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H.R. 5744, CATASTROPHIC WILDFIRE PREVENTION ACT OF 2012; H.R. 5960, DEPLETING RISK FROM INSECT INFESTATION, SOIL EROSION, AND CATASTROPHIC FIRE ACT OF 2012; AND H.R. 6089, HEALTHY FOREST MANAGEMENT ACT OF 2012

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

SECOND SESSION

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LEGISLATIVE HEARING ON H.R. 5744, TO ADDRESS THE FOREST HEALTH, PUBLIC SAFETY, AND WILDLIFE HABITAT THREAT PRESENTED BY THE RISK OF WILDFIRE, INCLUDING CATASTROPHIC WILDFIRE, ON NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS MANAGED BY THE BUREAU OF LAND MANAGEMENT BY REQUIRING THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF THE INTERIOR TO EXPEDITE FOREST MANAGEMENT PROJECTS RELATING TO HAZARDOUS FUELS REDUCTION, FOREST HEALTH, AND ECONOMIC DEVELOPMENT, AND FOR OTHER PURPOSES. "CATASTROPHIC WILDFIRE PREVENTION ACT OF 2012"; H.R. 5960, TO AMEND THE HEALTHY FORESTS RESTORATION ACT OF 2003 TO IMPROVE THE RESPONSE TO INSECT INFESTATIONS AND RELATED DISEASES AND TO CHANGE THE FUNDING SOURCE FOR THE HEALTHY FORESTS RESERVE PROGRAM, TO CODIFY THE STEWARDSHIP END RESULT CONTRACTING AND GOOD NEIGHBOR AUTHORITIES, AND TO AMEND THE EMERGENCY WATERSHED PROTECTION PROGRAM TO IMPROVE POST FIRE REHABILITATION, AND FOR OTHER PURPOSES. "DEPLETING RISK FROM INSECT INFESTATION, SOIL EROSION, AND CATASTROPHIC FIRE ACT OF 2012"; AND H.R. 6089, TO ADDRESS THE BARK BEETLE EPIDEMIC, DROUGHT, DETERIORATING FOREST HEALTH CONDITIONS, AND HIGH RISK OF WILDFIRES ON NATIONAL FOREST SYSTEM LAND AND LAND UNDER THE JURISDICTION OF THE BUREAU OF LAND MANAGEMENT IN THE UNITED STATES BY EXPANDING AUTHORITIES ESTABLISHED IN THE HEALTHY FOREST RESTORATION ACT OF 2003 TO PROVIDE EMERGENCY MEASURES FOR HIGH-RISK AREAS IDENTIFIED BY SUCH STATES, TO MAKE PERMANENT FOREST SERVICE AND BUREAU OF LAND MANAGEMENT AUTHORITY TO CONDUCT GOOD-NEIGHBOR COOPERATION WITH STATES TO REDUCE WILDFIRE RISKS, AND FOR OTHER PURPOSES. "HEALTHY FOREST MANAGEMENT ACT OF 2012."

Friday, July 20, 2012
U.S. House of Representatives
Subcommittee on National Parks, Forests and Public Lands
Committee on Natural Resources
Washington, D.C.

The Subcommittee met, pursuant to call, at 9:10 a.m., in Room 1334, Longworth House Office Building, Hon. Rob Bishop [Chairman of the Subcommittee] presiding.

Present: Representatives Bishop, Lamborn, Tipton, Noem, Holt and Markey.

Also present: Representatives Sablan, Gosar, and Gardner.

STATEMENT OF THE HON. ROB BISHOP, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. BISHOP. This hearing will come to order. The Chairman notes the presence of a quorum that is here on the Subcommittee on National Parks, Forests and Public Lands meeting here today to hear testimony on three bills that are within our jurisdiction and deal with the significant issue of our national forests and public lands on how to prevent catastrophic wildfires from happening in the future since we are not doing a very good job with our present methods of stopping them in the present time.

Under the rules of this Committee, the remarks are limited to the Ranking Member and the Chairman. I ask unanimous consent

to include any other Members' opening statement in the record if they are submitted to the clerk by the end of today. And hearing no objections.

I also ask unanimous consent for any Member who wishes to join us on the dais to participate in our meeting today. And once again, without hearing any dissent, that will be the case.

I realize that we are in a cramped situation as far as time is concerned, that some of you have flights that you need to make this morning. I also recognize that we have brought people in from across the country, so I appreciate them coming to the hearing. So therefore, my opening statement I am just going to submit for the record. We can move forward.

[The prepared statement of Mr. Bishop follows:]

Statement of The Honorable Rob Bishop, Chairman, Subcommittee on National Parks, Forests and Public Lands

Today we are hearing three bills that aim to bring much-needed solutions to a slow-moving train wreck that has overtaken our public lands.

Decades of failed polices and hands-off management of our forests have left the majority of these lands in an unnatural, and unhealthy state. What was once a valuable asset that provided raw material for a growing and prosperous nation, clean water, recreation and numerous other benefits has deteriorated into an extreme liability to western communities and the environment.

It is time for a paradigm shift in restoring our landscape so that national forests can once again meet the purposes for which they were established. For decades we've witnessed the problem and have known the solution. While some try to convolute and distract from the debate for their radical agendas, the solution is simple—we need to remove the volume of fuels that these forests are adding to themselves at a rate of 30% each year. The Native Americans used fire, modern man used forest management; the federal government removed both and now nature is in the process of replacing them with its own scorched earth policy.

This is the fourth hearing this subcommittee has held on this issue within the last year, and the response has been the same—we need to get back to the business of managing our lands.

Some like to argue that the problem is funding. Obviously the hardworking and dedicated land managers on the ground are not going to implement forest management for free. Yet funding does nothing to undo the Gordian knot of regulation, conflicting mandates, and obstruction that former Forest Service Chief Dale Bosworth self-diagnosed as "analysis paralysis."

Again, this is not a new issue, and not a new solution. We need to thin the trees. We do not need more "experiments" or more "pilots" to tell us what the problem is. We simply need to provide land managers the direction, flexibility, and encouragement to work with affected communities and stakeholders and get back into the forest.

I'm encouraged that two of our colleagues from areas that have been tragic victims of these conditions have worked on legislation to do just that, and restore management to **the landscape**. I thank Mr. Tipton and Mr. Gosar for their hard work, as well as Ranking Member Markey for his recognition of the need for a more active approach to our forest resources than has occurred under current mismanagement of the federal estate. I thank our witnesses for joining us and look forward to their testimony.

Mr. BISHOP. Does Ranking Member Sablan have an opening comment?

STATEMENT OF THE HON. GREGORIO KILILI CAMACHO SABLAN, A DELEGATE IN CONGRESS FROM THE NORTHERN MARIANA ISLANDS

Mr. SABLAN. Well, I just wanted to say good morning and thank everyone for joining us today, and welcome our witnesses also, es-

pecially those who have been wildland firefighters. We respect and thank you for your dedication.

Mr. Chairman, to be brief, I yield back my time.

Mr. BISHOP. Thank you.

All right. We will start with our first group of witnesses who will talk. And we will talk about the first three bills that are here, and it will be the sponsors of that. So, Representative Gosar, I notice that you are here. We recognize you first to talk about H.R. 5744. Mr. Markey, if he appears, would then talk about H.R. 5960. And then, Mr. Tipton, if you would go through H.R. 6089. Once again, you have 5 minutes.

Representative Gosar, go for it.

STATEMENT OF THE HON. PAUL A. GOSAR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Dr. GOSAR. Well, first thank you, Chairman Bishop, for holding today's hearing and for cosponsoring the bill, the Catastrophic Wildfire Prevention Act of 2012, or H.R. 5744.

First, my thoughts and prayers continue to go out to our constituents who have suffered from catastrophic wildfires. I would also like to express my appreciation to all the men and women working to protect the lives and property of our neighbors.

I have a slideshow on the screen now to show some of the devastating impacts of these fires. The district I represent, Arizona's First Congressional District, is one of the largest congressional districts in the country, encompassing 8 of Arizona's 13 rural counties. It contains over 37 million acres of land administered by the Federal Government, including over 9 million acres of the United States Forest Service. That acreage includes most of the Coconino, Apache-Sitgreaves, the Prescott, Tonto and Kaibab National Forests.

Last year our communities were victims to some of the largest forest fires in recorded history. The Wallow Fire grew to over 800 square miles over just a few weeks, charring in its wake some of the most treasured parts of our Ponderosa pine country. The Horseshoe fire, the Murphy Complex, the Stanley fire and the Monument fire blackened another 200,000 acres. This year's fire season has not been much better. Over 900 fires have charred nearly 6,000 square miles in Arizona, California, Colorado, Nevada, New Mexico, Oregon and Utah, and over 50,000 of those acres are in Arizona alone.

It is clear that the process of planning, studying, consulting, litigating, appealing and collaborating are failing us in our forests. The frequency of fires and the magnitude of the acreage burned have increased markedly since 1990. The five largest wildfires in my State's history, the Rodeo in 2002, the Cave Creek in 2005, the Willow in 2004, and the Aspen in 2003, and now the Wallow Fire, have all occurred in the last 10 years. Prior to 1990, the largest fire was the Carrizo fire in 1970, which burned just 57,000 acres.

Our ecosystems are suffocating. Where we once had 10 to 25 trees per acre, we now have hundreds. Roughly 80 million acres of forests across the West are overgrown and ripe for catastrophic wildfire, according to the Landfire multiagency database. Our forests have been mismanaged for a long time, and it is way past due

to change our strategy. The current Federal system continues to prioritize fighting fires. Although we need to suppress fires, it is never going to go away, but we must shift priority toward a proactive management. We simply cannot afford to do otherwise.

Catastrophic wildfires are difficult to control and cost the Federal Government millions of dollars in immediate fire response and many millions more in restoration and rehabilitation. The Western Forestry Leadership Coalition, a State and Federal Government partnership, estimates the costs are 2 to 30 times the reported suppression costs. Last year the Forest Service spent a record total of $48 million on burned area recovery work; $25 million has already been spent to prepare for the immediate aftermath of this year's wildfires, putting the U.S. Forest Service on track for another possible record year of spending on burned area recovery efforts.

So what is standing in the way of the proactive and fiscally sustainable forest management? Bureaucratic red tape is preventing us from participating in the stewardship of our public lands, and the extortion tactics of some of the environmental groups which have devastated the timber industry and placed local ranchers' economic livelihood at risk.

That is why I introduced the Catastrophic Wildfire Prevention Act of 2012. My bill authorizes the Forest Service and the Department of the Interior to implement wildfire prevention projects, including timber harvest and livestock grazing in at-risk forests, along with threatened and endangered species habitat, to focus on surface, ladder and canopy fuels reduction activities. In other words, it streamlines a review process, improves local coordination, eliminates duplication, and sets firm timeframes to bring more accountability to the process.

Forest thinning works. In eastern Arizona the areas that were treated as part of the White Mountain Stewardship Project, a contract designed to thin Apache-Sitgreaves National Forest and White Mountain Apache tribal lands, the areas managed locally by the Apache Tribe in the State of Arizona were properly cleared. Today there are still healthy trees with burned underbrush. On lands that were untouched by thinning practices, the majority of the U.S. Forest Service-administered land in the State, fires left only scorched earth behind.

We simply need to make ecological restoration easier. This commonsense approach has garnered strong bipartisan support. This legislation has 32 cosponsors from 23 different States. Additionally, Utah Senator Mike Lee has introduced companion legislation in the Senate. Many of these supporters represent States or congressional districts with large swaths of National Forest land or Bureau of Land Management-administrated land; not Massachusetts. In short, they are people directly in harm's way, not safely tucked in a concrete jungle.

Thank you, Chairman Bishop, for your leadership on this issue. And I look forward to the further Committee action on my bill and other proposals that will restore the environment, improve public safety, and save the taxpayers' dollars, and put the people back to work.

I yield back.

Mr. BISHOP. Thank you, Representative Gosar.

[The prepared statement of Dr. Gosar follows:]

Statement of The Honorable Paul A. Gosar, a Representative in Congress from the State of Arizona

I thank Chairman Bishop for holding today's hearing and for cosponsoring my bill, *the Catastrophic Wildfire Prevention Act of 2012 (H.R. 5744).*

First, my thoughts and prayers continue to go out to our constituents who have suffered from catastrophic wildfire. I would also like to express my appreciation to all of the men and women working to protect the lives and property of our neighbors. I have a slideshow, on the screen now, to show some of the devastating impacts these fires.

The district I represent—Arizona's First Congressional District—is one of the largest Congressional districts in the county, encompassing eight of Arizona's thirteen rural counties. It contains over thirty-seven million acres of land administered by the federal government, including over nine million acres of United States Forest Service lands. That acreage includes much of Coconino, Apache-Sitgreaves, Prescott, Tonto and Kaibab National Forests

Last year, our communities were victims to some of the largest forest fires in recorded history. The Wallow Fire grew to over 800 square miles, over just a few short weeks, charring in its wake some of the most treasured parts of our Ponderosa Pine country. The Horseshoe Fire, the Murphy Complex, the Stanley Fire and the Monument Fire blackened another 200,000+ acres. This year's fire season has not been any better. Over 900 fires have charred nearly 6,000 square miles in Arizona, California, Colorado, Nevada, New Mexico, Oregon, and Utah. Over 50,000 of those acres are in Arizona alone.

It is clear that the process of planning, studying, consulting, litigating, appealing, and collaborating are failing us and our forests. The frequency of fires, and the magnitude of the acreage burned, has increased markedly since 1990. The five largest wildfires in my state's history, Rodeo in 2002, Cave Creek in 2005, Willow in 2004, Aspen in 2003, and now the Wallow Fire have all occurred in the last ten years. Prior to 1990, the largest fire was the Carrizo fire in 1970 which burned just 57,000 acres.

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The current federal system continues to prioritize fighting fires. Although the need to suppress fires is never going to go away, we must shift priority towards proactive management.

We simply cannot afford to do otherwise. Catastrophic wildfires are difficult to control and cost the federal government millions of dollars in immediate fire response and many millions more in restoration and rehabilitation. The Western Forestry Leadership Coalition, a state and federal government partnership, estimates the costs are ***2 to 30 times*** the reported suppression costs. Last year, the Forest Service spent a record total of $48 million on burned-area recovery work. $25 million has already been spent to prepare for the immediate aftermath of this year's wildfires, putting the U.S. Forest Service on track for another possible record year of spending on burned-area recovery efforts.

