

QUINCY LIBRARY GROUP FOREST RECOVERY ACT

HEARING

BEFORE THE

SUBCOMMITTEE ON FOREST AND FOREST HEALTH

OF THE

COMMITTEE ON RESOURCES
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

FIRST SESSION

ON

H.R. 858

A BILL TO DIRECT THE SECRETARY OF AGRICULTURE TO CONDUCT A PILOT PROJECT ON DESIGNATED LANDS WITHIN PLUMAS, LASSEN, AND TAHOE NATIONAL FORESTS IN THE STATE OF CALIFORNIA TO DEMONSTRATE THE EFFECTIVENESS OF THE RESOURCE MANAGEMENT ACTIVITIES PROPOSED BY THE QUINCY LIBRARY GROUP AND TO AMEND CURRENT LAND AND RESOURCE MANAGEMENT PLANS FOR THESE NATIONAL FORESTS TO CONSIDER THE INCORPORATION OF THESE RESOURCE MANAGEMENT ACTIVITIES

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QUINCY LIBRARY GROUP FOREST RECOVERY AND ECONOMIC STABILITY ACT OF 1997

WEDNESDAY, MARCH 5, 1997

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

The Subcommittee met, pursuant to call, at 2:50 p.m., in room 1334, Longworth House Office Building, Hon. Helen Chenoweth (Chair of the Subcommittee) presiding.

Mrs. CHENOWETH. The Subcommittee will come to order. The Subcommittee is meeting today to hear testimony on H.R. 858, the Quincy Library Group Forest Recovery Act of 1997.

Under Rule 4[g] of the committee rules, any oral opening statements at the hearing are limited to the Chairman and the ranking minority member. This will allow us to hear from our witnesses sooner and help Members to keep to their schedules. Therefore, if other Members have statements, they can be included in the hearing record under unanimous consent.

STATEMENT OF HON. HELEN CHENOWETH, A U.S. REPRESENTATIVE FROM IDAHO; AND CHAIRMAN, SUBCOMMITTEE ON FORESTS AND FOREST HEALTH

Mrs. CHENOWETH. The Subcommittee on Forests and Forest Health convenes today for a hearing on H.R. 858, the Quincy Library Group Forest Recovery and Economic Stability Act of 1997. The bill was introduced last week by Mr. Herger of California with his colleagues, Mr. Fazio of California, Mr. Smith of Oregon, and Mr. Faleomavaega of American Samoa. I am pleased that at our first hearing the Subcommittee on Forests will consider this bipartisan legislation that was developed by a diverse group of people and interests.

A portion of the area covered by this bill is in Mr. Fazio's district, and I am pleased that he is planning to join us today to testify on this legislation. Three members of the Quincy Library Group will also testify. In addition, we will hear from Under Secretary of Agriculture Jim Lyons, and representatives from two environmental groups from outside the Quincy Library Group area.

Mr. Herger's legislation demonstrates that it is possible for people of very different interests to agree on objectives for the management of our national forests. They have also agreed on a plan for achieving those objectives.

The Quincy Library Group is to be commended for developing solutions for us to consider today instead of asking Congress to referee over continued conflicts.

I hope today that the Administration will add its support to the bill since Secretary Glickman and Under Secretary Lyons have been so supportive of this effort over the past several years.

As our witnesses will explain, the Quincy Library Group Forest Recovery and Economic Stability Act of 1997 is the culmination of more than four years of work by those who have the most at stake in the management of the Plumas, Lassen, and Tahoe National Forests, that is, the people who live and work there. They are the people who care most about sustaining both the health of the national forests and the social and economic health of their community. The legislation aims to implement a locally designed consensus-based plan to improve the condition of the national forests, reduce fire danger to the communities and still provide needed economic benefits.

I commend Mr. Herger and the Quincy Library Group for all the hard work that you have done to bring this to fruition. I look forward to your testimony, and I welcome my two colleagues, Mr. Herger and Mr. Fazio, to the Subcommittee.

The Chairman will recognize the ranking minority member when he arrives for any statement he may have. Mr. Vento, do you have a statement for the ranking member?

[Report of Sierra Club may be found at end of hearing.]

**STATEMENT OF HON. BRUCE VENTO, A U.S. REPRESENTATIVE
FROM MINNESOTA**

Mr. VENTO. Thank you, Madame Chair. I ask unanimous consent of all Members to have the opportunity to put statements in the record, and I will place Mr. Miller's statement in the record. I understand Mr. Hinchey is on his way, but may have been delayed. I would just voice my interest in this proposal. I have heard variations of this proposal and the Quincy Library Group for many years, and I note that while the bill states 1993, that the update is February 24, 1997. So the themes and variations of what might be the guiding principles over this 2,400,000 acres—clearly a significant portion of the forested lands that are subject to the management of the professional Forest Service—are indeed substantial proposals.

While I appreciate the interest of the local community and understand the good faith that they have worked on to come up with the proposal, I am very concerned, that as you said, these are national forest lands. I want to look to the remedies and the safeguards that have existed with regard to the forest management plans in the past. Insofar as they can be dealt with and look at ideas for pilots, I think that most of us would want to cooperate and go along with some recommendations along these lines, but certainly only with the assurance that the safeguards would be present in the legislation that deal with the environmental and social concerns that our forests serve on a multi-use purpose basis.

I cannot stay for the entire hearing. We are late getting started because of conflicts that have occurred today, so I will have to leave shortly. I want to assure you that I intend to follow up.

I know that there is a schedule that has been put out for the consideration of this bill in the full House in a month. If there is going to be a lot of intense work on it over that period of time on a bipartisan basis, perhaps we can come to agreement on the many questions that remain.

The bill itself is rather simple. The plan itself since being modified in 1997, I think, has other ramifications that we want to look at very carefully, and I think that some of those are quoted in Mr. Miller's statement. I think Mr. Hinchey will be arriving, and he has a formal statement with regard to these matters perhaps which he will elucidate during the hearing process.

Thank you, Madame Chairman.

[Statement of Hon. George Miller follows:]

STATEMENT OF HON. GEORGE MILLER, A U.S. REPRESENTATIVE FROM CALIFORNIA

Madame Chairman, I want to commend the Quincy Library Group for their participation on forestry issues in their local area. I support public participation in the management of our national forests. However, the issues addressed by H.R. 858 extend far beyond the interests of the 25 individuals and organizations who are part of the Quincy Library Group.

I have serious concerns with the legislation before us today for several reasons. First, I think it is a dangerous precedent to be legislating the management plans for an individual forest or group of forests, which is in effect what H.R. 858 does. There are over 150 national forests. If we start down this path today, where will it end? Secondly, I don't think we should have management of national forests by committee, especially one made up of only local individuals. People across California, indeed across this country, have a stake in the management of the Plumas, Lassen, and Tahoe National Forests.

Beyond those two broad policy concerns, I have particular problems with the bill itself. A project covering 2.5 million acres, with specific management instructions for at least the next five years, is hardly a test. It is a significant course of action with the potential for significant impacts on a large body of national forest land. This is an example of putting the cart before the horse. The Forest Service is told to immediately implement this so-called "pilot project." Only then are they to begin the process to amend the forest plans to conform with what is already occurring. I am not aware that the Quincy Library Group proposal has ever been subject of an EIS, or the public hearing and other procedural safeguards of the National Environmental Policy Act.

I find it odd that a bill that is supposed to deal with forest health speaks only to logging and fuels management. There is no mention made in the bill to ecosystem management, protection of watersheds or riparian areas, wildlife, endangered species other than the spotted owl, or recreation. The unwritten intention may be there but there is certainly no bill direction on these vital aspects of forest management. Key terms are also left undefined, left open to who knows what interpretation later.

It is certainly not clear to me that this bill is consistent with the California Spotted Owl Process or the Sierra Nevada Ecosystem Project (SNEP). In fact, one of the important findings of SNEP was that the Sierra Nevada had to be looked at as a whole. Yet, here is the first bill to be considered on the Sierras after SNEP and we are back again dealing with the Sierra Nevada in pieces. We don't know what impact H.R. 858 will have on the three affected national forests, yet alone on the other six national forests of the Sierra Nevada.

I for one am not ready to embark down this risky, untested policy path. Unless people can come up with a lot of good answers, I will not support this bill.

Mrs. CHENOWETH. Thank you, Mr. Vento, and as I remember watching your career as you built the National Forest Management Act back here and many of the amendments, it was interesting to know at that time what your concerns were about consensus building and so I am very pleased that this is our first bill to come before this committee.

I do apologize that the committee is meeting late. It was unavoidable and this Chairman will be very particular about the time

that we start unless it is unavoidable, and I cannot foresee that we would have these kinds of circumstances again.

I would like to introduce our first witness. It is with great pleasure that I introduce my colleague, Wally Herger. We would look forward to Mr. Fazio coming in when he can arrive.

I have great respect for their very hard work and diligence in bringing this bill to us. Mr. Herger, let me remind the witnesses that under our committee rules, they must limit their oral statements to five minutes, but that their entire statement will appear in the record.

The Chairman now recognizes Wally Herger. Thank you.

**STATEMENT OF HON. WALLY HERGER, A U.S.
REPRESENTATIVE FROM CALIFORNIA**

Mr. HERGER. Thank you very much, Madame Chair Chenoweth for your assistance in bringing this legislation to the committee.

I would also like to thank our local Quincy Library Group civic leaders including Michael Jackson, Bill Coates, and Tom Nelson for being here today and for going on record to explain the reasons behind this bill.

This is indeed landmark legislation which sets a precedent for cooperation and proactive agreement on both local and national levels. H.R. 858, the Quincy Library Group Forest Recovery and Stability Act of 1997, launches a forest health and economic stability management plan for three of California's national forests that I believe will set an example for other consensus-based groups around the nation.

This plan represents an entirely new approach to managing our Federal forests. It was hammered out by a coalition of local environmentalists, local forest product industry representatives, and local government officials who set aside decades of gridlock over the environment to create a feasible, productive forest management plan. This proposal is a breakthrough for those of us interested in finding bipartisan and cooperative solutions to forest management issues.

Perhaps for the first time, we have a local consensus group bringing local solutions to Washington instead of Washington-forced solutions on local communities. This proposal takes the best science for forest management in the Sierra Nevada forest system and implements it as a proactive, common-sense plan that will remove the source of out-of-control, catastrophic wildfires, namely, over-dense vegetation and massive buildups of dead and dying trees and will through this process use that vegetation to produce cost-effective wood products, thus bolstering local economies.

This Congress has talked about establishing a bipartisan dialog. We have talked about reaching across the aisle to find compromise solutions to our nation's most serious problems. This is our chance to make it work.

This legislation is established by local grass roots compromise and may very well help set the tone for the rest of the 105th Congress. This legislation demonstrates that sound forest health and economic stability can coexist. The Quincy Library Group brings the best of both sides of the environmental issue together and de-

livers a shot in the arm needed by not just our national forests, but by the rest of the Nation as well.

I am excited about this legislation and I am committed to doing everything I can to see that this authorizing legislation becomes a reality. Madame Chair, as you consider changes proposed by the Forest Service, I ask you to bear in mind the purpose of this legislation, to implement an existing forest plan based on the best available science as a priority pilot project on large enough scale to prove that forest health and economic stability are not mutually exclusive. It is imperative that we keep our eyes fixed on this mark.

Thank you, Madame Chair and members.

Mrs. CHENOWETH. Thank you, Mr. Herger. Mr. Fazio is not here, and so he will testify when he arrives.

Mr. HERGER. Madame Chair, he did indicate to me he was here earlier. He indicated he did have another meeting, but that he was going to attempt to return, but I do appreciate his very strong cooperation in working with us on this, and again, one more indication of the bipartisan coalition that we have among all sides to make this process work.

Mrs. CHENOWETH. If Mr. Fazio does return, we will make every effort to have him testify.

Mr. HERGER. Thank you.

Mrs. CHENOWETH. Thank you very much. I would like to call on Mr. Vento for any questions he might have.

Mr. VENTO. Madame Chair, I think we have a long witness list. I guess we will have to get to the questions about cost and assurance of funding and what the ramifications are of the other parts of the plan for watershed restoration and habitat protection and so forth.

Under the one feature, I assume that the plan does include the language on fire suppression, but that is the only aspect repeated in the bill.

Mr. HERGER. I would really like to hold off any questions for the experts who helped put it together.

Mr. VENTO. OK.

Mr. HERGER. We will be hearing from them, Mr. Vento, and they could answer much better than I could since they were the ones who actually put it together.

Mr. VENTO. Madame Chair, I think again I would be happy to defer until further witnesses appear.

Mrs. CHENOWETH. Thank you, Mr. Vento. Mr. Radanovich.

Mr. RADANOVICH. Thank you, Madame Chair, and welcome, Mr. Herger, to the hearing.

Mr. HERGER. Thank you.

Mr. RADANOVICH. Just briefly one question. I won't be able to stay for the whole hearing because I have a budget working group to meet with, but I wanted to make sure I was on record in full support of the Quincy Library Group. In fact, I want to start a library group of my own in the Sierra National Forest, so I am looking at this with great excitement.

I want to state for the record, too, that I feel that the best tool for enhancing the environment of Federal lands is the local solution and the local talent providing a local solution.

Would you be willing to venture to guess, under the Quincy Library Group plan after it is implemented and it takes place in the region, do you think that the environment will end up being more enhanced and more healthy than it would be under the current system right now?

Mr. HERGER. Again, the locals who worked on this, both environmentalists and the others will be able to answer this much better than I, but I will state that the answer is definitely yes.

The most current science was used and it was used in such a way that—and I might mention why it is so important that each area have its own plan. Every area of our forests are very unique; even within California they are unique, but for example, up in Washington, there is much more rainfall as you well know, being my colleague in California, than we have in California. We are much more susceptible to forest fires in our area and to insect infestations than they are in other areas. The slope of the ground is different wherever you are, so it really takes a plan that is unique to that area to ensure that we have stream protection that we are really looking at the entire ecosystem.

What is exciting is that we have done that in this area in parts of three national forests, and we have done it in a way that will supply the needed wood products for those that work in the wood industry in that area, so it is really a win-win-win for us. The economy wins, the environment wins, the people who live there win, and ultimately, our nation comes out the biggest winner.

Mr. RADANOVICH. Thank you. I applaud your work on the bill and am proud to be a co-sponsor. Thank you very much.

Mrs. CHENOWETH. Mr. Hill.

Mr. RICK HILL. I have no questions.

Mrs. CHENOWETH. Thank you. I would like to recognize with unanimous consent, the ranking minority member, Mr. Hinchey, for any opening comments or statements.

Mr. HINCHEY. Thank you very much, Madame Chair. I do have a brief opening statement that I would just like to read into the record if I may.

**STATEMENT OF HON. MAURICE HINCHEY, A U.S.
REPRESENTATIVE FROM NEW YORK**

Mr. HINCHEY. First of all, let me begin by welcoming you in your new role as Chairman of the Subcommittee on Forests and Forest Health, and let me tell you how much I look forward to working with you. I believe that we will be able to accomplish a great deal together. As the ranking minority member, I look forward to having this opportunity to work with you and other members of this newly constituted Subcommittee.

I look at the legislation before us today with great interest. I commend the Quincy Library Group for sitting down to work out the differences that existed among its various members. I am familiar with a similar process that was used in the northern forest lands study that I discussed with you, Madame Chairman, just last week, as a matter of fact.

As national legislators, our responsibility extends far beyond a specific geographic area. We have to look at not only what this legislation means for the three particular national forests but also, of

course, for the other Sierra Nevada national forests and the national forest system in its entirety as well.

While I support competing interests sitting down to work out their differences, we must be very careful in this regard. We must assure that the public interest is adequately represented in this process. These are, after all, national forests, and all Americans have a stake in their management. We must also be careful to look at the possible precedent that could be set here.

I think it would be a dangerous path for Congress to legislate the management plans for an individual national forest or group of forests, and in light of that, I think it is important that we determine what in this bill can and should be implemented administratively under existing law and therefore, what truly needs to be legislated.

I hope this hearing will be useful in addressing the strengths and weaknesses of this legislation, and I look forward to the testimony of our witnesses on this subject, and I thank you, Madame Chairman, for the opportunity to be here with you at this hearing and to make the statement.

Mrs. CHENOWETH. Thank you, Mr. Hinchey. I know we are a little bit out of order, but at this time, I would like to recognize Mr. Fazio for your testimony.

**STATEMENT OF HON. VIC FAZIO, A U.S. REPRESENTATIVE
FROM CALIFORNIA**

Mr. FAZIO. Thank you, Madame Chairwoman and members of the Subcommittee. I apologize for not being able to be here at the beginning. I do appreciate the chance to come before you this afternoon to support legislation intended to implement the Quincy Library Group forest management pilot program.

As you know, the Quincy Library Group is a diverse organization established to take a creative, innovative, and most importantly, consensus approach to protecting our forests. It brought together the timber industry and the environmentalists as well as local officials to work out a way to enhance fire suppression as well as maintain a sustainable amount of timber harvest.

The thinning approach that is being proposed in this legislation whereby smaller diameter trees are harvested and fuel breaks are created will serve both the environmental protection needs of forest health as well as help the local economy dependent on timber harvesting. This project in the Plumas, Lassen, and Tahoe National Forests could also demonstrate the Federal Government's recognition of local problem-solving.

As we try to put this landmark agreement into legislative language, we need to foster the ongoing consensus process that made this agreement possible. The Quincy Library Group is a unique example of how diverse interests can come together through compromise, overcome obstacles which traditionally prevent us from reaching our mutual goals.

I want to stress that the Quincy Library Group's efforts are unique and that they are concentrated on a local concern and involve a local process. It is our obligation at the Federal level to preserve this spirit of cooperation and reflect the ideals of the Quincy Library Group in their purest form.

I want to commend my colleague, Wally Herger, for his sincere effort to translate the Library Group's proposal into a bill. This is not an easy task. As a co-sponsor of the bill, I support the concept of this initial draft, but I do share the concern of many that improvements can and should be made. I urge the committee to respect the consensus of the Quincy Library Group to include changes recommended by the U.S. Forest Service as well as other changes which may be deemed necessary.

This is a fluid process. Just as the Quincy Group has withstood other pressures in the past and has proved its endurance and ability to work through difficult problems, we need to take that same approach. I look forward to working with Wally Herger, this committee, and Senator Feinstein in incorporating many of the changes that will be proposed, I am sure, today and subsequent to this hearing.

I understand that the committee has already been receptive to adding the word "catastrophic" in front of "designated areas" as well as adding the phrase "within the pilot project area." This helps to clarify when and where exceptions can be made to the restrictions on timber harvesting in protected areas.

I would hope that the committee would also be receptive to incorporating other changes such as directing compliance with existing environmental laws, and the legislation should stay true to the library agreement which embraces the spirit of the California Spotted Owl report in the Sierra Nevada ecosystem project recommendations.

Once again, taking a local agreement and putting it into a legislative statute is a challenge, and it takes time, but I believe we have a solid foundation for this legislation. What we need is time, time to work out differences, time to educate our colleagues on this important bill, and time to uphold the true process through with the Quincy Library Group that has worked to create this proposal. It will produce a product that is worth the time, because it may be a model for others to follow.

I want to thank you for the opportunity to testify with my colleague, Mr. Herger, and while I won't be able to stay, I know that this is an effort on the part of this committee to fine tune a concept which I think we can all agree with.

Mrs. CHENOWETH. Thank you, Mr. Fazio. In order to get this train back on track, I think that I will just ask my questions now, and then we will open the panel for a second round of questions.

Let me ask you—oh, are you leaving?

Mr. FAZIO. I would be happy to stay if you have a question for me.

Mrs. CHENOWETH. I have a question for you. This is a model that many other groups may hope to follow, groups in all of our States, and you are to be congratulated, both of you, for your efforts. Did you recall finding it difficult, Mr. Fazio, to get to this point?

Mr. FAZIO. I think it is not really hard for Members of Congress to get to this point. The difficulty is the people in the group itself who have worked so hard through the years with the national forest, with the local community leaders.

People come at this from very different points of view. They have really worked very hard and they continue to have to work hard

to see if they can take their concepts and put them in language that we can put in the bill. I think they have come a long way, and I think with Mr. Herger's continued patience and forbearance and the support of this committee, we can actually help confirm what is a good process and a very healthy start.

Mrs. CHENOWETH. Thank you. I would like to ask Wally, how long have you been involved in this process?

Mr. HERGER. We have been working on this for approximately four years now, so it has been a long process of again, all the different sides getting together and the reason they called it the Quincy Library Group is they met in the very quaint, beautiful town of Quincy, of a few hundred population up in the High Sierras of my district. They met in this library for many, many weeks over about a four-year period to finally come together and they went over every bit of the area within these three national forests and finally worked out a consensus. So this is a tremendous amount of work done by a number of people with very diverse philosophies on the environment that came together that are now very united on supporting this pilot program.

Mrs. CHENOWETH. Mr. Herger, I need to narrow my questions down with regard to the legislation. I want to ask you a two-part question.

How long have you been working on the legislation? Have there been many changes made to the draft legislation before introducing it last year and this year?

Mr. HERGER. Specifically, the legislation was introduced for the first time last year. We were working with the Administration and I am looking forward to having them appear before you here in a few minutes, but we had indications—as a matter of fact, I am interested in Mr. Lyons who is here today, who is one of our top leaders with the Administration, indicated back last September when we were going over it with him that he felt that this was something he could support. He has actually been to the area, and I want to thank him for that, but somehow, we keep going on month after month, and it is always tomorrow we are going to be with you, we are almost there. I am very concerned on how I hope this isn't going to be a pattern that we will see too long into the future. Certainly, we want to work with them. We have worked with them in every way we can, but again, I would just hope that the Administration is more serious than they have indicated over the last five months in coming up with a final line of this is what we want to support than what they have in the last five months.

