkins of the Wild Utah Forest Project at 801/539-1355.*

**VERMONT**

**Lamb Brook Timber Sale**

**Green Mountain National Forest**

This sale will log in the 5000 acre Lamb Brook roadless area that is described by biologists as the "best black bear habitat in North America." The Forest Service plans to build 1.3 miles of new road and convert 1.5 miles of trail to logging road. The sale is now under litigation.

*For more information on this timber sale call Mat Jacobson of Green Mountain Forest Watch at 802/257-4878.*

**WASHINGTON**

**Dog Timber Sale**

**Okanogan National Forest**

The Dog Timber Sale lies entirely within the 70,000-plus acre Long Swamp Roadless Area, the largest unprotected wilderness area remaining in Washington State. The sale includes plans to

**America's Wildlands at Risk**  
WAFC - December, 1997

build 1.2 miles of new road and remove 680 log truck loads of trees. The area to be logged is in the headwaters of Dog Creek, a tributary of the Chewuch River which was designated a Key Watershed by the Northwest Forest Plan. The area immediately downstream from the mouth of Dog Creek provides critical habitat for native populations of chinook salmon, steelhead, and bull trout. The Dog sale ignores or directly contradicts the Chewuch River Watershed Analysis. The region supports sensitive wildlife such as the gray wolf and grizzly bear.

**Long Draw Timber Sale**  
**Okanogan National Forest**

The Forest Service plans to log 9.5 mmbf of trees from 1200 acres and construct 13.3 miles of new road into the Long Swamp and Long Draw Roadless Areas, in the heart of the 100,000-plus acre area known as the Meadows wilderness complex. In addition, 9.9 miles of closed logging roads will be reconstructed for this timber sale. Proposed logging and extensive roadbuilding within two large unprotected wilderness areas will reduce habitat security for numerous reclusive wildlife species, including the largest population of lynx remaining in the lower 48 states. Due to overwhelming public concern and conservationist's appeals the Forest Service is re-evaluating their decision to offer this timber sale.

**Whip Timber Sale**  
**Gifford Pinchot National Forest**

The Forest Service has planned this 4.3 mmbf timber sale to log 440 acres in the 7300 acre Indian Heaven Roadless Area. Logging is planned on unstable soils and fails to follow recommendations of Forest Service biologists that habitat be protected. As a result, this timber sale seriously threatens water quality and habitat for the Northern Spotted-owl. The sale has been appealed but the Forest Service denied all aspects of the appeal.

*For more information on these timber sales call Dave Wertz of the Northwest Ecosystem Alliance at 360/671-9950.*

**WYOMING**

**Tie Camp Timber Sale**  
**Medicine Bow National Forest**

On a National Forest that has already suffered from overlogging, this sale plans to clearcut over 12.7 mmbf on 650 acres with many units of the sale in roadless areas and adjacent to the Encampment River Wilderness. The Forest Service plans to build 10 miles of new road into the

**America's Wildlands at Risk**  
**WAFC - December, 1997**

roadless area and 14 miles of road outside of roadless areas with an estimated cost to taxpayers of \$500,000. Although the Forest Service claimed early on that this sale was to be an "ecosystem management" project with no preconceived outputs, the Forest Service's preferred alternative is exactly the same volume as requested in a letter by Louisiana-Pacific.

**Cold Springs Timber Sale**  
**Medicine Bow National Forest**

When the Cold Springs timber sale was first planned public comments opposed the timber sale by 160 to 6. However, the Forest Service still plans to log 8 mmbf over 700 acres and build 25 miles of logging roads that will destroy the wilderness qualities of the Buffalo Creek and Deer Creek Roadless Areas.

*For more information on these timber sales call Jeff Kessler of Biodiversity Associates at 307/742-7978.*



Roadless areas, like the Boulder-White Clouds unprotected area pictured here, provide unique opportunities for solitude and backcountry recreation.

America's Wildlands at Risk  
WAFC - December, 1997

**Credits**

WAFC would like to thank the many organizations and individuals that contributed to this report:

Allegheny Defense Project  
American Wildlands  
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Southwest Center for Biological Diversity  
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Wild Utah Forest Campaign

Photos by Steve Holmer and Rob Ament

This report was prepared by the Western Ancient Forest Campaign (WAFC), 1025 Vermont Ave. NW, 3rd Floor, Washington, D.C. 20005. For more information on how you can protect America's natural heritage, please call WAFC at 202/783-7400 ext.249, fax 879-3189 or email [wafcliz@igc.apc.org](mailto:wafcliz@igc.apc.org)



## The New York Times

### A Senseless Federal Subsidy

There is not much good to say about the way the Federal Government has managed the national forests. Over the years, the Forest Service has behaved more like a partner of the timber industry than as a fiduciary for the American people, who on the whole would like to see more of the forests preserved for future generations rather than cut for immediate profit. Changing that will require a new mindset in the Forest Service and a tightening of the outdated National Forest Management Act of 1976. But in the near term, perhaps as early as tomorrow, the Senate can do something positive for the forests by getting rid of a small but pernicious subsidy that fuels deforestation at taxpayer expense.

At issue is a program under which the Forest Service builds access roads in the national forests to help logging operations. The roads are built either by the Service itself or through "purchaser credits," whereby the companies build the roads and are then reimbursed with what amounts to free or below-cost timber. Taken together, the two programs add up to a \$87 million annual subsidy.

Two months ago the House agreed to modest changes, cutting the \$50 million "purchaser credit" program in half and making small reductions in the \$47 million appropriation for the Forest Service's own road-building program. Senator Richard Bryan, Democrat of Nevada, hopes to do better. Later

this week he will offer a rider to the Interior Appropriations bill that would abolish the credit program altogether and divert some of the Forest Service appropriation to maintaining old roads rather than building new ones.

The amendment deserves the support of Mr. Bryan's colleagues. The national forests account for only 4 percent of the nation's timber production, which means that the companies will not go bust if their subsidies are eliminated. Indeed, surveys by various environmental groups suggest that without the subsidy, most companies will simply stay away from roadless areas.

At the same time, roads create environmental havoc, speeding soil erosion, clogging wetlands with debris and destroying streams. Both Michael Dombeck, the new head of the Forest Service, and Jim Lyons, who as the Under Secretary of Agriculture is Mr. Dombeck's boss, have said their biggest problem is containing the environmental damage caused by 377,000 miles of existing roads. Neither seems all that eager to build new ones.

That is, a fairly enlightened attitude for a Federal bureaucracy that historically has been far more interested in harvesting trees than in acting as a responsible steward of the American landscape. It is now time for the Senate to do some pruning of the legislative landscape, eliminating once and for all a truly destructive program.

Tuesday, September 9, 1997

## Give it the ax

*Stop subsidizing logging roads in national forests.*

It's bad enough when public officials fail to stop private interests from degrading the environment. It's even worse when government subsidizes the harm, as it does with logging roads in national forests.

Congress must end this nonsense.

There are hundreds of thousands of miles of logging roads in national forests. Some areas have 20 miles of roads crammed into a square mile. The result: damaged watersheds, stripped habitats, unmajestic mountains.

Rallying to stop this are a host of environmental groups, such as the Wilderness Society, the Sierra Club and Friends of the Earth. They're teamed up with penny-pinchers such as the Concord Coalition, Taxpayers for Common Sense and Citizens Against Government Waste.