So what is standing in the way of pro-active and fiscally sustainable forest management? Bureaucratic red tape, preventing us from participating in the stewardship of our public lands and the extortion tactics of some environmental groups, which have devastated the timber industry and placed local ranchers' economic livelihood at risk.

That is why I introduced the Catastrophic Wildfire Prevention Act of 2012. My bill authorizes the Forest Service and Department of the Interior to implement wildfire prevention projects, including timber harvests and livestock grazing, in at-risk forests and threatened and endangered species habitat that focus on surface, ladder and canopy fuels reduction activities. In other words: it streamlines the review process, improves local coordination eliminates duplication, and sets firm time frames to bring more accountability to the process.

Forest thinning works! In Eastern Arizona, the areas that were treated as part of the White Mountain Stewardship Project, a contract designed to thin Apache-Sitgreaves National Forest and White Mountain Apache Tribal lands, and the areas managed locally by the Apache Tribe and the State of Arizona were properly cleared. Today there are still healthy trees with burned underbrush. In the lands that were untouched by thinning practices, the majority of the U.S. Forest Service

administered land in the state, fire has left only scorched earth behind. We simply need to make ecological restoration easier.

This common sense approach has garnered strong bipartisan support. This legislation has thirty-two cosponsors from twenty-three different states. Additionally, Utah Senator Mike Lee has introduced companion legislation in the Senate. Many of these supporters represent states or Congressional Districts with large swaths of National Forest System or Bureau of Land Management administered land—not Massachusetts. In short, they are the people directly in harm's way, not safely tucked in a concrete jungle.

Thank you Chairman Bishop for your leadership on this issue. I look forward to further committee action on my bill and others proposals that will restore the environment, improve public safety, save the taxpayer dollars, and put people back to work.

Mr. BISHOP. We will let Ranking Member Markey speak on his particular bill.

Mr. Tipton, if I can turn to you now for H.R. 6089.

STATEMENT OF THE HON. SCOTT R. TIPTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. TIPTON. Thank you, Chairman Bishop, for including my legislation, H.R. 6089, the Healthy Forest Management Act of 2012, in today's hearing, and for your support of this bill.

I would also like to thank my fellow members of the Colorado delegation, Congressman Coffman, Congressman Lamborn and Congressman Gardner, as well as Congressman Greg Walden and Congressman Gosar, for the valuable contribution to this effort.

The bark beetle epidemic, rampant drought and deteriorating forest conditions have increased the propensity for devastating wildfires of the kind already seen in Colorado and throughout the Western United States this season. While the outbreak has affected State and private lands, the damage is oftentimes more heavily concentrated in Federal lands where a lack of active forest management has allowed the epidemic to spread to catastrophic levels. Of the 6.6 million acres infested in Colorado, almost 4 million are on Federal lands.

Federal efforts to responsibly manage our forests and prevent conditions for fires that have ravaged Colorado and other Western States have been hampered by an unwieldy regulatory framework that systemically prevents progress toward healthy forests. H.R. 6089, the Healthy Forest Management Act of 2012, gives greater control to those States and communities most directly affected by these conditions, and provides a pathway for comprehensive landscape-level planning and a local emphasis.

This legislation builds on the bipartisan Healthy Forest Restoration Act of 2003, empowering States, counties and tribes to be more active in addressing these emergency circumstances. We can proactively manage our forests; reduce further destruction from wildfires; safeguard water supplies, species, habitat; and provide a healthy natural environment. Utilizing the tools in the Healthy Forest Restoration Act, which have proven to be effective, the Healthy Forest Management Act can help reduce the cost imposed on taxpayers due to litigation, expedite emergency mitigation procedures, and restore our forests before they go up in flames when the costs are far greater.

H.R. 6089 prioritizes conservation and will help reduce the investment required of taxpayers by making public-private partnerships more feasible. This bill is a result of more than a year of Committee work; meetings with the Forest Service, Bureau of Land Management and other agencies; meeting with county and State officials and with constituents; as well as congressional hearings on forest management. Everyone that we talked to agreed that more needs to be done to be able to manage our Federal forests, and this legislation is the outgrowth of that stakeholder engagement. This is further borne out by the groundswell of support that we have received for this legislation from Coloradans; local, State and national groups; and from organizations on both sides of the political spectrum since the bill was introduced this last week.

The Healthy Forest Management Act empowers Governors to be able to work with county commissioners and tribes to be able to identify the most problematic areas, the spots that pose the most imminent risk of fueling a wildlife, and then take action to be able to manage the risk by removing hazardous fuels like beetle-killed timber. This bill allows those who are most directly impacted by wildfires to take proactive measures to be able to address the problems and mitigate the root causes of catastrophic wildfire.

This bill isn't a talker, it is a doer. For this reason the Healthy Forest Management Act has received the support of the Colorado Timber Association, CLUB 20, the Colorado Association of Conservation Districts. Commissioners from Routt, Montrose, Gunnison, Archuleta, Moffat, Dolores, Jefferson and Larimer Counties have also given their endorsements. So have the Boone and Crockett Club, and the Farm Bureau Federal Forest Resource Coalition, National Cattlemen's Beef Association, National Association of Counties, National Association of Forest Service Retirees, National Shooting Sports Foundation, National Association of Conservation Districts, Public Lands Council, Safari Club International and the Society for Range Management.

I would like to urge my colleagues to join us in the strong coalition of support for a commonsense bill that takes action to be able to fix the problem and seriously address the critical state of the Western forests.

Thank you, Mr. Chairman. I yield back.

Mr. BISHOP. Thank you, Representative Tipton.

Now, Bryson, I am going to call an audible here. We have several witnesses who traveled great distances, and I am aware of your travel plans going back home, so I am going to get you finished in time. Some of the witnesses are addressing all three bills, and some only one bill. So I am going to make sure that we get to those who want to address all three bills at the same time.

So let me invite up Mary Wagner, who is from the Forest Service; Ed Roberson, who is from BLM and the Department of the Interior, who will be addressing all three bills.

Can I also invite—and this is where I am going to make the change here—Commissioner Gibbs from Summit County in Colorado, Joseph Romm from the Center for American Progress. You are all speaking on all three bills, so if I can invite you up.

Then also let me invite Hank Kashdan from the National Association of Forest Service Retirees, and Tom Jankovsky, the Commissioner from Garfield County in Colorado.

Actually, if you guys could come up here and be the first panel, I would appreciate that. I was excited for a while when I saw Garfield and Summit Counties, and then I realized this is Garfield and Summit County in Colorado, not in Utah. Disappointment reigned again.

All right. If I could ask you—am I missing anyone there? If I could ask you once again if you would address, the first four witnesses, all three bills, and then the last two witnesses, the Commissioner and Mr. Kashdan from the Retirees, if you would then talk about H.R. 6089. And once again, since we are on a short time limit to try and make sure that everyone gets their available time, you have 5 minutes. You know the drill. Most of you have been here before. We have your written testimony. It will appear as written in the record. This is an oral testimony, so only hit the highlights. Make sure it comes within the 5 minutes.

When the green light is on in front of you, that means you are free to go. When the yellow light hits, you have less than that a minute to sum up. And I will apologize to you now that when it hits 5 minutes, I am going to cut you off even if it is in mid-sentence. I want to get all the testimony in so that it can be heard and we can get through these issues and so people can meet their deadlines. So I appreciate that.

OK. I think everyone is now situated and settled. We realize you are happy to be here, and you are going to thank us. Don't do that. Just go right to your message. You got 5 minutes.

Ms. Wagner, we will start with you, please.

STATEMENT OF MARY WAGNER, ASSOCIATE CHIEF, FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE

Ms. WAGNER. Mr. Chairman, members of the Committee, I am going to offer just a few remarks this morning and note that more detail is in the written testimony that has been submitted.

Drought, invasive species, loss of open space, severe wildfires, devastating outbreaks of insects and disease, all these stresses and disturbances are affecting America's forests on an unprecedented scale: 65 to 82 million acres are in need of restoration on national forests alone; 65 million acres are at high or a very high risk of large wildfires. Increasing the pace of restoration of the Nation's forest is critically needed to address the health of our forest ecosystems, watersheds and communities.

In Fiscal Year 2011, we accomplished 3.7 million acres of restoration. In Fiscal Year 2012, we are on track to accomplish about 4 million acres. We have made strides in our efforts to increase the pace of restoration, working with community organizations, environmental groups, forest industry, local government and communities, States, tribes and other Federal agencies. We have demonstrated that forest thinning and hazardous fuels treatments reduce the impact of fire. But clearly we have more to do.

I want to offer my appreciation to members of this Subcommittee and other Members of Congress for your interest and action on this issue. And I also want to express my condolences to families in

communities impacted by wildfires to date. This is the reason this work needs our very best.

Before I address the three bills, I want to tell you about some of the work we are implementing to increase restoration. In many cases new authorities and tools from Congress has made this work possible. We have invested in restoration projects with partners through the Collaborative Forest Landscape Restoration Program. These projects have demonstrated that collaboration among stakeholders can facilitate large landscape-scale restoration. The landscape strategies developed by these collaborative efforts alone exceed 16 million acres in their footprint, and the strategic placement of fuels and mechanical treatments will help build more resilient landscapes.

States are featured partners in many of these CFLR projects. Under the 2008 farm bill, State forest action plans were required, and they delineate priority areas for forest restoration. We have partnered with the States and coordinated across boundaries for many of these State action plans and are in the process of implementing them.

We have implemented the bark beetle strategy, focusing priority treatment areas to ensure human health and safety and to reduce hazardous fuels conditions. We have used tools available to the agency, such as stewardship contracts and Good Neighbor authority, to develop more holistic treatments that accomplish multiple research objectives, many times working across jurisdictional boundaries.

With the passage of the 2012 Interior appropriations bill, Congress provided resources and authorization to implement integrated resource restoration for three pilot regions in the interior West of the United States. IRR is going to bring resources necessary for maintaining and restoring ecosystems under one budget line item, giving us a lot of flexibility to do the necessary work on the land.

We have worked hard on improving NEPA efficiency for restoration. A couple of examples; we are close to issuing two new categorical exclusions for soil and water restoration activities, and we are increasing the use of landscape-scale NEPA, larger acreage covered in one analysis. Two examples of that are Arizona's Four Forest Initiative, where the NEPA document that is covering the restoration plan for that acreage is 750,000 acres. Recently in the Black Hills, they have issued an adaptive environmental impact statement covering over 250,000 acres of mountain pine beetle at-risk or impacted landscape.

And last, we are working as a partner on the all lands cohesive strategy. Congress, through the Flame Act, asked the agencies to put together a strategy that would focus on restoring and maintaining fire-adapted landscapes, including communities, and optimizing coordinated response to wildfire. And we are working with a host of local municipal, State, other Federal agency players to respond to that strategy.

A critical part of all these efforts is building public support for forest restoration and management activities. While the Department opposes H.R. 5744 and H.R. 6089 as drafted, there are elements of the bills that we support, and we would like to work with

the Subcommittee and sponsors in developing bill language that meets forest restoration objectives. And while we support H.R. 5960, we would like to have further discussion on some of the elements. We do support expanding Good Neighbor authority and reauthorizing stewardship contracting authority.

As wildland fires have impacted lands across the West, we recognize the interest, the urgency and the willingness of many Members of Congress to provide tools for the Forest Service and other Federal agencies to apply restoration principles. We look forward to working with you on this issue. Thanks.

Mr. BISHOP. Thank you, Ms. Wagner, and thank you for watching the clock so diligently. I appreciate that. I saw you speed up.

[The prepared statement of Ms. Wagner follows:]

Statement of Mary Wagner, Associate Chief, Forest Service, United States Department of Agriculture, on H.R. 5744, H.R. 5960, and H.R. 6089

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture regarding these bills. This is a difficult time for all of us. Wildland fires have disrupted lives and impacted lands across the West, and there is great interest, urgency and willingness to help provide tools for the Forest Service to apply restoration principles. We appreciate this interest and want to work with you to provide the best possible approaches to address these issues. Unfortunately, because of the short notice for this hearing, we have not had an opportunity to thoroughly analyze the bills before us, and thus, our testimony today will be general in nature. We will continue to work with Congress and others that have advanced proposals, such as in the bills we are discussing today as well as the House and Senate versions of the Farm Bill.

We recognize our collective ability to sustain the nation's forests and provide ecosystem services is increasingly at risk. Drought, invasive species, loss of open space, uncharacteristically severe wildfires, uncharacteristically severe outbreaks of insects and disease—all these stresses and disturbances are affecting America's forests on an unprecedented scale, with 60–80 million acres at risk.

Before I address the three bills, let me tell you about some of the initiatives we are implementing to increase restoration.

The Forest Service has initiated an Accelerated Restoration program to restore the functions and processes characteristic of healthy, resilient ecosystems on as many acres as possible. Our goal is to sustain and restore ecosystems that can deliver all the benefits that Americans want and need. The Forest Service recognizes that increasing the pace and scale of restoration and active management of the National Forests is critically needed to address threats to the resiliency of our forests and watersheds and the health and safety of America's forest-dependent communities.

The Forest Service also recognizes the need for a strong forest industry to help accomplish forest restoration work. A vibrant industry can provide both the resources and the know-how to undertake mechanical treatments and other restoration activities. Forest industry also lowers the cost of restoration to the taxpayer by providing markets for forest products.

The Forest Service is committed to increasing the current total of acres being mechanically treated by 20% over the next three years. This increase would allow the Forest Service to increase the number of acres and watersheds restored across the system, while supporting jobs and increasing the amount of forest products sold. A critical part of this effort is building public support for forest restoration and management activities. To this end, the Forest Service continues to emphasize the importance of collaboration among diverse stakeholders in developing restoration projects on national forest lands. Such collaboration not only results in better projects, but it also reduces the risks of litigation.

An additional benefit of this restoration work is job creation. For example, through implementation of the Collaborative Forest Landscape Restoration Program (including the use of stewardship contracts), the proponents of projects on national forest lands anticipate creating or maintaining 1,550 jobs. The benefits of maintaining a robust forest industry flows not only to local communities but also to the Forest Service itself as the agency relies on local forest contractors and mills to provide the work force to undertake a variety of restoration activities. A study by Cassandra

Moseley and Max Nielson-Pincus, Institute for Sustainable Development, has shown that every one million dollars spent on activities such as stream restoration or road decommissioning generates from 12 to 28 jobs. In addition, restoring the health and resilience of our forests generates important amenity values. Healthy, resilient forests and grasslands are magnets for outdoor recreation, with more than 170 million visits per year to the National Forest System. That in turn leads to jobs and economic opportunity.