Mrs. CHENOWETH. When did you first ask the Forest Service to provide input on your bill?

Mr. HERGER. The Forest Service was actually working with us at least through part of the Quincy Library Group, and again, I would rather have them describe it, but the Forest Service has certainly been around this process from the beginning in one way or another.

Mrs. CHENOWETH. Thank you, Mr. Herger. I would like to recognize Mr. Hinchey now for questions.

Mr. HINCHEY. I just perhaps have one question, and that is with regard to the enumerated purposes of the bill. They include four, as I understand it, one of which is that the Forest Service may not

limit other multiple-use activities in order to carry out the terms of the pilot project. Is that accurate?

Mr. HERGER. I believe that is accurate.

Mr. HINCHEY. Do you see any potential for conflict here? If you are attempting to carry out the provisions of this bill which may to some extent at least be very admirable and may bring about favorable consequences, if you are unable to limit other activities in order to accomplish that objective, it seems to me that you might run into some conflicts here, because that seems to place within the bill a kind of inflexibility that might be less than helpful in achieving your objective.

Mr. HERGER. Mr. Hinchey, I would like to describe to you a much greater problem than the one you are posing to me now. Last year—

Mr. HINCHEY. There may be much greater problems, but at the moment, I am concerned about this one.

Mr. HERGER. Let me address this one, if I could. Let me address it in the best way that I can. Last year, we had the worst forest fires in California in modern history, 860,000 acre of forest destroyed by catastrophic forest fires. Just a couple years before, we had the second worst forest fire season where we had over 550,000 acres of forest. Now, these are forests that are no longer forests. In these forests, there is no longer the California Spotted Owl, there is no longer Northern Spotted Owl. There isn't anything in these areas.

In addition to that, in just the area I represent, 32 mills—the 32nd closed about three months ago, so we are seeing our environment destroyed. Now, this is directly due in my opinion to Federal direction and Federal policy here in Washington that does not work in our area, directly responsible to that.

We have forests that are too dense, that are 82-percent denser by Forest Service records than they were in 1928. We are seeing—where these forest fires are, we are seeing soil erosion, which has contributed in the flooding that we have where our stream beds are filled and which is destroying habitat.

In essence, Mr. Hinchey, we have a system that is broke. We have a system that is not working at all, so we were going to try something brand new. I know this unique here in Washington. This may come as a major surprise to many of my colleagues, but we thought maybe if we got everyone together locally who lived there, most of which were born and raised there, who, believe it or not, care about this environment perhaps more than you do because they live there, that maybe they could come up with a solution that for a change would work. So this is not really my solution. This is not really my legislation. This is a group, and several are nationally recognized environmentalists who worked on this as well as everybody with a plan, and again, I would rather have you ask them these questions. They can much better give you answers than I, because they are really the ones who wrote this legislation.

Mr. HINCHEY. I appreciate the circumstances which give rise to this initiative, and—

Mr. HERGER. I would like to state—excuse me. Finish.

Mrs. CHENOWETH. Mr. Herger.

Mr. HINCHEY. Go ahead.

Mr. HERGER. When you finish, I have another comment, but we see something taking place now. I am hearing alluded to in your statements and Mr. Vento's statements a little bit in the final statements—well, anyway, I hear it when I talk to the head of the Forest Service here, those who are making the decisions anyway here in Washington, is that we have a group within the environmental community that are based here in Washington, not out in the district, because those are the ones I am representing, but the ones that are here in Washington that for many decades are making a living by the fact that the system isn't working, and I am very concerned when I see all of this. Well, manana, we are going to come up with an answer, you know, it is almost right but not quite. When I hear this from Mr. Lyons and the Administration, where we fail to see action being taken but yet they are well-meaning. They want to help us, but somehow, it is not quite right. Again, this really concerns me that we see these monkey wrenches being thrown in the system by people 3,000 miles away, most of which have never been to our area or really lack the concern that we have.

Mrs. CHENOWETH. Mr. Hinchey.

Mr. HINCHEY. Mr. Herger, I appreciate your response even though it doesn't answer my question or begin to. Nevertheless, you pointed me in a direction from which I might be able to obtain the answer, and for that, sir, I am grateful.

Mr. HERGER. As a matter of fact, I would like to invite you to come out to our district.

Mr. HINCHEY. I would be happy to do that.

Mr. HERGER. Good.

Mrs. CHENOWETH. Thank you, I would like to recognize Mr. Hill again, if you have any other questions.

Mr. RICK HILL. Madame Chairman, I don't have any questions. Thank you.

Mrs. CHENOWETH. Mr. Vento.

Mr. VENTO. I think I will wait for others to try to give us the answers.

Mrs. CHENOWETH. If Mr. Herger would like to join the other members on the dais and participate in this hearing, I would like that very much.

Mr. HERGER. I appreciate that, Madame Chair.

Mrs. CHENOWETH. I would ask unanimous consent that he be allowed to do so. Without objection, so ordered.

Mr. HERGER. Thank you.

Mrs. CHENOWETH. Before we continue, I would like to explain that I intend to place all the witnesses under oath, and for the record, I have conferred with Mr. Hinchey on this practice and we have agreed to put all outside witnesses under oath that appear before this committee.

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. They have each been provided a copy of the committee rules in addition.

I would like to explain the lights that are on the witness table. Each witness is given five minutes to testify. The lights are simply

there to act as traffic lights. Green lights mean go, yellow lights mean your time is just about up, and red lights mean stop.

I appreciate your cooperation, and be assured that your entire written testimony will be made a part of the hearing record today.

I would like to introduce our second panel of witnesses, James Lyons, Under Secretary of Natural Resources and Environment for the Department of Agriculture; accompanied by Lynn Sprague, Regional Forester, from the Forest Service in San Francisco, California; Kent Connaughton, Forest Supervisor, Lassen National Forest, in Susanville, California; and Mark Madrid, Forest Supervisor, Plumas National Forest, in Quincy, California.

Before we get started, if you will rise and raise your right arms. Do you solemnly swear and affirm under the penalty of perjury that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Thank you very much, and I would like to recognize our first witness, Mr. James Lyons, our Under Secretary of Natural Resources and Environment. Mr. Lyons, please proceed.

STATEMENT OF JAMES LYONS, UNDER SECRETARY OF NATURAL RESOURCES AND ENVIRONMENT; U.S.D.A; ACCOMPANIED BY LYNN SPRAGUE, REGIONAL FORESTER, U.S.D.A. FOREST SERVICE, SAN FRANCISCO, CALIFORNIA; KENT CONNAUGHTON, FOREST SUPERVISOR, LASSEN NATIONAL FOREST, U.S.D.A. FOREST SERVICE, SUSANVILLE, CALIFORNIA; AND MARK MADRID, FOREST SUPERVISOR, PLUMAS NATIONAL FOREST, U.S.D.A., QUINCY, CALIFORNIA

Mr. LYONS. Thank you, Madam Chairman. It is a pleasure to be here today, and also to be honored to be the first to appear before you in your maiden voyage as chairperson of this committee, and I appreciate that opportunity. Mr. Hinchey, it is an opportunity as well for me to have a chance to visit with you. It is nice to see another easterner involved in setting forest policy nationwide, and I know your area very well. I grew up fishing there.

I want to thank the committee for this opportunity to offer our views on H.R. 858, the Quincy Library Group Forest Recovery and Economic Stability Act, and as you have already noted, Regional Forester Lynn Sprague, Supervisor Mark Madrid of the Plumas National Forest, Kent Connaughton from the Lassen National Forest, as well as Jody Cook, who is the Deputy Forest Supervisor of the Plumas are with me today, and we will be pleased to answer any questions the Subcommittee may have.

The Department of Agriculture supports the goals of H.R. 858, and we certainly applaud the work of Congressman Herger, Congressman Fazio, and the Quincy Library Group and its willingness to enter into a constructive dialog to make this bill workable. We believe we are very close to that goal.

Just last week, Forest Service officials including Mr. Madrid and Ms. Cook, met with representatives of Mr. Herger's office as well as members of the Quincy Library Group to discuss the bill. We think the discussions were very constructive and substantial progress was made; however, we feel we need just a little more time to fully consider the issues raised before the Administration can fully endorse the bill. I certainly hope, Madam Chairman, that

we can do so within the timetable that you have set out for consideration of the bill.

As you know, the world is a much more complex place today than it was even a few decades ago, and certainly nowhere is that complexity more evident than in the controversies and the complexities associated with management of the nation's national forests. Yet I would suggest to you, Madam Chairman, that the prescription for management of these forests which was laid down 90 years ago by the first chief of the Forest Service, Gifford Pinchot, is really rather simple, and if I may, I would like to quote to you from what was then the Forest Service manual. It was called the Use Book in 1907, and it was all of a quarter-inch thick. I daresay the Forest Service manual today would fill up this table.

This is what Gifford Pinchot said about management of the national forests, and this section of the Use Book was entitled "Management by the People." He said, "National forests are made for and owned by the people. They should also be managed by the people. They are made not to give the officers in charge of them a chance to work out theories, but to give the people who use them and those who are affected by their use a chance to work out their own best profit. This means that if national forests are going to accomplish anything worthwhile, the people must know all about them and must take a very active part in their management. The officers are paid by the people to act as their agents and to see that all the resources of the forests are used in the best interest of everyone concerned. What the people as a whole want will be done. To do it, it is necessary that the people carefully consider and plainly state just what they want and then take a very active part in seeing that they get it."

Mr. Pinchot went on to say, "There are a great many interests on the national forests which sometimes conflict a little." That showed his foresight. "They must all be made to fit into one another so that the machine runs smoothly as a whole. It is often necessary for one man," or one woman, I would suggest, "to give way a little here, another a little there. But by giving way a little at present, they both profit a great deal in the end."

I think those were prophetic words, Madam Chairman, and I think in those few words, Gifford Pinchot captured the essence of what the Quincy Library Group is all about, and Secretary Glickman and I believe that the Quincy Library Group effort is worthy of our continued support.

Before turning to the specifics of the bill, I would like to briefly review some of the findings of the Sierra Nevada Ecosystem Project report, or the SNEP report, because I think it amplifies what Congressman Herger said about the scientific soundness and the foundation for what is proposed by the Quincy Library Group.

SNEP was developed by a team of independent scientists tasked by Congress with preparing a scientific review of the entire Sierra Nevada ecosystem. Their final report was transmitted to the Congress in June, 1996, and in fact, the ranking member of this committee, Mr. Miller, was a key proponent of that legislation.

The SNEP report describes a number of approaches to reducing the susceptibility of the Sierra Nevada range to catastrophic fire. These include substantially reducing the potential for large, high-

severity wildfires in both wildlands in what we call the wildland-urban interface and restoring historic ecosystem functions of frequent low and moderate-severity fire. This can be accomplished by establishing what are known as defensible fuel profile zones characterized by relatively large trees with considerable diversity in ages, sizes, and distribution.

The key feature would be the general openness and discontinuity of crown fuels within those forest stands so as to avoid the likelihood that high intensity fires might run through the crown. Once these zones have been established, a program of prescribed fire could then be introduced to restore the historic fire regime within those ecosystems.

The Quincy Library Group Forest Recovery and Economic Stability Act would direct the Secretary to conduct a pilot program on designated lands in the Plumas, Lassen, and part of the Tahoe National Forests, in essence, to assess the effectiveness of certain resource management activities. The activities include construction of a strategic system of defensible fuel breaks, implementation on an acreage rather than on a volume basis of uneven-aged forest management prescriptions, and group selection of individual tree harvest to promote development of that all-age canopy that I talked about.

This proposal in effect would implement key aspects of the SNEP report as I just described. We see substantial merit in testing these strategies, and we also believe that dialog can serve as a model for communities to use in seeking a more constructive solution to resource management conflicts in addressing local concerns without the necessity of site-specific legislation in the future.

Although much of this bill could be implemented administratively, we believe there is merit in legislating the Quincy Library Group pilot effort. However, I would want to state that we hope that this legislation is not viewed as a template for legislating solutions for specific forest management problems on a site-by-site basis.

Upon a first reading of the bill, we did have a number of concerns, and I think we have done a lot of work with the assistance of Mr. Herger's office and members of the Quincy Library Group to address those. We continue to work on language to make clear that all existing laws must apply to the implementation of this experiment, and that the CASPO guidelines and the information included in the SNEP report should serve as a template to ensure that we meet all the standards that are laid out in those documents.

Additionally, we believe that the pilot program should be subjected to a science-based evaluation at the midpoint and conclusion of the program. This evaluation should help determine if the assumptions underlying the program activities are valid and guide changes for management as new information is generated. In short, this whole project should be guided by what we call adaptive management as a basic philosophy of doing business.

We have remaining concerns with the funding provisions in the bill. We intend to work with QLG and others to resolve these concerns. We have proposed several funding sources in the fiscal year '98 budget that if enacted, could increase overall the resources we

need to implement projects such as the Quincy Library Group effort as well as similar work in other national forests in Idaho and other parts of the country.

I won't go into the specific details of our budget proposals, but I would encourage you, Madam Chairman, to take a look at those.

I would emphasize though that we believe without additional resources for the types of activities the Quincy Library Group prescribes, the allocation within a fixed overall budget is an inevitable requirement. However, we must not put ourselves in a position of robbing Peter to pay Paul, so to speak, by mandating reductions in programs like recreation, fish and wildlife, and other resource protection activities.

We will seek efficiencies in how we spend our limited resources, and that might provide us additional resources to implement some of the projects called for in this legislation. However, ultimately, the Congress must help us make the investment that is necessary to achieve many of the goals and objectives that are laid out in this program and in our overall forest health goals.

Let me summarize by saying that in the forest conference that the President convened in Portland in April, 1983, he challenged natural resource-dependent communities to develop collaborative and locally based solutions to controversies around public land management. The Quincy Library Group was up to the challenge, and in fact, they have been working for some time prior to the forest conference to engage in such a dialog to help improve and enhance the health of the forests that affected their communities, to strengthen the community, and perhaps most importantly, to demonstrate that these forests can be managed in a way that satisfies the needs of broad cross-sections of forest users.

For these reasons, the Administration is committed to perfecting the bill, and I would offer, Madam Chairman, that if it would assist, I am willing to offer myself to work personally in bringing together the parties that have many concerns with the legislation to see if we could not in fact achieve consensus and move forward with the legislation.

Again, I want to thank you for the opportunity to appear before you today and look forward to addressing your questions.

[Statement of James Lyons may be found at end of hearing.]

Mrs. CHENOWETH. I want to thank you, Secretary Lyons, for your testimony and we will proceed on to the questions now. I do want to remind the members of the committee that Rule 3[c] imposes a five-minute limit on questions, and the Chairman will now recognize the minority member, Mr. Hinchey.

Mr. HINCHEY. I'm not going to issue a statement so—

Mr. VENTO. You'll have the opportunity to ask questions.

Mrs. CHENOWETH. That is right, so you can ask any one of them for—these are all forest supervisors, so you can ask any one of them questions.

Mr. HINCHEY. Thank you very much, Madame Chairman, and thank you, Mr. Lyons, for your testimony.

I note in your testimony you congratulate the Quincy Library Group for their attempt in coming together and working out this particular problem, and as Mr. Herger said in his statement a few moments ago, I think that that is a laudatory thing at the local

level to come together and deal with problems that affect them locally, even when those problems affect national resources. To a certain extent, the point can be made that even though it is a national resource, people who are located right in that community are the ones who are most directly affected by it to one extent or another.

In this particular case, as I understand it and correct me if I am mistaken, the Quincy Library Group consists of people exclusively from the local community, foresters, forest workers, forestry companies, and a local county official, I think those were the three people, the three groups that initiated the project, and there may be others involved.

To what extent has the Forest Service or other national interest been involved in the negotiations between the various parties and to what extent have national interests been represented in the formulation of this particular legislation?

Mr. LYONS. Mr. Hinchey, it would probably be best for me to allow members of the group to characterize the process that they went through, and they will certainly have an opportunity to speak in the later panel.

My understanding through my experience in working with the group is that it does represent a broad cross-section of the community. It involves representatives from the forest products industry; local county supervisor Bill Coates; as well as local environmental activists who have been very much a part of the process, Linda Bloom and Michael Jackson, among others.

It is, I think, a broad group representative of a very diverse community with diverse interests and concerns with regard to the uses of the national forest. It is true that it is the local community, and I think frankly that solutions to these issues more often than not are successful if they are generated locally.

That does not diminish the importance of representing that these are national forests and national assets and you and I from the East Coast have as much value in and interest in, and opportunity to have say in the process as anyone else might.

I think they have done a fairly effective job of attempting to come to grips with some very, very difficult and divisive issues and on that basis warrant our additional support. I think in the follow-up dialog we have in this legislation, others from outside the community who would like to have an opportunity to have additional input, and I think that opportunity needs to be provided, and that is why I offered my services in securing that.

Mr. HINCHEY. I take it from your answer then that as far as you know, there really was no involvement of the Forest Service or other national interests in the formulation of the legislation.

Mr. LYONS. Initially, the Forest Service was not involved; however, I think over time, the Forest Service has been actively involved, and in fact, just last year, additional resources were allocated to the forests that are affected by this legislation to engage on an experimental basis some of the practices that are called for that would help to reduce fuel loading and to help move toward the kind of foresting conditions called for in the Quincy Library Group effort.

So our involvement has progressed over time, and as I also indicated in my testimony, just last week, Mark Madrid and Jody Cook

were part of a dialog with members of the Quincy Library Group and a representative of Mr. Herger's office to begin to discuss some of the issues that have come up, so we have had increasing involvement over time.

Mr. HINCHEY. Does the Forest Service take a position on the legislation at this point or are you still sort of watching it and looking at it?

Mr. LYONS. It is the position that I stated at the outset. We think we have made considerable progress and we think we are close to achieving legislation that we can support, but there is some more work to be done, and we would like to engage in that dialog and bring this to closure.

Mr. HINCHEY. The bill speaks primarily if not exclusively to logging and fuel management. It doesn't seem to address the overall ecological system.

It has been characterized as a local initiative on a local forest, but the fact of the matter is, as I understand it, it involves about 2,500,000 acres, two and a half national forests. The initiative here is one that would establish a broad ranging and important precedent if it were adopted. This is a lot more than a local activity affecting a local region, and furthermore, it seems only to address one particular aspect of the problems of an ecological system. It doesn't deal with problems of endangered species, it doesn't deal with ecosystem management, it doesn't deal with watershed, it doesn't deal with a whole host of very important issues. It focuses almost exclusively on timber harvest and fuels management. Does that represent in your mind a deficiency?

Mr. LYONS. Well, there are two points I would make. I think this bill does set a precedent, an important precedent, and that is that local, diverse, and oftentimes conflicting interests can come together to work out their differences, and I think that is something to be applauded.

I don't support the precedent of legislating specific solutions to specific problems, but I see this as a valuable pilot effort from which we can learn and then I hope implement administratively some of the remedies that come of this effort.

This does apply to a broad scale, about 2,400,000 acres in concept, but the Quincy Library Group concept is about more than addressing fuel loads and thinning and salvage work. It involves the set-aside of the environmentally important areas for protecting threatened and endangered species. It involves watershed restoration work and a whole host of other things that are part of the larger Quincy Library Group proposal which is—

Mr. HINCHEY. But none of those issues are addressed in the legislation.

Mr. LYONS. I think what I would suggest, Mr. Chairman, is that it is very difficult to translate into legislation how one implements this entire package and proposal. Again, I would suggest that in a subsequent panel, Tom or Michael or Bill might address in a broader context what is there.

I would also tell you that we continue to move forward with our efforts to do the watershed restoration work that is necessary.

In implementing this proposal consistent with the CASPO guidelines which are guidelines to protect the California Spotted Owl

and the principles and concepts in the Sierra Nevada Ecosystem Report, we are also adopting a position of staying out of many areas that previously might have been considered for timber harvest but have been deemed too sensitive, so in that context, we are also adopting some of those more environmentally oriented principles that I think you are alluding to are missing here.

I think all in all, it represents a fair attempt to try and develop a comprehensive ecosystem management strategy, and for that reason, we see it as a valuable effort to implement.

Mr. HINCHEY. Do you think this bill is a fair attempt at addressing a comprehensive ecosystem management strategy?

Mr. LYONS. I think this bill would authorize us to adopt principles incorporated in the Quincy Library Group strategy consistent with CASPO, the forest plans, and SNEP, which in their larger context represent rather effective ecosystem management strategy for the Sierra Nevadas.

Mr. HINCHEY. I would be interested in carrying out this discussion a little bit further, because I would like to see where you find that in the legislation, Mr. Lyons.

Mr. LYONS. Well, the legislation specifically refers to implementation of the Quincy Library Group project, and I think if you read that document, you will see that it is much more than simply salvage and thinning.

Mr. HINCHEY. Which document are you talking about?

Mr. LYONS. The Quincy Library Group report, and I think Congressman Herger—

Mr. HINCHEY. But we are talking about the bill here before us now, aren't we? The report—

Mr. LYONS. The bill referenced—

Mr. HINCHEY. [continuing]—isn't going to be implemented. This is legislation which the Congress is being asked to implement.