The Senate is about to have a showdown vote over this. The environmental and antiwaste groups are backing an amendment by Sen. Richard Bryan (D., Nev.) to the bill that funds the Interior Department.

The Bryan Amendment would slice federal spending on logging

roads in national forests by \$25 million — a cut of more than one-half. And it would save even more — perhaps \$50 million — by ending a credit to logging companies that build their own roads in these forests. (The companies take the credit in the form of free trees.)

If you think this subsidy will be easy to kill, think again. A similar amendment in the House — spearheaded by Budget Committee Chairman John Kasich (R., Ohio) — failed in July by two votes.

Why? Well, keep in mind that, according to the U.S. Public Interest Research Group, political action committees tied to the timber industry pumped more than \$8 million into congressional campaigns between 1991 and 1996.

It's true that the amount of road-building in national forests has been declining, but not fast enough, so the Bryan Amendment is needed. And if Congress doesn't do the right thing, perhaps President Clinton will belatedly rise to the occasion. He could fix this problem, at least for the next year, with his line-item veto pen.

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## Wasteful spending on forest roads

■ Government pays for timber industry's deals.

Congress should eliminate subsidies for the road-building that helps timber interests cut down the national forests. The subsidies are costly to the taxpayers, and costly to the public's forests, which are being decimated by logging.

Despite a bi-partisan attempt to halt government spending on new roads for timber companies' use, the House could not bring itself to get the job done. An amendment by Rep. John Porter, Illinois Republican, and Sen. Kyrleedy, Massachusetts Democrat, was defeated by two votes. The House agreed to cut the subsidies in half, but not to eliminate them.

In the Senate, those opposed to this wasteful spending of taxpayer money will try again. Sen. Richard Bryan, Nevada Democrat, is leading an effort to eliminate the subsidies.

Timber companies pay for the costs of building roads to the logging sites when they are operating on private land.

However, the government, in another one of its sweetheart deals with the industry, foots the bill for logging roads on public lands. This makes no sense, and in the end the taxpayer loses twice, through the loss of forests and through increased costs to the treasury.

Environmental groups have pointed out that these subsidies, supported by American taxpayers, account for much of the reason that commercial

logging in the national forests lost more than \$250 million in Fiscal Year 1995.

The Forest Service has told Congress that there is a \$440 million backlog of maintenance needs in the forests already. Yet, the pressure is on from the timber industry to continue to build new roads.

The proposed amendment will not end logging in the national forests. However, it will reduce timber cutting in roadless areas where the economic costs of logging are great and would not be possible without the roads.

The new roads constitute a huge expense. Their construction leads to soil erosion and sedimentation in streams, landslides, polluted drinking water, and destruction of wildlife habitat. Commercial fishermen have complained that the roads are the most devastating source of sediment in streams, and they destroy salmon spawning grounds.

It is not only people who are concerned about the environment, or those industries affected adversely by the road-building, who should be opposed to these costs. Conservative members of Congress who have been arguing for tax savings through budget reductions should stand up and be counted on this as well.

The congressional mood is supposed to be toward cost-cutting and saving money, not spending for unnecessary things. The taxpayers should not be asked to continue to subsidize these interests.

## OUR OPINION

## Why a timber harvest supported by taxpayers?

*Tell Congress to stop subsidizing logging roads that endanger national forests and mountain habitat.*

**H**ere, hold my gun and rob me. Who'd make such an offer? Our federal government, apparently. Every day our precious wood resources — trees on national preserves — are being harvested, aided and abetted by our government.

The feds build roads to the heart of our national forests. Then timber interests use those roads to harvest trees.

But it gets worse. Because the roads cost more than what timber companies pay us for access to the national forests, the federal government winds up subsidizing the enterprise.

So we're paying for it, through the National Forest Service, to the tune of \$1.9 billion over the last seven years.

That's a lot of wooden nickels.

### Sullyng the drinking water

And environmental damage? Mountain slopes are stripped of trees needed to hold the soil in place. This increases the risks of erosion, landslides and pollution of mountain streams. More than 900 communities that get their drinking water from these streams are in jeopardy as the soil breaks free.

Forest roads stretch more than 380,000 miles — more miles than our national interstate system. The roads also wreck the habitats of grizzly bears and other mountain creatures on the timberline, endangering their survival.

We may get mad, but we can also get even. This week, Sen. Richard Bryan, a Democrat from Nevada, will offer an amendment to the Interior Department appropriations bill that would eliminate federal subsidies for logging roads. Dozens of environmental and citizen watchdog groups are marshaling forces to support the amendment.

Tallahasseeans are joining in, sending support for protecting national forests through the Florida Chapter Sierra Club, the Florida Consumer Action Network and the Western Ancient Forest Campaign. The southeastern sentiment is critical, as a similar amendment was chopped down in the U.S. House last July.

The vote could come Tuesday or Wednesday. Tell Sens. Connie Mack (202-224-5274) and Bob Graham (202-224-3041) that we want to save our forests. Who would choose to endanger mountain forests and use our tax dollars so inefficiently?

Tallahassee Democrat, September 9, 1997

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## TALLAHASSEE DEMOCRAT

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## Public lands, public benefit

None of the 13 appropriations bills awaiting congressional action before Oct. 1 is more contentious than the \$13 billion Interior bill. One reason is that

it carries the embattled National Endowment for the Arts, which the House has voted to shut down and which the Senate Appropriations Committee proposes to provide \$100 million. There are other "furies" as well: \$700 million sought by President Clinton for land acquisitions; the fate of road subsidies for loggers in national forests; and surprise amendments by Senate Interior Subcommittee Chairman Slade Gorton, R-Wash., to strip Indian tribes of sovereign immunity.

The House-passed measure, HR 2107, is veto bait. It foolishly shuts down the arts agency and defiantly fails to include money requested by the White House (and agreed to in the overall budget deal) to buy the New World Mine, which threatens to despoil Yellowstone National Park in Montana, and the Headwaters forest in California. The purchases would settle two of the most contentious environmental issues in the West.

The nation's arts community has suffered enough punitive budget cutting. What's at stake now is not the *avant-garde*, frivolous, or obnoxious but whether artists, musicians, and dance companies in communities across the country are to survive. It's up to the Senate to see that they do.

It's also up to the Senate to ensure

### AND ARTS FUNDING, TOO Senate must rescue arts funding and land deals in Interior appropriation.

The money to implement the Montana and California agreements is available. Each year, \$900 million flows into the Land and Water Conservation Fund. It's earmarked for public acquisitions, but the House refuses to appropriate it. That's outrageous.

So, too, is the display of arrogance by Sen. Gorton, who proposes to condition distribution of federal funds to Indian tribes on their waiving immunity from civil lawsuits and to impose means testing. Effectually and unilaterally, his amendments would strip tribes of treaty rights, imposing on them terms never imposed on any state.

As for Forest Service roads, there are eight times more miles of taxpayer-financed logging roads lacing our national forests than there are miles of interstate highway. The principle at stake — corporate welfare to subsidize exploitation of public lands — is larger than the \$89 million involved.

The measure of a good Interior bill is simply . . . good stewardship. For years those who would exploit publicly owned resources have had not just a free hand, they've been subsidized. That is changing, albeit slowly, as the public interest — East and West, North and South — increases with the demand that public lands and resources are used for public benefit, not just private gain.

that the reasonable and responsible commitments made by President Clinton to resolve conflicts between private rights and public values are kept and financed.