The Forest Service continues to work toward restoring more land to accomplish restoration objectives, maintain a robust forest industry, and in turn create jobs. We are striving to efficiently implement existing programs and policies, as well as pursuing a number of new policies and initiatives to increase the pace of forest restoration and conservation through collaboration and management of the national forests. The aim of these efforts is to move beyond the conflicts which have characterized forest policy in the past and toward a shared vision that allows forest industry, environmentalists, local communities, and other stakeholders to work collaboratively toward healthier forests and watersheds, safer communities and more vibrant local economies.

Within the framework of the overall restoration program, the Forest Service is focused on the role of active forest management—including hazardous fuels reduction, reforestation, stream restoration, road decommissioning, forest thinning and harvesting, prescribed fire, and a range of other practices—as important tools to accomplish needed restoration work. The following are a series of actions that will allow the Agency to further restoration and management on the national forests:

Investing in restoration projects with partners through the Collaborative Forest Landscape Restoration Program (CFLRP).

In fiscal year 2012, the Forest Service received the full $40 million authorized by the CFLR Act. The Secretary funded 10 new projects, in addition to the continued funding for 10 projects selected in 2010. Three additional high priority collaborative projects were also funded from other appropriated FS funding. These 23 projects have demonstrated that collaboration among stakeholders can facilitate large, landscape scale restoration, thereby improving forest health, reducing wildfire risk, restoring fire-adapted ecosystems, and increasing timber and biomass production from our national forests.

The U.S. Forest Service reduced fire threats on more than 123,000 acres of land under the Collaborative Forest Landscape Restoration Program nationwide in fiscal year 2011 as part of a larger effort to improve the health and resiliency of national forests.

In its second year of funding, the Collaborative Forest Landscape Restoration Program also contributed $21 million to local economies through treatments that included prescribed burns and fuels thinning, producing 121 million board feet of lumber and 267,000 tons of woody biomass for bio-energy production on ten projects around the country.

On three National Forests throughout Colorado, CFLR projects have reduced fire threats over 14,000 acres using mechanical thinning and prescribed fire. The Deschutes has reduced 29,000 tons of woody biomass and made available 8 million board feet of lumber.

The CFLR project in California on the Sierra National Forest has reduced hazardous fuels on 8,000 acres of Wildland Urban Interface lands while at the same time yielding nearly 8 million board feet of lumber. The Four Forest Restoration Project in Arizona has improved forest vegetation, restored habitat on 111,000 acres and begun major rehabilitation work on areas affected by the Wallow and Schultz fires.

National Cohesive Wildland Fire Management Strategy (Cohesive Strategy)

The Federal Land Assistance, Management, and Enhancement (FLAME) Act of 2009 charged the Secretaries of Agriculture and Interior to create a cohesive wildfire management strategy. Federal Land Managers responded by working through the Wildland Fire Leadership Council to direct the development of the Cohesive Strategy. The nation's wildland fire problems do not stop at administrative boundaries; the Cohesive Strategy is a collaborative process with active involvement of all levels of government and non-governmental organizations, as well as the public, to seek national, all-lands solutions to wildland fire management issues. It is being built both from the top down and from the bottom up, and is science based. The Cohesive Strategy addresses the nation's wildfire problems by focusing on three key areas: 1) Restore and Maintain Landscapes, 2) Fire Adapted Communities, and 3) Response to Fire.

The Cohesive Strategy is now moving into Phase III, which includes a trade-off analysis of national risk. We expect to garner a better understanding of how the Forest Service can play a larger role in restoring and maintaining fire-adapted ecosystems and landscapes within an all-lands context. This understanding should help focus and support efforts I've already described under the umbrella of Accelerated Restoration and the Collaborative Forest Landscape Restoration Programs.

The Forest Service Bark Beetle Strategy.

Bark beetles have impacted nearly 18 million acres of NFS lands. The Bark Beetle Strategy, developed in 2011, focuses management efforts on priority treatment areas to ensure human health and safety and to reduce hazardous fuel conditions. In FY 2011, a total of approximately 16,822 acres were treated to reduce safety hazards to forest visitors, 50,145 were reforested, and 236,962 acres were thinned to improve resilience producing approximately 303.3 million board feet of timber sold, 153,801 green tons of biomass, and resulting in removal of hazard trees along 978 miles of road.

Use of Stewardship Contracting.

This tool allows the Forest Service to acquire needed restoration services. Reauthorizing this authority and expanding the use of this tool is crucial to our ability to collaboratively restore landscapes at a reduced cost to the government by offsetting the value of the services received with the value of forest products removed pursuant to a single contract or agreement. In Fiscal Year 2011, 19% of all timber volume sold was under a stewardship contract and funded activities such as watershed and wildlife habitat improvement projects, trails projects, road decommissioning, and hazardous fuels reduction. 208 contracts were awarded in 2011, treating 189,000 acres of hazardous fuels.

Improved efficiency of the National Environmental Policy Act (NEPA) process for restoration.

A robust, comprehensive and efficient Forest Planning/NEPA program is needed to accomplish the hundreds of thousands of acres of natural resource projects we do across the country each year. We continuously strive to save time and money in this program while meeting our statutory and regulatory obligations. In addition to the recently promulgated Forest Planning rule, the Agency has also initiated a NEPA learning networks project to learn from and share the lessons of successful implementation of efficient NEPA analyses. The goal of this effort is to ensure that the Agency's NEPA compliance is as efficient, cost-effective, and up-to-date as possible. Specifically we are looking at expanding the use of focused environmental assessment (EAs), iterative environmental impact statement (EISs) documentation, expanding categories of actions that may be excluded from documentation in an EA or an EIS, and applying an adaptive management framework to NEPA. Our landscape-scale NEPA projects will also increase efficiencies. For example, our Mountain Pine Beetle Response Project on the Black Hills National Forest in South Dakota is implementing a landscape-scale adaptive approach for treating future pine beetle outbreaks. We are also implementing the Four Forest Restoration Initiative project in the Southwest which is a very large, four forest landscape-scale restoration project.

The Good Neighbor Authority

The Good Neighbor Authority was first authorized in 2000, responding to increased concern regarding densely stocked stands at risk from insect and wildland fires. The law authorized the U.S. Forest Service to permit the Colorado State Forest Service to conduct certain watershed restoration activities on National Forest Service land when conducting similar activities on adjacent state or private land. In 2004 Utah and BLM received Good Neighbor authority. Federal and state officials who have used Good Neighbor authority cited project efficiencies and enhanced federal-state cooperation as its key benefits. The Department would like to see this authority expanded and reauthorized.

The Bills

Our preliminary review of the three bills today before the Committee will be discussed next.

While the Department opposes H.R. 5744 and H.R. 6089 as drafted, there are elements that we support and we would like to continue to work with the Subcommittee in developing bill language that will meet our forest restoration objectives. The Administration can support H.R. 5960 but would like to have further discussion on some of its elements. We support the reauthorization of Good Neighbor and Stewardship Contracting Authority.

H.R. 5744, the Catastrophic Wildfire Prevention Act of 2012, was introduced to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System lands and public lands managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, forest and watershed restoration, and threatened and endangered species habitat protection. The Administration agrees with the intent of the bill. However, we have significant concerns with some of the provisions and would like to further analyze and discuss several aspects, including provisions that modify the public comment and environmental analysis under National Forest Policy Act (NEPA), grazing utilization standard waivers, and timeframes for public petitions. In particular, we oppose the NEPA provisions in the bill because we do not believe 30 days will allow for adequate environmental review of most projects. It is also important to apply utilization standards for livestock grazing to wildfire prevention projects so that soil and vegetative cover is maintained.

H.R. 5960, the Depleting Risk from Insect Infestation, Soil Erosion, and Catastrophic Fire Act of 2012, was introduced to amend the Healthy Forests Restoration Act of 2003 (HFRA) to improve the response to insect infestations and related diseases and to make the Stewardship Contracting authority permanent and to extend Good Neighbor authority to western states. The bill authorizes the Secretary, in consultation with the Governor, to designate in each State one or more sub-watersheds that are experiencing an insect or disease epidemic, and to carry out priority projects to reduce the risk or extent of, or increase the resilience to, insect or disease infestation. The projects may be carried out under the HFRA provisions, including those providing for expedited environmental analysis, pre-decisional review, and judicial review. We agree that it would be helpful to make tree mortality due to insect or disease eligible treatment using the HFRA provisions, but would like to further analyze and discuss several aspects including timeframes for eligible projects, proactive approaches, and large and old-growth tree retention. We support the extension of stewardship contracting. However, we would like to see stewardship contracting authority made permanent. The Department supports extending Good Neighbor Authority, but would like to further analyze differences between H.R. 5960 and current authority in Colorado, where we have had significant success.

H.R. 6089, the Healthy Forest Management Act of 2012, was introduced to address the bark beetle epidemic, drought, deteriorating forest health conditions, and high risk of wildfire on National Forest System land and land under the jurisdiction of the Bureau of Land Management by expanding authorities established in the Healthy Forest Restoration Act of 2003, to make permanent Forest Service and Bureau of Land Management authority to carry out Good Neighbor authority with States, and to extend the Stewardship Contracting Authority. The Forest Service supports reauthorization of the Stewardship Contracting Authority and Good Neighbor authority. We do not support provisions in the bill that authorize the Governors to designate high risk areas on National Forest System lands and to provide for development of emergency fuels reduction projects in the areas. We would like to discuss further several topics, including projects in inventoried roadless areas, timeframes, and the criteria for projects.

In summary, the Forest Service would like to thank you for the opportunity to testify on these pieces of legislation. We continue an increased pace of restoration and job creation on our National Forest System lands. As wildland fires have impacted lands across the West, we recognize the interest, urgency and willingness of many Members of Congress to provide tools for the Forest Service to apply restoration principles. Be assured that our resources are directed at the suppression of these fires as well as efforts to provide emergency stabilization of burned lands, and fuels reduction projects.

Mr. BISHOP. Mr. Roberson from the Department of the Interior, same drill.

STATEMENT OF ED ROBERSON, ASSISTANT DIRECTOR, RENEWABLE RESOURCES AND PLANNING, BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR

Mr. ROBERSON. Thank you, Mr. Chairman and Ranking Member, for inviting me and the Bureau of Land Management to testify this

morning. The Department of the Interior and our cohesive wildland fire strategy, management strategy, is working toward maintaining resistant landscapes, creating fire-adapted communities, and managing wildfire response in a complex environment.

An agency of the Department of the Interior, the Bureau of Land Management, is committed to sustaining the health, diversity and productivity of the forest and woodlands, which together comprise 58 million acres of the public lands which we manage for the American people.

The mounting effects of insect infestation, disease outbreaks, prolonged drought, climate change, invasions of harmful nonnative species, and the accumulation of fuels generate increased risk of catastrophic losses, including risk to life and property that may result from wildfire.

The BLM works with its partners across landownership to protect lives and property, wildfire habitat and other resources from wildfire. Toward this goal the BLM last year treated 400,000 acres for hazardous fuel.

Guiding all of the BLM's management actions, including forestry and fuels management, is the agency's land-use planning process. The BLM uses an open public land-use planning process to include public input and to analyze the effects of proposed actions. We value this process and the information it provides for us.

Two of the tools that we have used effectively in our fuels management program are stewardship contracting and the Good Neighbor authority. To date the BLM has successfully used stewardship contracting in over 100,000 acres, reducing hazardous fuels, restoring habitat, protecting communities from wildland fire. The BLM has used the Good Neighbor authority in Colorado to partner with the State and gain some efficiencies in achieving restoration goals there.

With regard to Congressman Gosar's bill, H.R. 5744, it requires the BLM to implement authorized wildfire prevention projects, which are defined to include timber harvest and livestock grazing, under a reduced level of public comment and environmental analysis. The bill would allow timber harvesting in wilderness study areas and would impose strict timelines for public review and analysis. It deems a project as NEPA compliant if timelines are not met.

The bill also requires fire and fuel research prior to Endangered Species Act listings, critical habitat determinations and recovery plans. The Department is committed to using hazardous fuels reduction treatments to maintain resilient landscapes and protect life and property from wildfire. However, we do not believe that H.R. 5744 will help achieve the goal of mitigating the risk of wildfire damage.

The bill will curtail the use of some of BLM's most valuable assessments and analysis. The bill's strict timelines for public review and environmental analysis, coupled with the fact that the legislation deems the project NEPA compliant if we don't meet the timeline, would not enable sufficient analysis. Therefore, the Department opposes the bill's wilderness study area provision and the provisions that change ESA.

With regard to H.R. 5960, Congressman Markey's bill, it amends the Healthy Forest Restoration Act to provide for enhanced restoration work and research, and it authorizes stewardship contracting and Good Neighbor authority. BLM supports the authorization stewardship contracting and the expansion of Good Neighbor authority in this legislation. These authorities will enable BLM to better achieve land and forest health goals in cooperation with our partners. The Department supports H.R. 5960 and would appreciate the opportunity to work with the sponsor and the Committee on certain technical improvements. We defer to the Forest Service on those portions of the bill that relate solely to the national forests.

With regard to H.R. 6089, Congressman Tipton's bill, it authorizes a State Governor or a secretary to designate areas of public lands as high risk of current and future damage. For areas designated as high risk, the bill requires BLM to implement projects in those areas under a reduced environmental analysis. The bill also extends stewardship contracting in Good Neighbor authority.

The Department opposes H.R. 6089, the definition of high-risk areas outside of the normal planning process, particularly by Governors without consultation with other Federal land managers; prevents public involvement, environmental analysis and making those designations. And further, the timeframes for designating these areas and implementing proposed projects is not sufficient for our analysis of those decisions.

Under the bill the Secretary——

Mr. BISHOP. Mr. Roberson, please. Thank you.

[The prepared statement of Mr. Roberson follows:]

Statement of Ed Roberson, Assistant Director, Renewable Resources and Planning, Bureau of Land Management, U.S. Department of the Interior, on H.R. 5744, Catastrophic Wildfire Prevention Act; H.R. 5960, Depleting Risk from Insect Infestation, Soil Erosion, and Catastrophic Fire Act; and H.R. 6089, Healthy Forests Management Act

Introduction

Thank you for the opportunity to testify on H.R. 5744, the Catastrophic Wildfire Prevention Act; H.R. 5960, the Depleting Risk from Insect Infestation, Soil Erosion, and Catastrophic Fire Act; and H.R. 6089, the Healthy Forests Management Act. All of these bills attempt to reduce the risk of catastrophic damages resulting from wildland fire by defining new forest and fuels treatments policies on public lands managed by the Bureau of Land Management (BLM) and on National Forest System lands managed by the U.S. Forest Service. The Department of the Interior supports the goals of enhancing restoration for public forests and rangelands and mitigating the risks of wildland fire by working more effectively with our partners, and therefore supports H.R. 5960. However, the BLM cannot support measures that expedite restoration treatments, as well as commercial grazing and timber harvest, at the expense of the environmental review and public involvement in federal actions. As such, the Department opposes H.R. 5744 and H.R. 6089.