Mr. LYONS. Well, the bill—

Mr. HINCHEY. The report has nothing to do with that.

Mr. LYONS. No, it does, sir. The bill references the report and authorizes its implementation basically and that is the manner in which I have responded to the question.

Mrs. CHENOWETH. The Chairman would remind Mr. Hinchey and Mr. Lyons, you both ran red lights, so I need to try to keep things a little bit on time.

Mr. LYONS. I will run one more red light, then I will be quiet. The bill specifically states that the Secretary of Agriculture, acting through the Forest Service, shall conduct a pilot project on Federal lands described in paragraph 2, to implement and demonstrate the effectiveness of the resource management activities described in subsection [d] as recommended in the Quincy Library Group proposal of 1993.

It references the report and I think it highlights some of the specific management activities that are called for in that report, but we certainly see this as a project that is implemented—

Mr. HINCHEY. But Mr. Lyons, those management activities specifically delineated are forestry and fuels management. They are the only ones stipulated in the legislation.

Mr. LYONS. They will be implemented in the larger context of the forest plan within which we are operating.

Mr. HINCHEY. That will be interesting to see.

Mrs. CHENOWETH. Thank you very much. Mr. Hill, do you have any questions?

Mr. RICK HILL. Thank you, Madame Chairman. I would just comment to you that it seems to me that we ought to promote more collaborative process rather than more conflict in terms of developing forest management plans, and so I may disagree with my colleague's earlier comments.

Let me just ask you, you say in your testimony this shouldn't be a template for the future. Do you mean with regard to the collaborative process or do you mean with regard to the drafting of legislation to implement that process?

Mr. LYONS. I mean with regard to legislation. I don't think we want to be in a position where we have to legislate solutions to every problem we have on the ground. We ought to be better than that.

Mr. RICK HILL. I would just comment that there is a sense, I think at least in Montana, that the process that we now use, while it provides for public comment, it doesn't provide for public input. So the consequence of that is that while the public may be allowed to express itself, but that expression isn't necessarily incorporated into any final resolution, and this process, it appears to me, is one that allowed public participation to result in actually the development of a plan. It seems to me that that is good. Would you agree or disagree with that?

Mr. LYONS. I would agree, Mr. Hill. In fact, I think we have made great strides in the Forest Service in enhancing our ability to engage the public in a dialog over the use of their forests, but we have a ways to go. Certainly, what we have learned is the earlier the opportunity, the more open the process, and the greater the likelihood then that the community will become engaged and will become a part of the process of devising solutions that make good sense, make good sense for the communities, and with the input of the Forest Service and other resource management professionals make good sense from an ecological and biological standpoint as well.

Mr. RICK HILL. In this instance, this process was always an open process; there was public scrutiny of the process. Is that how this came about?

Mr. LYONS. Again, I think I would rather defer to the people who engaged in the process within the Quincy Library Group and they can better, I think, characterize how they went about developing consensus over time.

Mr. RICK HILL. Fair enough. Let us talk about the cost of implementing the program. In your testimony, you suggested that the Secretary is prepared to allocate the resources.

Have you done an evaluation of what the cost of the implementation of this will be in contrast with what the cost would be under the earlier forest management plan?

Mr. LYONS. We do have some estimates, and if I could, I would defer to Mr. Connaughton or Mr. Madrid to give you those specifics.

Mr. RICK HILL. That is fine.

Mr. MADRID. The costs that we estimated in the bill to implement that is really no different than our day-to-day costs for doing business. Really what the bill does is it directs to more concentrated efforts on certain types of activities across the landscape, but in reality, the costs of doing these types of activities would be no different than our day-to-day activities.

Mr. RICK HILL. So we are not looking at any additional costs?

Mr. MADRID. Not in terms of actual costs to work on the ground. Costs may be in terms of what is available for us to do the work, so with the change in budgets and some other things, there would be some additional need for funding to achieve that level of activity.

The level of activity doesn't just include harvest activities or fuel treatment. As part of the last couple of years of things that the Administration has done in support of this effort, we have dealt with watershed restoration. We have a long-term monitoring plan now that we are looking at to deal with this pilot program as well as looking at some different things of where we need to be in our land management process.

Now, in the Plumas, we have initiated the review process to find out and see where we need to go in terms of potential amendment or revision to our forest plan, so there is more to that than just dealing with actual fuel treatment on the ground whether it be by harvest activity, prescribed fire or reforestation as the combination of all the different activities.

But really, the day-to-day work that we do and the costs would be the same to implement this. It is just a difference in the magnitude of the effort we would need to undertake that way, so it is not any more expensive than any of the other work we do every day.

Mr. RICK HILL. Thank you very much. Thank you, Mr. Lyons. Thank you, Madam Chairman.

Mrs. CHENOWETH. Thank you, Mr. Hill. Mr. Herger, I would like to recognize you for five minutes for questioning.

Mr. HERGER. Thank you, Madam Chair, and again, I want to thank our Forest Service for our forest supervisors from two of our forests for being out here. Lynn Sprague, I want to thank you for all the help and support that you have given us, and Mr. Lyons, I do want to thank you for being here, and I want to thank you for working with us.

I was just going over some of my notes here. Evidently, since we have been working, just the two of us here, and I want to thank you for your expression of strong support from the beginning of this process, certainly from the time we introduced the legislation last summer, our individual work at that time, you mentioned that there were a few areas you wanted to look at, but you felt that you would be able to—if I am misrepresenting you, I am sure you will tell me.

Mr. LYONS. Yes, sir.

Mr. HERGER. It seemed to me last September that it looked like you were—I think your comment was that you were going to be sending me a letter very soon in support. We were very close, and you got back to us I don't know how many different times, but we went back and forth, and I believe there is somewhere between 12

and 25 changes that we have already made in that original legislation that we introduced last summer that were because of your recommendations that were fine-tuning this legislation. I feel because of it, it is far better legislation today than it was when we originally introduced it last year because of again, yours and the Forest Service's input on this.

I just want to make sure the record is clear. It is not like we are just now starting on this process. We have been working with it for some time, working in conjunction with you, so I guess we get back to the point. The concern that we have in Quincy and these communities in these three national forests as we saw the Cottonwood fire a few years ago where the town of Loyaltown was threatened to be burned three different times, this is a serious situation. We have nothing left in an area that we live in if we don't move immediately.

We had hoped originally that the Forest Service would be able to implement this and do it administratively, and I have heard you in our hearing and up in Oregon here, I don't know, three weeks, a month ago or so, your indication that you would like to see much of this done administratively. I believe that was a comment you made at that time, and I agree with you, but in these last few years, this has not been the case. We have not been able to get this program, and I would like to make a comment, too, on the record of some questions, some good questions that Mr. Hinchey had, and that was, are we just taking one aspect—are we only dealing with the fire area and are we not dealing—why are we not dealing with the entire ecosystem, and the fact is, the Quincy Library plan does deal with the entire ecosystem. All we are trying to do is implement one part of it that was done in context of everything.

Just with that, I guess I get back to the point, please forgive me, Jim, for being a little frustrated, but starting last September, comments were, gee, maybe next week, we are going to have this letter, or gee, make this change. About 12 or 25 changes later, your comment is almost precisely the same today as it was last September. Tomorrow, I think we are close but not quite there.

I am sure that maybe it is a misperception, but it almost seems like the goal post keeps moving further and further back as we get closer to it, and how much more time do we need?

Mr. LYONS. Well, Mr. Herger, let me respond by saying how much I appreciate your efforts to work with us—

Mr. HERGER. Thank you.

Mr. LYONS. [continuing]—to try and perfect and refine some things. I think what is happening now with regard to the legislation is as it moves forward and as it is clear that there is an intent to proceed that others who have felt that they have not had an opportunity to have input, others, I think, as Mr. Hinchey alluded to, seek an opportunity to have an opportunity to convey their concerns and to see if in fact they are real and need to be addressed substantively or whether or not they can be addressed in some other way.

That is the process that we engage in here in developing legislation, so I would suggest to you that from the standpoint of our interest within the Administration and we have come a long way, I think legitimately, others have raised some concerns, and I think

we owe them the time to sit down and explain what we understand the bill to do. I think the dialog we had last week between Mark and Jody and your staff and members of the Quincy Library Group was most instructive in gaining an understanding of how this would be implemented and what the ramifications would be, and that led to further refinements.

I think through that process, I hope we can bring people along to the point where there is general support. It would be ridiculous at this point in time to be left to fight over words when what we really need is action on the ground, and I would like to get us there.

Mr. HERGER. Thank you. Thank you very much for that. I might mention just in the last three years while we have been working with this, and I do see the red light, and I will close with this, but while we have been working to deal with this, probably almost 175,000,000 acres of forest land have been completely burned and devastated just in my State of California. I might mention that this is 175,000,000 acres where we have destroyed the habitat. We have destroyed habitat for the Spotted Owl, and we have virtually destroyed our stream purity, everything else that goes with that, so I would hope we don't continue talking too much longer, because as we do, we are losing a priceless resource that not only are we devastated by, those of us who live in these communities, but a national resource that our entire nation is losing. Thank you.

Mrs. CHENOWETH. Thank you, Mr. Herger. I would like to just ask a little bit about the framework of the bill, Secretary Lyons. As I understand it, this bill will set in place legislation for the management of two and a half national forests. It will set in place a plan and then as the plan is implemented, it must fall under the National Forest Management Act and all applicable laws.

There are several, which include the ESA and the Clean Air Act and the Clean Water Act, and so I don't see any way that we can reason that this legislation would not impose requirements under those environmental laws, including NEPA, right? Is that correct as you understand it?

Mr. LYONS. As you phrased the question, I am not sure quite how to answer except to say that our understanding is that any activities implemented would have to be done so in a manner that is consistent with NEPA, NFMA, CASPO guidelines, et cetera, so that would maintain a consistent framework, so I guess we agree, yes.

Mrs. CHENOWETH. Good. I also wanted to ask you, Mr. Lyons—Mr. Sprague, it is good to see you again. I saw you about a year ago.

Let me ask you this. When we commonly and typically refer to resource management or timber management, when we talk about resource management, I think Mr. Hinchey's question needs to be answered. Is it strictly timber and fuel load or is it management for wildlife and watershed management or what?

Mr. SPRAGUE. Much of the project's activities envisioned under the bill under the Quincy Library Group Report of 1993 is focused on forest health, at getting us to a state with that 250,000,000 acres that we have reduced the fire risk and the fuel loading such

that we can carry out the rest of our ecosystem management responsibilities.

The point is, right now we have, as Congressman Herger pointed out, serious fire risk and forest health conditions particularly on the east side of those forests, and that is what those projects are focused on primarily. It doesn't take anything away from the rest of the multiple-use and ecosystem responsibilities that these supervisors have under their forest plans.

Mrs. CHENOWETH. Mr. Sprague, tell me, how serious today is the fire situation in the Sierras?

Mr. SPRAGUE. It isn't real serious today but—

Mrs. CHENOWETH. Projecting to June, July, and August.

Mr. SPRAGUE. It is a continuing problem. We have had 100 years or thereabouts of fire exclusion from our good fire control practices over that period of time, doing what at the time we thought was the right thing, what was the best science of the day.

We now realize that we were overly aggressive in that activity, and we have what has built up over nearly a century of time that we can't deal with overnight. We have a continuing problem, and will have for a number of years to get these forest health issues under control, get the understory removal taken care of, getting the stands thinned out, so that we have vigorous stands that withstand both fire and insect and disease and others.

Mr. LYONS. Madam Chairman, if I could answer that same question, in the context of the question that Mr. Hinchey asked of me earlier, the bill does of course focus on certain management prescriptions that are a priority. They are a priority for the reasons that Lynn just described, the necessity of reducing wildfire risk in ecosystems in which fire has been excluded for long periods of time.

But rather than take my word or the Quincy Library Group's word for it, if I could, I would just want to quickly read you something out of the Sierra Nevada Ecosystem Report.

Mrs. CHENOWETH. Yes.

Mr. LYONS. This is a report that was chartered, if you will, as a result of legislation that originated in this committee, and the legislation, of course, was authored by former Chief of Staff Leon Panetta as well as former Chairman Miller, and I had a little hand in drafting the legislation, so it is near and dear to my heart, too.

I think everyone agrees that this is kind of the state-of-the-art science in terms of the Sierra Nevadas and a very valuable contribution to our management efforts. But here is what the document says with regard to the role of fire as it pertains to other resources, wildlife, water quality, et cetera.

It says, "There is strong evidence that fire once was a major ecological process in the Sierra Nevada with profound influences on many if not most Sierran ecosystems. The success of fire suppression has altered and will continue to alter Sierran ecosystems with various consequences in regard to ecological function, new trans cycling, forest structural development, biodiversity, hydrology, water quality. Many of the consequences probably have not yet been described. Regardless of what combinations of strategies are ultimately used, only wide-scale extensive landscape treatments, fuel treatments, which would be thinning, some salvage work and

prescribed fire can approach the level of influence that fire once had on the Sierran environment.”

It goes on to say that, “Ideally, work on all goals should progress concurrently,” and the report lays out some specific goals. It says the highest priority goals should be goals one, three, and four. Goal one is simply substantially reduce the potential for large, high-severity wildfires in the Sierra Nevada in both wildlands and the wildland/urban intermix, and that comes about from the kind of fuel loading treatments that are called for in the context of the Quincy Library Group report.

So these activities, while they are highlighted in this bill, are done so because they have such a critical impact on the future health and vitality of all the resources within the Sierra Nevada ecosystem. We shouldn't lose sight of that.

Mr. SPRAGUE. One other quick comment on that, too, is that the bill as drafted would step up the pace with which we do this work on these two or three national forests, and I think the value there is from a forest management standpoint, is that we get a larger amount of work done so that we can begin monitoring and evaluating what we have accomplished so that we can learn if these practices are what we really need to be doing across the whole Sierra Nevada ecosystem.

Mrs. CHENOWETH. I just want to ask the members here if they would like to open this up for a second round of questions.

Mr. HINCHEY, did you have further questions?

Mr. HINCHEY. I suppose that Mr. Lyons and I could go on and on indefinitely, but I just want to make the point in response to what you just said and which I do not contest at all which is obviously the case in the report that you read, but the bill doesn't talk about the use of fire as a management tool. The only thing it mentions is defensible fire breaks; that is the only thing it mentions as a tool to deal with the problem of potential fire in the forests.

Unquestionably, since we have prevented fire from occurring as it once naturally did, the ecosystem has changed, but the bill doesn't really deal with that. It doesn't mention that we might use controlled fire as a management tool. It only mentions defensible fire breaks.

So while what you say is true, the import of what you are trying to convey, I think, is not quite there.

Mr. LYONS. I recognize your concerns, Congressman, and I suggest that is one area in which we could clarify what the intended purposes are. I think the issue with regard to reducing fuels is one where we can't introduce prescribed fire in many of the areas in the Sierras because the fuel loads are so high, it will generate crown fires, and that is not what we seek to achieve.

Certainly, that is an area where clarification could be provided.

Mr. HINCHEY. That just brings me back to my original point, Mr. Lyons, and that is that if you are going to manage this resource in a way that is different from the way that it has been managed in the past, or at least, if you are going to set up a management structure that is different from that which has existed in the past, and I think that maybe that is a good idea; it may be a good idea to do that, but if you are going to do it, you ought to do it comprehensively, and you ought to be managing it with regard to over-

all concern for the entire ecological system and all of those species which depend upon it. It ought not to be done exclusively as the bill seems to indicate it would be done in this particular case for timber and for fuels management.

Mr. LYONS. We share the same goals and objectives. I think perhaps we just need to clarify the language in our purposes so it is clear that we are going to manage in an ecosystem context to achieve that goal.

Mrs. CHENOWETH. Thank you. Mr. Herger.

Mr. HERGER. Thank you, Madame Chair, and I want to thank Mr. Hinchey for that very good point. I might mention that the original plan, the whole plan and we wish we could incorporate all of it, does do precisely what you are recommending, but the concern was, we would have a tough enough job just getting this one little piece through Congress rather than trying to get the whole program.

But I think what is important is that what we are doing was done, and again, we will hear more from our Quincy Library Group here in a few minutes, but all of this was done within the context of managing for the entire ecosystem, so this was not done by itself without considering that, and hopefully, that will come out later.

But I think that is a point that is absolutely crucial in anything we do today is exactly what you are mentioning.

I would like Lynn Sprague, our regional forester, if I could ask you a question. Many of our national interest groups have criticized the catastrophic event language in the bill claiming that it creates "enormous loopholes which the Forest Service will exploit to deprive critical areas of interim protection," yet the bill requires preparation of a full environmental impact statement, the most environmentally protective process available under law prior to designation of a catastrophic event area.

Mr. Sprague, in your opinion, is the requirement for a full EIS prior to entering a catastrophic event area an enormous loophole?

Mr. SPRAGUE. I would have to say no.

Mr. HERGER. Why would you say no?

Mr. SPRAGUE. Because we have authority to do that now without a special provision that doesn't always require a full EIS, so this would be more conservative than what our present practice is, and we have actually even suggested that this probably isn't even a needed element of this bill.

Mr. HERGER. Thank you. Mr. Lyons, did you have any further comment on this?

Mr. LYONS. No, sir.

Mr. HERGER. Thank you, so you do not see this as a loophole, and I would presume, Mr. Lyons, you don't either.

Mr. SPRAGUE. I have not had any discussions about it. Your question is the first time I have had to address that other than my own concern about why is this in there.

Mr. HERGER. Right.

Mr. LYONS. I would suggest, Congressman, this is one of the areas that we did discuss last week, and perhaps Mark could comment. Mark Madrid could comment on the outcome of that discussion.

Mr. HERGER. OK.

Mr. MADRID. It was one of the topics that we discussed because there were some concerns just as you described, Mr. Herger.

Mr. HERGER. Right.

Mr. MADRID. With OGC's help, we came up with language that would address that issue. The issue that we had at the time was the perception that there was going to be a need for two EISs and our process exists right now that already streamlines and puts it into one.

What we did with OGC's help and with the QLG's help and then as well as your staffers, we came up with language that addressed that, that hopefully met OGC's concerns of the legal requirements for meeting that, so we hopefully have closed that loophole or at least the perception of that.

Mr. HERGER. The perception of it. I believe what I am hearing, and I don't want to put words in anyone's mouth, but let me just state this and correct me if I am wrong, this is more of a perceived loophole than it is really a loophole. I mean, we are talking about the most stringent environmental assessment that we have, and as Mr. Sprague did mention, if anything, this is more conservative in protecting the environment than what you already have and which the Forest Service already has at its disposal now.

I see I have a little bit of time. This is so complex an issue that I think of myself—now, I grew up down in the agricultural area of my district, even though 80 percent of it is national forest. Just representing it takes myself several years to get up on the uniqueness of just the California part of the forest, and I would like to respond to another very good question of Congressman Hinchey in which he was wondering about why aren't we allowing more fire in.

I think it was alluded to by you, Mr. Lyons. What has happened over the years, well-meaning managers have tried to prevent all forest fires starting probably in the 1850's when settlements first came to California, really intensifying in the earlier part of this century, and particularly the 1930's.

Rather than having natural fire that would go through on a regular basis and do a thinning process, because we prevent it all with Smokey the Bear and well-intentioned people, now, we have these unnatural, very dense forests, so that now when we have a fire go through, rather than be a natural process that would burn the underbrush and thin out some trees and our large trees would remain, now we have a situation that is referred to where you have fire that will be a fuel jump and it will get up into the crowns and actually destroy all our trees, including the larger ones that normally would have lived.

The purpose of this plan is to go in and attempt to begin restoring this forest as it was pre-settlement time so that we can go back to the natural lightning type of fires that would be a natural thing rather than the catastrophic type that we currently have that destroy everything, and that is what our goal is.

Mrs. CHENOWETH. Thank you, Mr. Herger.

Mr. HERGER. Thank you.

Mrs. CHENOWETH. I just have one question and that is for Mr. Madrid or anyone who may want to answer it.

When Mr. Lyons was testifying, he pointed out that the SNEP or the Sierra Nevada Ecosystem Project suggests establishing defensible fuel profile zones by creating a more open forest structure and that once that is done, prescribed fire could be introduced.

I want to ask you, Mr. Madrid, is H.R. 858 consistent with the SNEP report? Does it in any way contradict that particular plan of fire suppression or does it enhance it?

Mr. MADRID. Well, SNEP dealt with things on a very broad scale all the way throughout the Sierra Nevada ecosystem. In terms of it being consistent or not, the principles that SNEP uses to apply to the ground are the very same principles that we would use to apply this kind of activity to get more of the fire-safe, not fire-proof, but fire-safe forests that we need to have. In that sense, you could say it is consistent.

It is really an application of the principles involved in creating a more healthy ecosystem than it is whether it is consistent with SNEP or not.

Mrs. CHENOWETH. The point is that in the Quincy Library bill, we are not trying to implement SNEP; that is a whole big project by itself, isn't it?

Mr. MADRID. That is correct, yes.

Mrs. CHENOWETH. Mr. Connaughton, let me ask you, without having the fuel breaks, there is no way that we could do any massive management by fire until we set forth those fuel breaks to be able to control the fires, is that correct?

Mr. CONNAUGHTON. Actually, you have two related observations. One is, do we need the fuel breaks. There is great value in fact in having the defensible fuel profile zones. Fire is a management tool. Fire is in those ecosystems.