## The Times-Picayune

Founded in 1837

### Greenies and greenbacks

**T**he interests of environmental activists and fiscal conservatives have intersected, and their meeting point is in the vast network of logging roads carved out of our national forests.

To environmentalists, logging roads are an evil second only to clear-cutting for the damage they do, especially to water quality. Besides slicing up habitat for wildlife, they cause soil erosion that pours silt into streams and rivers, hurting fish and has been linked to mudslides.

But there's another species harmed by the roads: the taxpayer. The U.S. Forest Service, unlike other agencies that manage public lands, either builds roads for logging companies or gives them generous subsidies in the form of purchaser credits to do it themselves. The latter is a swap of trees for roads. These giveaways are a major reason the Forest Service's timber sale program has lost money, \$1 billion over the last decade.

The Bureau of Land Management and the Bureau of Indian Affairs, which also oversee public lands, require logging companies to pay their own way when it comes to roads, making it simply a part of the cost of doing business. That's how it should be. If a company doesn't think it's economically worthwhile to log a tract of land, why should the taxpayer be asked to subsidize the venture?

But attempts to stop this blatant giveaway are facing an uphill battle. One effort narrowly failed in the House this year, despite bipartisan support and the alliance of environmental and taxpayer groups. Now the Senate will take a whack at it, the first time it has considered this issue in nearly 10 years, and there's a great deal at stake in what happens there.

The Interior Appropriations bill, which includes the money for these roads, has come

out of a Senate committee looking worse than ever for both trees and taxpayers. The House had at least reduced the ceiling for purchaser credits, from \$60 million, where it has been for years, to \$25 million.

But the Senate version gets rid of the ceiling entirely and at the same time keeps all the direct construction money in place. The direct cash subsidy to logging companies would be \$47.4 million, along with the unlimited giveaway of timber through purchaser credits. Although Congress doesn't count these credits as cash, the timber is a public asset that is worth money.

It would be a shame to see this version, which is a huge step backwards for forests and fiscal sanity, prevail. Fortunately, Sen. Richard Bryan, D-Nev., is stepping in with an amendment that would eliminate the purchaser credit program and significantly reduce the amount of direct cash for roads.

His amendment would divert \$10 million to maintenance instead of construction — the Forest Service has a \$440 million maintenance backlog — and put another \$15 million to deficit reduction. Only \$22.4 million would remain for new logging roads.

This version may not go far enough to satisfy some environmentalists who would like to see new roads banned in unlogged areas. But it would make logging in more remote, inaccessible areas, where most of the old growth remains, less attractive financially. By the same logic, it will reduce the number of new roads added to the national forest system, which is already eight times as long as the interstate highway system.

But even if the amendment doesn't protect any trees, it protects the fiscal interests of the U.S. taxpayer, and that's something the Senate should not consider expendable.

# The Boston Globe

THURSDAY, SEPTEMBER 11, 1997

## Prime target for the budget ax

All too often, congressional pledges of fiscal frugality melt away meekly before powerful interests. The timber industry enjoys a generous taxpayer subsidy of some \$50 million annually in the form of roads built with federal dollars in national forests to help loggers cut and transport trees.

Some clear-eyed deficit hawks, including John Kasich of Ohio, chairman of the House Budget Committee, see this as a straightforward example of corporate welfare. They moved to kill it in the House in July but failed when a watered-down alternative passed on a vote as narrow as a pine needle — 211 to 209.

The Senate has a chance to do better. Senator Richard Bryan of Nevada wants to cut \$15 million from the road-building appropriation and eliminate another subsidy in the form of credits the companies can take for feeder roads they build. This amendment deserves passage.

One doesn't have to be either a Democrat who

thinks last year's welfare cuts were too deep or a Republican who thinks this year's tax cuts aren't deep enough to want an end to such giveaways.

Indeed, one doesn't have to look further than the National Forest Service. In the White Mountain National Forest in New Hampshire, officials started collecting an admission fee from visitors this year, while logging operations there have cost the government \$1 million a year, according to a report from the General Accounting Office.

In Maine, extensive logging takes place almost exclusively on land owned by the paper and timber companies. They build their own roads. National forests that do not contain enough mature trees to make logging, including the cost of road-building, profitable would be better off if allowed to age in peace until they are ripe for selective harvesting.

The market should prevail, not subsidies from taxpayers.

# San Francisco Chronicle

THE VOICE OF THE WEST

TUESDAY, SEPTEMBER 9, 1997

## Corporate Welfare for Loggers

**A** DEFICIT-MINDED Congress shouldn't think twice about axing a taxpayer subsidy for construction of logging roads in national forests.

The Senate's proposed budget for the Interior Department includes \$47.4 million for the construction of logging roads in national forests, but Senator Richard Bryan, D-Nev., plans to introduce an amendment this week to cut \$15 million in construction money and transfer another \$10 million to a maintenance fund to be used for the upkeep or removal of existing roads.

Bryan also will seek to end a \$50 million "purchaser road credit program" that allows the Forest Service to give trees to

timber companies to make up for road construction costs.

Bryan's amendment deserves unqualified support. His legislation does not prevent logging companies from building the roads. It just requires them to bear the cost.

Backers of the subsidy say that the roads ultimately benefit the public because they can be used for firefighting and eventual recreational use. Those benefits, when realized, are a long time coming, and they hardly make up for the erosion and other environmental damage caused by the forest arteries.

The subsidy is corporate welfare. Taxpayers should not have to foot the bill.



# Opinion

## OUR VIEW

The Salt Lake Tribune's Editorial Position

### Cut Timber Subsidy

Two months ago, the House blinked when faced with the chance to slash the timber industry's logging-road subsidy. This week, the Senate is expected to get a similar deficit-cutting, environment-protecting opportunity: it shouldn't blow it.

At issue is the U.S. Forest Service's practice of supporting — either through direct expense or through a credit program — the construction of logging roads on USFS land for use by timber companies. Environmentalists claim these roads contribute to ecosystem degradation, and deficit-cutters say the subsidy is an anachronistic corporate-welfare program. So, it's an easy call to zero this appropriation out of the 1998 Interior spending bill, right?

Well, it wasn't so easy for the House in July. The Porter-Kennedy amendment would have cut \$41.5 million from road-building funds and would have virtually eliminated the \$50 million Purchaser Credit Program, by which timber companies deduct their road-building expenses from their USFS bill for the trees they take. But, by a two-vote margin, it was watered down by a pre-empting amendment that cut only \$5.6 million from the direct subsidy and \$25 million from the credit program. Net difference: About \$60 million.

This week, the Senate can make up much of that difference by passing Nevada Sen. Richard Bryan's amendment

to the Interior spending bill. The Bryan amendment would not accomplish all the subsidy-cutting that Porter-Kennedy would have, but it would come close. It deserves the same kind of courageous support in the Senate from Utah's Orrin Hatch and Bob Bennett that it got in the House from Merrill Cook.

The two-pronged appeal of this amendment is genuine. From a cost standpoint, the USFS should not be spending more taxpayer money to add to its inventory of roads, when it cannot maintain the 380,000 miles of roads it already has. And from an environmental standpoint, it is risky to continue building these roads, which have been fingered as a chief culprit in the recent landslide damage in the Northwest.