Background

The BLM is committed to sustaining the health, diversity, and productivity of forests and woodlands, which together comprise 58 million acres of public lands managed by the BLM. The mounting effects of insect infestations, disease outbreaks, prolonged drought, climate change, invasions of harmful non-native species, and the accumulation of fuels generate increased risks of catastrophic losses, including risks to life and property that may result from wildfire. These increasing pressures, coupled with increasing demands for uses of the public lands, may also result in the loss of natural and cultural resources, loss of wildlife habitat, and loss of recreational opportunities on the public lands.

Guiding all of the BLM's management actions—including forestry and fuels management—is the agency's land use planning process. This is an open, public process in which the agency's proposals for managing particular resources are made known to the public in advance of taking action. The BLM's plans are reviewed and analyzed by members of the public and stakeholders, including state, tribal, and local agencies, and the BLM must address all comments on agency proposals and make its responses available to the public.

Similarly, the BLM is committed to providing the full environmental review, including analysis of alternatives, and public involvement opportunities required by the National Environmental Policy Act (NEPA) for all agency proposals for BLM-managed lands. NEPA emphasizes public involvement to give all Americans a role in protecting our environment. America's economic health and prosperity are inexorably linked to the productive and sustainable use of our natural resources. The NEPA process remains a vital tool as we work to protect our Nation's environment and revitalize our economy.

Fire

The Department, through the Office of Wildland Fire, coordinates fire prevention, mitigation, and response both within the Department and with external federal and non-federal partners. The National Cohesive Wildland Fire Management Strategy is an unprecedented collaborative planning and risk analysis that builds on successes of the past while incorporating a new collaborative approach to restoring and maintaining resilient landscapes, creating fire adapted communities, and managing wildfire response in a complex environment. The Department's approach to hazardous fuels reduction is integrated and coordinated across vegetation types, types of insect infestation and disease, and land ownership. The Department employs an integrated, multi-agency approach to wildland fire management, and looks forward to working with the Committee to ensure the objectives of legislation are achieved in an integrated manner.

Forest Restoration

The Healthy Forests Restoration Act of 2003 (HFRA) provides an authority for hazardous fuels treatments and other forest and rangeland restoration treatments. In 2011, the BLM conducted over 400,000 acres of restoration and hazardous fuels reduction treatments, including thinning, salvage, and prescribed burns. The mountain pine beetle epidemic is estimated by the BLM to affect forests on up to 1.3 million acres of BLM-managed public lands, changing the character and increasing the complexity of the restoration treatments that the BLM applies. The BLM takes seriously its responsibilities for protecting people, property, and resources from wildland fire, and uses a proactive approach to treat hazardous fuels.

Because the factors that cause increasing hazardous fuel loads cross jurisdictional boundaries, the BLM has increasingly adopted a landscape approach to resource conservation and hazardous fuel treatment. The BLM routinely works with partner agencies, organizations, and landowners to engage in land and watershed restoration and hazardous fuels reduction activities on federal, state, and private lands.

Stewardship Contracting

Stewardship contracting authority, established for the BLM in the FY 2003 Omnibus Appropriations Act, allows the BLM to award contracts for fuels treatment and removal, for a period of up to ten years, and to use the value of timber or other forest products removed as an offset against the cost of services received. The BLM has enjoyed many successes in using stewardship contracting authority, accomplishing goals for hazardous fuels reduction, habitat restoration, jobs and revenue growth for local communities, and protection of local communities from wildland fire. From 2005 through 2011, the BLM offered 411 stewardship contracts on 101,238 acres of BLM-managed lands. The BLM's future strategy for stewardship projects includes increasing the size and duration of these projects.

Good Neighbor Authority

Currently, the BLM is authorized through a pilot authority to enter into Good Neighbor agreements and contracts with the Colorado State Forestry Division to perform watershed restoration and protection services on BLM lands in the State of Colorado when similar and complementary work is being performed on adjacent state lands. This authority has been extended until September 30, 2013. All Good Neighbor projects must comply with applicable environmental laws and regulations, including the appropriate level of environmental review under NEPA, and must be consistent with the applicable land use plans. BLM field units are encouraged to use the Good Neighbor Authority as a tool to achieve resource work identified through the regular land use planning processes.

H.R. 5744

H.R. 5744 requires the implementation of authorized wildfire prevention projects in forests and in threatened and endangered species habitat, and defines livestock grazing and timber harvesting and thinning as appropriate project tools to reduce fuel loads. The bill provides for a reduced period of public comment and environmental analysis for such projects, and establishes expedited administrative and judicial review. In addition, the bill requires research on the effects of a potential Endangered Species Act (ESA) listing on fuel loads, forage and timber. The Department of the Interior opposes H.R. 5744, because it limits public involvement in the land use planning and environmental analysis processes and because of the modifications it makes to the ESA.

Analysis

The goal of H.R. 5744 is to mitigate the risk of catastrophic damages from wildfire. However, the Department does not believe that H.R. 5744 will help achieve the mitigation efforts as the bill does not reflect BLM's most current methods for conducting assessments and determining management practices. It curtails the BLM's ability to use its public land use planning process to inform decision-making. The BLM uses science-based tools for assessing conditions, establishing utilization standards, and analyzing alternatives, and values both its ability to conduct science-based analyses and the input it receives from the public on the agency's proposed actions for managing particular resources. Further, the scope of the bill is unclear—language throughout is limited to forest systems, although the bill appears intended to apply to woodlands and rangelands as well.

H.R. 5744 allows fuels reduction projects, including timber harvest, in Wilderness Study Areas (WSAs). The BLM opposes this provision. The BLM has developed a non-impairment criterion to meet the requirements in the Federal Land Policy and Management Act (FLPMA) that WSAs not have their suitability for wilderness designation impaired. H.R. 5744, if enacted, could result in the loss of suitability for wilderness designation in WSAs that the BLM has managed for non-impairment since FLPMA was enacted.

The bill imposes strict deadlines for public review and environmental analysis and "deems" a project NEPA compliant if the agency does not meet the deadlines. The bill restricts environmental analysis for projects including livestock grazing and timber harvest that are authorized under the bill to Environmental Assessments, limiting the BLM's ability to perform analyses and use them to inform its decisions. The 30-day deadline for public comment, 60-day deadline for response to public petitions for designation, and 60-day deadline for project decisions is insufficient for full public participation, complete environmental analysis, and would not permit the examination of and response to all comments received during the public comment period.

For authorized wildfire prevention projects the bill deems an Environmental Assessment (EA) for a livestock grazing project to be sufficient for at least 10 years, while an EA for a timber harvest project is deemed sufficient for at least 20 years. These time frames limit the BLM's ability to determine the appropriate scope of their NEPA analyses and would undermine the integrity of those analyses. These time frames also may be interpreted to restrict the BLM's ability to be responsive to changes in resource conditions and significant new circumstances and information, as required by FLPMA and NEPA. The bill also eliminates the alternatives analysis, which lies at the heart of NEPA and is beneficial in informing agency decisions. The BLM gains important information about public and stakeholder perspectives and performs important analyses during its NEPA process. The BLM opposes provisions limiting public participation through the land use planning and NEPA analysis processes.

The Department strongly believes that forest health and related management practices are consistent with threatened and endangered species conservation. The Department is committed to working with land managers to ensure robust forest health management practices are in place. The Department has a longstanding position of acknowledging the importance of forest health management practices on species conservation, such as actions that limit forest fuel loads. However, the requirements in H.R. 5744 (Sec. 7) for additional research and assessments for ESA listings, critical habitat determinations, and recovery plans are unnecessary and would create an undue burden, and therefore the Department opposes this provision.

H.R. 5960

H.R. 5960 amends the Healthy Forests Restoration Act (HFRA) to provide for enhanced restoration work in priority watersheds and enhanced authority to perform cooperative restoration projects on public lands managed by the BLM and on Na-

tional Forest System lands managed by the U.S. Forest Service. The bill adds mountain pine beetle infestations as areas eligible for applied silvicultural assessments under HFRA; directs the Secretary of Agriculture to designate insect and disease treatment and research pilot areas; and changes the funding source for the Healthy Forests Reserve Program. The bill authorizes stewardship contracting; establishes the Good Neighbor Authority; and modifies the Emergency Watershed Rehabilitation Program.

The majority of the bill's provisions apply to lands and programs managed by the U.S. Forest Service; the Department of the Interior defers to the U.S. Department of Agriculture on provisions that apply exclusively to lands and programs under its management. As to provisions that impact public lands under its management, the Department of the Interior supports H.R. 5960 as outlined below. The BLM would also appreciate the opportunity to work with the sponsor and the committee on certain technical improvements to the bill.

Analysis

H.R. 5960 amends HFRA to add the mountain pine beetle to HFRA's list of insect infestations eligible for treatments and to add a new section (Sec. 405) authorizing the designation of insect and disease treatment and research pilot program areas. This beetle is one of several insect species of concern to BLM's forest management program; however, this section of the legislation is currently written to apply only to National Forests. The BLM would welcome the opportunity to work with the sponsor on technical changes that would include BLM-managed lands in the identification of pilot priority treatment areas.

H.R. 5960 permanently authorizes stewardship contracting to achieve land management goals. The BLM supports stewardship contracting authority, as it provides the BLM with needed flexibility to work with contractors to achieve the agency's land and forest health goals, and saves taxpayer resources because the value of forest products removed are used to offset the cost of the management action. However, the BLM would like to work with the sponsor on clarifying language to ensure the BLM is included in the intended authorities, that the Secretary of the Interior, as well as the Secretary of Agriculture is authorized to enter into contracts, and to address the full breadth of work included in the treatment types listed.

Finally, H.R. 5960 expands the Good Neighbor Authority, enabling the use of contracts and agreements between the Secretary of the Interior or Secretary of Agriculture and state Governors to perform authorized restoration work on federal land where similar work is being performed on adjacent state land. Building on successful implementation in Colorado, where the BLM's pilot authority enabled managers to achieve efficiencies, savings, and enhanced treatment effectiveness, H.R. 5960 authorizes the BLM to use this cross-boundary management tool on BLM-managed lands throughout the west. The authority provided by the bill is discretionary; each BLM office could determine on a case-by-case basis whether or not the Good Neighbor authority is a desirable option. All Good Neighbor projects would be undertaken in conformance with land use plans and comply with NEPA, if applicable. The BLM supports this authority and would like to work with the sponsor and the committee on technical improvements to restoration language.

H.R. 6089

H.R. 6089 declares the bark beetle epidemic, drought, and deteriorating forest health conditions on National Forest System lands and public lands to be an "imminent threat" and empowers the Governors of states, in addition to the Secretaries of Agriculture and of the Interior, to designate "high-risk" areas on these federal lands, and to propose and require the appropriate Secretary to implement emergency hazardous fuels reduction projects (defined to include non-clearcut timber harvests) within designated "high-risk" areas. The bill applies several HFRA authorities—reduced environmental analysis, special administrative review, and reduced judicial review—to the emergency hazardous fuels reduction projects as defined in H.R. 5960. The bill expands Good Neighbor Authority and Stewardship Contracting Authority. The Department of the Interior supports Good Neighbor Authority and Stewardship Contracting, and is committed to protecting lives, public land resources, and property from wildland fire. However, the Department opposes H.R. 6089 because it restricts opportunities for public review and environmental analysis, and because it enables state Governors to direct federal resource management actions on federal lands.

Analysis

The bill's definition and designation of "high-risk" areas is exceedingly broad. With no limitations on the size, location, or present condition of such designations, the bill provides nearly unlimited authority for state Governors or the Secretary to

establish a new designation without review, analysis, or public input. The bill requires Governors to consult with county governments and affected Indian tribes, but does not require consultation with the land-managing agency. Additionally, the inclusion of a future risk of insect infestation or disease (in addition to deteriorating forest health conditions) as a criteria for "high-risk" area designation makes the designation meaningless, as virtually all public lands with forests or vegetation are potentially at future risk of insect infestation or disease. The BLM opposes allowing state Governors (or the Secretaries) to designate management treatments outside of the land use planning process—which provides for public notification, public involvement, the input of stakeholders, consideration of sound science, and the analysis of alternative management options to inform federal agency land and resource management decisions.

The bill requires that initial "high-risk" areas be designated within 60 days of enactment of the Act. This short time frame would not provide the BLM sufficient time to analyze the effects of designations or consider input from the public, including ranchers, recreationists, and property owners. All of these uses would potentially be affected by the designation of an area as "high-risk," yet the bill's strict deadlines limit opportunities for those who use public lands to make their concerns known. The bill provides that "high-risk" areas will be designated for 20 years. This long time period fails to provide opportunities to adjust course during the 20 year period to respond to new circumstances or information, emerging threats, or to unanticipated impacts or changes in resource conditions. For example, the current mountain pine beetle outbreak had not even been detected 20 years ago.

Of serious concern, the bill requires the Secretaries to implement within 60 days projects proposed by a state Governor (or Secretary) for "high-risk" public lands. Requiring immediate implementation of projects, without consideration or analysis of impacts or public input, prevents an open, public process and precludes environmental analysis. The authority provided to Governors in this provision presents additional concerns, essentially shifting the authority for resource management decisions and activities on federal lands to individual state Governors. By merely designating an area of the public lands as "high-risk", under H.R. 6089, an individual state Governor can require BLM to manage federal lands and resources to meet the Governor's objectives, without regard to national objectives, interests, or a fair return to the American people. Under the bill, such required projects would place a serious burden on available agency funding and resources, impacting the BLM's ability to implement other BLM priorities, which include conventional and renewable energy development, leasing and permitting activities, and existing priority restoration work.