In the Lassen forest, it is approximately 600,000 acres. If fire enters any of those 600,000 acres, it gets away faster than we can run away, and that is our problem. Until we can reduce the density of those fuels by cutting down the small trees, removing them through whatever means possible, then we face the likelihood of gigantic fires and it is a matter of when, not if.

Once those fuels are reduced, then that gives us the opportunity to use fire as a management tool, either deliberately introduced into the forest or introduced through natural causes. Currently, approximately 70 percent of our forest fires are caused by lightning.

If we have the proper fuel conditions, that is not a monumental threat to us, but with the current fuel conditions, it is.

Mrs. CHENOWETH. Thank you very much, and I know it is true in my forests, some of my forests in Idaho, and I am sure it is true in northern California, too, that management by fire was a tool that the Native American Indians used, so it has been around a long time. We are just trying to revisit those things that happened in history that are good.

But I thank you all for coming such a long way. I wish we had more time. Mr. Secretary, thank you for your fine testimony, and I will excuse this panel and invite the other panel. Panel III is Tom Nelson, District Forester, Sierra Pacific Industries; Bill Coates, County Supervisor, Plumas County Board of Supervisors, Quincy, California; Michael Jackson, Esquire, Friends of Plumas Wilderness, Quincy, California; Louis Blumberg, Assistant Regional Direc-

tor of the Wilderness Society, San Francisco, California; and Ryan Henson, Conservation Associate, California Wilderness Coalition, Davis, California.

Please rise and raise your right hand. Do you swear and affirm under the penalty of perjury that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Thank you very much. I now recognize our next witness, Mr. Tom Nelson, District Forester, Sierra Pacific Industries. Mr. Nelson.

STATEMENT OF TOM NELSON, DISTRICT FORESTER, SIERRA PACIFIC INDUSTRIES

Mr. NELSON. Good afternoon, Madame Chairman and members of the Subcommittee. My name is Tom Nelson, and I am a forester for Sierra Pacific Industries in Redding, California, and I am here today as a founding member of the Quincy Library Group, or as we refer to it, QLG, on occasion.

It is our hope that you will help us implement the proposals of this group by supporting the QLG bill recently introduced by Congressman Herger, H.R. 858.

I would like to take this opportunity for the record to thank a number of people for their invaluable assistance. First, I wish to thank Mr. Herger for his assistance and his leadership in carrying our bill. Next, I would like to thank Secretary of Agriculture Glickman and Under Secretary Lyons for their continued support of the silvicultural prescriptions described in the QLG's agreement of '93 which has been accurately translated into H.R. 858. I would also like to acknowledge and thank both Senators Feinstein and Boxer for their ongoing efforts to introduce a similar bill in the Senate.

The ideas that are embodied in H.R. 858 actually started in November of 1992, when the three of us sitting here from the Quincy Library Group at this panel met together for the first time. It was a very unusual meeting, and between the three of us, we brought to the table a complete spectrum of opposing viewpoints on national forest management in California.

Yet we soon found that we also shared a number of common viewpoints. We all cared deeply about the stability and the well-being of our communities, about our forested surroundings, and about the legacy that we leave to our children and our grandchildren. Moreover, we all agree that the current management strategies of the U.S. Forest Service for this part of California are unacceptable to each of the diverse viewpoints we represented. Business as usual will not meet anyone's needs.

After several of these initial meetings with just the three of us, we decided to expand our discussions and bring in more ideas and participants. We wanted to see if others in the community shared our concerns. We did this, and it soon became apparent that a lot of members of the community not only shared our concerns, but they shared a common set of remedies with us.

When I use the term "we" in this case, I am not referring to just others within the forest products industry. When I say "we" in the context of the Quincy Library Group, I mean loggers, local environmental leaders, teachers, county government, organized labor, ranchers, road crews, fly fishers, biologists, and even a retired air-

line pilot who has developed a strong interest in fuels management strategies.

Given the strong community support, we soon developed and agreed upon the QLG agreement of 1993. In many respects, this was our response to President Clinton's request at the Portland Forestry Conference, to "insist on collaboration, not confrontation."

A central issue that binds us together is befitting an appearance today before this Subcommittee. That overarching issue is our concern for the health of the national forests which surround our communities. We are deeply concerned with the very real and very ominous risk for catastrophic wildfires within these forests. To demonstrate this, I would like to call your attention to a position paper the Quincy Library Group put out some time ago which is attached to your copies of my testimony.

In this paper, we have tried to show that the present explosive situation, the potential for significant catastrophic wildfires, is getting worse, not better. At the current pace, without implementation of this Quincy Library Group bill, we estimate that it will take these forests 180 years before they even begin to reverse this trend.

The Library Group has designed a comprehensive strategy to combat the rising risk of catastrophic wildfires, and that strategy is included in H.R. 858. The prime objective of our initial strategy is to isolate individual watersheds of 8,000 to 12,000 acres with shaded fuelbreaks which have already been mentioned. These fuelbreaks would be about a quarter-mile wide, and they are not the bare-ground type of fuelbreak that you commonly associate with a power line or a gas line. They are shaded fuelbreaks. Our intent is not to stop major fires as they hit these fuelbreaks, but to force the fire down out of the crown so that firefighters have a better chance to control it. Put another way, our goal is not to stop the occurrence of wildfires, but it is to keep them at 10,000 acres, not 150,000.

We estimate that with this strategy, it will take the Forest Service 20 to 30 years to completely reverse this rising trend of wildfire risk, but that we can live for the next five years with the Library Group bill in a much safer condition.

I see the orange light is on, so I will skip some of my testimony, but I would like to tell you that the Library Group proposals that are embodied in this bill have received a certain amount of criticism recently, most notably from some of the national preservation groups. I would urge you to study these criticisms in light of the growing fear these urban-based groups seem to have toward coalitions which include their locally based affiliates.

We welcome the support of any and all of these nationally based groups in our pursuit to pass H.R. 858, and it has already been pointed out that several changes have been offered up from our group. We will continue to try and accommodate these groups, and we will continue to work with anyone who is sincere in helping us get our proposals implemented, but we must also caution you that we cannot change the original intent and integrity of our agreement, and we hope that you will be cognizant of this as you go through mark-up, amendment proposals, and hearings.

I see the red light is on, so I would like to thank you for this opportunity and I would urge your support of this bill so that we

might begin the long uphill battle toward implementation of our agreement. Thank you, again.

[Statement of Tom Nelson may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Nelson. I would like to call on Bill Coates, County Supervisor, Plumas County Board of Supervisors. Mr. Coates.

STATEMENT OF BILL COATES, SUPERVISOR, PLUMAS COUNTY BOARD OF SUPERVISORS

Mr. COATES. Thank you, Madame Chair. I appreciate being in front of this committee again.

My statement, I think, will be reasonably brief. I started it off by wanting to say we attended, we listened, and we attempted to do, and I can assure you, Mr. Hinchey, that if you would have been in that process, you would have been very pleased with the effort put forth by people from all sorts of different backgrounds.

I wanted to say that we studied, we worked, we argued, we fought, we met in a library so we wouldn't have any fist fights. We took the environmental organizations' suggestions on the maps. We asked them how the forest prescription ought to look, and they told us. We took that. We walked away from a logging sale that we could have encouraged because it broke our agreement. We folded in the Collins Pine method of forestry. We had 80 years of proof on the ground that that worked; it is much more impressive than the Forest Service lands right next to them. We took the stream restoration program that is now drawing visitors from around the United States as a leader in the United States. We adopted the SAT guidelines that came to us from the work done in the northern Spotted Owl country, supported by all the environmental groups, I believe. We helped to set up the DFPZ (defensible fuel profile zones) ideas which were kind of given to us by the fire folks as we started talking about real strategy and not further confusion.

What we have done today is we have brought you a gift, and the gift isn't really a gold bar. It is an agreement. It is the agreement that President Clinton asked us to come up with in Portland. He told us to get out of the courtrooms and get into the meeting rooms and find a way to cooperate and get along with each other and do some listening as well as some talking. The gift is now yours. This is a good day for me. I am hoping to turn this over to you folks, and you figure out what to do with it.

Besides addressing the declining forest health which almost every scientist will tell you is there and is a very real problem, there is another condition that is at risk. That is the condition of the decisionmaking process.

We have done what the American system has suggested since this country was formed, and that is, when you have problems, try to get people together to talk it over and try to figure it out. We weren't trying to take it away from the whole rest of the United States. We were trying to include them when we could and take their ideas, but just as a tidal wave would probably bring more anxiety along the coast, the forest fires are bringing a higher level of anxiety for those of us that have to face those every summer.

That process was kind of a conflict resolution process. We had hundreds and hundreds of meetings. It cost us personal money. It

is lonely in the middle. We weren't invited to meetings all at once. We had to explain ourselves all over the place. Meanwhile, we were being studied and interviewed by Charles Osgood and the public television, and it has been draining and exciting, and it has been mixing some better forest health with some lessening fire danger which, if you are very strong in the environmental community, you have to be excited about because it helps with the animals and the water quality, and it also cuts down the explosive disturbance that we are calling fire.

Now, around the United States, there is starting to be these groups popping up all over the place, and they are either a danger or they are exciting. I think they are exciting. I believe in them, and if we fail, there is a lot of those groups that will also want to quit because they know something about the struggle that we have gone through. If they see our failure, it will take some of the heart away from them. There is something else at stake here, and that is the process.

Finally, I would like to thank this committee for its patience with our bipartisan nature. As most of you know, we are not liberal or conservative, Democrat or Republican. We are a mixture of all of those things, and I would particularly like to thank Congressman Herger for a ton of work, for Congressman Fazio and his work, the work of Senators Feinstein and Boxer, and particularly, too, the Secretary of Agriculture, Dan Glickman; the Deputy Secretary of Agriculture, Richard Rominger; and Under Secretary of Agriculture Jim Lyons. Those folks have saved us when we were getting tired and discouraged, kept us up and kept us going, and so this is our thanks to them.

[Statement of Bill Coates may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Coates. That is very encouraging testimony. I would like to call on Michael Jackson, Esquire, Friends of Plumas Wilderness.

**STATEMENT OF MICHAEL JACKSON, ESQUIRE, FRIEND OF
PLUMAS WILDERNESS**

Mr. JACKSON. Thank you, Madame Chairman. My name is Michael Jackson, which is not always easy.

I am a salmon lawyer, and in terms of the Spotted Owl, two members of Friends of the Plumas Wilderness filed the original Spotted Owl lawsuit in California that resulted in the CASPO report that the environmental movement believes rightfully is a long step forward.

We certainly are not interested in destroying the environment in California. The only endangered species which we presently have in the Quincy Library Group area was listed about a week ago under the State endangered species act law. It was listed by me.

This particular arrangement with the land is such that when the species was listed, the last 400 salmon in California that entered the Sierra, there was no problem with the Library Group approach because we had already set aside all of the land, from ridge top to ridge top, miles away from that species.

That is the reason that you will find that this group has a good future is because we try to be proactive. We don't look at just what

we have to deal with today, but we look at what we have to deal with tomorrow.

I have worked most of my life to preserve species, and I know these forests and the people within them, because I have lived there my whole life. I have read every major scientific study concerning natural resources that applies to forestry or watershed management in California, and this is the single best program that I have ever seen in California.

The land base is mostly part of the existing forest plan and is George Miller's ancient forest bill land base. I don't know how we can get any better than that in terms of the land base.

In the course of doing this, the two gentlemen from the environmental movement that are sitting on either side have become long-time friends of mine. In the course of doing the Library Group, the two gentlemen sitting at the other end of the table have become friends of mine.

The people of the west don't like each other, they don't trust each other, and they don't have any respect for each other, and that is what we are trying to deal with. The distrust and thirst for vengeance that presently exists were most recently elevated by the salvage rider. Our local salvage rider, Barkley, almost tore the Library Group apart.

We want to publicly thank Congressman Fazio, the ancient forest community, and the timber industry for standing behind the principles of the Library Group at that most divisive time. This was a time in which we had no legal recourse, and the timber industry, when the sales were brought up right above those 400 fish that I was talking about refused to buy the sale.

They needed timber then worse than they ever needed timber in the history of our community, but a deal was a deal, and so if you believe this to be simply a timber industry front, take a look at the history of Barkley, the first salvage rider sale recalled by the Administration in the United States, and realize that the timber industry had a lot to do with that.

The Library Group is both a process and a substantive on-the-ground solution. First the process. Bill Clinton did something right in Portland so long ago. When our members came home from various sides, they were energized, enthusiastic, and dedicated. "Get out of the courtroom and reach consensus to do the right thing for both the land and the people." We worked hard. We studied hard. We traveled hard, because in rural communities, you have to go to Washington. You have to go to San Francisco to protect your community.

One hundred of us have dedicated ourselves to this problem. What we need right now is time so that you all understand what this proposal is about. We need bipartisanship. We are not sure we have enough of it yet. The Library Group wants everybody to agree and let us tell you, we will be here as many years as it takes to convince everybody that this is the right thing to do on this land.

We are in no hurry. We have already spent four and a half years and hundreds of thousands of hours, so if people ask you for time, please give it to them. If they ask you for changes that are simply making it clearer to everybody to end the distrust and the hatred,

give them time. This process will stand any light that anybody shines on it.

Thank you very much, Madam Chairman. I very much appreciate the honor of being the first bill considered in your Subcommittee.

[Statement of Michael Jackson may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Michael Jackson. I would like to call on Louis Blumberg, Assistant Regional Director of The Wilderness Society in San Francisco.

**STATEMENT OF LOUIS BLUMBERG, ASSISTANT REGIONAL
DIRECTOR, THE WILDERNESS SOCIETY**

Mr. BLUMBERG. Thank you, Representative Chenoweth and members of the committee for inviting me to testify here today. I am Louis Blumberg, the Assistant Regional Director of The Wilderness Society in the San Francisco office.

I want to stress four points here. You have my written statement and I would like to request that that be included in the record. I want to stress four key points here.

We support the general goals of the QLG. The results of the QLG process as expressed by H.R. 858 has failed to produce a public consensus. The bill has serious flaws and creates great uncertainty and Federal legislation is not needed to accomplish our shared goals.

Now, first, we support the general goals of the Quincy Library Group. We, like most Americans, want to see healthy forests where there is less risk of high-intensity wildfire, where there is protection for wilderness areas, ancient forests, and riparian zones, and where there are livable local communities with viable economies.

We also acknowledge that the Quincy Library Group has made significant success in strengthening the social fabric and in promoting harmony in local communities. As we have heard here today, the Quincy Library Group has drawn wide recognition and support for its process.

However, and the second point here, in this instance, the collaborative process has failed to achieve a public consensus. National, regional, and other local interests in the Sierra Nevada and even in Plumas County have not been included, nor have their concerns been addressed. Collaborative processes are about local involvement, not about local control.

Our efforts which we initiated recently to participate in the process have been given little consideration in the outcome here in this legislation, and our efforts have been derailed by the speed with which Congress is acting. I would point that as a demonstration of the failure of the process today is the broad opposition in California, not to the Quincy Library Group process because everybody can like the process. Who could not like the idea of people sitting down to work out their differences?

We support it very much, but the outcome today is seriously flawed, and the bill is opposed by 19 environmental organizations. They are national groups, they are regional groups, they are state-wide groups, they are grass roots groups in the Sierra Nevada, in Northern California, including a local group in Plumas County. So there is strong and uniform opposition to the bill.

Now, the bill has many serious flaws. They are enumerated, most of them, in my written testimony. Fundamentally, the bill is surrounded by great uncertainty as to what would actually happen on the ground, where it would happen, and what the impacts would be. No environmental or economic analysis has been prepared for the bill as is required by the National Forest Management Act.

Now, a couple of the key problems with the bill. Although nobody has been able to tell us, our rough calculations indicate that the bill would increase logging dramatically, at least double the current rates of logging, and far exceed the level that is estimated to be sustainable under the CASPO report.

The bill also mandates an experimental and ill-defined management strategy. The DFPZ, the defensible fuel profile zone, is an experimental concept. It does not appear in any forest plan. The scientists in SNEP will tell you that there is no field data to show that it works.

We think it is promising. We agree with the Library Group, and we would like to see it tested, but 225,000,000 or 240,000,000 acres is way too vast an amount of public land to subject to this experiment. We would support a scientific test on one range or district to evaluate the efficacy of the program.

One of the key problems with the bill is that it would override current laws, and we talked about this a little here today, and my understanding of the bill, the way I read it, is that by not requiring an environmental impact statement before we legislate a management plan, we would have in effect suspended NEPA. We would also be suspending the National Forest Management Act. Those two laws are checks and balances. They enforce protection of the environment and give the public the opportunity to understand what is going to happen on the ground.

Furthermore, Madame Chairman, you mentioned that the SNEP process is a bigger process. Right now in California, there is a regional planning exercise going on that is derived from the SNEP and the California Spotted Owl process. We think that H.R. 858 would preempt this process and would cover one-third of the entire area being studied for this planning process.

The other problems are listed in the bill, but let me get to the final point here. Federal legislation is not needed here. The existing forest plans have the flexibility to do the type of management activities and if, as people have asserted, that all activities will comply with all laws, then why do we need another law?

Currently, the logging program in the area is quite high. The Lassen National Forest cut more timber last year than any national forest in the State of California. Congress could use the appropriations process to direct that funds be used to test the QLG program on one range or district.

We believe Federal legislation is a serious step, and in this case, would put aside the National Forest Management Act and the National Environmental Policy Act. We believe that it should be used carefully and only when needed.

The public has a right to know and Congress has the obligation to fully understand the impacts before legislating any forest management policy.

In summary, because of the many flaws and the uncertainties surrounding it, because the bill is not needed, The Wilderness Society must oppose H.R. 858. We are willing to work with the Library Group and others to establish a broader, collaborative process that involves all stakeholders to try to come to some agreement on how these lands should be managed. We think there is some merit to some of these programs. Thank you.

[Statement of Louis Blumberg may be found at end of hearing.]

Mrs. CHENOWETH. Thank you, Mr. Blumberg. I would like to call on Ryan Henson, Conservation Associate, California Wilderness Coalition, Davis, California. Mr. Henson.

**STATEMENT OF RYAN HENSON, CONSERVATION ASSOCIATE,
CALIFORNIA WILDERNESS COALITION**

Mr. HENSON. Madame Chairman, thank you for this opportunity to testify here today before the Subcommittee on Forests and Forest Health regarding H.R. 858.

We have long supported our friends in the Quincy Library Group and their goals of ecosystem protection, restoration, and community stability. Much of my sympathy and support for the efforts of the Quincy Library Group arises from the fact that my father, mother, and grandfather worked in the timber industry in Mendocino County, California, and I would have been pleased when I lived in Mendocino County to have a collaborative forum like the Quincy Library Group to bring people together with careful, reasoned debate and mutual respect instead of tearing people apart with divisive rhetoric and animosity.

I have gotten lots of report of Quincy Library Group meetings, and I do understand that there is a lot of very serious debate and sometimes animosity, but I am always surprised that at the end of the day, they all come out still shaking hands.

I believe we should consider the Quincy Library Group collaborative process and vision and H.R. 858 at least at this point, as two different entities. In our view, the current draft of H.R. 858 reflects neither the full spirit nor in all cases the letter of the Quincy Library Group proposal.

It is imperative that Congressman Herger, the Resources Committee, and most importantly of all the Quincy Library Group work carefully and openly to ensure that H.R. 858 and any other legislation adopting the mantle of the Quincy Library Group vision be consistent with that vision.

We have identified six areas where the bill should be modified to achieve the ecological and social goals of the Quincy Library Group proposal. Regarding Section 2[c][2], that is the catastrophic events exception, we appreciate the fact that some modifying language has been added over the last couple of weeks. We do recognize that. We would like to ensure, and Mike Jackson and I were just going over this over in the corner a couple hours ago, that other sensitive areas of interest and concern to both members of the Quincy Library Group and the environmental community and the community generally are protected from that potential serious loophole.

Section 2[d] regarding resource management activities, we believe that should be modified so that it is made clear that the

thinning, logging, and other programs authorized by the bill will be consistent with existing environmental laws and policies.

Perhaps that is purely symbolic, perhaps it is unnecessary, but considering the events of the past year or more, I would feel very good to see it in there.

Section 2[d][1] and [2] may actually, as Louis Blumberg pointed out, double the amount of logging authorized in the pilot project area, this two and two and one-quarter national forests. We would like to see the amount of logging capped at what the California Spotted Owl science team recommended for the affected forests.

Section 2[e] regarding cost effectiveness should be deleted or at least altered so that cheaper but perhaps more harmful projects are not authorized over slightly more costly but more benign projects.

Section 2[f] regarding other multiple-use activities should be altered to eliminate the possibility that the Forest Service will use this provision to authorize timber sales in addition to the projects authorized in section [d].

Section 2[g][3] regarding funding flexibility should be stricken since it may allow the Forest Service to reduce funding and other necessary programs to fund the thinning and logging described in section [d].

Now, we have been told by many members of the Quincy Library Group and also by many congressional staff members that most of our concerns have already been satisfied one way or another in the legislation. The problem is, we haven't had the time to sit down and have folks, both congressional staff and members of the Quincy Library Group show me where these things are, and as Mike mentioned, I would like to have that time.

We have worked and are willing to work with the Quincy Library Group and members of Congress to bring about these changes as well as other changes that members of the environmental community or the wider community would like to see made.

We think this is a hopeful process and a welcome process, and we would like to see it move forward in a very careful and deliberative way that does honor to the Quincy Library Group tradition.