In Utah, the fear has been expressed that a decrease in USFS timber-sale revenues would hurt rural counties by reducing their 25 percent payments from the Forest Service. That concern is overstated and, in any event, may be rendered moot by mitigating language in the Bryan amendment insuring the counties' 25 percent payments from USFS.

Senators on both sides of the aisle will find sound philosophical reasons for clearcutting the logging-road subsidy. Regardless of which one they choose, they should take the step that nearly half the House essentially did: they should pass the Bryan amendment.

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# Why pay for roads we don't want?

VIEW FROM THE DAKOTAS



BY CURT WELLS

Few things irritate me more than the way our public lands are exploited for profit. Millions of acres, owned by you and I, are constantly ravaged for the sake of a few dollars. The money goes to one who makes the profit, but we're blindly helping them do it. There are lots of examples of the way public land is being used to pump profit into the pockets of private corporations at your expense. There are oil wells and uranium mines in the West, and steel mills in North Dakota, constantly threatening wildlife and destroying the landscape. There are cattle overgrazing public land all across the West, and we taxpayers charge ranchers money to graze their cattle on public land. We're also paying for clean-out logging operations that leave your land, and mine, looking like it might after nuclear destruction.

In the best example, the really disgusting thing is, we are paying for the roads that make the logging possible. Now don't get me wrong, I'm not saying that all roads are bad. We need roads to get to our renewable resource, and there can be some positive effects to clearing old timber and starting new growth in place. But the way we're doing it is disgusting, occurring and using my tax dollars to build roads so logging companies can make more profit just isn't right. And it has to stop.

In September, the Senate will vote on the Interior Appropriations Bill, offered by Senator Richard Bryan (D-Nevada), to eliminate the taxpayer subsidy for logging road construction in our National Forests. That subsidy amounts to about \$50 million in cash, and another \$50 million in "free" labor. The logging companies love trees in exchange for building the road themselves. Is that ridiculous or what?

What's really strange is this is only a ploy of the U.S. Forest Service. The Bureau of Land Management requires timber purchasers to build

their own logging roads without a handout from the taxpayer. That's the way it should be. The roads should be part of the cost of doing the job, not a liability to the taxpayer. You and I. There has been many studies that show roads are major causes of landslides in the West, have contributed to the decline of trout and salmon populations, and stress many species of wildlife because of the increase in human activity. Just ask any true elk hunter what roads do to elk habitat.

Sure, some roads are necessary, but consider these figures on the various uses of our National Forest land. The U.S. Forest Service's National Forest Management Association, by the year 2000, recreation activities on National Forest land will generate \$77.8 billion (with a "P") annually to the U.S. economy, and fish and wildlife activities will generate an additional \$12.2 billion. Recreation and wildlife protection on National Forest lands will generate \$10.1 billion and timber only \$3.5 billion.

I would say it is long past time for us to reexamine to move up the priority ladder. It's time for the power to be put back in the hands of the people and foreman. It's time the Forest Service changes the way it does business and starts thinking about the public user. Besides, we own the land, we should be certainly benefitting from it. They say we should be paying for roads we don't benefit from, or worse.

The readers of Outdoor News are a powerful bunch. You've already proved that beyond a doubt. Now it is time to use that power again. Contact your senators (Minnesota senators Gerts and Wellstone, and for North Dakota, Gertzel and Johnson) and Congressmen (for North Dakota, Johnson and Cramer) and urge them to vote in the interest of the taxpayer/worker and eliminate the logging road subsidy by supporting the Bryan amendment. I can sure think of a better use for my land and 100 million of my dollars, can't you?



James Schiff, of New Hope, caught and released this 44-inch northern whitefish on Tobin Lake in Canada.

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— Editorials —

## Clear-cut corporate welfare

It's long past time to halt the outrageous federal program that has built 377,000 miles of logging roads in national forests. Costing taxpayers each year a direct bill of \$100 million, and an indirect sum of many millions more, this program is a raid on the Treasury and a rape of the environment. But unfortunately, the timber and outdoor-recreation industries have such a hold on Congress that efforts by an alliance of budget-watching conservatives and left-leaning environmentalists to kill this program have failed.

It's not as if this logging makes money for taxpayers. Indeed, the federal timber-sale program lost nearly \$1 billion between 1992 and 1994, and losses continue to this day. For that matter, only about 4 percent of the timber harvested

in the nation is from national forests. Under the timber industry's sweet deal, it builds the roads, then deducts the expense from its payments on the federal timber it buys for hundreds of millions of dollars a year below market price.

Meanwhile, the logging roads are dug ever more deeply and densely into our ravaged forests, including precious old-growth tracts. The construction degrades wildlife habitat, and causes serious erosion, which, among other things, hurts water quality and increases flooding. This damage is repaired largely at taxpayer expense.

The leadership in the fight to preserve the national forests must come from the White House, given Congress's vulnerability to special interest pleading.

Fort Wayne, Indiana

# EDITORIALS

## Cut road money

*No more subsidies for deforestation*

As Congress tries to hammer out the details of various spending bills in the coming weeks, it has a perfect opportunity to rid the budget of a wasteful and environmentally destructive practice: paying for logging roads.

Sen. Richard Bryan, D-Nev., has sponsored an amendment to the Interior Department's budget that would eliminate \$41.5 million earmarked to build more roads through federal lands for private logging companies. The amendment should be adopted.

Timber companies pay rock-bottom prices for taxpayer-owned trees. They don't need more handouts in the form of new roads.

Besides, there are already 380,000 miles of roads in public forests — *seven times* the total mileage of the nation's interstate highways.

The Forest Service says it can't maintain the roads it already has. Why spend more money to build new, unneeded roads?

Logging roads encourage the destruction of the few remaining natural places in the country. They destroy habitat for birds, animals and fish, spread diseases and aggravate flooding.

It's time to put an end to this wasteful and damaging practice. Congress can control the giveaway of our national lands by refusing to subsidize their destruction.

Editorial in Sept. 10, 1997 Tampa Tribune

## End the great logging road sham

As they return from summer recess, U.S. senators face a matter that will reveal much about their concerns for taxpayers, fairness and the environment.

The issue: logging roads. Congress now forces taxpayers to subsidize the timber industry's construction of roads through national forests. These roads cause erosion, pollute rivers and creeks and deface the wilderness. They also result in landslides during heavy rains. The roads' only purpose is to allow loggers to cut more trees.

Agriculture Undersecretary Jim Lyons says, "Our No. 1 water quality problem in the national forests is roads."

There already are more than 380,000 miles of logging roads carved through the forests — eight times the length of the Interstate Highway System. And the Forest Service has a \$440 million backlog of road maintenance work.

Yet some members of Congress want to build even more forest roads — at taxpayer expense. Sen. Slade Gorton, a Washington

Republican, is sponsoring legislation that would allow loggers to build roads virtually without restraint.

Gorton would gouge taxpayers and defile forests to benefit timber companies, which contribute heavily to his campaign. The House did little better, slightly reducing funding for road construction in national forests.

In contrast, Sen. Richard Bryan, a Nevada Democrat, would put an end to this rip-off. He offers a bill that would end the subsidies. It would not, it should be stressed, prohibit the building of roads in national forests. It would simply ensure that timber companies paid for them.

Little wonder that environmental groups have been joined by anti-tax groups in support of the proposal. The logging road program is Big Government at its lavish worst — forcing taxpayers at large to pay for a program that benefits only a few special interests.