Finally, the bill excludes designated Wilderness and National Monuments from designation as "high-risk" areas. However, many other BLM lands include resources protected by federal law, including National Conservation Areas, National Scenic and Historic Trails, National Wild and Scenic Rivers, and Wilderness Study Areas. State Governors choosing to designate such areas as high risk areas would limit the BLM's ability to comply with its obligations to protect such resources under federal law. For example, under federal law (P.L. 105–83), the BLM has particular obligations to preserve and protect forest in the Headwaters Forest Reserve in California. State designation of this area as a "high-risk" area would decrease the BLM's ability to manage for resources protected by federal law.

Conclusion

Thank you for the opportunity to testify about H.R. 5744, H.R. 5960, and H.R. 6089. I would be glad to answer any questions.

Mr. BISHOP. Commissioner Gibbs, 5 minutes. And I am going to impose that deadline very strictly. Let's go.

STATEMENT OF THE HON. DAN GIBBS, COMMISSIONER, SUMMIT COUNTY, COLORADO

Mr. GIBBS. Thank you, Chairman Bishop, Ranking Member Grijalva, and all the members of the Committee. My name is Dan Gibbs. I am a county commissioner from Summit County, Colorado, former State senator, as well as a wildland firefighter.

Summit County is experiencing major forest health concerns. Over the last 10 years, I have witnessed the transformation of our

forests in the county resulting in 146,000 acres of dead trees, which were killed by the mountain pine beetle epidemic. As a result we now have a major challenge to respond to these conditions.

I appreciate that Congress enacted the Healthy Forest Restoration Act, known as HFRA, which has helped expedite the Forest Restoration Act; however, there is much more that can be done. As can be seen from the Hayman fire that destroyed 133 homes and cost $40 million in suppression costs in 2002 and many like it, the cost of suppressed fires vastly exceeds the cost to treat forests.

In Summit County, over 80 percent of which is national forestland, 146,000 acres of dead trees that are near communities need to be thinned. The challenge is finding the resources for projects and work within existing legal and regulatory systems. In Summit County we have treated 3,800 acres in the wildland-urban interface. Currently under HFRA an additional 13,200 acres of treatment projects have been approved for future work; however, we still have tens of thousands of acres that need urgent treatment within the wildland-urban interface. As a result Summit County has had to find additional resources.

In 2008, Summit County voters passed a measure which authorizes a property tax levy for wildfire protection and the removal of bark beetle-killed trees, which could generate up to 500,000 per year. In 2012, the county was able to apply $300,000 from this funding source for 12 projects on 140 acres on private land within the wildland-urban interface.

In addition, the Colorado Forest Restoration Act, a bill which I passed, established a grant program that made available $1 million annually from State revenue for local fire mitigation and watershed protection. These funds are available for needs statewide, and grant applications far exceed the needs. The town of Dillon located within Summit County was a recipient of some of these grants that were used to treat forested areas along Straight Creek, a major drinking water supply for the town. The town was rightly concerned that a fire in this area would greatly impact its watershed. These grant funds were used to treat just 64 acres.

So along with HFRA, the county's tax levy and a statewide grant program, we have been able to get needed projects done. But again, we still have thousands of acres to address in areas like Straight Creek and near homes. That is why we are interested in what additional assistance Congress can provide, and the bills that are before this Committee today have provisions that would help in this regard.

Generally speaking, the projects I have mentioned would be enhanced by these provisions. Let me highlight these concepts. First, we need more funding, plain and simple. The task of removing hazard and fire-prone trees is daunting, and State and local communities can only make a dent in this effort. I understand that the bills you are considering in this Committee are not primarily about funding, but urge you to make this a priority.

Second, designating the areas in our national forests that are impacted by insect and disease would allow the Forest Service to focus attention on resources in this area. We would welcome designated areas as emergency or critical needs in applying the

streamlined HFRA provisions to these areas, and appreciate being consulted in the designation process.

Third, we strongly support the Good Neighbor authority, which allows State foresters to perform essential treatment work on Federal lands, and urge Congress to reauthorize this program, and make it permanent and extend it to all States.

Fourth, we support permanently authorizing stewardship contracting. The stewardship contracting mechanism helps make the projects more economical for entities to bid on them, especially in partnerships with private contractors. These provisions would provide tangible and important assistance to reduce the emergency threat of large-scale wildfires and help promote a healthier, more sustainable forest. We need the assistance of these policies to augment our State and local efforts.

In conclusion, we have undertaken vigorous efforts to mitigate the threat with limited resources through a number of unique collaborations between State and local government, private industry and landowners. Still we are not able to address the infestation accurately without further assistance. We urge the bill sponsors to come up with a single bill that includes these concepts through negotiated compromise, resulting in a bill that could garner wide support and get passed and signed into law. The dire condition of our forests, the threat to our communities and resources, especially water, and the extreme drain on the Federal Treasury due to suppressing ever-increasing wildfires demands that Congress come together for our Nation's well-being.

Thank you.

Mr. BISHOP. Thank you, Commissioner. I appreciate that.

[The prepared statement of Mr. Gibbs follows:]

Statement of The Honorable Dan Gibbs, Commissioner, Summit County, Colorado

Thank you Chairman Bishop, Ranking Member Grijalva, members of the committee. It is a great honor to come before you today. My name is Dan Gibbs, I'm a County Commissioner from Summit County Colorado.

This Committee has had the benefit of hearing from the U.S. Forest Service and the U.S. Bureau of Land Management to paint the larger picture regarding the condition of our forests and the corresponding fire threats arising from those conditions.

As a former Colorado state legislator who sponsored many state forest health and fire response legislation—many of which were adopted into law—and as a current Summit County Commissioner—a county that is experiencing major forest health concerns—as well as a certified wildland fire fighter, I wanted to focus my remarks on the local and state concerns related to forest health and how Congress can help.

Over the last ten years, I've witnessed a transformation of our forest in the county that I live in and represent as well as the counties that I represented while serving as a Colorado State Senator. In Grand County, which is just north of Summit County and which gives rise to the headwaters of the Colorado River—a source of water and life for major cities and many western states—most of the lodgepole pine trees are dead. In Summit County alone, we have 146,000 acres of dead trees and about half of all of the pine trees are dead. These trees were killed by the mountain pine beetle epidemic that has been raging through Colorado and Wyoming forests.

As a result, we now have a major challenge to respond to these conditions and help the communities in places like Summit County and throughout the west address forest health and increased fire threats.

I appreciate that Congress has provided some assistance—primarily through the passage of the Healthy Forest Restoration Act (HFRA) in 2003. This law, which came as a response to major fires that occurred throughout the west in 2002 including the Hayman Fire in Colorado, which burned 138,000 acres, destroyed 133 homes, and resulted in $40 million in suppression costs, has helped expedite forest restoration efforts. However, there is much more that can be done.

As can be seen from the Hayman Fire example—and many like it—the costs to suppress fires vastly outpaces the costs to treat forests to make them less prone to major fires. Although the Healthy Forest Restoration Act has been helpful in this regard, we need to expand upon it so that we can perform more treatment work and thus reduce the costs associated with suppression.

That is why I appreciate the legislation that is the subject of today's hearing. Before I turn to these bills, I want to take this opportunity to provide the local perspective on addressing these forest health issues and the challenges and obligations we face in light of limited federal resources and authorities.

In Summit County, which is composed of over 80% national forest land, the portions of 146,000 acres of dead trees that are near communities need to be thinned or removed, or they will continue to present fire risks and threats to people when they eventually fall down. Some of this threat exists near homes and other important assets, such as watersheds and power lines. The challenge is in finding the resources to develop projects to thin and remove these trees, and to work within the existing legal and regulatory systems before we can go in and do the work.

As I mentioned, Summit County has benefitted from HFRA. In working with the U.S. Forest Service, we have treated 3,800 acres of dead trees in the wildland/urban interface. These projects did not occur until 2007, four years after its passage, but we were pleased that they were conducted. Currently, under HFRA, we have an additional 13,200 acres of treatment projects approved for future work under HFRA. However, we still have tens of thousands of acres that need urgent treatment in the wildland/urban interface. In short, although HFRA has helped a great deal, our needs in Summit County alone vastly outpace the assistance that this law provides.

As a result, Summit County has had to take matters into its own hands and find ways to secure additional assistance.

As an example, in 2008, Summit County voters passed a measure, called 1–A, which authorizes a property tax levy for wildfire protection and the removal of bark beetle-killed trees, among other purposes, which could generate up to $500,000 per year. In 2010, the County was able to apply $300,000 from this funding source for 12 forest treatment projects on about 140 acres of private land in the wildland/urban interface. And to be able to treat these acres, we collected nearly 50% of private contributions. As you tell by these dollar amounts required to treat just 140 acres, the costs to do this needed work are significant.

In addition, as state legislator, I sponsored and passed the Colorado Forest Restoration Act that established grant program that made available $1 million annually from state revenue for local forest treatment projects, wildfire mitigation and watershed protection. These grants required a local match of 40% with state funding at 60%. These funds are available for needs statewide, and grant applications far exceed the needs.

Summit County, and individual communities in the County, was the recipient of some of these grants. One of these grants, for the Town of Dillon, was used to treat the forested area along Straight Creek, a major drinking water supply for the town. The town was rightly concerned that a fire in this area would greatly impact its watershed, much like the Hayman Fire impacted a watershed for Denver water users. These grant funds were used to treat 64 acres.

To make this project a success, there were many partners that played an important role including Denver Water, Xcel Energy, The Greenlands Reserve, Colorado the Town of Dillon, the U.S. Forest Service, the Department of Transportation and much of the ground work was contracted using the Rocky Mountain Youth Corps, an organization whose mission is to engage youth in the outdoors, inspiring them to use their strengths and potential to lead healthy, productive lives.

So, along with HFRA, the County's tax levy, and the statewide grant program, we have been able to get needed projects done. But, again, we still have tens of thousands of acres to address in areas like Straight Creek and near homes.

That is why we in Summit County and forested regions throughout Colorado are interested in what more assistance Congress can provide—not only in terms of funding for the development of treatment projects, but also to improve of the process to approve projects. And the bills that are before the Committee today have provisions that would help in this regard and in fact some of the concepts within them we have been promoting for many years here in Colorado.

Generally speaking, the projects that I have mentioned would be enhanced by these concepts, and in fact would help focus attention on the areas of the forest that are our highest priorities for treatment work and would help stretch scarce resources.

Let me highlight these concepts, again, concepts that appear in various forms in the separate bills that you are considering today.

First, we need more funding. Plain and simple. The task for removing hazardous and fire-prone trees is daunting and the state and local communities can only make a dent in this effort given the funding limitations they have to operate within. I understand that the bills you are considering in the Committee are not primarily about funding, but urge you to make this a priority. The more funding we can provide to the agencies to perform and implement treatments, the less we have to spend at the backend when the trees go up in flames or blow down on to trails, campgrounds and power lines.

Second, although we have benefitted by the HFRA provisions here in Summit County and especially applying HFRA to areas in our County that are within the wildland/urban interface, designating areas on our national forests that are impacted by insects, disease and poor forest health conditions would allow the Forest Service to focus attention and resources in these areas. In other words, we would welcome the concept of designating areas as "emergency" or "critical needs" and applying the streamlined HFRA provisions to these areas would help be of great benefit and help authorize projects where they are most needed and effective. We appreciate being consulted on the designation of these areas, but they are essentially the areas that are hardest hit and are where if treatments are not performed in an expedited manner, we run the risk of serious damage from wildfire.

Third, although we in Summit County have not had the benefit of a program called the "Good Neighbor Authority," which allows state foresters to perform essential treatment work on federal lands when similar work is being performed on non-federal lands, we believe that this program has a lot of merit and can help make the treatments on no-federal land be that much more effective. We are aware that some of the counties that surround Summit County have done some projects under the Good Neighbor program and they have been worthwhile. So, we urge Congress to reauthorize this program, make it permanent and extend it to all states.

Fourth, we would support permanently reauthorizing "stewardship contracting." As the trees and other woody biomass that needs to be removed to reduce fire threats and improve the health of our forests typically are not valuable for other economic uses, the stewardship contracting mechanism has allowed many projects so go forward on a good-for-services basis. This means the projects are economical and make sense for entities to bid on them, especially in partnership with the private contractors. In essence, these are good example of public/private partnerships, and thereby can stretch limited resources and get more projects underway and completed.

These provisions would provide tangible and important assistance to reduce the emergency threat of large-scale wildfires and help promote a healthier, more sustainable forest. We in Colorado, like many other western states, are doing our part at the state and local level to help. But we need the assistance of this bill to augment these efforts and make them effective.

CONCLUSION

Colorado has been doing our part in this crisis, and we stand ready to do more. We have undertaken vigorous efforts to mitigate the threat with limited resources through a number of unique collaborations between state and local government and private industry. Still, we are not able to address the infestation adequately without further help that we are hoping Congress can provide. We recognize that some of the provisions in the various bills before you today may draw opposition from various interests. We would hope that you work through these and eventually pass a package that will garner wide support and will be in keeping with the general concepts that I have highlighted.

NOTE: Photographs submitted for the record have been retained in the Committee's official files.

Mr. BISHOP. Mr. Romm, you are recognized for 5 minutes.

STATEMENT OF JOSEPH ROMM, PH.D., SENIOR FELLOW, CENTER FOR AMERICAN PROGRESS ACTION FUND

Dr. ROMM. Mr. Chairman, members of the Committee, thank you for inviting me to testify. I am a physicist, former Acting Assistant Secretary of Energy, and climate expert who runs the blog Climate Progress.

Four score and 7 years ago, our grandfathers and grandmothers were enjoying life in the "Roaring '20s." Now, imagine that you are

in Congress back then, and imagine that the Nation's leading scientists are warning that human activity and years of bad land management practices have left our topsoil vulnerable to the forces of the wind, and that the next time a major drought hits, much of our farmland will turn to dust, dust in the wind. You would take action.

Over the past two decades, the Nation's leading scientists have issued stronger and stronger warnings that human activity, burning fossil fuels and deforestation will lead to longer and stronger droughts that dry out topsoil and timber, creating the conditions ripe for multiple multi-decade Dust Bowls and wildfires. In fact, we are already topping Dust Bowl temperatures in many places, and the Earth has warmed only about 1 degree Fahrenheit since the 1930s Dust Bowl. Yet we are poised to warm some 10 degrees Fahrenheit this century alone if we stay on our current path of unrestricted carbon pollution emissions. I repeat, several studies now project the world may warm 10 degrees Fahrenheit this century if we don't act, and that is the average warming of the globe. Much of our country would see far higher temperatures. The recent heat wave would be considered a pleasantly cool summer.