Thank you, Madame Chairman and members of the Subcommittee, for this opportunity to testify.

[Statement of Ryan Henson may be found at end of hearing.]

Mrs. CHENOWETH. Thank you very much, Mr. Henson. I would like to open the time for questioning now with Mr. Hinchey.

Mr. HINCHEY. I don't have any questions at this time, Madame Chairman, but I would like to express my appreciation to the panel members for their coming here and for their efforts in trying to solve this very knotty problem, and I have a much deeper appreciation for the complexities of this problem after hearing your testimony, each of you representing your diverse points of view.

I just want to thank you very much for the extraordinary effort that you have put in over the last four years, along with your representatives in trying to resolve this issue, and I think that we should pledge ourselves to try to work with you as you continue to work this problem out to try to bring about a solution that is acceptable in some way to everyone. My deepest thanks to you.

Mrs. CHENOWETH. Thank you, Mr. Hinchey. Mr. Herger.

Mr. HERGER. Thank you, Madame Chair, and this is an exciting process. It is an exciting process, I think of the years of the community that I represented that has been so polarized with the environmental group on one side and those who are trying to earn a living on the other side, in these very much timber—excuse me. I could have worded much better, but those who have worked in these forest product economy-based communities to see just how they have gone at heads for so long and be able to come here and be able to work with someone who had been on perhaps the other side. Mr. Michael Jackson and Linda Blum, some couple people who are nationally recognized within the environmental community, and to see us be able to work together really brings a degree of joy to this job and responsibility that I have that I had not ever been able to experience before, and I want to thank you for everyone who has been involved, and of course, Bill Coates and Tom Nelson and so many others. I think you mentioned 100. It really is something that is exciting.

Mr. Blumberg, if I could ask you and I have the bill here in front of me, have you had an opportunity to read the bill?

Mr. BLUMBERG. Yes, I have.

Mr. HERGER. Could you tell me where, on what page it is that it indicates that environmental laws have been suspended?

Mr. BLUMBERG. What the bill does is, it mandates an alternative forest management plan that was developed by a group of citizens, in this case, in Quincy, California. They developed that plan themselves; that is the agreement.

The National Forest Management Act is our Federal law that governs the development and the implementation of planning for our national forests. So rather than going through the procedures mandated by Federal law in the National Forest Management Act which also involve the National Environmental Policy Act with a companion environmental analysis, this particular group has said this is the plan we want to have, and what Congress is attempting to do with H.R. 858 is say, we are going to set aside the National Forest Management Act, and we are going to set aside the National Environmental Policy Act. We are going to adopt this plan here as our national forest management plan, and then we will worry about the analysis later on when we go out to cut trees or we go out to do defensible fuel profile zones. So what the bill has done is that it has set aside those two important laws.

In another respect, the CASPO guidelines which have been amended to the forest plans were, as you know, designed to protect wildlife habitat and reduce the risk of high-intensity wildfire. Those guidelines are very strict. They are quantitative, they are numerical. When you come to the concept of DFPZ (defensible fuel profile zones), as I said in my testimony, that is an experimental term of which there are no standards and guidelines.

We are quite concerned, and we are seeing this in other national forests in the Sierra Nevada. We are seeing the Sequoia National Forest, the Stanislaus National Forest, all interpreting this concept of DFPZ in different ways.

One forest wants to cut all the trees whether they are 30 inches or bigger or not, so we are seeing an abuse, if you will, from our perspective of the concept of DFPZ. The bill nor the 1993 agree-

ment nor the forest plans define what is actually going to happen with the DFPZ, so again, that is stepping outside of the normal planning process that is set up by Federal law.

Mr. HERGER. Mr. Jackson, if I could ask you perhaps to, someone who has—

Mr. JACKSON. Certainly, since it is my profession. My understanding of the law is that unless the words notwithstanding any other provision of law apply and we have all been through that road and we don't want to go down it, all of the existing environmental laws apply to this program. I am sorry that Congressman Hinchey left, because essentially, what we are legislating here is something that we have been asking to do through the forest plan process since 1993.

The idea is that it is time to amend our forest plans by law, and we want to get on with it, but as the Spotted Owl experts in the Sierra Nevada ecosystem project say, as we have stumbled through all of this learning about ecosystem management, the timber industry is on its knees. There is no need for that. We can do some useful environmental work so that by the time these plans are amended to move from the logging of big trees to the logging of the smaller material, we have an economy able to take care of the new markets.

We are not asking for any dispensation and I disagree with Louis completely.

Mr. NELSON. Congressman Herger, may I add to that as well? I realize the red light is on. I want—

Mr. HERGER. Madame Chair, with your permission.

Mrs. CHENOWETH. Without objection.

Mr. NELSON. I have two points on my driver's license already, so I am real cognizant of the red light here.

To add to that, if we did in fact propose to do half of the things that Louis just proposed or his interpretation of our bill, I can assure you that I would not be sitting here and I know that Michael Jackson would not be sitting here.

Quite frankly, the response from the Forest Service to that almost identical question was, they didn't even think we needed to do anything with the forest plan, that everything that we were proposing was in conformance with their existing plans.

We would probably agree with that, but we are so sure that our proposals when compared to any other proposals out there are going to be shown as superior that we have actually asked for this additional round of NEPA.

We would like to see an amendment. We have a five-year proposal before you in this bill. We would like to see this analyzed for a much longer term, and we would like everyone to take a look at it. We welcome anyone who wants to compare it with in open forum, because you won't find anything better than what we have proposed here.

But I wanted to make the point that we would like to have that so that we don't get stopped from implementing ours by someone enjoining our procedure, so we feel we are somewhat insured by going through that procedure as well.

Mr. HERGER. Maybe back to Mr. Jackson, you are a lawyer, you are an environmental lawyer. Is the Quincy proposal consistent

with the law and the plans in the two national forests or in these three national forests?

Mr. JACKSON. Yes, sir, it is. The present plans call for clear-cutting about 12,000 acres of land and the removal of 360,000,000 board feet of timber from the two forests. The present operation of the Plumas National Forest in green sales is 13,000,000 board feet in a forest that traditionally cut about 170,000,000. This is well within the existing forest plan limits.

Mr. HERGER. One last final comment. Mr. Henson, you mentioned how you grew up in a community with a forest product community and how you wished in your community you had seen what we have seen in the Quincy area where we have had all the sides get together.

I guess my concern would be that if we are doing what I believe I heard you say you wished had happened in your community where we have had for four long years with countless thousands of hours that have been spent with people who are knowledgeable on both sides, if we are unable to implement a plan that they come up with after four years, I wonder just where we would ever be able to introduce a plan that we had come up with.

Madame Chair, I thank you very much and I thank all of our people for participating and all the countless hours that you have put into this process, particularly the members of the Quincy Library Group.

I guess there was a question here that we hadn't involved a national environmental group. Would you like to comment on that, Mr. Jackson? Did we—

Mr. JACKSON. Sure. I may as well thoroughly drive myself out of the movement.

The National Environmental—

Mr. HERGER. Maybe I should ask one of the others.

Mr. JACKSON. That is all right.

Mr. HERGER. My understanding is that we did—

Mr. JACKSON. I will take it. Louis and I had our first conversation about the Library Group in 1993. He first saw our maps in 1988.

There has been no secret from the national environmental movement in regard to this. Their position seems to be and they can speak for themselves, but as I understand it, they support what we did in the agreement, they support our process, but they are still uncomfortable that the bill truly reflects the broad nature of our process.

That is why I said that I would really hope that you and this Subcommittee, because I think this first bipartisan thing is important, will allow us time to respond to these folks.

I don't think we are going to agree to change the substance of what we are doing, but certainly, we are interested in language that is very, very specific, and given the history and the hard feelings, I think it is a reasonable request on their part.

Mr. HERGER. Thank you very much and again, I want to mention that everything I hear is that we have been involving everyone from the beginning, and I again want to thank all of you for appearing here today.

Mrs. CHENOWETH. Thank you, Mr. Herger. Thank you very much. Mr. Jackson, I am not through with you yet.

I know your patience must be wearing out, but I do have some questions. Mr. Coates, Mr. Henson had some concerns. Do you feel that these are concerns that you can address pretty easily and have you been working with Mr. Henson?

Mr. COATES. Actually, I don't know Ryan. I am kind of getting to know him today. Some of the things that he mentioned, today would be the first day that I have been exposed to them.

We are very willing to take a look at that and none of them sounded like deal-breakers. I think we can accommodate that.

I was going to say, pertaining to some of Louis' comments, that he and I probably don't agree on lots of things. He gets paid for conflict and I, like some of you folks, get paid to make things work. I am hoping that one of these days, he has a plan that I can get behind that addresses the health problem in the Sierras at a certain pace that gives us a chance to work our way back to pre-settlement condition, and I am hoping he will work with me either on this bill or on other things so that I can come to understand that those folks are really interested in getting things done instead of just raising the goal post one time after another with endless concerns.

Mrs. CHENOWETH. Mr. Jackson, do you feel that Mr. Henson's concerns are something that can be pretty easily worked out? Has the group been consistently working with Mr. Henson?

Mr. JACKSON. The group has not. One of our environmental members has, and my experience in working with Mr. Henson is that he is a very reasonable individual, and I do believe that there are areas that can come to closure.

It is going to be a policy decision in the end whether or not the extent of this experiment is reasonable, but I will tell you one thing. If the experiment is smaller, for instance, if we took Louis up on the one ranger district, we can't prove anything, and I think he knows that.

Landscape problems require landscape solutions and when Dr. Jerry Franklin came to Plumas County—in one of the five times he came to Plumas County to look at the Quincy Library Group situation, he made it very clear to us that we could not do something small. The problem is large, the solution must be large.

Yes, I think we can work with Mr. Henson, and I have hope for Louis.

Mrs. CHENOWETH. Thank you, Mr. Jackson. I want to say, Mr. Jackson, that your testimony was shocking to me. It was riveting. It was very good, and I guess I just have to say I come from the old school where a long time ago, when I moved as a young bride to a town in northern Idaho that is a logging town, I learned there that decisions in the forest should be made by foresters who understood the dynamics of the forest, and that with the advent of NEPA and with the advent of the implementation of the National Forest Management Act, I was suspicious about people on the street making decisions about things that happened in the mountains that affected our economy.

I have to tell you very honestly, I am still like a thoroughbred horse they are trying to lead into a new stall. I am a little jittery

about this bill, but I am overwhelmed at what you have accomplished, and you have my undying support because I believe this is the vision that Gifford Pinchot laid out.

This is the vision that Bruce Vento wanted to see when he helped construct some of these original bills so that people in the local level would have input.

I am learning a lot. It is a new day, and I want to truly grow with the circumstances, and I have to say that if I heard from you every day, my rate of growth would probably be straight up. I don't usually get that effusive, but I do want to close by saying one thing that I think we are all concerned about, Mr. Coates mentioned it, and that is the conflict industry. In a report to his board of directors, the Sierra Club chairman Michael McCloskey said, in November of 1995, a new dogma is emerging as a challenge to us. It embodies the proposition that the best way for the public to determine how to manage the interest in the environment is through collaboration among stakeholders, not through normal governmental processes.

I think he understands the problem. He just doesn't see the proper solution yet. He went on to say further, it is posited that this is best done at the community level through a consensus process. Yes, Mr. McCloskey, this is exactly what we are trying to do, and I just want to say to Mr. Herger, to all of you, it is an honor to me and I hope that it bodes well for us all in this term to be able to see this kind of legislation come before this committee as the first legislation, and I hope it will set the course for the future.

Thank you all very much for your very, very interesting testimony, and I do want to let you know that the record will remain open for any additions or corrections to the record for ten days.

With that, this hearing is adjourned.

[Whereupon, at 5:10 p.m., the Subcommittee was adjourned; and the following was submitted for the record:]

TESTIMONY OF RYAN HENSON, CONSERVATION ASSOCIATE, OF THE CALIFORNIA WILDERNESS COALITION

Dear Madam Chairman:

Thank you for this opportunity to testify before the Subcommittee on Forests and Forest Health of the Committee on Resources regarding H.R. 858, the Quincy Library Group (QLG) Forest Recovery and Economic Stability Act of 1997.

The California Wilderness Coalition is an alliance of grassroots, regional, and national conservation groups as well as businesses and individual citizens from throughout California. Our primary purpose is to monitor the management of California's public lands, educate the public about their importance, and train citizens to become active stewards of their own public lands.

We appreciate this opportunity to provide input on H.R. 858. While we support most of the goals of the QLG and have many valuable friends in the group, there are a few parts of the bill that we feel should be altered and clarified. What follows is a short discussion of each section of H.R. 858 of concern to us, as well as specific recommendations for how these concerns can be resolved. By adding these recommended changes, perhaps you can resolve some of the issues raised by the conservation community and more accurately reflect the letter and spirit of the QLG agreement.

Section 2(c)(2): Exception For Designated Catastrophic Event Areas

Discussion: We welcome the recent inclusion of the words "catastrophic" and "within the pilot project area" to this section. This will both lessen the scope of this otherwise dangerous loophole, and prevent roadless areas and a number of other important areas supposedly protected by the QLG agreement from being logged under the provisions of Section 2(c)(2). However, we are very concerned that other ancient

forest and critical wildlife habitat can still be logged under this provision if these areas experience natural disturbance events.

Recommendation: Strike the entire section. Or, at the very least, change the first sentence in Section 2(c)(2) to read: "With the exception of spotted owl habitat areas, spotted owl protected activity centers, and areas of late-successional emphasis as identified in the Sierra Nevada Ecosystem Project Report, the Secretary shall...." Adding this language would necessitate striking "Except as provided in paragraph (2)" from Section 2(c)(1).

Section 2(d): Resource Management Activities

Discussion: H.R. 858 will override many existing protections for the affected public lands provided by Federal law and policy. For example, the recommendations of the California Spotted Owl (CASPO) report are not specifically mentioned in the bill. Currently, the CASPO report is the primary means by which the ancient forest of the Sierra Nevada are protected from the wholesale cutting of the past. Prominent members of the QLG have made it quite clear that the resource management activities endorsed by the group should be fully consistent with CASPO and other applicable Federal laws and policies.

Recommendation: At the end of the first paragraph of Section 2(d), add "consistent with applicable federal law and policy."

Section 2(d)(1) and (2)

Discussion: The 40,000-60,000 acres of shaded fuelbreaks, individual tree selection, and group selection logging authorized by H.R. 858 are, without a doubt, the most controversial aspects of the bill. With the exception of the acreage figures for the proposed fuelbreaks, there is no limit to the amount of logging authorized by this provision. John Buckley of the Central Sierra Environmental Resource Center estimates that the logging program described in this section will at least double the amount of logging allowed on the affected public lands. In addition, the logging methods mandated by the bill have not been proven scientifically to decrease the threat of catastrophic wildfire. We contend that it is unwise to mandate such an extensive logging program without first having some idea of the ecological, social, and fiscal risks, consequences, and benefits involved. At the very least, we should cap this logging at the level of cutting the CASPO report estimates is acceptable for the affected public lands. Not including salvage logging, this includes 47.1 million board feet (MMBF) for the Lassen National Forest, 49.6 MMBF for the Plumas National Forest, and 27.5 MMBF for the Tahoe National Forest. These estimates are the best scientific guide we have of what logging levels are consistent with maintaining old-growth forest habitat in the Sierra Nevada. Lastly, the acreage figure for the fuelbreaks preempts the National Environmental Policy Act analysis process by forcing the Forest Service to log at least 40,000 acres per year even if, after considering public input and conducting a thorough review of the social, ecological, and fiscal impacts of implementing the program, they decide that a smaller fuelbreak program is more desirable.

Recommendation: Strike the acreage target in Section 2(d)(1) for the fuelbreaks and insert in its place "not to exceed the timber volume estimates for the pilot project area contained in the California Spotted Owl report." At the end of Section 2(d)(2), add "The volume of timber derived from the implementation of this provision shall not, when combined with the resource management activities described in subsection (d)(1), exceed the timber volume estimates for the pilot project area contained in the California Spotted Owl report."

Section 2(e): Cost-Effectiveness

Discussion: This provision could potentially allow the Forest Service to place budgetary concerns over ecological ones to the detriment of clean water, wildlife habitat, and other key values.

Recommendation: Delete the section. Or, at the very least, add "and ecologically desirable" after "cost-effective."

Section 2(f): Effect on Multiple Use Activities

Discussion: This section could be interpreted to allow even more logging than is authorized in subsection (d).

Recommendation: At the end of subsection (f), add "The resource management activities described in subsection (d) shall constitute the entire timber sale program for the pilot project area."

Section 2(g)(3): Flexibility

Discussion: This provision will worsen the existing situation on the affected public lands where the needs of the timber program often supersedes recreation, watershed rehabilitation, fuels treatment, and other worthy programs. If Congress supports the pilot program, Congress should allocate sufficient funds to implement it.

Recommendation: Strike the provision.

Thank you, once again, for this opportunity to review H.R. 858 and offer recommendations to the Subcommittee about how it can be improved.

TESTIMONY OF LOUIS BLUMBERG, ASSISTANT REGIONAL DIRECTOR, THE WILDERNESS SOCIETY, CALIFORNIA/NEVADA OFFICE

Thank you Representative Chenoweth and members of the Committee for inviting me to testify today. The Wilderness Society (TWS) is a national conservation organization devoted to preserving wilderness and wildlife, protecting America's public lands and fostering an American land ethic. I am also submitting this testimony on behalf of the Natural Resources Defense Council (NRDC).

TWS and NRDC support the general goals of the Quincy Library Group (QLG). However, in this instance the collaborative process has not produced a public consensus. HR 858 does not adequately reflect the concerns of regional and national conservation organizations in California. The bill would mandate an experimental logging program that could greatly increase logging levels and generate significant environmental impacts. Neither the environmental nor the economic costs of the bill have been estimated. Fundamentally, legislation is not needed to accomplish the objectives shared by the QLG and the general public. For these reasons, The Wilderness Society, NRDC and 17 other grassroots, regional, and national groups are opposed to HR 858.

I have attached a copy of a letter from the other organizations expressing their opposition to the bill to my testimony and ask that both be included in the record. These other groups are: Sierra Club, Plumas Forest Project, Central Sierra Environmental Resource Center, Yosemite Area Audubon, Tule River Conservancy, Cal Trout, Klamath Forest Alliance, California Wilderness Coalition, Friends of the River, Friends of the Inyo, South Fork Mountain Defense, Friends Aware of Wildlife Needs, Environmental Protection Information Center, North Coast Environmental Center, Citizens for Better Forestry, Willits Environmental Center, and the Mendocino Environmental Center.

The Wilderness Society (TWS) and NRDC support the goals of the QLG. As would most Americans, we would like our national forests to be healthy, functioning ecosystems, with less risk of high intensity wildfire, and where uneven age management was used more often; where roadless areas, ancient forest and riparian zones are all protected; and that communities surrounded by or near national forests be good places to live.

We recognize the sincere efforts of the Quincy Library Group to promote social harmony in the communities of Plumas, Lassen and Sierra counties. As the report of the Sierra Nevada Ecosystem Project (SNEP) makes clear, like other communities near national forests, these in the northern Sierra are going through a transition, with timber jobs declining in relation to growth in other sectors of the economy. We realize that economic transition can be difficult, especially in rural areas where the opportunities for new work are fewer than in the more populated urban areas. In this light, the QLG has produced some meaningful achievements by bringing people in that area with different, sometimes opposing views together. The QLG has helped to strengthen the social fabric of the area and stimulated a dialogue about forest management that has been heard far beyond the northern Sierra, and has brought us here today to discuss H.R. 858, a bill that is intended to codify into federal law the alternative forest management policy developed by the QLG.

The bill does not reflect public consensus: We recognize the value of local involvement in resource management and the potential for collaborative process. But when dealing with natural resource issues, collaborative processes must involve all stakeholders, including national and regional interests. As the President's Council on Sustainability noted in its report last year,

"Individuals, communities, and institutions need to work individually, and collaboratively to ensure stewardship of natural systems. Finding an acceptable integration of local, regional, and national interests is not without difficulty. Issues involving public lands and marine resources, for instance, require that a broad, national perspective be maintained." ("Sustainable America, a New Consensus," President's Council on Sustainable Development, 1996, pp. 114-115)

When it comes to national land issues, just because one group of local people comes to an agreement over how they would like the land managed, does not automatically mean that the agreement is good or appropriate. Our national forests belong to all Americans, and the opinions of some of those fortunate to live close a forest should have no more influence than any other Americans. Collaboration is about local involvement, not local control.

The bill before the Committee today is seemingly the result of a collaborative process based in Quincy, Plumas County, California, but despite its characterization as a "local" process, in fact some of the timber industry participants come from as far away as Redding, California, over 100 miles away in Shasta County. Though some of them manage private lands in the Quincy area, the QLG collaborative process has been limited solely to the public lands in the sub-region. Equally important is how the private timber lands are managed, yet the 1993 QLG agreement and HR 858 are silent on this issue.

Overall, HR 858 is vague and creates great uncertainty about what actually will happen "on-the-ground," though one outcome is clear—if enacted, the bill could result in a great increase in logging on a vast, two and one quarter million acre tract of public land in the northern Sierra Nevada. The serious flaws in the bill and its bias towards logging over environmental protection demonstrate that this collaborative process, to date, has failed to achieve public consensus. The broader public interest is not adequately represented in this bill, nor has it been in the process, which is why the bill is opposed by 19 national, state, regional, and grassroots groups throughout California, including local groups in the Sierra Nevada and one in Plumas County.