Senators should end this continuing, costly insult to the taxpayers and the environment.

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CLEVELAND, TUESDAY, AUGUST 19, 1997

## It's clear-cut corporate welfare

It's not often that left-leaning environmentalists and budget-slashing conservatives can find common ground, so it's worth asking why one such alliance has formed over the issue of federal subsidies for road construction in national forests.

Each year, the U.S. Forest Service, which manages the national forests, spends about \$100 million to build and rebuild logging roads. About half goes for costs incurred directly by the government, and half to give generous credits to timber companies that build their own roads. More than 377,000 miles of roads have been built, enough to circle the globe about 15 times.

So expensive is this program that it more than offsets the fees paid by timber companies that log public land. According to the General Accounting Office, the nonpartisan auditing arm of Congress, the timber sale program lost nearly \$1 billion between 1992 and 1994. This fact — which timber companies and their allies inside the Forest Service have long succeeded in downplaying or concealing — accounts for the strong and growing conservative opposition to road subsidies as a particularly blatant form of corporate welfare.

Road construction is not just expensive, however; it also is environmentally destructive. Logging roads contribute greatly to soil erosion, particularly in mountainous areas of the West, and have been blamed for wors-

ening problems with flooding and landslides. The availability of subsidies also has encouraged timber companies to log remote and hard-to-reach forests that otherwise might be left alone, including stands of old-growth timber and roadless acreage that might be suitable for wilderness designation.

Environmental destruction is bad enough; federally subsidized environmental destruction is unconscionable. That is why bipartisan efforts to cut or eliminate road subsidies are gaining strength.

Last month, two congressmen, Illinois Republican John Porter and Massachusetts Democrat Joseph Kennedy, offered an amendment that would have eliminated all road-building credits and subsidies from this year's budget, saving taxpayers \$92 million. Though the effort was supported by such budget hawks as Ohio's John Kasich, chairman of the budget committee, House leaders managed to secure passage of a watered-down version that would cut almost \$31 million but lets the subsidy continue.

The Senate is to take up the issue next month. Nevada Democrat Richard Bryan is expected to offer an amendment similar to Porter and Kennedy's original proposal. Passage of that amendment — with the support of Ohio's two senators — would send a strong signal that the days of subsidized environmental degradation are over.

P: 02

# THE PLAIN DEALER

# The Washington Post

AN INDEPENDENT NEWSPAPER

## Cut the Cutting

**T**HE 21-YEAR-OLD law governing logging in the national forests is too weak. The current Congress, oblivious to the damage that is being done to a dwindling resource, seeks to weaken it further—open up even more of the public preserve to the timber industry. The need instead is to tighten the statute—strengthen it.

The administration should take the lead on this—play aggressive offense on the issue, not just intermittent defense. It is a mystery why it has not. The step should be taken now; time is not on the forests' side. Some advocates would shift the current policy all the way to zero cut. In our view, it need not go that far. There are instances in which careful continued cutting of land already logged may make good sense. But the burden of proof in the statute ought to be changed so that continued cutting in the federal forests becomes the clear exception, not the rule. We are at a point in the exploitation of this resource where the duty of the government is to preserve what remains.

The government began to create the national forest system 100 years ago. Commercial logging inside the forests began in earnest about 50 years ago, after World War II, when demand for timber was high and private lands had been depleted. Congress made various efforts to control the process. A law was passed in 1960, another—the current National Forest Management Act—in 1976. The laws have had less effect than sponsors hoped, in part because of the muddled language that is too often the product of legislative compromise, in part because their enforcement has been in the hands of an agency—the Agriculture Department and its Forest Service—widely regarded as the willing captive of the industry whose activities it is meant to regulate.

Much of the effort to tighten administration of the management act has occurred in court, and in

part on the basis of other statutes—the Endangered Species Act, for example. In Congress, meanwhile, there have been the opposite efforts to waive or ease the laws just about any time they pinched. Such efforts multiplied after the Republicans took over Congress in the 1994 elections. A so-called salvage timber rider to an appropriations bill expanded logging throughout the system, and there have been major fights about the logging of particular forests in such states as Alaska and California. Now Sen. Larry Craig of Idaho, chairman of the forests subcommittee, is pushing legislation that would weaken the management act directly. Those on the other side of the issue have tried, thus far without success and with only limited administration support, to use the appropriations process to block further construction of logging roads in unlogged parts of the forest. The roads are a major part of the subsidy that the government somehow continues to give the industry even in what is otherwise a tight budget era.

But the year-at-a-time appropriations process is the wrong place to wage a fundamental fight such as this. Nor are related statutes having to do with endangered species or clean water the right vehicles. The president ought to make an issue of the forests, force Congress to confront the question of preserving them head-on—while there are still some worth preserving. There would be the usual arguments against—need for the timber (lest home prices soar), need for the jobs, need for the local revenues the timbering generates. But the federal forests make up only a tiny share of the national timber supply, and the rest of these are local problems. That doesn't mean they're not serious, but the price of solving them ought not be the loss of a national treasure.

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**WEDNESDAY, JULY 9, 1997**


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**THE NATION'S NEWSPAPER**

**NO. 1 IN THE USA . . . FIRST IN DAILY READERS**

## Timber! Let subsidies fall

**OUR VIEW** Congress this week will try again to end the ridiculous practice of paying loggers millions to build roads.

More than 100 years ago, in 1891, Congress created the National Forest Reserve as a means of protecting the nation's woodlands and increasingly muddied watersheds from the scouring clear-cuts inflicted by the 19th century timber industry.

Like many good resource-management ideas in those bad old robber-baron days, the protections didn't last long. In 1897, Congress voted to permit logging in the reserves, and the ensuing swarm of timber industry payouts and subsidies continues to finagle taxpayer dollars today. Among the most egregious: a program through which taxpayers spend millions of dollars a year to build roads that logging companies use to harvest cut-rate federal timber.

There is much to complain about when it comes to timber sales, which routinely cost the Treasury hundreds of millions of dollars a year. But the issue at hand is far narrower. For the second year running, a bipartisan congressional alliance of environmentalists and budget hawks will try Thursday to end the road-building subsidy, valued this year at \$41 million in direct costs. Last year's effort failed on a tie vote.

More power to them. The program sur-

vives on spurious rationales.

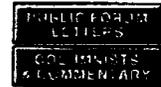
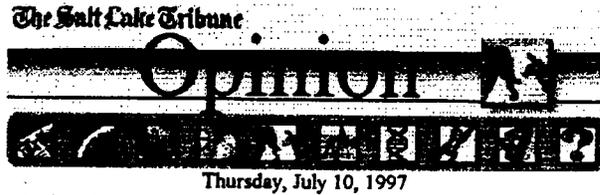
Supporters say the roads open the forest to recreation. But have you ever tried driving on one? When they are passable at all, they usually lead to vast fields of deadwood and slash, hardly places that invite picnicking or other pleasures. Moreover, the roads contribute to runoff that ruins fishing streams. Or isn't fishing a recreation?

And it's not as though we don't have enough roads already. The national forests are latticed by 377,000 miles of roads, almost nine times the length of the interstate highway system. In some places, there may be 20 miles of road per square mile of forest, as dense as some cities.