Another study looked at mid-century warming of just 2 degrees Fahrenheit. It found that wildfire damage in many of your home States—Utah, Colorado, Idaho, South Dakota, Nevada and Washington—would double, triple, even quadruple from current levels. Imagine how big the government would have to be to deal with the rampant wildfires and with the Dust Bowl choking the breadbasket of the world; a lot bigger government than today for sure.

So, of course, this great deliberative body is debating various bills to avoid this catastrophe by slashing carbon pollution, except it isn't. We are here discussing bills aimed at fuels treatment, a euphemism for cutting down trees and controlled burns. Ignoring carbon pollution and focusing solely on fuels treatment to address the epidemic of bark beetles, the epidemic of drought, the epidemic of wildfires is like rearranging deck chairs on the Titanic, or, more precisely, it is like burning some of the deck chairs and removing some of the umbrellas on the Titanic; same outcome, more time wasted.

As I explained in the journal Nature last year, what we are discussing here today is the single most important question facing the Nation: Can we prevent the extreme drought and wildfires ravaging the country today from becoming the new normal? But the real question, and I am addressing myself to the members of the majority now, is how you want to be remembered. Do you want to be remembered as a Herbert Hoover, who sat by and did nothing in the face of obvious calamity, or as an Abraham Lincoln, who took every measure to save the Union?

Lincoln said at Gettysburg, the world will little note nor long remember what we say here, but it can never forget what they did here. That, of course, wasn't true of his speech. But after testifying to Congress nearly a dozen times since 1995, when I was Principal Deputy Assistant Secretary of Energy, I am quite convinced that nobody remembers what we say here, and, in the case of these bills, everyone will forget what you did here.

Are you Neville Chamberlain, or would you be Winston Churchill, who worked tirelessly to warn and prepare Britain for what was coming, and told the House of Commons in 1936 the era of procrastination, of half measures, of soothing, and baffling expedience, of delays is coming to its close. In its place, we are entering a period of consequences.

The consequences are here now, just as climate scientists predicted. If we fail to take action, many scientists predict ruin for large parts of this country, ruin for large parts of your districts, ruin that lasts 50 generations. Americans have fought for generations to defend government of the people, by the people and for the people. In the hour of crisis, we need that government to do its job. Now is that hour.

Thank you very much.

Mr. BISHOP. Thank you.

[The prepared statement of Dr. Romm follows:]

Statement of Joseph Romm, Ph.D., Senior Fellow, Center For American Progress Action Fund, on H.R. 5744, H.R. 5960, and H.R. 6089.

Thank you Chairman Bishop, Ranking Member Grijalva, and members of the Committee. I am delighted to appear before you today to discuss the single most important issue facing the nation—whether or not we can we prevent the extreme drought and wildfires ravaging the country today from becoming the normal weather for the nation.

My name is Dr. Joseph Romm. I am a Senior Fellow at the Center for American Progress Action Fund, a tax exempt organization dedicated to improving the lives of Americans by transforming progressive values and ideas into policy. I am also the Founder and Editor of Climate Progress, CAPAF's acclaimed climate and energy blog. I earned a Ph.D. in physics from the Massachusetts Institute of Technology.

From 1993 to 1995, I was special assistant for policy and planning to the Deputy Secretary of Energy. I served as Principal Deputy Assistant Secretary and then Acting Assistant Secretary at DOE's Office of Energy Efficiency and Renewable Energy from 1995 to 1998. I have written 7 books and dozens of articles on global warming and climate solutions, including *Hell and High Water* and "The Next Dust Bowl," published in the journal *Nature* in October 2011, from which some of this testimony is derived and where references may be found. I first testified in front of the House of Representatives on energy issues in 1995.

My testimony will provide analysis and data and analysis to support 3 key points:

1. Climate scientists have long predicted that drought and wildfires would become more frequent and more intense because of human-generated carbon pollution that leads to climate change.
2. The current droughts and wildfires we are now seeing—and the bark beetle infestation that may have exacerbated some of the fires—have clearly been made far more likely and far worse by climate change according to many climatologists.
3. If we stay anywhere near our current carbon pollution path, much of the Midwest and Great Plains will be subject to near-permanent and irreversible conditions worse than the 1930s Dust Bowl by shortly after midcentury. Large parts of the south would be uninhabitable by 2100.

Wildfires are most frequent and most intense during extended droughts and heat waves, which creates kindling in the form of very dry trees and grasses. A basic prediction of climate science is that many parts of the world will experience longer and deeper droughts and heat waves, thanks to the synergistic effects of drying earth, warming atmosphere and melting glaciers. Precipitation patterns are expected to shift, expanding the size of the dry subtropics, which would make much of the southwest more arid.

Warming causes more evaporation of surface and subsurface moisture. Where it is dry, the sun's energy goes into baking soils. That's why the United States set so many temperature records during the 1930s Dust Bowl. And it's why, in the summer of 2011, drought-stricken Texas and Oklahoma experienced the hottest summer temperatures ever recorded for a state, beating the previous record holder, 1934 Oklahoma, by more than 1° Fahrenheit.

Also, many regions were predicted to see experience earlier snowmelt, so less water is stored on mountaintops for the summer dry season. These factors increasingly add to natural variability, such as the El Nino–La Nina cycle, greatly intensifying seasonal or decade-long droughts.

Some refer to the confluence of these processes as desertification, but these areas will not have the high biodiversity that characterizes many deserts. "Dust-Bowlification" is perhaps a more accurate and vivid term, particularly since many Americans still believe climate change will only affect far-away places in far-distant times. Prolonged drought will have dramatic international impacts, but it is surprising to many to see it hitting the American heartland so hard so soon.

The coming droughts ought to be a major driver—if not the major driver—of federal policy. Yet few policymakers and journalists are focusing on the looming Dust-Bowlification and its potentially devastating impact on food security and our economy. That's partly understandable, since much of the key research post-dates the 2007 Fourth Assessment by Nobel Laureate Intergovernmental Panel on Climate Change (IPCC). Raising public awareness of, and scientific focus on, the likelihood of severe impacts is the first step in prompting action.

This concern isn't new. As far back as 1990, scientists at NASA's Goddard Institute of Space Studies warned that severe to extreme drought in the United States, then happening every 20 years, could become an every-other-year phenomenon by mid-century. Climatologist Jonathan Overpeck detailed the risks in a 2005 talk, pointing to the emerging evidence that temperature and annual precipitation were headed in opposite directions over many regions. He and raised the question of whether we are at the "dawn of the super-interglacial drought.

Events have begun to bear these worries out. More than two decades ago scientists forecasted snowpack reduction, earlier snowmelt, and reduction of dry season river flow in the American. Now there is measurable data demonstrating their occurrence. In much of the northern Rocky, Sierra Nevada, and Cascade Mountain ranges, the peak of the annual stream runoff is as much as 3 or 4 weeks earlier than it was a half century ago. Heat and drought have also made these areas more hospitable to invasive, such as the bark beetle, increase tree/forest/fauna/vegetation die-offs and wildfire risk. Climatologists studying a huge 3-million-acre die-off of vegetation in the Southwest in 2002–2003 warned that it "may be a harbinger" of things to come.

The wildfire season is now a month longer. As the *New York Times* reported, U.S. Forest Service Chief Tom Tidwell testified before the U.S. Senate last year that:

> "Throughout the country, we're seeing longer fire seasons, and we're seeing snowpacks that, on average, are disappearing a little earlier every spring," he said, as well as devastating droughts. As a result, fire seasons have lengthened by more than 30 days, on average. "**Our scientists believe this is due to a change in climate**," said Tidwell.

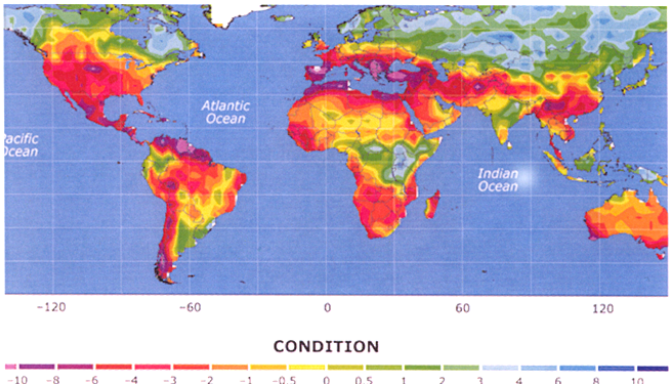
The paleoclimate record dating back to the medieval period reveals droughts lasting many decades. But the extreme droughts the United States faces this century will be far hotter than the worst of those: The driest decade of the worst drought in the past 1,200 years wasn't as warm as recent decades.

Projections call for far warmer conditions ahead. Warming over mid-latitude land masses, like the United States, is projected to be considerably higher than the forecasted average global warming. Much of the inland United States faces warming of 9°F to 15°F based on our current carbon pollution path (i.e. 'business as usual') by century's end, with much of that warming occurring by midcentury.

A 2007 article in the journal *Science* that examined 19 climate projections estimated that levels of aridity comparable to the 1930s Dust Bowl could stretch from Kansas to California by mid-century. To make matters worse, the areas in threat of reduced water supplies have also seen a massive population boom. The top 10 fastest-growing states include Nevada, Colorado, Texas, Arizona, and Utah. Also, water over-use in such areas has long been rife, depleting groundwater supplies.

It is not just our country that faces these issues. Since 1950, the global percentage of dry areas has increased by about 1.74 percent of global land area per decade. Recent climate studies have projected 'extreme drought' conditions by midcentury over some of the most populated areas on Earth—southern Europe, Southeast Asia, Brazil, the U.S. Southwest, and large parts of Australia and Africa. This can be seen in the following map by Aiguo Dai of the National Center for Atmospheric Research, from his 2010 study.

The Palmer Drought Severity Index mid-century in a moderate emissions scenario.



In the Great Plains during the Dust Bowl, the Palmer Drought Severity (PDSI) spiked very briefly to -6, but otherwise rarely exceeded -3 for the decade. Dai found that:

> "**By the end of the century, many populated areas, including parts of the United States and much of the Mediterranean and Africa, could face readings in the range of -4 to -10. Such decadal averages would be almost unprecedented.**"

These Dust Bowl-like drought conditions are projected to worsen for many decades and be "largely irreversible for 1000 years after emissions stopped," according to a major 2009 study led by researchers at the The National Oceanic and Atmospheric Administration (NOAA).

The most pressing question is what will happen to our food security if Dust Bowl conditions become the norm for both food-importing poorer countries and food-exporting richer countries, including the United States? Extreme, widespread droughts will occur at the same time as sea level rise brings salt-water deep into some of the world's richest agricultural deltas, such as the Nile and Ganges. Meanwhile, ocean acidification, warming and overfishing may severely deplete the availability of seafood.

What are the implications for the global carbon cycle? Increased wildfires release carbon stored in forests and soils, creating an amplifying feedback that further warms the planet—a vicious circle that leads to yet more wildfires.

Adaptation to offset or minimize the worst impacts of prolonged, extreme drought conditions is difficult or impossible. Historically, the primary 'adaptation' for Dust-Bowlification is human abandonment of afflicted areas. The very word "desert" comes from the Latin *desertum for* "an abandoned place". This occurred eighty years ago when hundreds of thousands of families fled during the relatively short-lived U.S. Dust Bowl of the 1930s. Experts predict huge mass migration due to drought and famine from global warming, particularly in Africa. This could initiate a humanitarian aid crisis of epic proportions, a scenario many retired generals and admirals fear because our military would be part of the responses, and such instability would threaten our national security.

We must plan for how the nation and the world will deal with steadily growing regions of non-arable land right in the heart of populated countries and global bread-baskets. We must plan for these drought-spurred migrations—globally and here at home. As the above map shows, much of northern Mexico is projected to become a Dust Bowl too.

The inexorable conclusion is that **feeding the world's 9 billion people by mid-century in the face of a rapidly warming climate with extreme droughts may well be the greatest challenge the human race has ever faced**.

Moreover, these predictions are not worst-case scenarios: They rely on business as usual estimates of future carbon pollution. We can hope the models are too pessimistic, but some changes, like expansion of the subtropics, already appear to be occurring faster than the models projected. It is clear we need to pursue the most aggressive carbon-pollution mitigation policies promptly, and put warming-driven Dust-Bowlification atop the national agenda.

Again this is not a new or sudden prediction. In fact, a decade ago climate scientists around the world were figuring out the same thing—we are speeding toward a climate cliff with our foot on the accelerator. I summed up some of their research back in six years ago:

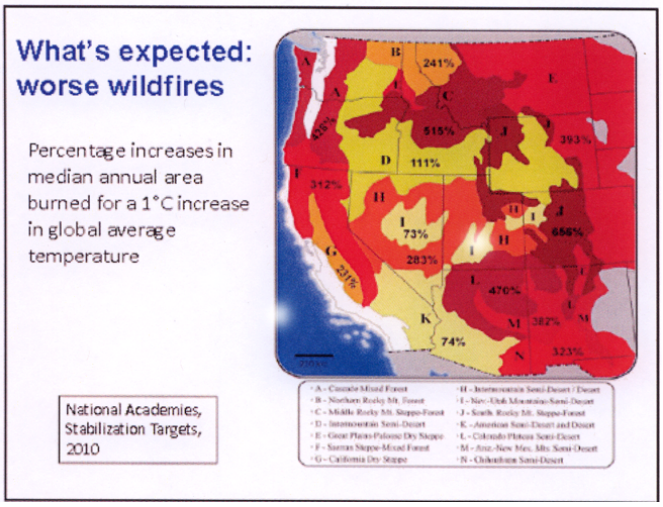
> Since the 1970s, the number of "very dry areas" on the planet, as defined by the widely used Palmer Drought Severity Index, has more than doubled, to about 30 percent of the global land. As a major study by the National Center for Atmospheric Research concluded, "These results provide observational evidence for the increasing risk of droughts as anthropogenic [human caused] global warming progresses and produces both increased temperatures and increased drying."
>
> Not surprisingly, but rarely reported in context, wildfires have been on the rise worldwide for half a century. Every decade since the 1950s has seen an increase in major wildfires in the United States and around the world.
>
> Large parts of the country have been getting hotter and drier, and suffering extended droughts. . . .
>
> Not only do drought and high temperatures increase the number of wildfires, they also lead to a greater range of pests that feast on trees whose defenses have been weakened by heat and lack of water. Trees from the Southwest up to Alaska are dying by the millions.
>
> A 2005 study led by the University of Arizona, with the Los Alamos National Laboratory and the U.S. Geological Survey, examined a huge 3-million-acre die-off of vegetation in 2002–2003 "in response to drought and associated bark beetle infestations" in the Four Corners area (Arizona, New Mexico, Colorado, and Utah). This drought was not quite as severe as the one that region experienced in the 1950s, but it was much warmer, hence it fit the global-warming model. The recent drought had "nearly complete tree mortality across many size and age classes," whereas "most of the patchy mortality in the 1950s was associated with trees [more than] 100 years old."
>
> Most of this tree death was caused by bark beetle infestation, and "such outbreaks are tightly tied to drought-induced water stress." Healthy trees defend themselves by drowning the tiny pine beetles in resin. Without water, weakened, parched trees are easy meals for bugs.
>
> "We're seeing changes in [mountain pine beetle] activity from Canada to Mexico," said Forest Service researcher Jesse Logan in July 2004, "and the common thing is warming temperatures." According to the Department of Forest Resource Management at the University of British Columbia, the beetle infestation has spread to higher and more northern regions thanks in large part to climate change. And milder winters since 1994 have reduced the winter death rate of beetle larvae in Wyoming from 80 percent per year to under 10 percent.
>
> In a February 2006 speech on climate change, Senator Lisa Murkowski of Alaska pointed out that the tremendous recent warming had opened the door to the "voracious spruce bark beetle," which devastated more than 3 million acres in Alaska, "providing dry fuel for outbreaks of enormous wild fires." Half of the wildfires in the record-breaking 2005 season were in Alaska.