Federal legislation is not needed: The existing forest plans have the flexibility to allow the Forest Service to implement the type of management envisioned by the QLG—the singular use of uneven age forest management and the construction of "a strategic system of defensible shaded fuelbreaks" (though the latter term is undefined). If, as QLG members have repeatedly stated, all activities will be consistent with all existing laws, including the CASPO logging rules, and subject to analysis under the National Environmental Policy Act, then we are unclear why Congress needs to take the serious step of codifying the QLG proposal into federal law. In addition, a great amount of logging and fuels treatment is already going on in the area. In fact, one third of the increased appropriations for fuel treatment in California approved by Congress last year went to the Quincy area. Theoretically, all of these activities are also consistent with all laws and the CASPO rules. We urge this committee to seriously evaluate the need for federal legislation in this instance. We believe legislation is not needed.

The bill is seriously flawed: HR. 858 has many serious problems and is unacceptably vague in many places. The Wilderness Society and the other organizations listed above are strongly opposed to the bill in its current form. Should the bill move forward, we urge the Committee to thoroughly revise it to produce a public consensus that provides adequate protection for the environment and a compromise that is fair to the American people. A discussion of some of the most serious problems with the bill follows.

1. The bill would increase logging dramatically on the affected forests. HR 858 would mandate a massive program of fuelbreak construction and uneven-age logging resulting in a huge increase in logging. Though no analysis has been presented by the QLG to inform the public just how great the logging levels will be, conservative estimates indicate that the levels would at least double, and therefore far exceed the level estimated to be sustainable under the forest plans as amended by the CASPO policy.

Moreover, current logging levels on these national forests are already at least as great as the levels on any other forests in California. Last year, these forests accounted for almost 50 percent of all public land logging in the Sierra Nevada. The Lassen National Forest cut more timber last year than any other national forest in California and exceeded the level estimated to be sustainable under CASPO by 44 mmbf. The bill will require an enormous increase in logging that could cause significant environmental damage. The public has the right to know what the logging levels and resulting impacts might be, just as Congress has the obligation to understand the impacts of HR 858 before proceeding with the bill.

2. The program would fail to comply with existing environmental protections. The bill would effectively override any restrictions in existing forest plans that are inconsistent with the vague direction in the QLG program. Of great concern in this regard is the current CASPO policy adopted by the Forest Service in 1993 for the entire Sierra. Neither the "fuelbreak system" nor the group selection harvest technique described in the QLG program require compliance with CASPO, which is a scientifically-based strategy designed to protect wildlife and ancient forest while reducing the risk of wildfire. In addition, the bill would override other provisions in existing plans that protect wildlife, visual quality, and riparian areas. Also, the 1993 QLG agreement, which is incorporated into HR 858 by reference, specifically states that the QLG program "will expand the existing landbase available for timber production beyond that currently 'zoned' for production." Yet, HR 858 fails to establish a public process to accomplish this reallocation of the landbase, which is a corner-

stone of the National Forest Management Act. Any alternative forest management plan must comply with existing laws and regulations, including CASPO. All logging should take place on the existing timber base.

3. The bill would mandate implementation of an experimental and ill-defined management approach over a vast area of public land and for an excessive time period. Neither the "fuelbreak system" nor group selection techniques are defined in the bill, nor has the "fuelbreak system" been implemented extensively in the Sierra. A QLG paper on fuelbreaks (the 1993 QLG agreement was silent on fuels issues), "QLG Fuelbreak Strategy," acknowledged that issues like "wildlife or riparian corridors," "prescriptions or guidelines for the design of fuelbreak projects," and "criteria for decisions on which kinds of fuelbreak should have priority," all need to be addressed, and states that "[u]ntil these questions, among others are adequately addressed at [the] landscape scale, fuelbreak implementation, no matter how well conceived and planned at the project level, will be overly vulnerable to professional and legal challenge." Yet the bill fails to address any of these issues or to establish a public process for doing so. Requiring implementation of these untested and ill-defined approaches on millions of acres of public lands for a minimum of five years (and possibly longer), regardless of the outcome of the pending Cal Owl regional planning process, could result in significant environmental harm and is highly inappropriate. In addition, although the bill mandates reporting on the project's "benefits," it fails to require reporting on its environmental and economic costs or on the overall effectiveness of the project in reducing fire risks.

We recommend that the program's management approach be defined more clearly and the overall scale of the project be reduced significantly. For example, we would support implementation of a carefully-designed research project testing the application of the new approach on one ranger district with appropriate limitations on acreage, timber volume, and timing.

4. The bill contains a loophole that would eliminate protection for sensitive areas. The major environmental benefit of the QLG proposal is that it would provide interim protection from logging for selected roadless areas, spotted owl habitat areas, and protect activity centers. However the bill provides a loophole that would allow the Secretary to designate these areas for logging whenever there are "catastrophic disturbances from wildfires, insect infestations, disease, drought or other natural causes." (The bill does not define "catastrophic.") Because these are all natural process in forest ecosystems, this provision could be misinterpreted by the Forest Service to apply to almost any acre of the national forest. This is a major loophole, and history strongly suggests that the Forest Service will exploit this exception to deprive critical areas of interim protection while undermining the environmental benefits of the original QLG agreement. The "catastrophic event area" exception is unacceptable and should be eliminated.

5. The bill circumvents the NEPA and land management processes. Although section 2(i) requires the Forest Service to initiate a land management plan amendment process in compliance with NEPA, it mandates implementation of the QLG program without regard to the results of the process. In effect, the pilot project will be implemented for a minimum of five years, even if the NEPA process mandated by the bill reveals that the project will produce unforeseen and/or significant adverse environmental impacts. Moreover, the bill fails to establish a deadline by which the plan amendment process must be completed, so that the pilot project may be implemented indefinitely without NEPA review.

6. HR 858 would preempt the Cal Owl process: The Forest Service is currently engaged in a comprehensive regional planning process for the entire Sierra Nevada including the public lands incorporated into HR 858, in accordance with the requirements of NEPA and NFMA. If enacted into federal law, the QLG alternative forest management plan would override any future administrative decision made through the Cal Owl process. Should the Committee proceed, HR 858 should incorporate language that would require amendment of the QLG program to conform to the subsequent Cal Owl policy.

7. The fiscal impact is unknown: No cost estimate of the program mandated by the bill has been completed. Given the agency's difficulty in attracting bids in recent months, chances are good that much of the logging mandated by HR 858 would result in a financial loss to the taxpayers. In addition, without an additional line item appropriation, funding for the QLG program would need to come from existing programs in the Forest Service budget. As with the level of logging, the public has the right to know and Congress has the obligation to understand the fiscal implications of HR 858 or any other legislation before it is enacted.

The bill has several other problems. The reference in section 2(f) to other "multiple use activities is vague, and could be interpreted to allow widespread logging within the project area, in addition to the management activities mandated by the

bill. HR 858 should clearly state that the management program required by the QLG proposal would constitute the entire timber program for those forests.

Section 2(e), by requiring use of the most "cost-effective" approach, will encourage the Forest Service to log the largest trees (which provide the greatest revenues), rather than using more environmentally-sound approaches such as thinning and prescribed burning.

Section 2(g) allows the Secretary to use all funds allocated to the affected national forests to implement the QLG program, including by implication, funds allocated for wildlife, wilderness, recreation, prescribed burning and any other forest program. Thus, critical work in these important areas could effectively be underfunded or even entirely unfunded.

Because of the magnitude of these problems, TWS and the other organizations listed above must oppose HR 858. The environmental and economic costs are unknown yet potentially quite significant. If enacted, the program mandated by the bill could cause serious environmental damage to a vast area of public land. In this instance, the collaborative process has failed to produce a public consensus because the views of the full range of stakeholders have not been adequately represented at the library table. Moreover, legislation is unnecessary to accomplish the common objectives of the QLG and the broader public. We are willing to work with the QLG, the Forest Service, and this Committee to develop forest management policy that provides adequate protection for our public lands and draws broad-based public support. HR 858 does not meet that test.

Thank you again for the invitation to testify today. I would be happy to answer any questions you might have.

February 26, 1997
 Senator Barbara Boxer
 Senator Dianne Feinstein
 United States Senate
 Washington, D.C. 20510
 re: Quincy Library Group Legislation

Dear Senator Boxer and Senator Feinstein:

Our organizations have been involved with forest management in California for many years at the local, state, and national levels. We are writing today to express our concerns about the legislation being promoted by the Quincy Library Group and Representative Herger. Despite the efforts of some of us to work with members of the Quincy Library Group (QLG) to resolve our differences, we must oppose the February 7 draft of the bill, which is the last version we have seen. Overall, the legislation is vague and creates great uncertainty about what would actually happen on a vast, two million acre tract of public land. If implemented, the program could cause serious environmental damage and establish a bad precedent for legislating public land management. Some of the most problematic provisions of the bill are discussed below.

1. The bill would increase logging dramatically on the affected forests. Current logging levels on these national forests are as great or greater as on any others in California. Last year, these forests accounted for almost 50 percent of all public land logging in the Sierra Nevada. The bill will require an enormous increase in logging that could cause significant environmental damage and could easily exceed the level estimated to be sustainable under the existing CASPO policy.

The program would fail to comply with existing environmental protections. The bill would effectively override any restrictions in existing forest plans that are inconsistent with the vague direction in the QLG program. Of great concern in this regard is the current CASPO policy adopted by the Forest Service in 1993 for the entire Sierra. Neither the "fuelbreak system" nor the group selection harvest technique described in the QLG program require compliance with CASPO, which is a scientifically-based strategy designed to protect wildlife and ancient forest while reducing the risk of wildfire. In addition, the bill would override other provisions in existing plans that protect wildlife, visual quality, and riparian areas, and allow for the reallocation of lands without adherence to the process required by the National Forest Management Act. Any alternative forest management plan must comply with existing laws, regulations, and protections.

3. The bill would mandate an experimental and ill-defined management approach over a vast area of public land and for an excessive time period. Neither the "fuelbreak system" nor group selection techniques are defined in the bill, nor has the "fuelbreak system" been implemented extensively in the Sierra. In addition, the bill fails to establish a public process for determining how and where these manage-

ment approaches will be implemented. A smaller scale experimental program designed to scientifically test these methods is essential before they are applied on a scale as broad as the QLG proposal.

4. The bill contains a loophole that would eliminate protection for sensitive areas. The bill would allow areas protected under the QLG agreement of 1993 and areas recommended for wilderness protection by the forest plan, to be logged after being designated as a "catastrophic event area." This loophole effectively eliminates the major environmental benefit of the QLG proposal.

5. The bill circumvents the NEPA and land management processes. The bill requires the Forest Service to conduct the experimental QLG program without analysis consistent with the National Environmental Policy Act on the possible impacts on wildlife, riparian areas, and the forest matrix.

The bill has several other problems. For example, it does not take into account the recent information in the report of the Sierra Nevada Ecosystem Project that depicts on maps areas of ancient forest and key watersheds that it recommends for protection. The bill allows any funds allocated to the forests to be used for the QLG logging program potentially at the expense of the recreation, wildlife and fish, wilderness, controlled burning, and all other Forest Service programs.

Because of the magnitude of its problems, our organizations must oppose the QLG bill as currently drafted. If enacted, the program mandated by the bill could cause serious environmental damage to a vast area of public land. In this instance, the collaborative process has failed because the full range of stakeholders are not represented at the table. We urge you to oppose the bill in its existing form. We are interested in working with you and your staff to develop forest management policy that provides adequate protection for our public lands and draws broad-based public support. We would welcome your response through Louis Blumberg, The Wilderness Society, P.O.; Box 29241, San Francisco, 94129-0241.

Sincerely

Louis Blumberg
The Wilderness Society
San Francisco

David Edelson
Natural Resources Defense Council
San Francisco

John Buckley
Central Sierra Environmental
Resource Center, Sonora

Dan Utt
Tule River Conservancy
Poderville

Dick Kunstman
Yosemite Area Audubon
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Barbara Boyle
Sierra Club
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Ryan Henson
California Wilderness Coalition
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Neil Dion
John Preschutti
Plumas Forest Project
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Friends of the River
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Sally Miller
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Lee Vining, Mono County

Larry Glass
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Felice Pace
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Tim McKay
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Arcata

David Drell
Willits Environmental Center
Willits

Betty and Gary Ball
Mendocino Environmental Center
Mendocino

Joseph and Susan Bower
Citizens for Better Forestry
Hayfork

STATEMENT OF JAMES R. LYONS, UNDER SECRETARY, NATURAL RESOURCES AND
ENVIRONMENT

Madam Chairman and members of the Subcommittee:

Thank you for the opportunity to offer our views on H.R. 858, the "Quincy Library Group Forest Recovery and Economic Stability Act of 1997." I am accompanied today by Regional Forester Lynn Sprague, and Supervisors Mark Madrid of the Plumas National Forest and Kent Connaughton of the Lassen National Forest.

The Department of Agriculture supports the goals of H.R. 858. We applaud the work of the Quincy Library Group (QLG) and its willingness to enter into a constructive dialogue to make the bill workable. We are close to that goal. Just last week, Forest Service officials from the Plumas National Forest, representatives from QLG, and a representative of Congressman Herger sat down to discuss the bill. The discussion was constructive and substantial progress was made. However, more time is needed to fully consider all of the issues raised by the bill before the Administration can fully endorse it.

Management of the National Forests

The world is much more complex today than it was even 20 years ago. And nowhere is that complexity more evident than in the management of our national forests. I don't need to belabor the challenges we continue to face in satisfying competing demands that are placed on this resource. Yet, the prescription for management of these forests was laid down 90 years ago by the first Chief of the Forest Service, Gifford Pinchot. I would like to quote Pinchot because his views are directly relevant to the issues we are addressing today. Pinchot believed that the key principle in using national forests was management by the people. He said:

National forests are made for and owned by the people. They should also be managed by the people. They are made, not to give the officers in charge of them a chance to work out theories, but to give the people who use them, and those who are affected by their use, a chance to work out their own best profit. This means that if National Forests are going to accomplish anything worth while the people must know all about them and must take a very active part in their management. The officers are paid by the people to act as their agents and to see that all the

resources of the Forests are used in the best interest of everyone concerned. What the people as a whole want will be done. To do it it is necessary that the people carefully consider and plainly state just what they want and then take a very active part in seeing that they get it.

There are many great interests on the National Forests which sometimes conflict a little. They must all be made to fit into one another so that the machine runs smoothly as a whole. It is often necessary for one man to give way a little here, another a little there. But by giving way a little at present they both profit by it a great deal in the end....

In these few words, Pinchot captured the essence of the Quincy Library Group and why Secretary Glickman and this Administration believe that QLG is worthy of continued support.

The QLG, was formed in 1993 by a three-county alliance of elected officials, timber industry, workers, union representatives, local environmentalists and citizens. The QLG has collaborated to resolve longstanding controversies over the management of public forest lands on the Plumas, Lassen, and the Sierraville Ranger District of the Tahoe National Forest. They have developed an agreed upon plan that addresses various aspects of forest management including timber salvage sales, fire hazard reduction, watershed and riparian area restoration, monitoring and forest planning. Most importantly, they have followed Pinchot's dictum that compromise is needed to fit the pieces into a unified whole crafting a program that is generally acceptable to all. In recognition of the importance of this effort, Secretary Glickman has prioritized funding for these three forests to support forest activities consistent with the QLG proposal and forest plan standards and guides.

The Condition in the Northern Sierra Nevada Range

Before turning to the specifics of H.R. 858, I would like to review briefly the findings of the Sierra Nevada Ecosystem Project (SNEP). SNEP was a team of independent scientists tasked by Congress with preparing a scientific review of the entire Sierra Nevada ecosystem. Their final report was transmitted to Congress in June, 1996.

This team of eminent scientists found that the Sierra Nevada range has become highly susceptible to catastrophic wildfire. This situation reflects the virtual exclusion of low- to moderate-severity fire that has affected the structure and composition of most Sierra Nevada vegetation. The resulting forests can be characterized as having denser stands, primarily in small and medium size classes of shade-tolerant and fire-sensitive tree species. Fuels have become more continuous from the ground through the upper canopy. Selective cutting of large overstory trees when combined with the relatively moist and warm climate of the 20th Century appears to have reinforced this trend by producing conditions favorable to the establishment of tree seedlings and other plant species. When coupled with the exclusion of fire, most stands in the Sierra Nevada range have experienced increased mortality from the cumulative effects of competition, drought, insects, disease and, in some cases, ambient ozone air pollution. This has created conditions favorable to intense and severe fires that are more damaging to the ecosystem, are more expensive to suppress, and pose a greater threat to life and property.

The SNEP report describes a number of approaches to reduce the susceptibility of the the Sierran range to catastrophic fire. These include substantially reducing the potential for large high-severity wildfires in both wildlands and the wildland/urban intermix, and restoring historic ecosystem functions of frequent low- and moderate-severity fire. This can be accomplished by establishing defensible fuel profile zones characterized by relatively large trees with considerable diversity in ages, sizes, and distributions of trees. The key feature would be the general openness and discontinuity of crown fuels; both horizontally and vertically. Once these zones have been established, a program of prescribed fire could then be introduced restoring the historic fire regime.

Contents of OLG Proposal

The Quincy Library Group Forest Recovery and Economic Stability Act of 1997 would direct the Secretary of Agriculture to conduct a pilot project on designated lands of three National Forests—the Plumas, Lassen and portions of the Tahoe National Forests. The purpose of the pilot project is to demonstrate the effectiveness of the resource management activities directed in the bill. These activities are: (1) construction of a strategic system of defensible fuel breaks on not less than 40,000 but not more than 60,000 acres per year; and (2) implementation on an acreage rather than volume basis, of uneven-aged forest management prescriptions utilizing individual tree selections and group selections to achieve a desired future condition of an all-age, multi-story, fire resistant forest.

The pilot project would terminate on the later of the following: 5 years after date of enactment of this bill or when the land resource management plans for the three forests have been revised or amended as appropriate.

This proposal, in effect, would implement key aspects of the management regime laid out by SNEP. Although much of this bill could be implemented administratively, we see substantial merit in testing these strategies. We also believe we can learn from this pilot and that our work with QLG can serve as a model for other communities in addressing local concerns without the necessity of site-specific legislation.

Concerns With the Bill

Upon a first reading of the bill, we recognized a need to clarify its language. We were concerned that the bill could be read as exempting pilot project activities from the requirements of various environmental laws such as the National Environmental Policy Act, the National Forest Management Act, and the Clean Air and Water Acts. Additionally, we believed the bill should explicitly state that any pilot project must also be consistent with guidelines for the management of the California Spotted Owl (CASPO). We did not see how this proposal could serve as a true demonstration if these conditions were not met. We have been assured by representatives of QLG and Congressman Herger that this is was their intent. They have agreed to language that would make clear that existing laws must be followed along with CASPO guidelines.

We were also concerned that the procedures for designating catastrophic event areas were not in compliance with current policy for public notice and comment under NEPA regulations. We were assured this was not intended and have reached agreement on language to cure this problem.

Additionally, we believe the pilot program should be subjected to a science-based evaluation at the mid-point and conclusion of the program. This evaluation should help to determine if the assumptions underlying the program activities are valid. We also have remaining concerns with the funding provisions in the bill. In short, we already have the authority to allocate funds and, if necessary, reallocate, under the guidelines of the Appropriations Committees. We will continue to support the QLG effort at the maximum level within the constraints of overall funding resources. We have proposed several funding areas in the FY 1998 budget that, if enacted, could increase the overall level of resources available for the QLG program and similar work in other National Forests with similar fire prone characteristics.

Specifically, the FY 1998 budget proposes a significant increase in fuels management under our wildland fire management proposal. This proposal would make fuels management a significant part of the overall fire management program and would balance the resources necessary to achieve long term savings in fire suppression costs. We have also proposed increases for timber stand improvement activities and forest vegetation management. And finally, we will shortly share with you a legislative proposal to create a new permanent fund, called the "Forest Ecosystem Restoration and Maintenance Fund". If enacted, this fund would also provide additional resources for reducing fire hazards and improving the structure and health of timber stands. I hope that you will support these proposals, and recognize that without additional resources for the types of activities the QLG bill prescribes, reallocation within a fixed overall budget is an inevitable requirement. Such a reallocation can have unintended consequences for other resources in our national forests.

Summary

During the Forest Conference in April, 1993, President Clinton challenged natural resource dependent communities to develop collaborative and locally-based solutions to controversies surrounding public land management. The science-based assessment commissioned by Congress recommended implementing programs that reduce the potential for catastrophic fires. The QLG is an exemplary illustration of democratic processes at work in achieving these goals. The pilot program has the potential to enhance the health and productivity of the affected national forests, to help those communities that depend on these forests for their well being and, perhaps most importantly, to demonstrate that these forests can be managed in a way that satisfies the needs of broad cross-section of forest users. For these reasons, the Administration is committed to working with the Committee, QLG, and other interested parties to move forward with this pilot program.

This concludes my prepared remarks. My colleagues and I will be pleased to answer your questions.

STATEMENTS OF THOMAS C. NELSON, DIRECTOR OF TIMBERLANDS, SIERRA PACIFIC INDUSTRIES

Good afternoon, Madame Chairman and Members of the Subcommittee. My name is Tom Nelson. I am a forester for Sierra Pacific Industries in Redding, California, and am here today as a founding member of the Quincy Library Group (QLG). It is our hope that you will help us implement the proposals of this group by supporting the QLG bill recently introduced by Congressman Herger, HR 858.