Does the road-building subsidy have economic importance? Hard to see how. The national forests account for only about 4% of the nation's timber production, hardly enough to affect prices or jobs. Other factors are far more influential. Between 1950 and 1994, the timber harvest increased by 64%, while employment in the wood and paper industries fell 4%.

Fact is, the road-building subsidy is an anachronism, a fossil from the last century when federal policy was aimed not at managing resources but rather enhancing economic development and westward expansion. Well, times change. The railroads now stretch from sea to sea. The land has been tamed. Let the timber industry pay its own way, or at least for its own roads.

The Salt Lake Tribune — Opinion



Opinion Section  
Thursday, July 10,  
1997

## No More Forest Roads

How green is this Congress? A telling clue may come as early as today with a House vote on an amendment to cut funding for the construction of new logging roads through U.S. Forest Service land. This measure, which barely failed last year, merits passage.

A year ago, Rep. Joseph Kennedy, D-Mass., offered an amendment to the Interior appropriations bill that would have cut \$42 million in funds for USFS road construction. The vote on the measure was 211-211, a tie spelling defeat; it had actually passed by one vote the day before.

The real story, though, was that the vote was so close. A similar amendment had failed by a wide margin in July 1995, when the Republican House was riding its anti-regulation wave. But after a year of being chastened as anti-environment, the same House nearly passed the Kennedy amendment last June, producing that tie vote. Now, having gone through an election campaign in which they were vulnerable on environmental issues, it will be instructive to see how House Republicans — with new members like Utah's Merrill Cook and Chris Cannon — come out on the logging-roads issue this time.

The Kennedy amendment, cosponsored by Illinois Republican John Porter, deserves that one extra vote for passage because it is not merely a pro-environment bill; it also has an anti-corporate welfare dimension, in that the federal road-building dollars represent a subsidy for the timber industry. Thus, the amendment will appeal to budget-tightening Republicans who cannot justify such subsidies.

But the environmental argument for the Kennedy amendment is equally persuasive: Logging roads through USFS land have been blamed for contributing to environmental degradation, namely some of the landslides in recent Northwest floods. And it makes little sense for Congress to appropriate funds to build even more of these roads, when there are already nearly 380,000 miles of USFS roads (11,609 in Utah), and the Forest Service is terribly backlogged now in its attempt to maintain them.

This amendment is a modest forest-protection measure, with a corporate-welfare kick to it. If it cannot generate the extra vote from the 105th Congress that it could not get in the 104th — perhaps from Cook or Cannon — then it may be a signal that House Republicans have not



## Costly forest subsidy

### ■ Unnecessary new roads must not be built.

One of the most important votes in Congress regarding the national forests may come up this week on the floor of the U.S. House. In a bipartisan move, an amendment is scheduled to be offered by Reps. John Porter, Illinois Republican, and Joe Kennedy, Massachusetts Democrat, to halt wasteful spending on the construction of new roads through the forests.

The roads that would be built if this amendment isn't adopted would lead to further clear-cutting of the forests, at a high financial and environmental cost to U.S. taxpayers.

This same amendment failed in the House last year on a tie vote. The subsidies that will continue if this measure fails again cannot be justified under the belt-tightening that is being demanded by citizens of their federal government.

Construction of new logging roads in itself is a waste of money. Roads to logging sites often have to be built over remote and steep terrain. The costs that are incurred are a major factor in the loss to taxpayers of millions of dollars on Forest Service timber sales. Those losses already are nearly \$1 billion so far this decade.

Further, the Forest Service has told Congress

that the national forests face a \$440 million backlog in maintenance needs already. So what is the point of building new roads, at additional cost to the taxpayers, given that existing roads are not being maintained?

Further, there are environmental concerns associated with the construction of roads through the forests. Chief among them is the effect on water quality and fishing through soil erosion and sedimentation in the streams. The Department of Agriculture has said that the major negative impact on water quality comes from roads. That affects not only fishing and fisheries, but hundreds of communities that get their drinking water from streams that go through the forests. Roads also harm wildlife by disturbing habitat and dividing forest communities.

The national forests already contain roads that, if put together, would be eight times the length of the interstate highway system. U.S. taxpayers should not be asked to continue an expensive subsidy of roads that lead nowhere but to further destruction of the nation's forests.

PASADENA STAR-NEWS  
**OPINION**

WEDNESDAY, JULY 9, 1987

## Chop down forest roads

EDITORIAL

**A**CCORDING to a recent poll, three things that rankle the American taxpayers most are foreign aid, government waste and abuse, and corporate welfare. Without a doubt, using taxpayer dollars to pay for new logging roads in our national forests scores high on the citizen outrage meter.

This political fact has not escaped fiscal conservatives John Kasich, R-Ohio, John Edward Porter, R-Ill., and other Republicans in Congress, including local Rep. Ed Royce, R-Fullerton. They've joined with their more environmentally minded counterparts in the House, such as Rep. Joseph Kennedy, D-Mass., in support of an amendment that would eliminate \$100 million in federal subsidies to the timber industry. The Porter-Kennedy Amendment would cut \$44 million for new logging roads from the U.S. Forest Service budget and also red-pencils a credit system worth about \$56 million in which timber companies subtract the cost of road building from the price they pay for trees they log in the national forests.

The program doesn't make dollars or sense. In fact, it loses money. Between 1982 and 1984, the federal government lost about \$1 billion on the logging program in our national forests, the General Accounting Office reported. A whistle-blower group made up of federal, state and local workers in the field found just in extreme cases it costs the Forest Service \$1,400 for road building for just \$100

Forest Service paying billions to private industry while sticking it to the public by jacking up recreation fees for hiking in the local Angeles National Forest. While we recognize the timber industry has been building fewer and fewer logging roads in the last five years, any more road building by the U.S. taxpayer is a waste of taxpayer dollars and may be unnecessary.

Already, there are 377,000 miles of logging roads in our national forests, enough to circle the globe almost

15 times. The government doesn't have enough money in its budget to maintain these roads, let alone build new ones. More would crisscross roadless forest areas and, eventually, cause more mud slides and environmental degradation. In fact, much of the flood damage last year in the Pacific Northwest was due to logging roads that slipped and slid down mountains and decimated fish populations.

In Northern California, road building creates silt which clogs our state reservoirs and lessens water quality. Many local cities rely on the State Water Project for drinking water and could pay more per acre-foot to offset increased dredging and treatment costs.

While \$100 million won't make or break the federal budget, we believe a yes vote when the House takes up the amendment this week would send a message to the Senate that business as usual can't continue. We urge our local congressmen who have not indicated support to consider a vote for the taxpayer, the environment and our water sub-

# The Seattle Times

WASHINGTON'S LARGEST NEWSPAPER  
CITY EDITION

WEDNESDAY  
JULY 9, 1997

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## EDITORIALS

### Taxpayers shouldn't subsidize logging roads

**C**ONGRESSIONAL representatives from the Pacific Northwest have a green and golden opportunity tomorrow to do right by the environment and the economy: Vote to end federal subsidies for logging roads.

This is a no-brainer for taxpayers-rights activists, conservative budget hawks and environmentalists. If private timber companies are going to profit from activities on public lands, they should pay all the associated costs — including the costs of road construction.

Under the current U.S. Forest Service program, the government essentially trades trees for roads. In exchange for credits used in bidding for federal timber, the Forest Service subsidizes the cost of building logging roads for private firms.