And as the members know, the bark beetle has continued to spread throughout the West, devastating trees in states like Montana and Colorado. That's because climate change favors invasive species.

In 2009, in a detail report on the impacts of climate change on this country, the U.S. Global Change Research Program said:

> Wildfires in the United States are already increasing due to warming. In the West, there has been a nearly fourfold increase in large wildfires in recent decades, with greater fire frequency, longer fire durations, and longer wildfire seasons. This increase is strongly associated with increased spring and summer temperatures and earlier spring snowmelt, which have caused drying of soils and vegetation.

Here's the grim projection from a presentation made by the President's science adviser Dr. John Holdren in Oslo in 2010:



We can barely manage the wildfires we have today. How exactly would much of the West "manage" a 4-fold to 6-fold increase in wildfires? And that's just from a 1.8°F increase in temperatures. Again, we could see 5 times that this century.

As Tom Kenworthy, longtime environmental reporter and now Senior Fellow at American Progress, reported this month on Climate Progress, wildfires have multiple causes:

> It's impossible to link any one particular fire or weather event to climate change. In the case of fires in the West, there are other factors as well: more people living in fire-prone areas in and near forests and unnaturally crowded forests brought on in large part by decades of misguided efforts to battle and suppress nearly all fires.
>
> But federal scientists and officials whose responsibilities include management of the vast national forest system in the West are increasingly saying flat out that there is an undeniable link between wildfires and climate change.
>
> The Agriculture Department official who oversees the U.S. Forest Service, Under Secretary Harris Sherman, noted recently that 10 states have had record fires in the past decade. "The climate is changing," Sherman told *The Washington Post,* "and these fires are a very strong indicator of that."
>
> "There's enough data that show fires are very clearly linked to warming," U.S. Geological Society Research Ecologist Craig Allen recently told a symposium sponsored by the Aspen Center for Environmental Studies. "Fire season's about two months longer than it used to be."

The longer season is just the start. The National Interagency Fire Center in Boise, Idaho, reported that the wildfires are becoming more destructive—the total acreage burned has skyrocketed in recent decades:

> During the four decades of the 1960s through the 1990s, the annual acreage burned by wildfire averaged 3 million acres. Between 2000 and 2009 the average year saw 7 million acres burn.
>
> Between 1960 and 1995 there were just five years where the acreage burned exceeded 5 million. Between 1996 and 2011, 11 of the 16 years exceeded 5 million acres burned, including 8 of the past 10 years.
>
> As of early July, fires have burned about 2.4 million acres, according to the National Interagency Fire Center. And the outlook for the rest of the summer and early fall is not rosy, the center reports. Much of the West—from northern Arizona and northern New Mexico to southern Montana, across Nevada, and into parts of California—will have above-normal fire potential through the remainder of July. From August to October large swaths of Wyoming, Montana, Idaho, Utah, Nevada, and California will have above-average fire potential due to drought, fuel conditions, and El Niño, which causes sea temperatures to rise.

> Various federal initiatives since the 1990s have sought to address the questions surrounding forest fuel loads and how to better manage them to moderate the wildfire threat, either by reintroducing fire, by thinning crowded forest stands using logging tools, or a combination of both methods. The results are questionable at best.

A recent Congressional Research Service paper on wildfire protection reviewed the science on whether such interventions work and concluded:

> The presumption is that lower fuel loads and a lack of fuel ladders [underbrush and small trees that carry fire into the tops of larger trees] will reduce the extent of wildfires, the damages they cause, and the cost of controlling them. Numerous on-the-ground examples support this belief. However, little empirical research has documented this presumption. As noted in one research study, "scant information exists on fuel treatment efficacy for reducing wildfire severity."

Kenworthy discusses the efficacy of fuel treatment—thinning dense forests and using prescribed burns to eliminate surface fuels:

> Despite that research ambiguity, fire years such as the current one almost always spur calls for large-scale efforts to thin overgrown forests and return them to a more natural condition, particularly in what is called the "wildland-urban interface." That awkward phrase is sometimes defined as "where combustible homes meet combustible vegetation."
>
> Sherman, speaking to the recent Aspen conference, said that, "We need to move forward with landscape-scale restoration. Too often we have conservation projects where we're working on a hundred acres here or a hundred acres there. We need to move into an entirely new and expanded scope of work."
>
> That demand for larger restoration is partly driven by the extraordinary costs of fighting fires. Between fiscal year 2000 and fiscal year 2010, fire suppression appropriations by Congress rose from less than $300 million to nearly $1.4 billion, according to a 2011 Congressional Research Service paper on federal funding of wildfire activities. At the same time federal spending on fuel reduction rose from $117 million in fiscal 2000 to $400 million the next year and has largely remained in the $400-million-to-$500-million range since.
>
> The cost of an ambitious forest restoration effort would be huge. In a 1999 report the U.S. General Accounting Office (now the Government Accountability Office) estimated it would cost $12 billion to treat the 39 million Forest Service acres at the time thought to be at high risk of catastrophic wildfire. Since then the Forest Service has raised its acreage estimate to 51 million acres, and the estimate of a $300-per-acre treatment cost has probably become obsolete. Further, the original estimate did not include other federal lands beyond Forest Service areas.

The Congressional Research Service paper on wildfire protection noted, "If a comprehensive program were undertaken to reduce fuels on all high-risk and moderate-risk federal lands, using GAO's treatment cost rate of $300 per acre, the total cost would come to $69 billion."

The CRS reported noted "There is a final, significant question. Would it work?" They concluded

> Reducing fuel loads might reduce acreage burned and the severity and damages of the wildfires that occur. Research is needed. . .to examine whether the cost of fuel reduction is justified by the lower fire risk and damage. However, it should also be recognized that. . .as long as there is biomass for burning, especially under severe weather conditions (drought and high wind), catastrophic wildfires will occasionally occur, with the attendant damages to resources, destruction of nearby homes, other economic and social impacts, and potential loss of life.

Kenworthy concluded his analysis:

> In a warming world we can expect those things will happen more often and with greater intensity, as we are seeing this summer. The bottom line is that climate change is a major cause of these fires, and climate solutions should become part of the effort to tame them.

All three pieces of legislation today seek to address the wildfire and insect issue by accelerating and increasing forest thinning. The scientific support of fuels treatment as a wildland fire mitigation strategy is spotty at best. As the subcommittee considers legislation, I urge you to ensure that federal agencies maintain the flexibility to undertake projects based on the best scientific information available. As you know, new studies come out daily and can inform best management practices. I am

concerned that H.R. 5744 sponsored by Congressman Gosar and H.R. 6089 sponsored by Congressman Tipton mandate the implementation of projects and lock in a certain management approach for 10 to 20 years. Congressman Markey's legislation, H.R. 5960 allows a more scientifically based approach to addressing the insect issue by providing for accelerated consideration of project but on a pilot basis.

The bottom line is that the climate is changing just as the climate scientists have predicted for decades. Dr. Overpeck told the AP this month,

> "**This is what global warming looks like** at the regional or personal level. The extra heat increases the odds of worse heat waves, droughts, storms and wildfire. **This is certainly what I and many other climate scientists have been warning about**."

Now scientists are warning that if we fail to act quickly to curtail greenhouse gas emissions we may destroy the breadbasket of the world and may render large parts of the United States—including many of the districts you represent—all but uninhabitable, possibly for centuries. Will we finally make the carbon pollution reductions essential to reduce the worst impacts of climate change, or will Congress keep ignoring the warnings about the fires yet to come?

Mr. BISHOP. Commissioner Jankovsky from Garfield County, welcome. Five minutes, please.

STATEMENT OF THE HON. TOM JANKOVSKY, COMMISSIONER, GARFIELD COUNTY, COLORADO

Mr. JANKOVSKY. I am Tom Jankovsky, Garfield County Commissioner, Garfield County, Colorado. I have also worked in the ski industry for 40 years. I am the general manager of Sunlight Mountain Resort, which is a local ski area in Glenwood Springs, Colorado. And those 40 years have been in the forest of Colorado.

I have traveled here to speak in support of H.R. 6089. This bill addresses the deteriorating health of Colorado forests, has the strategy to improve safety and strengthen stewardship of the forests, and provides benefits for our local communities.

First of all, the health of our forests is at risk. Forests are deteriorating. Colorado forests are extremely dense because of what I believe is misguided management practices. Currently 30 percent of our—or currently our forests are 80 to 100 percent canopy, which a healthy forest has a 30 percent canopy. Also the bark beetle epidemic has deteriorated our evergreen forests, and drought conditions have impacted our aspen forests.

The Nation has watched the recent tragedies in Colorado at the Wallow Canyon and Hyde Park fires. The dollar amount that I saw in the Denver Post yesterday was $450 million in private property loss, as well as loss of lives.

Current Federal regulations fail to recognize the importance of our forests regarding water conservation, water supply, wildlife habitat, recreation, economic benefit, and multiple uses and environmental health. H.R. 6089 improves the safety and strengthens stewardships. This bill extends stewardship beyond the current Healthy Forest Restoration Act. It has a 20-year life. It gives us the ability to expedite and improve hazardous fuel reduction. It also gives us the ability to manage and restore our forests.

This bill empowers the Governor of the State and local communities to designate and cooperate with Federal land managers to develop emergency hazardous fuel-reduction projects. It also gives a benefit to our Federal land managers, another tool for them to work with our local communities.

The bill supports an emerging forest restoration industry. We are starting to see an industry which provides tools and manpower for forest restoration. And through this bill, we are seeing an increase from our natural resources for lumber mills, log furniture making, firewood sales, biomass energy and wood pallets. And so this bill, although it doesn't say that directly, does provide some economic impacts as well to our communities.

H.R. 6089 allows for creating funding as well, private-public partnerships to reduce hazardous fuel mitigation.

Also I would just like to—Federal land managers know the high risk around our areas. I mentioned this earlier. But it gives them another tool in working with local communities to address those risks.

One thing that is not in the bill, but I would like to talk about, I think it is very important that we continue to educate the public on defensible space. We have a lot of communities and homeowners, homeowner associations that are up into the forests. Right now in Colorado citizens can be reimbursed up to 50 percent for the costs for improvements of the defensible space.

Local doctrine regarding public land use is extremely important for us. Nearly 70 percent of our lands in Garfield County, Colorado, are owned by the Federal Government. It really helps for us to have the ability to talk to and be empowered to work with the Federal Government.

And indeed, the vitality and the strength of the Western United States is closely tied to the health of our public lands. And for those reasons Garfield County, Colorado, supports H.R. 6089.

Thank you.

Mr. BISHOP. Thank you. I appreciate that.

[The prepared statement of Mr. Jankovsky follows:]

Statement of The Honorable Tom Jankovsky, County Commissioner, Garfield County, Colorado, on H.R. 6089, Healthy Forest Management Act 2012

1. Good morning, Chairman, and Members of the Committee.

2. I am Tom Jankovsky
- County Commissioner, Garfield County, Colorado
- General Manager, Sunlight Mountain Resort
- I have spent 40 years working with the forest industry—15 in operations, 25 in management and administration, planning, and strategy

3. Have traveled to speak in person, and support H.R. 6089 for three reasons. The bill:
- Addresses the deteriorating health of Colorado forests
- Improves safety and strengthens stewardship.
- Provides benefits to the local community.

4. First, the health of Colorado forests is deteriorating.
- Colorado forests are extremely dense because of misguided management practices. The current management plan is to let our forests grow wild and to do nothing.
- A healthy forest has 30% canopy. Our forests currently have 80–100%.
- These conditions and others create a high risk to communities from fast moving wildfires that threaten life and property.
- The Nation watched the recent tragedies in Colorado at Waldo Canyon, High Park, and elsewhere, the most devastating and costly wildfires in state history. Lives were lost, hundreds of homes burned to the ground.
- Also, the bark beetle epidemic has deteriorated our evergreen forests, and drought conditions have impacted our Aspen forests.
- Current federal regulations fail to recognize the importance of our forests regarding water conservation, water supply, wildlife habitat, recreation, economic benefit, multiple uses, and environmental health.

5. Next, HR6089 improves safety and strengthens stewardship
- The Bill extends stewardship beyond that of the current Healthy Forest Restoration Act for an additional 20 years.
- That existing legislation primarily deals with forest management and forest restoration in the wilderness
- In contrast, the Healthy Forest Management Act takes management and restoration beyond the forest and wild land urban interface and into our communities. This Bill will create a healthy forest with less risk to urban areas.
- With passage of the Bill, we will be able to expedite and improve hazardous fuels reduction in high-risk areas.

6. HR6089 provides benefits to the local community
- The Bill empowers the Governor, state, and local communities to designate and cooperate with federal land managers to develop emergency hazard fuel reduction projects.
- The Bill supports an emerging forest restoration industry, which provides tools and manpower for forest restoration and contributes to economic certainty.
- Passage of the Bill will provide natural resources for lumber mills, furniture, firewood, biomass, and wood pellets, helping all of the related industries.
- The Bill creates jobs and provides other positive economic impacts in our local communities.
- HR6089 allows for creative funding for public-private partnerships for hazardous fuel mitigation and reduction. For example, in Pitkin County, Colorado, in a project in Aspen's Starwood neighborhood, neighbors there paid for the restoration and mitigation of the forest adjacent to them.