I would like to take this opportunity, for the record, to thank a number of people for their invaluable assistance. First, I wish to thank Mr. Herger for his leadership in carrying our bill. Next, I would like to thank Secretary of Agriculture Glickman and Undersecretary Lyons for their continued support (especially their financial support) of the silvicultural prescriptions described in the Quincy Library Group's Agreement of 1993, which has been accurately translated into HR 858. I would also like to acknowledge and thank both Senators Feinstein and Boxer for their ongoing efforts to introduce a similar bill in the Senate.

The ideas embodied in HR 858 actually started in November of 1992 when the three of us sitting here at this panel met together for the first time. It was a most unusual meeting and, between the three of us, we brought to the table a complete spectrum of opposing viewpoints on National Forest management issues in California. And yet, we soon found that we also shared a number of common viewpoints—we all care deeply about the stability and wellbeing of our communities, our forested surroundings, and the legacy we leave to our children and grandchildren. Moreover, we all agree that the current management strategies of the US Forest Service for this part of California are unacceptable to each of the diverse viewpoints we represent—"business as usual" will not meet anyone's needs.

After several of these initial meetings with just the three of us, we decided to expand our discussions and bring in more ideas and participants - we wanted to see if others in the community shared our concerns. It soon became apparent that we shared with other community members not only a common set of concerns, but a common set of remedies. And when I use the term "we" in this case, I do not refer to just others within the forest products industry. "We", in the context of the Quincy Library Group, means loggers, local environmental leaders, teachers, county government, organized labor, ranchers, road crews, fly fishers, biologists, and even retired airline pilots who have developed an interest in fuels management strategies. Given this strong community support, we soon developed and agreed upon the QLG Agreement of 1993. In many respects, this was our response to President Clinton's request at the Portland Forestry Conference—to "insist on collaboration, not confrontation".

A central issue that binds us together is befitting our appearance today before this Subcommittee. That overarching issue is our concern for the health of the National Forests which surround our communities. We are deeply concerned with the very real and very ominous risk for catastrophic wildfires within these forests. To demonstrate this, I'd like to call your attention to a position paper the Quincy Library Group put out some time ago, which is attached to your copies of my testimony. In this paper, we have tried to show that the present explosive situation—the potential for significant, catastrophic wildfires—is getting worse, not better. At the current pace (without implementation of the QLG bill) it will take these forests 180 years before they even begin to reverse this trend.

The Quincy Library Group has designed a comprehensive strategy to combat the rising risk of catastrophic wildfires—that strategy is included in the actions authorized in HR 858. The prime objective of our initial strategy is to isolate individual watersheds (8-12 thousand acres each) with "shaded fuelbreaks". These fuelbreaks would be designed as quarter-mile swaths that are thinned along ridgetops and major roads. They are not the bare ground fuelbreaks commonly associated with powerlines and gas lines. Our intent is not to stop major fires as they hit these fuelbreaks, but to force the fire down out of the crowns of the trees so that firefighters have a better chance to control it. Put another way, our goal is not to stop the occurrence of wildfires (that's not realistic in the lightning-prone Western states) but to hold them to 10 thousand acres, not 150 thousand.

Even using our strategy, it will take the US Forest Service 20 to 30 years to completely reverse the current wildfire risk trends, but the existing risks can be significantly reduced after five years with implementation of HR 858. While we understand that several urban-based environmental groups have criticized our proposals as being "too large" in scope for their liking, those of us who live next door to these fuel-laden forests cannot accept a slower pace and higher risks. The enormity of this problem, and the severity of its consequences, demands an immediate and comprehensive plan. We have looked at other ideas, including the "status quo", and we

believe that the QLG proposal is the best, most effective response possible. In light of the forest health conditions throughout the West, we do not see our proposals as "too large".

By now it is probably quite obvious why a forest products company that is determined to stay in California might enter into negotiations like those of the Quincy Library Group. Implementation of HR 858 would mean five years of economic certainty as merchantable materials are removed on 50 thousand acres of National Forest land each year to stay on track with the QLG fuelbreak objectives. From the standpoint of a privately held, family-run business in California (with 12 sawmills and 3000+ employees) it is this type of certainty which encourages investments in rural communities. It is distinctly different from the existing policies for management of the National Forests in the West, whereby investment decisions must be based on expected outputs that change weekly, sometimes daily, and rarely change for the better.

The QLG proposals embodied in HR 858 have received a certain amount of criticism recently, most notably from national preservation groups. I would urge you to study these criticisms in light of the growing fear these urban-based groups seem to have toward coalitions which include their locally-based affiliates. We welcome the support of any and all of these nationally-based groups in our pursuit to pass HR 858. To that end, I should point out that we have suggested numerous changes to the original language of the Quincy Library Group bill already. These changes were made prior to the formal introduction of HR 858 by Congressman Herger and all the other sponsors, and were at the request of national, urban-based environmental groups as well as representatives of the US Forest Service.

We have tried to accommodate these groups, and will continue to work with anyone dedicated to the implementation of our proposals. But we cannot agree to changes that would jeopardize the original intent and integrity of our 1993 agreement, and we hope that you will be cognizant of this as HR 858 goes through mark-up, amendment proposals, and hearings.

Thank you very much for this opportunity. I urge your support of this bill, so that we might begin the long, uphill road to restoration of forest health within the boundaries of the Quincy Library Group. We are eager to begin.

FUELS MANAGEMENT FOR FIRE PROTECTION

QUINCY LIBRARY GROUP POSITION PAPER

"The fire regime has changed from frequent, low intensity fires to infrequent, high intensity stand replacement fires" (CASPO Interim Guidelines, U. S. Forest Service, 1993)

"Extreme fire behavior and resistance to control will be the norm, rather than the exception." (Regional Forester, U. S. Forest Service R-5, July 1992)

BACKGROUND

Decades of aggressive fire suppression and other recent activities have changes fire regime of the forests in the northern Sierras. Fire history studies in the Sierras show that the frequency of relatively low intensity fires ranged from 5 to 30 years in the mixes conifer and eastside pine forests.

For example, consider the effect on approximately 935,000 acres in the Plumas National Forest. If you assume an average pre-European settlement fire frequency of 20 years, it implies that 47,000 acres would have burned each year. In contrast, during a recent 20-year period 4,100 acres per year were actually burned on the Plumas

Until recently this 90% reduction of acreage burned per year was considered a measure of great success for the fire suppression policy. Unfortunately, we are now being awakened to some hard facts:

- The pre-European settlement fires were of low average intensity, while recent fires burn at very much higher and increasing average intensity.
- High intensity translates to high costs for initial attack, higher costs for sustained attack on more numerous and larger escaped fires, and very high costs for loss of tangible and intangible assets in the forest and communities.
- The long-term effect of fire suppression is an accumulation of fuels and the growth of too many understory trees of a species that is not fire adapted for long-term health in that location given climatic variability. These fuels and fire ladders are certain to support increasing numbers of large fires and certain to result in catastrophe unless the fuel is reduced and the understory is thinned.

FIRE COSTS

The Forest Service fire suppression program is paid for in two main categories: Fire Protection (FP) and Fire Fighting (FF). FP funds are for the basic costs of equipment and personnel, while FF funds support the emergency expenses of actually fighting a fire. Recent FF expenditures on the Plumas Forest have ranged from \$0.5 to \$9 million per year (Figure 1).

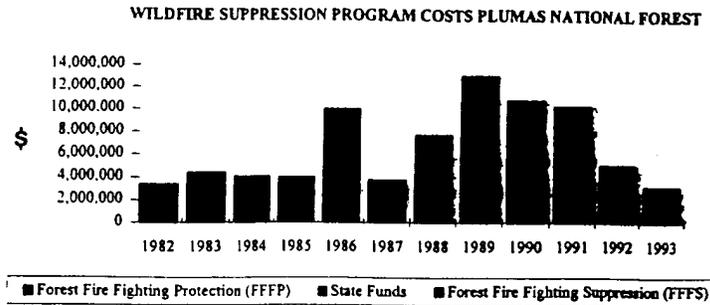


Figure 1. Plumas National Forest wildfire suppression program costs. The occasional spike in the graph caused by one or two large fires that occur every few years is even more significant than average yearly costs on a single Forest like the Plumas. (Table 1) These spikes in the cost line are the equivalent in FF terms to the Regional Forest's statement, "Extreme fire behavior and resistance to control will be the norm rather than the exception."

Table 1. Summary of costs associated with recent Plumas National Forest wildfires.

Fire	Year	Size (acres)	Suppression Costs	Rehabilitation/Reforestation Costs	Total Costs	Cost/acre
Layman	1989	4,800	4,599,520	\$3,453,597	\$8,053,117	\$1,678
Rack	1989	580	915,754	\$2,000,000	\$2,915,74	\$5,027
Greenhorn	1990	386	739,459	\$125,000	\$864,459	\$2,239
Walker	1990	1,100	831,404	\$150,000	\$981,404	\$892
					Average	\$2,459

Another factor that contributes to the rising trend in total fire costs is the movement of more and more people into the Sierras. Inevitably more people mean more sources of ignition, greater loss of assets and risk to life when a fire escapes control, and the necessity for diversion of fire-fighting resources from the forest to the urban interface when catastrophe threatens. The actual cost of wildfire goes well above and rises steeper than the Forest Service shows in its FP and FF accounts.

Unless the trend toward larger and more intense fires is turned around, it is inevitable that a conflagration of multiple out-of-control fires will overwhelm any fire fighting capability that we can afford or are likely to provide. Damage in that fire will be on a scale such that neither the forest ecosystem nor the communities that depend on it will be likely to recover during a single lifetime.

FUELS MANAGEMENT

The Forest Service now acknowledges that its focus on fire suppression has led to three specific hazards:

1. The accumulation of a large fuel overload on the ground.
2. Crowding of small trees in the understory, creating a fire ladder that carries ground fire into the crowns of large trees, thus converting ordinary fires into stand-destroying fires.
3. Invasion of the understory by excessive numbers of shade-tolerant trees (principally white fir), which dominate the competition for nutrients and soil moisture,

thereby adding the mortality of large trees to the fuel load and making the overstory trees even less able to survive crown fires.

These hazards can be reduced only by reducing the load of dead and dying fuel and by thinning the understory. Unfortunately, to date the Forest Service program for fuels reduction in these forests has been only a token effort at best. For example, since 1982 the Plumas National Forest has treated about 600 to 900 acres per year under its "natural fuels" program as part of fire protection, and another 4,500 acres per year under the "brush disposal" program associated with timber harvest. At that rate it would take about 180 years to work through the whole forest.

But given that fact, how can the fuel load ever be reduced and the understory thinned at a rate which will significantly change our current inevitable course toward catastrophe?

The simple answer is that we have no other choice. It isn't a question of whether, but of how, where, and when to begin the fuel treatments. Do we start to work on this pre-catastrophe or post-catastrophe?

A more realistic answer is we know the job can be done because in many previous years the amount of material that needs to be removed actually has been removed. The main difference is this: In previous years most of the material removed was in logs from the largest trees, leaving behind most of the logging slash to add to the fuel load, while in future years, say for the next 30 or so, most of the material must be removed as small logs from understory trees, and biomass, thus reducing the fuel load, not adding to it.

A thirty-year fuels program is not a very attractive proposition; it is not adequate given the "catastrophic" threat and it is not realistic to count on sustaining public or political interest in a "crash" program of that length. Fortunately, Quincy Library Group (QLG) can offer a considerable improvement on the bare-bones 30-year program.

The QLG proposes that all sales should be laid out in patterns that are fully intended with natural fuels treatments in a strategic fire protection plan.

STRATEGY

The QLG strategic fire protection plan has three requirements:

1. Four years of very high priority.
2. During those four years, natural fuels treatments and sales of thinnings, salvage, and biomass should be done in strips of approximately quarter-mile width according to a prescription that makes these steps defensible fire lines, meets the intent of CASPO (California Spotted Owl) guidelines, and does the least possible damage to other ecosystem values.
3. The acreage treated each year should be at least 1/32 of the total forest.

In practice the strips (similar in concept to shaded fuel breaks) should follow ridge lines, valley bottoms, and convenient roads in a pattern that would isolate all major watersheds (average size of 10 to 12 thousand acres) within the four years.

The intent of the CASPO guidelines would be met because they are based on the concept that intense wildfire is a major short-term threat to owls (and by implication to other wildlife and ecosystem values). Under the QLG strategy there is maximum protection with minimum disturbance to owls or other ecosystem components because: (1) almost all of the treated strips would be along existing roadways, (2) lower density of snags and large down woody debris within the strips could be compensated for by leaving more of those materials farther off roads during subsequent treatments in those areas, and (3) the included roadways would permit efficient removal of the materials with minimal disturbance.

After four years, with a network of fundamental protection in place, a somewhat different long-term strategy would be phased in: you could continue to use strips to divide large areas or areas with high value and/or great fire risk, but most of the remaining forest would be treated more efficiently in areas, not strips. In either case, fuels treatment should continue at the rate of at least 1/32 of the forest area each year.

CONCLUSIONS

What we have laid out are three possible courses:

1. Do nothing different, just wait for "the big one".
2. Increase fuels work, but follow conventional practice that limits strategic placement of fuel breaks to what you can accomplish under the "natural fuels" budgets, and confines other fuel removal to sales areas designated in the conventional manner. This would eventually get the job done, but in scattered units that for many years would protect very little area except the actual acres treated.
3. Increase fuels work, and do both "natural fuels" treatment and timber sales in patterns and under prescriptions that support the QLG Strategic Fire Protection Plan. That is, the sales would be based on understory thinning and biomass removal in a network of strips. This will more quickly reduce the risk of catastrophic wild-

fire, and at the same time make suppression efforts against the remaining fires more effective and less costly.

The differences among these three cases can be illustrated by three lines on a graph of cost trends over time (Figure 2).

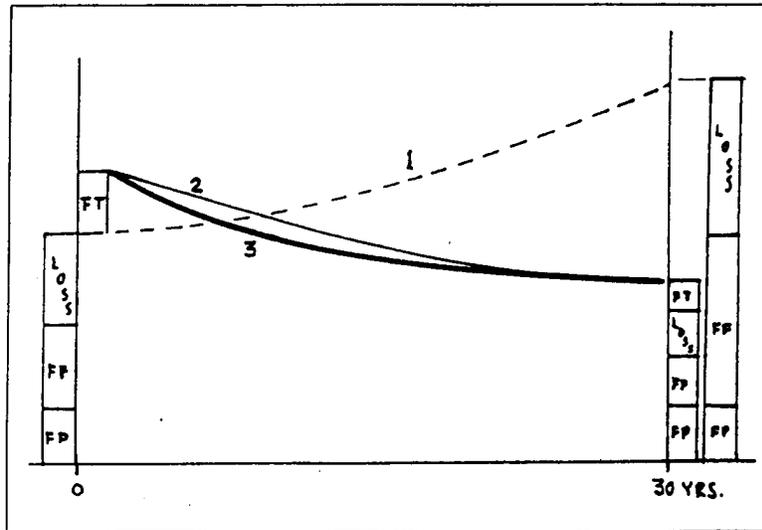


Figure 2. Relative cost for three fuels treatment strategies.

In Figure 2, relative costs are scaled to reflect an assumption that the FP cost remains constant for the whole period.

Curve #1 shows no change of strategy. Fire suppression costs, and the loss of forest and non-forest resources continues to rise. The only likely break would be a huge spike when "the big one" occurs, followed perhaps by subsidence to a level that would support fire protection for a moonscape forest.

Curve #2 represents the shape to be expected if Fuel Treatment (FT) work is done in a way that follows historic precedent. It would initially cost money that cannot be saved by immediate reduction of other fire protection costs and fire losses. Eventually, however, these costs and losses would be reduced far enough that total cost would fall below the "no treatment" projection, and from then on a continuing return on investment would be achieved. Until most of the forest had been treated, there would not necessarily be many connections among treated areas, so for at least the first half of the period any reduction in FP or Loss costs would be gradual, and there would be only gradual reduction in the risk of catastrophe.

Curve #3 is the shape we believe the QLG strategy would produce. Again you have to add Fuel Treatment (FT) costs at first, but a network of treated strips would reduce the average size of large fires and facilitate the fighting of smaller fires, so the reduction of fire costs and fire losses would be earlier and steeper, with a quicker crossover to profit on the investment, and much earlier and more significant reduction in the risk of catastrophe.

BOTTOM LINE

There is a strong temptation to avoid the initial cost of fuels reduction and understory thinning, because it is not easy to show that a particular catastrophic fire could actually be avoided. On the other hand, we can't escape the certainty that our current course leads inevitably to catastrophic fire.

It's a classic case of "Penny Wise Pound Foolish". We can easily look thrifty in the short run by avoiding the "penny" of immediate cost to implement the QLG strategy. But that won't look so wise when a catastrophe hits that could otherwise

have been avoided or made smaller by spending those early pennies on fuel reduction. At that point it will look foolish indeed to be spending many "pounds" on futile efforts to suppress the conflagration.

STATEMENT OF BILL COATES, PLUMAS COUNTY SUPERVISOR; PAST PRESIDENT OF THE RURAL COUNTIES OF CALIFORNIA; THE COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA; AND THE 16 WESTERN STATES SUPERVISORS AND COUNTY COMMISSIONERS ASSOCIATION WITHIN THE NATIONAL ASSOCIATION OF COUNTIES

Dear Members of the Committee:

My statement can be encapsulated within three statements: We attended. We listened. We attempted to do.

We attended President Clinton's Northwest Forest Summit Conference in Portland at his invitation.

We listened when he told us to get out of the courtrooms and into the meeting rooms to work out our differences locally. We listened when we were told that if we would just get on the same songsheet, (the environmental community and the logging community) that the USFS could act on our plan.

We came back from Portland and attempted to follow President Clinton's request. We asked questions, studied, argued, studied, debated, and finally agreed. We used the environmentalist's ideas about land base and silvicultural methods, for which they had action brought against the USFS to force implementation. We mixed in the forestry methods of the Collins Pine Company, where we had 80 years of solid "on the ground" proof of forest health results. We asked for the best science available and put it in the plan. We walked away from salvage logging where it broke our agreement. We opened up our meetings to all and asked for a solid impartial monitoring plan. We adopted SAT guidelines for riparian areas, folded in a stream restoration element that is drawing acclaim visitors from around the world, and helped design the DFP2 system called for in SNEP to reduce the loss of species, old growth areas, and habitat to increasing frequent catastrophic wildfire events. This litany could go on.

We feel like we have come to Congress and to the President with an incredible gift. Instead of gold bars, it is an agreement. It is what was asked of us.

The rest is up to you. Will you hesitate, study, endlessly temporize and debate? Or will you seize the opportunity this gift affords you, and act decisively to begin returning our forests to healthy conditions, with stable communities and a broad national public support as a very desirable by-product?

In addition to answering our declining forest health condition, as outlined in the Sierra Nevada Ecosystem Project, there is another important condition at risk here. It is the condition of the decision making process.

If this local grassroots effort at solving problems isn't acted upon, after having been requested at the highest level, then what other collaborative effort will want to proceed? Other groups will know of our 750 meetings, the loss of family time and personal expense, the agony of bureaucratic process and the ecstasy of fire and fuel and stream restoration and monitoring and better recreation and cleaner air and more water production and healthier animal and plant populations almost—almost coming together. Our advice would have to be, "Don't even start."

Finally, I'd like to thank this committee with your patience for our bipartisan nature. As you know we aren't liberal or conservative, Democrat or Republican, but rather a mixture of all. Our process is exactly what is described in every political campaign for federal and state office, and then not too often seen again "on the streets." I would especially like to thank Congressmen Herger, and Fazio, Senator's Feinstein and Boxer, Secretary of Agriculture Glickman, Deputy Secretary of Agriculture Rominger, and Under Secretary for Natural Resources and Environment Lyons for their support. Their encouragement at key points in time when we have tired, was crucial.

Thank you.

105TH CONGRESS
1ST SESSION

H. R. 858

To direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 1997

Mr. HERGER (for himself, Mr. FAZIO of California, Mr. SMITH of Oregon, and Mr. FALDOMAVAEGA) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Quincy Library Group
3 Forest Recovery and Economic Stability Act of 1997”.

4 **SEC. 2. PILOT PROJECT FOR PLUMAS, LASSEN, AND TAHOE**
5 **NATIONAL FORESTS TO IMPLEMENT QUINCY**
6 **LIBRARY GROUP PROPOSAL.**

7 (a) DEFINITION.—For purposes of this section, the
8 term “Quincy Library Group Proposal of 1993” means
9 the agreement reached in 1993 by a coalition of represent-
10 atives of the timber industry, environmental organizations,
11 citizens, and local communities that formed in northern
12 California to develop a resource management program for
13 Federal lands in the Sierra Nevada.

14 (b) PILOT PROJECT REQUIRED.—

15 (1) IMPLEMENTATION AND PURPOSE.—The
16 Secretary of Agriculture, acting through the Forest
17 Service, shall conduct a pilot project on the Federal
18 lands described in paragraph (2) to implement and
19 demonstrate the effectiveness of the resource man-
20 agement activities described in subsection (d), as
21 recommended in the Quincy Library Group Proposal
22 of 1993.