Vested interests on both the left and right are fighting to preserve this long unchallenged piece of corporate welfare. They argue it isn't a giveaway. But the U.S. General Accounting Office confirmed that both timber companies and recreational users are being subsidized unfairly by general taxpayers for the use of those roads.

The amendment to a spending bill before the House this week would bar some \$50 million in federal money for new logging roads. Shutting down this wasteful program permanently, as both GOP House Budget Committee chairman John Kasich of Ohio and consumer advocate Ralph Nader proposed in February, could result in savings of nearly \$100 million over the next five years.

Washington state Democrat Norm Dicks, a member of the House Appropriations Committee, worries that "this assault on the roads programs is unwarranted and misunderstood." A bigger worry is the assault on the environment that the roads program has waged for years. The network of subsidized logging roads — now over 380,000 miles — has disturbed wildlife and caused soil erosion. The White House Council of Economic Advisers concluded earlier this year that the policies "facilitate development and exploitation of natural resources."

Some Washington state congressional representatives remain undecided about this vote. Their uncertainty is unfathomable. So rarely, after all, do principles of fiscal conservatism and responsible environmentalism converge in a single piece of legislation as clearly as they do here. Get off the fence, folks, and tell the timber companies to hit the road — on their own dime.

A8 Tuesday, July 8, 1997



# The Atlanta Journal

*Covers Dixie Like the Dew*

## Opinion

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### End welfare for timbering

A vote to continue or end corporate welfare for timber interests will be cast this week on the floor of the House of Representatives. We hope members of the state's delegation will take the fiscally conservative side and vote to end unnecessary taxpayer subsidy to large timber companies.

An amendment to the Interior Appropriations bill would eliminate taxpayer funding of roads needed for logging on national forest lands. It would not end timbering on public lands, though it might properly discourage expensive and environmentally damaging road-building in areas where logging, except for the subsidy, wouldn't be worth it. The Forest Service has allowed taxpayers to fund 377,000 miles of roads for timber projects — with costs camouflaged in the form of credits to the companies for additional timber.

The amendment's sponsors are as diverse as conservative budget committee chairman Rep. John Kasich (R-Ohio) and liberal Rep. Joseph Kennedy (D-Mass.) A similar amendment that would have saved \$42 million in last year's budget actually passed the House by one vote, only to be reversed on a parliamentary maneuver the next day — thanks to some heavy industry lobbying.

We think timbering on national forest lands is a legitimate activity if carried out in an environmentally sound and cost-efficient manner. Much of it is done that way. If responsible timber interests want to continue logging on public lands, they ought to see that hidden subsidies aren't going to help their case as they compete with a growing recreation and environmental lobby.

But one thing ought to be clear on the amendment: It's not just environmentalists who support it, it's fiscal conservatives too.

# American public doesn't support timber industry

**W**ASHINGTON — The timber industry has joined the ranks of American industries whose federal benefits have become endangered or even extinct because they no longer enjoy public support.

Timber country congressmen of both parties conceded this historic change last week when they gave in to demands that the government stop subsidizing the construction of logging roads in national forests. To avoid the elimination of next year's approximately \$90 million budget for timber roads by the House of Representatives, leading Northwest members sprung a last-minute compromise that cuts the amount in half.

Three Oregon members favored the more drastic "green hawk" amendment to the fiscal 1968 spending bill for the Interior Department, Forest Service and related agencies. Reps. Elizabeth Furse, Earl Blumenauer and Darlene Hooley said the timber road program was a fiscal and environmental disaster.

All three support a halt to road construction in roadless forests and more funding for repairing and obliterating existing roads, which have been a major cause of landslides, erosion and stream sedimentation.

Despite the split in the delegation — with Reps. Bob Smith, Republican, and Peter DeFazio, Democrat, supporting continued funding — all but Smith agreed that the Forest Service needs to spend less on building new roads and more on maintaining and fixing existing ones.

Furse summed up the "green scener" view, saying, "The taxpayer pays three times for these roads." First, the government pays for building them, then for maintaining them and, when flood and environmental damage occur, fixing them and the environmental problems.

DeFazio, who fought to save the

road program, nevertheless agreed. "What we really need is to have a debate where we make a more rational forest policy in this country and a more rational roads policy at the Forest Service," he said.

Smith, chairman of the House Agriculture Committee, is holding hearings on national forests issues with an eye to introducing legislation later this year. But Smith is a leading booster of industry, successfully using a parliamentary rule last week to

kill a change in the Interior spending bill that would have restricted a type of road subsidy only to small companies. His move served the interests of about 30 large corporations.

There was a time, especially after World War II when the nation was rapidly building homes, that government help for the Northwest timber industry made sense to many people. But unsustainable logging and road building on national forests showed itself to be highly destructive of native fish, wildlife, water quality and ecosystems.

The momentum now is on the side of balancing the budget and eliminating "corporate welfare," while support for environmental protection remains strong. The most extreme example, the tobacco industry, has become public enemy No. 1 for politicians everywhere. It hasn't merely lost its federal subsidies, but has been forced to agree to ever stricter regulation and to pay billions to government.

The status of the timber industry has not sunk as low as that of the tobacco industry, but it has followed a similar pattern of industry resistance to facing reality followed by a sharp downward slide of government support. Plainly, its ballroom days are over.

Larry Swisher, a columnist based in Washington, D.C., writes for Pacific Northwest newspapers.

LARRY SWISHER



7/9/97

**THE TAMPA TRIBUNE**Published by The Tribune Company, 202 South Parker Street  
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JOHN TRUFFA, *Information Technology Director***Why waste money on logging roads?**

Washington spends about \$30 million a year subsidizing the construction of logging roads in national forests. These roads cause erosion, pollute creeks and deface the wilderness. They are blamed for landslides that occurred during the flooding in the Northwest last year.

As U.S. Rep. Elizabeth Furse, an Oregon Democrat who is working with both Republicans and Democrats to get rid of the subsidies, says, "First we pay to build them. Then every time there is a flood, the public has to pay for it again."

The House of Representatives is scheduled this week to review a proposal to cut or eliminate the subsidies. President Clinton favors eliminating the expense.

This issue should unite both conservatives who want to cut Big Government and envi-

ronmentalists who want to stop the destruction of America's woodlands.

The timber industry defends the expense, saying the roads also allow for greater recreational use of the forests. That's so much sawdust.

There already are more than 380,000 miles of logging roads carved through the forests. This is eight times the length of the interstate highway system.

Hunters, hikers and others do not lack for access to the national forests. Outdoors enthusiasts would much prefer clean creeks and pristine forests to more roads and additional erosion.

The issue for Congress should be easy. Washington shouldn't spend taxpayers' money to despoil public resources.

Dallas Morning News

Forest

**FOREST ROADS**

DMJ

**Budget cutters could ax this subsidy**

The U.S. Forest Service oversees America's federally owned trees. It also oversees the 380,000 miles of roads running through those forests. Forest service officials say they don't need that many roads, and are \$440 million behind in maintenance.

So the national forests probably don't need new roads, particularly if the roads are built to allow loggers access to remote areas. Reps. John Edward Porter, R-Ill., and Joe Kennedy, D-Mass., tried to cut \$41 million for forest road construction from an appropriations bill. Unfortunately, the House

agreed to cut only \$5.6 million.

Budget-conscious and environmentally minded senators should retain at least that meager cut. A wide range of people — from the balanced-budget folks at the Concord Coalition to the nature-loving supporters of the Wilderness Society — back the idea. Timber groups oppose the road cuts and dispute the figures used to justify them.

Roads can contribute to ecological problems, including erosion and mudslides, and contamination of creeks and lakes. If loggers want to cut remote, publicly owned timber, they should pay for the road to reach it.

# Los Angeles Times

THURSDAY, JULY 10, 1997

## Those Pricy Back Roads

Taxpayer subsidies to logging companies that cut roads through federal forests have proven fiscally wasteful and environmentally destructive. Bipartisan legislation scheduled to come before the House today would end this federal giveaway. It's time to do so.

More than 380,000 miles of dirt logging roads already web the nation's forests. That's enough to circle the earth nearly 15 times. In some parts of the Northwest, one square mile of forest is laced with up to 20 miles of road.

Timber companies that purchase federal forest parcels at auction win not only the right to log trees but also to cut these access roads. Under existing law, the companies then deduct the cost of road building from their payments to the Treasury. Taxpayers give back close to \$50 million a year under this arrangement. In

addition, the federal government is responsible for maintaining all these roads, and that cost rises with every new mile cut.

The public and the forests lose in other ways as well from this industry subsidy. Roads channel storm water, eroding land and dumping rocks and soil into stream beds. As surrounding trees are cut, the risk of flooding increases, destroying watersheds and habitat for fish and wildlife.

An amendment to a bill funding the U.S. Forest Service would eliminate the logger's credit for road building; timber companies should rightly bear that cost. The government would still maintain these roads. Perhaps without the giveaway, the backlog of road repair could be reduced and the watershed destruction slowed in some forests.

## Duluth News - Tribune



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8A

Duluth  
 News-  
 Tribune  
 Friday  
 June 20  
 1997

## OUR VIEW

## End forest road subsidy

*Practice  
 should end  
 for financial  
 reasons, but  
 harvesting  
 should  
 continue if  
 profitable*

**I**n keeping with the healthy national trend toward smaller, less intrusive (and less expensive) government, it makes sense to end subsidizing with taxpayer dollars building roads for loggers in national forests.

That's the goal of a measure being considered in the U.S. Congress that would end a federal rebate to loggers for building new logging roads to gain access to timber or for reconstructing old, out-of-use roads.

The measure is being pushed by environmentalists, many of whom oppose any timber cutting in the forests, and fiscal conservatives, who consider the practice of reimbursing private logging companies when they build roads a form of corporate welfare.

The issue involves a tangled mix of interests, including the touchy one of jobs provided by the logging industry and the government historically losing money on timber sales.

Ending subsidies for road building would go far in cutting the government's timber-sale losses nationally.

The effect of ending the road-building subsidy on timber harvesting in the three national forests in the Northland would be minimal (only a few miles of roads are slated for construction this year), although industry sources say the value of the timber would be lowered if logging firms are not reimbursed for road building. So be it. Every business has its expenses, which are reflected in the price of products.

This measure should be approved, but timber harvesting on federal lands should continue if it can turn a profit for the government and contribute to good management of the resource.

Page 4 ASHLAND Daily  
Friday Tidings  
July 11, 1997

## Logging road funds need cuts

The logging industry has managed, for the moment at least, to get out of finally paying for roads to logging sites in national forests, despite the vast majority of the roads existing solely for industry's benefit.

The House Thursday voted to cut \$5.6 million from the federal road construction plan in national forests, about 13 percent of the \$41.5 million cut sought by environmentalists and a coalition of Democrats and moderate Republicans. The money is part of a \$13 billion Interior Department spending package that was to come up for a final House vote today.

Environmentalists argue that in addition to scarring the landscape, some 70 percent of logging roads are used exclusively by the timber industry. As such, they say, logging companies, not taxpayers, should be the ones to foot the bill for the roads. Road-program backers say a federal role is needed to keep small logging companies in business, and that the roads are used for many other things, including firefighting and recreation.

One has to side largely with the environmentalists here, particularly given the logging industry's diminished role in national forests. While the firefighting and recreation arguments do carry some weight, they aren't enough to justify the tax credits and full-blown road building programs provided by the federal government.

Some offsetting federal money might be justified for roads that ultimately will serve a recreational or other public-service purpose. But full federal funding for companies to hack away at hillsides in the pursuit of profits? Not anymore.

JK

## Houston Chronicle

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## TIMBER SUBSIDY

### Taxpayers should not pay for building logging roads

Congress should vote to eliminate funding for the construction of new logging roads in our national forests. It doesn't make sense financially or environmentally.

The logging roads program is an unnecessary taxpayers' subsidy for the timber industry and encourages the destruction of old-growth trees in national forests.

A great question is whether more logging roads are even needed. Only 4 percent of timber harvested in the United States is taken from national forests, yet there are nearly 390,000 miles of roads in these public forests — seven times the total mileage of the Interstate Highway System. The U.S. Forest Service cannot even maintain the existing roads, reporting in March that it had a \$440 million backlog of road maintenance needs. Why build new logging roads when there is no money

available to maintain the ones already there?

Logging roads can harm the environment by threatening wildlife, causing erosion, polluting water supplies and contributing to landslides in mountainous areas.

Eliminating taxpayer support of logging roads won't stop logging in the national forests, but it would put a stop to government subsidization of the roads.

A bipartisan bill by U.S. Reps. John Porter, R-Ill., and Joseph Kennedy, D-Mass., would eliminate the logging road subsidy and save taxpayers \$41.5 million next year. The measure is supported by Citizens Against Government Waste and The Concord Coalition Citizens' Council.

Congress should pass the Porter-Kennedy proposal. Its passage will save tax funds and help protect our national forests.

THURSDAY, JULY 10, 1997

**LOS ANGELES TIMES EDITORIALS****Those Pricey Back Roads**

Taxpayer subsidies to logging companies that cut roads through federal forests have proven fiscally wasteful and environmentally destructive. Bipartisan legislation scheduled to come before the House today would end this federal giveaway. It's time to do so.

More than 390,000 miles of dirt logging roads already web the nation's forests. That's enough to circle the earth nearly 15 times. In some parts of the Northwest, one square mile of forest is laced with up to 20 miles of road.

Timber companies that purchase federal forest parcels at auction win not only the right to log trees but also to cut these access roads. Under existing law, the companies then deduct the cost of road building from their payments to the Treasury. Taxpayers give back close to \$50 million a year under this arrangement. In

addition, the federal government is responsible for maintaining all these roads, and that cost rises with every new mile cut.

The public and the forests lose in other ways as well from this industry subsidy. Roads channel storm water, eroding land and dumping rocks and soil into stream beds. As surrounding trees are cut, the risk of flooding increases, destroying watersheds and habitat for fish and wildlife.

An amendment to a bill funding the U.S. Forest Service would eliminate the logger's credit for road building; timber companies should rightly bear that cost. The government would still maintain these roads. Perhaps without the giveaway, the backlog of road repair could be reduced and the watershed destruction slowed in some forests.

**Newspapers from across the country write in support of the Porter/Kennedy amendment:**

The Seattle Times

The Los Angeles Times

The Orange County Register

The Atlanta Journal

The Missoula (MN) Missoulian

The Salt Lake City Tribune

The Pasadena News

USA TODAY

The Washington Post

The Houston Chronicle

The Ventura Co. (CA) Star

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