23 (2) PILOT PROJECT AREA.—The Secretary shall
24 conduct the pilot project on the Federal lands within
25 Plumas National Forest, Lassen National Forest,

1 and the Sierraville Ranger District of Tahoe Na-
2 tional Forest in the State of California designated as
3 “Available for Group Selection” on the map entitled
4 “Quincy Library Group Community Stability Pro-
5 posal”, dated June 1993. The map shall be on file
6 and available for inspection in the appropriate of-
7 fices of the Forest Service.

8 (c) EXCLUSION OF CERTAIN LANDS; EXCEPTION.—

9 (1) EXCLUSION.—Except as provided in para-
10 graph (2), all spotted owl habitat areas and pro-
11 tected activity centers located within the pilot project
12 area designated under subsection (b)(2) will be de-
13 ferred from timber harvesting during the term of the
14 pilot project.

15 (2) EXCEPTION FOR DESIGNATED CATA-
16 STROPHIC EVENT AREAS.—The Secretary may des-
17 ignate an area within the pilot project area that is
18 otherwise precluded from timber harvesting pursu-
19 ant to paragraph (1) and subsection (b)(2) as a cat-
20 astrophic event area in which the resource manage-
21 ment activities described in subsection (d) may be
22 applied if the Secretary, upon completion of an envi-
23 ronmental impact statement, finds that—

24 (A) the area proposed for designation has
25 experienced catastrophic disturbances from

1 wildfires, insect infestations, disease, drought,
2 or other natural causes and will suffer further
3 environmental degradation, such as soil erosion,
4 stream damage, or habitat loss, in the absence
5 of the resource management activities; and

6 (B) implementation of one or more re-
7 source management activities described in sub-
8 section (d) in the area proposed for designation
9 is likely to reduce or prevent continued environ-
10 mental degradation.

11 (3) NOTICE OF PROPOSED DESIGNATION.—Im-
12 mediately upon publication of the draft environ-
13 mental impact statement required under paragraph
14 (2), the Secretary shall publish in the Federal Reg-
15 ister notice of any prospective decision to designate
16 a catastrophic event area under such paragraph on
17 the basis of the environmental impact statement.
18 The notice shall—

19 (A) set forth the location of the affected
20 area;

21 (B) describe the forest health conditions in
22 such area;

23 (C) provide the reasons for proposing to
24 designate the area as a catastrophic event area;
25 and

1 (D) contain a brief description of the re-
2 source management activity or activities that
3 the Secretary proposes to select for the area.

4 (4) PUBLIC COMMENT.—The Secretary shall
5 provide a 45-day period for the submission of public
6 comments regarding a draft environmental impact
7 statement prepared under paragraph (2) and any
8 prospective decision to designate, on the basis of the
9 environmental impact statement, a catastrophic
10 event area. The comment period shall begin on the
11 date of the publication of the draft environmental
12 impact statement or the date notice is published
13 under paragraph (3) of the prospective decision to
14 designate the catastrophic event area, whichever is
15 later. During the comment period, the Secretary
16 shall hold a hearing on the decision in a community
17 near the area proposed for designation.

18 (d) RESOURCE MANAGEMENT ACTIVITIES.—During
19 the term of the pilot project, the Secretary shall implement
20 and carry out the following resource management activi-
21 ties on the Federal lands included within the pilot project
22 area designated under subsection (b)(2):

1 (1) Construction of a strategic system of defen-
2 sible, shaded fuelbreaks, consistent with Quincy Li-
3 brary Group Proposal of 1993, on not less than
4 40,000, but not more than 60,000, acres per year.

5 (2) Implementation, on an acreage rather than
6 volume basis, of uneven-aged forest management
7 prescriptions utilizing individual tree selection and
8 group selection, as described in the Quincy Library
9 Group Proposal of 1993, to achieve a desired future
10 condition of an all-age, multi-story, fire resistant for-
11 est.

12 (e) COST-EFFECTIVENESS.—In conducting the pilot
13 project, Secretary shall use the most cost-effective means
14 available, as determined by the Secretary, to implement
15 resource management activities described in subsection
16 (d).

17 (f) EFFECT ON MULTIPLE USE ACTIVITIES.—The
18 Secretary shall not rely on the resource management ac-
19 tivities described in subsection (d) as a basis for adminis-
20 trative action limiting other multiple use activities on Fed-
21 eral lands included within the pilot project area designated
22 under subsection (b)(2).

23 (g) FUNDING.—

24 (1) SOURCE OF FUNDS.—In conducting the
25 pilot project, the Secretary shall use—

1 (A) those funds specifically provided to the
2 Forest Service by the Secretary to begin imple-
3 menting resource management activities accord-
4 ing to the Quincy Library Group Proposal of
5 1993; and

6 (B) other funds as are appropriated for
7 the administration of Plumas National Forest,
8 Lassen National Forest, and the Sierraville
9 Ranger District of Tahoe National Forest.

10 (2) PROHIBITION ON USE OF CERTAIN
11 FUNDS.—The Secretary may not conduct the pilot
12 project using funds appropriated for any other unit
13 of the National Forest System.

14 (3) FLEXIBILITY.—During the term of the pilot
15 project, the forest supervisors of Plumas National
16 Forest, Lassen National Forest, and Tahoe National
17 Forest may allocate and use all accounts available
18 for the administration of Plumas National Forest,
19 Lassen National Forest, and the Sierraville Ranger
20 District of Tahoe National Forest to perform the re-
21 source management activities described in subsection
22 (d).

23 (h) TERM OF PILOT PROJECT.—The Secretary shall
24 conduct the pilot project during the period beginning on

1 the date of the enactment of this Act and ending on the
2 later of the following:

3 (1) The date on which the Secretary completes
4 amendment of the land and resource management
5 plans for Plumas National Forest, Lassen National
6 Forest, and Tahoe National Forest pursuant to sub-
7 section (i).

8 (2) The date that is five years after the date of
9 the enactment of this Act.

10 (i) CORRESPONDING FOREST PLAN AMENDMENTS.—
11 Commencing on the date of the enactment of this Act, the
12 Secretary shall initiate a process to amend the land and
13 resource management plans for Plumas National Forest,
14 Lassen National Forest, and Tahoe National Forest to,
15 where appropriate—

16 (1) incorporate the pilot project and area des-
17 ignations made by subsection (b) and the resource
18 management activities described in subsection (d);
19 and

20 (2) make other changes warranted by the analy-
21 ses conducted in compliance with section 102(2) of
22 the National Environmental Policy Act of 1969 (42
23 U.S.C. 4332(2)), section 6 of the Forest and Range-
24 land Renewable Resources Planning Act of 1974 (16
25 U.S.C. 1604), and other applicable laws.

1 (j) REPORTING REQUIREMENTS.—Not later than
2 January 1 of each year during the term of the pilot
3 project, the Secretary shall submit to Congress a report
4 on the status of the pilot project. The report shall include
5 at least the following:

6 (1) A complete accounting of the use of funds
7 made available under subsection (g)(1)(A) until such
8 funds are fully expended.

9 (2) A complete accounting of the use of funds
10 and accounts made available under subsection (g)(1)
11 for the previous fiscal year, including a schedule of
12 the amounts drawn from each account used to per-
13 form resource management activities described in
14 subsection (d).

15 (3) A description of total acres treated, forest
16 health improvements, fire risk reductions, water
17 yield increases, and other natural resources-related
18 benefits achieved by the implementation of the re-
19 source management activities described in subsection
20 (d).

21 (4) A description of the economic benefits to
22 local communities achieved by the implementation of
23 the pilot project.

1 (5) A comparison of the revenues generated by,
2 and costs incurred in, the implementation of the re-
3 source management activities described in subsection
4 (d) on the Federal lands included in the pilot project
5 area with the revenues and costs during each of the
6 fiscal years 1992 through 1997 of timber manage-
7 ment of such lands before their inclusion in the pilot
8 project.

9 (6) A schedule for the resource management ac-
10 tivities to be undertaken in the pilot project area
11 during the next fiscal year.

REPORT OF THE CHAIRMAN OF THE SIERRA CLUB to the BOARD OF DIRECTORS
San Francisco, California, November 13, 1995

A new dogma is emerging as a challenge to us. It embodies the proposition that the best way for the public to determine how to manage the interest in the environment is through collaboration among stakeholders, not through normal governmental processes.

Further, it is posited that this is best done at the community level through a consensus process. Moreover, advocates of this notion believe collaboration must be place-based, preferably at the scale of natural units such as watersheds. This idea is being applied both to managing natural resources (e.g., in managing national forests) and in determining allowable levels of pollution from industrial plants.

This idea is strongly advanced in the report of the Western Regional Team of the Natural Resources Task Force of the President's Council on Sustainable Development (PCSD). It is reflected in the final report of the PCSD in only slightly modified form. The Clinton Administration endorses the idea too. It sees this idea as an extension of its programs for reinventing government, for decentralization, and place-based management. Its Project XL, being developed by EPA, embodies the idea in its pilot projects for granting firms greater regulatory flexibility; such firms will be required to gain strong community support through collaboration with local stakeholders.

These ideas are not merely hypothetical: real world exercises are underway. Bioregional Councils have been set up in Northern California, partly in response to California Resource Secretary Doug Wheeler's proposals for partnerships in managing ecosystems across mixed ownerships. Representatives of the timber industry are spending lots of time in these with local environmentalists. The Quincy Library Group is often cited as one with the most comprehensive agenda: re-doing the plan for managing an entire national forest. Others include the Applegate Partnership in southern Oregon, the Henry's Fork Watershed Council in Idaho, and scores of watershed councils in Washington state. Firms such as JM and Intel will soon be setting up their stakeholder collaboratives under Project XL in the Los Angeles, Portland and Chicago areas.

Many community activists like these proposals: they see themselves as gaining empowerment. Many academics praise them too. And industry likes them. They would far prefer dealing with community representatives than having to duel with EPA experts at the national level, or with representatives of national environmental groups. One company spokesman recently told an audience: "I don't want bureaucrats telling me how to run my business; I would far prefer to take my chances with people from the community."

At a recent conference I attended on this subject, I heard community activists from Oregon's Rogue River Valley complain bitterly that the national environmental groups were cold-shouldering this process and missing a great opportunity. Apparently we stayed out of the Applegate partnership because of concerns over the implications of Adaptive Management proposals for the national forest there. But of six case studies examined, the Sierra Club was not formally involved in any, nor were most other national environmental groups.

There are reasons for this. Industry thinks its odds are better in these forums. It is ready to train its experts in mastering the process. It believes it can dominate them over time and relieve itself of the burden of tough national rules. It has ways to generate pressures in communities where it is strong that it doesn't have at the national level.

Some academics, however, see the situation differently. They are drawing a contrast between what they are calling "solution-oriented" community groups, that are welcoming this trend, and national-level environmental groups that they are calling "concern-oriented" groups, which they see as being committed to disagreeing and holding back. Obviously they are suggesting that we resist solutions and only want to perpetuate conflicts.

Enthusiasts make the case for reliance on stakeholder collaboration in these terms. Community-based stakeholder collaboration, they claim, will produce more creative and acceptable solutions. Participants will have a superior understanding of local site conditions and will bargain with each other to produce "win-win" solutions. Thus, they will overcome problems with government by remote control, "one-size fits all" prescription, and unimaginative bureaucratic responses. By actively participating in finding solutions, buy-in by the community will be obtained; the ideas they forge will have political momentum.

Thus, they assert, adds up to empowerment of communities that were formerly kept in a submissive position by agency bureaucracies.

By moving beyond "tailed adversarial approaches," they argue, polarization and stress in communities will be reduced and working relationships improved. Trust among sectors of the community will be increased. Agencies will act more as facilitators and come to be trusted more too. Community environmental activists also believe that the solutions will be better and more sustainable.

However, many in our ranks have a different take on the impact of moving too far in this direction. They want to know whether these collaborators are basically acting in an advisory role with respect to public resources or whether they are being given power. The literature is obscure on this key point. The situation may be quite different where we are talking more about private land (which timber companies don't want to talk about).

A fundamental problem also lies in the disparate geographical distribution of constituencies. This redistribution of power is designed to disempower our constituency, which is heavily urban. Few urbanites are recognized as stakeholders in communities surrounding national forests. Few of the proposals for stakeholder collaboration provide any way for distant stakeholders to be effectively represented.

While we may have activists in some nearby communities, we don't have them in all of the small towns involved. It is curious that these ideas would have the effect of transferring influence to the very communities where we are least organized and potent. They would maximize the influence of those who are least attracted to the environmental cause and most alienated from it.

Even in those places where local environmentalists exist, they are not always equipped to play competitively with industry professionals. There may be no parity in experience, training, skills, or financial resources; parity is important both during negotiations and in follow-on phases focusing on watchdogging agreements. And we should all be mindful of the fact that these processes are very time intensive, they consume huge amounts of time, wear people down, and leave little for regular environmental activism.

It is also most troubling that such processes tend to de-legitimate conflict as a way of dealing with issues and of mobilizing support. It is psychologically difficult to simultaneously negotiate and publicly attack bad proposals from the other side. This tends to be seen as acting in bad faith. Too much time spent in stakeholder processes may produce the result of demobilizing and disarming our side.

Another fundamental supposition is also misplaced. Instead of having national rules hammered out to reflect majority rule in the nation, transfer of power to a local venue implies decision-making by a very different majority — in a much smaller population. But it gets worse. By then adopting a consensus rule for that decision-making, small local minorities are given an effective veto over positive action. This process, thus, has the effect of disempowering both national as well as local majorities. And those not represented by any organized interest in a community may be totally disempowered. And if the status quo is environmentally unacceptable, this process gives small minorities a death grip over reform. Any recalcitrant stakeholder can paralyze the process and defy the popular will. Only lowest common denominator ideas survive the process.

That these concerns are pertinent can be seen when one looks at the agendas which industry is bringing to the table for these collaborations. In Northern California, the agendas all too often reflect the timber industry's calculate hysteria over forest health as a wedge for rationalizing salvage logging. In Project XL, the agenda is that of relaxing demanding technology-based standards to reduce pollution. While in some places, strong environmental deputations have succeeded in shifting the focus to reducing the impacts of logging, they are having to advance their agendas under adverse conditions.

So far the Forest Service has generally been slow to respond to these stakeholder efforts. It is waiting to get direction and see whether this is what the public wants. EPA has embraced the idea with more enthusiasm, but only on a pilot basis to test the theory. Other safeguards are also provided in their case, and EPA retains control. But we should worry about agencies abdicating responsibility for the overall interests of the public. Local interest do not necessarily constitute the national interest.

In the Sierra Club, we need to sort our way through this subject, recognizing both plusses and minuses of the idea. We should collect news about local experiences of club activists and develop overall guidance. And we should do this soon. The train is on the tracks and moving.

Michael McCloskey, Chairman

HEARING ON H.R. 858
THE QUINCY LIBRARY GROUP FOREST RECOVERY
and ECONOMIC STABILITY ACT OF 1997

March 5, 1997

TESTIMONY
by
MICHAEL B. JACKSON

Madame Chairman,

I am a salmon lawyer. I have lived in rural California all my life. I first understood God from the awe of His creation. I read the Bible to reveal God's pleasure with the goodness of His creation--only one of which is man.

I revere the Endangered Species Act as an imperfect human expression of God's admonition to Noah to preserve each species of life on earth.

I have worked most of my life to preserve species. I know my forests and the people within them. I have read every major scientific study concerning natural resources that applies to forestry in California. I know the leadership of the national environmental movement, and I like them. I know the leadership of the timber and grazing community and, through the Quincy Library Group, I find I like them. But the people of the West act like they hate each other. The distrust and thirst for vengeance that presently exist were most recently elevated by the salvage rider. Our local salvage rider fiasco, Barkley, almost tore us apart. We want to publicly thank Congressman Fazio, the ancient forest community, and the timber industry for standing behind the principles of the Quincy Library Group at that most divisive time.

The Library Group is both a process and a substantive local on-the-ground solution.

First the process. Bill Clinton did something right in Portland so long ago. When Linda Blum and Bill Coates came home they were energized, enthusiastic, and dedicated. "Get out of the courtroom and reach consensus to do the right thing for both the land and the people." We worked hard, we studied hard, we traveled hard.

One-hundred of us dedicated ourselves to the problem. It had to be doable. The first problem was that no one trusted each other. The discussion was controlled by the national interest and it was vicious.

We understood that. As rural environmentalists can tell you, communities in the West can be brutal places. Intimidation and slander are not just Washington tools.

However, as we have learned in the Quincy Library Group experience, urban propaganda is often designed to mislead the urban majority about the intelligence, the motives, and the independence of the rural Westerner.

Rural people can read. We went to the same colleges and know the same things urban people know. We do learn from the land. We do observe. We do draw conclusions from what we know and see. Those conclusions can be good.

These are my conclusions. For the next five years that land identified as off-base reserves or deferred land on the QLG map should not be touched. The catastrophic event section of the bill should not apply to the off-base reserves or deferred land.

The riparian standards contained in the Library Group's proposal should be implemented to protect our most valuable product -- the quality and quantity of our water.

The fire provisions of this bill are recommended as possible solutions to a very real fire problem in the Sierra.

This fire problem is recognized in both the 1992 CASPO Technical Report and the recent Congressionally chartered Sierra Nevada Ecosystem Project (SNEP) Report.

Our Defensible Fuel Protection Zone (DFPZ) system of 40,000 to 60,000 acres a year is designed to carry out the solutions discussed at pages 68-71 of Volume 1, Chapter 4, "Fire and Fuels" of the SNEP Report¹. It is a balanced fire/old growth compromise.

This bill allows only uneven-age logging. Our reasons for choosing only uneven-age management and a long rotation as our logging method are accurately described at p. 10 of Volume 1, Chapter 6, "Late Successional Old-Growth Forest Conditions" of the SNEP Report².

The SNEP Report is an exceptional scientific document. The authors of SNEP were aware of our program and have evaluated and critiqued it. If there is any question as to the scientific merits

¹ Sierra Nevada Ecosystem Project, Final Report to Congress, vol. I, Assessment Summaries and Management Strategies (Davis: University of California, Centers for Water and Wildland Resources, 1996).

² Ibid.

of this bill, we request that those experts be allowed to give their opinion to this committee.

In closing, I ask for two things: first time, then bi-partisanship. Time for the substance of the bill, the proposal, and the community behind it to be fairly considered. This bill is not yet bipartisan. It does not yet reflect our local agreement, nor the emerging national consensus.

The Library Group supports the Clinton Administration and Forest Service language changes proposed. We apologize for our clumsy negotiation skills. We hope this committee can see its way clear to adopt amendments to the bill to more accurately reflect our original community agreement.

Thank you, Madame Chairman, for your recognition and encouragement. Please support our bill.



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The Honorable Helen Chenoweth
Chairman, Subcommittee on Forests
and Forest Health
US House of Representatives
Washington, DC 20515

March 21, 1997

Dear Madame Chairman:

I am writing in response to your 3/19/97 request for clarifications regarding HR 858, the Quincy Library Group Forest Recovery and Economic Stability Act of 1997. Specifically, I wish to reply to the three questions you have asked me.

***Question #1 -- Which sections of the OIG Agreement will be implemented by HR 858?**

As you have indicated, HR 858 would authorize certain parts of our 1993 agreement, but not the entire proposal. This bill **would:**

- (1) codify our proposed landbase allocations (land available for group selection) for the term of this pilot project;
- (2) authorize our proposed silvicultural systems (thinning prescriptions within fuelbreaks consistent with CASPO, group selection elsewhere, as funds will allow); and
- (3) require an analysis of our proposals within a formal Land Management Plan revision/amendment.

Other portions of our agreement **are not** included within HR 858, such as the Sustained Yield Unit analysis and review, accelerated watershed restoration, and expanded efforts to monitor results. This bill **would not** institute a Sustained Yield Unit.

***Question #2 -- How does HR 858 comply with existing Forest Plans and the SNEP Report?**

As both Michael Jackson and I stated in our oral testimony at the 3/5/97 Subcommittee hearing on this bill, we believe that the activities authorized within HR 858 are in complete compliance with the existing Forest Plans. We base this on the fact that our proposed landbase and silvicultural prescriptions were both analyzed and found to be the environmentally-preferred alternative for these Forest Plans. This was reinforced by statements of both Forest Supervisors who also testified at this hearing.

As for the Sierra Nevada Ecosystem Project (SNEP), the recommendations made by this team of scientists for reducing fuels risks in the Sierra Nevada were modelled directly from our QLG agreement. These SNEP recommendations (reference Vol. I, Chap. 4; Vol. II, Chap. 12, 13, & 15; Vol. III, Chap. 19 & 23 of the SNEP Report) were based on our QLG proposals and are now incorporated within HR 858. As such, it is accurate to say that the SNEP scientists (whose original charter was authorized by the House Committee on Resources) have recommended methods to deal with the current fire/fuels risks that are entirely compatible with HR 858.

*Question #3 -- Does HR 858 override existing laws designed to achieve environmental protection and will this bill allow a "loophole" to allow logging in unroaded areas with old growth timber or critical wildlife areas?

The Quincy Library Group believes the Forest Service will obey all applicable laws and policies at all times. We intend to hold them accountable and expect other interests to do the same. We do not believe that HR 858 allows harvest on "ancient forests" or any other land made unavailable by our proposal, even in the case of catastrophic events. It does allow potential harvest within the lands available for group selection (which would be off limits otherwise because of spotted owl habitat) but only under stronger environmental requirements than existing law and only if the Secretary of Agriculture determines that such harvest will provide net environmental benefits.

I hope that this helps answer the questions from Congressman Harger. If I can be of further assistance, please contact me at your convenience.

Respectfully,



Tom Nelson