7. In closing, I offer the following points:
- Federal land managers know the highest risk areas around us—this Bill gives them another tool in working with local communities to address those risks.
- Educating the public on defensible space continues to be a top priority and should not be overlooked. In Colorado, citizens can be reimbursed by the state 50% of costs for improvements to defensible space.
- The local use doctrine regarding public land use is extremely important to us. Nearly 70% of the lands in Garfield County, Colorado, are federally owned or managed. Forest management practices are a crucial part of the picture.
- Indeed, the vitality and strength of the Western United States is closely tied to the health of our public lands.
- Garfield County, Colorado, supports this Bill for the reasons stated.
- Thank you.

Mr. BISHOP. Mr. Kashdan, from the Association of Forest Service Retirees.

STATEMENT OF HANK KASHDAN, LEGISLATIVE DIRECTOR, NATIONAL ASSOCIATION OF FOREST SERVICE RETIREES

Mr. KASHDAN. Mr. Chairman, on behalf of the National Association of Forest Service Retirees, we appreciate being here. Our comments are specific to H.R. 6089, the Healthy Forest Management Act of 2012, but we do want to acknowledge that the attention given to all three bills is important in bringing attention to the continued degradation of America's forests and rangelands caused by insect infestation, drought and other factors. This is a serious threat to America's public lands, communities adjacent to those lands and our infrastructure.

As retirees we clearly feel that action is needed, action that is rapid, efficient, collaborative, and which pushes the envelope in terms of procedures and authorities. We all know that increasing budgets is not a fix, and we also accept the potential for budgets to be decreasing. So in a legislative approach, there has to be a

focus on public-private partnerships, reduced process and much greater recognition of this crisis. We think that H.R. 6089 supports this approach.

I do want to acknowledge the excellent work of the agency so far in addressing this. The Forest Service's approach with bark beetle strategy, the Collaborative Forest Landscape Restoration Program, and use of the Integrated Resource Restoration Budget pilot should go a long way toward increasing accomplishment. The Forest Service and BLM's joint work in the use of stewardship contracting, the release of the national cohesive wildland fire strategy are all important. These are steps in the right direction, but we do think more is needed, and we think H.R. 6089 will really help moving that process forward.

With the exception of a minor reservation, we strongly support this legislation. For the stewardship contracting extension to 2017, let me just say thank you. That tool is an essential part of future accomplishment and working with communities. The contract term extension to 20 years we think is helpful in incentivizing the investment of business capital and in building long-term community participation in decisions about the adjacent watersheds. The Good Neighbor authority being made permanent is a critical need. The inclusion of categorical exclusions for projects within 500 feet of infrastructure is important.

And we like the Governor's authority to designate high-risk areas. Now, we understand there is some reservation on that part. I remember distinctly when the Good Neighbor authority was implemented back in the late 1990s, there was some concern about what I would call shared authority, if you will. Well, concerns about that have not come to pass. It is an excellent authority. And as we look at the expedited procedures that are called for in this bill under the Healthy Forest Restoration Act regarding analysis, appeals and judicial review, we think that the Governor's high-risk designation making those procedures applicable is a good part of this legislation.

We also very much appreciate the application of those same procedures to nonwildland-urban interface lands that are also very important to addressing the degradation.

I mention one reservation. Let me just say that the provision calling for project implementation within 60 days of a Governor's designation even in the case where the Secretary may not have designated an area as high-risk, we are concerned that might raise a false expectation that national resources in terms of money and budget will be shifted to those projects.

Across all public lands there is very good work being done by the agencies and being done with a very limited funding level. So to think that there will be a shift like that is probably not realistic, And where it has been attempted in the past, it has been met with very little success. So we do think that retaining the Federal agency's authorities over the program work is important.

I might also note one technical correction dealing with the section 6 prohibition on clear cuts relative to hazardous fuels action. Lodgepole pine is a species that requires openings in order to effectively regenerate, so we think that might be something that should be considered in the final bill.

So with that, Mr. Chairman, let me conclude my remarks, and I look forward to any questions.

[The prepared statement of Mr. Kashdan follows:]

Statement of Hank Kashdan, Legislative Director, National Association of Forest Service Retirees, on H.R. 6089, Healthy Forest Management Act of 2012

Mr. Chairman and members of the Subcommittee, the National Association of Forest Service Retirees (NAFSR) appreciates the opportunity to appear before the Subcommittee today to comment on H.R. 6089, the Healthy Forest Management Act of 2012. I am Hank Kashdan, Legislative Director for NAFSR. I retired from the Forest Service in December, 2010 having served as Associate Chief immediately prior to retirement. I was a Forest Service employee for 37 years. The NAFSR organization is a national, nonprofit organization of former Forest Service employees and associates. Members of the Association possess a unique body of knowledge, expertise and experience in the management of the National Forests, other public lands, forestry research, state and private forestry assistance, agency history, laws and regulations, and international forestry. Members of NAFSR are devoted to contributing to understanding and resolving natural resource issues through education, independent and cooperative analysis, and periodic review and critiques of agency policies and programs.

Although my testimony is specific to H.R. 6089, NAFSR recognizes that the Subcommittee is holding this hearing on three bills that focus on major forest and rangeland health issues across the nation's public lands under the jurisdiction of the United States Forest Service or the Bureau of Land Management. This high level attention is much appreciated by NAFSR. The recent catastrophic wildfires occurring throughout the West, clearly illustrate the need for rapid, efficient, and collaborative action to address insect epidemics, drought, deteriorating forest health, and the ever increasing risk of catastrophic wildfire. These conditions are a direct threat to communities, the health of the nation's public lands, and infrastructure investments on and near those public lands. The retirees in NAFSR stand ready to assist the Subcommittee on this issue at any time during its consideration of these bills.

Overview of Actions Taken to Date

NAFSR applauds the significantly increased attention by the agencies in addressing deteriorating forest and rangeland health issues on public lands.

The recently authorized Collaborative Forest Landscape Restoration Program is already yielding improved forest health and brightening the economic prospects for communities adjacent to public lands. The collaborative basis for establishing management activities in these areas is a model of how public lands can be managed in the future.

The Forest Service and Bureau of Land Management's use of stewardship contracting authority has finally reached the point of "critical mass" such that it is becoming a tool of choice for land managers rather than an experiment in the performance of restoration activities on the nation's forests and rangelands. Although the retirees feel that stewardship contracting has been implemented over a painfully long period of time, we now see widespread acceptance and understanding within the agencies of the benefits of this tool. As noted later in our testimony, NAFSR believes permanent authority for stewardship contracting is an important consideration in meeting the challenges identified in H.R. 6089.

The retirees congratulate the agencies on the issuance of the National Cohesive Wildland Fire Management Strategy that will serve as a framework for broad interagency strategy actions to address wildland fire issues with close involvement of local and tribal governments, non-governmental organizations and others.

The Forest Service is currently pilot testing new budget structure efficiencies as authorized in the Fiscal Year 2012 Appropriations Act. The pilot, under an Integrated Resource Restoration budget line item, applies to three of the four Forest Service Regions in the Intermountain West, which contain many areas severely impacted by drought and insect infestation. We are hopeful the test of this integrated budget structure will increase the efficient use of existing funds in completing critical projects.

The Forest Service's development of a Bark Beetle Strategy is an important aspect of prioritizing the critical project needs to address a problem that, taken as a whole, cannot simply be addressed with higher funding levels that are highly unlikely to occur in the near or long term future.

The retirees note the use of Good Neighbor Authority that was first authorized in the late 1990's. This program has been very successful in providing resources and

focus in working with the states to address forest and rangeland health issues. I personally remember some of the reservations the Forest Service had with enactment of this authority in an Appropriations Bill. Those concerns focused on the perception of "shared authority" to conduct restoration activities on federal, as well as adjacent state and private lands. The success of this authority resulted in a similar authorization for the Forest Service to use hazardous fuels reduction funds (with an expenditure limitation) on adjacent non-Forest Service lands. We highlight the initial concerns about such shared authority as we note similar perceptions by agencies will undoubtedly be at the forefront of concerns about H.R. 6089 as it receives further consideration.

All and all, NAFSR believes good progress is being made through the interagency increase in focus, prioritizing, and collaboration. Recognizing that the prospect for increased funding, or even sustained levels of funding, to land management agencies to address these problems is highly unlikely, it is clear that a new perspective with a strong bias for action and collaboration is needed. A simple look at the impacts of the recent wildfires in the West, expanding drought areas, and further spread of insects across the landscape, mandates that increasingly bold action be taken through an expansion in the use of existing tools and authorities, further collaboration with stakeholders, and a streamlining and expediting of procedures for environmental analysis and public involvement. This will require efforts that stretch the cultural "comfort zones" of the public land management agencies in order to be successful. It is in that context that NAFSR offers the following perspective on H.R. 6089.

NAFSR Perspective on H.R. 6089

With only one significant reservation, NAFSR is very supportive of H.R. 6089. I will address that reservation after first acknowledging the Bill's positive aspects.

- The Bill provides for an extension of Stewardship Contracting authority. This is essential. Stewardship contracting is a key element in future successful implementation of actions to address the critical challenges on the landscape. NAFSR would only recommend that strong consideration be given to making the authority permanent as was done in the Senate Agriculture Committee's markup of the Farm Bill.
- The Bill provides for Stewardship Contracts to be executed for up to 20 years. NAFSR concurs with this provision. Such long term contracts in critical landscapes will provide better prospects for local business to obtain financial backing and provide for the long term collaborative structure within local communities that will improve forest and rangeland health.
- The Bill makes the Good Neighbor authority permanent. NAFSR supports this action. This authority has been a good tool in conducting cooperative work on federal and adjacent lands.
- NAFSR appreciates specific mention in the Bill that emergency hazardous fuels reduction projects, whether inside or outside the wildland urban interface, would be performed using analysis, appeals, and judicial review procedures provided for in the Health Forest Restoration Act of 2003.
- The Bill extends environmental analysis, appeals, and judicial review processes contained in the Healthy Forest Restoration Act of 2003 to hazardous fuels reduction project to be performed under this Act. The Bill further authorizes the use of categorical exclusions for projects within 500 feet of houses or infrastructure. NAFSR supports this method of streamlining analysis and appeals procedures in order to move quickly to perform activities that if otherwise delayed by cumbersome procedures, would result in unacceptable deterioration of forest and rangeland health, damage to communities and infrastructure, and possible loss of life.
- The Bill formalizes a significant role for Governors in designating high risk areas. NAFSR understands the federal agencies have concerns about such legislation; however we also recognize that cooperation with Governors is already a standard and highly routine practice by the federal agencies in developing collaborative plans to address management on federal lands. As such, we are supportive of such authority except as stated in our one major reservation which is explained as follows.

The Bill, in Section 6 (e) (1) states that for projects identified by the Governor, "implementation" will occur within 60 days. Our reservations are as follows:

- A false expectation is potentially created that the agency will shift nationwide resources to implement projects simply as a result of designation by a governor. The current budgetary capacity of the agencies would not support such an expectation. If enacted as currently stated, the provision will likely result in unnecessary friction and conflict between a Governor's office and the fed-

eral agencies. NAFSR feels the final implementation of projects should be at the discretion of the Secretary in consultation with the Governor.

- Rather than potentially creating false expectations that nationwide resources might be shifted as a result of a Governor's designation, NAFSR feels that the primary benefits derived from this legislation will be through extension and/or permanent authority in the use of available tools (stewardship contracting, Good Neighbor Authority, etc.) and a streamlining of environmental analysis, appeals, and judicial review. With the legislation authorizing a Governor to designate high risk areas, the streamlined analysis, appeals, and judicial review would become available to the agencies.

Conclusion

In closing, NAFSR would again like to thank the Subcommittee for affording us the opportunity to provide testimony regarding H.R. 6089. We again offer our assistance in any way possible to assist the Subcommittee in developing legislation that will achieve a significant improvement in the health of the nation's forests and grasslands, while protecting communities and infrastructure.

I would be glad to answer any questions the Subcommittee may have either now or in the future.

Mr. BISHOP. I thank all the witnesses for having come here and given their testimonies and staying within the 5-minute level. I am aware of all the flight plans that people have. We are going to get it all done on time.

Ms. Noem, Representative Noem, I realize that you have the first plane out, so I am going to yield my time. I am going to ask the panelists if they would limit their questions to H.R. 5960 and H.R. 6089. And once we have a round of those questions, I have two other witnesses that are talking about H.R. 5744. I will bring them up, and then we can ask questions on that bill by itself.

So, Representative Noem, if you would like to take my time at first, I will yield to you.

Mrs. NOEM. Is this a question time?

Mr. BISHOP. Questions, yes.

Mrs. NOEM. Thank you. Thank you, Mr. Chairman.

I have plenty of time for this because this is a very important issue for us, so I thank you for yielding to me and allowing me the opportunity to ask a few questions and to make an opening statement.

My questions would be for Ms. Wagner. You know, remind me again how many acres specifically have the bark beetles impacted since the epidemic has begun? I think the number in your testimony was around 18 million acres.

Ms. WAGNER. I have corrected information for that. Across the Nation the impacts of bark beetle on all jurisdictions are found on over 43 million acres; on the National Forest System alone, over 30 million acres.

Mrs. NOEM. OK. And you also discussed in your testimony that 65 million acres are at high risk for wildfires. So that is the number that not necessarily all of those acres are impacted by pine beetle epidemics, but that is a very high number. Even if you took the $18 million number—I was running some numbers here while I was sitting—it appears to me that what has actually been treated and addressed on Forest Service land is less than 2 percent of the lands that you have jurisdiction over have actually gone in and been dealt with and then treated for Fiscal Year 2011. Is that an accurate statement?

Ms. WAGNER. For the bark beetle strategy that we created and began to implement in Fiscal Year 2011, we have treated over 300,000 acres to increase resiliency and reduce public safety issues. Relative to the size of the impact of the pine beetle, I agree, that is a small amount of acreage. Overall we are trying to upscale our treatments on the landscape, address priority areas, and that is where the 3.7 million acres were restored in Fiscal Year 2011.

Mrs. NOEM. OK. Well, for me that is a very disappointing percentage. We have—obviously, as a lot of the testimony has been here today, that we have a critical situation on our hands. And when the Federal Government has jurisdiction over lands, it is my anticipation that they would be responsible for maintaining and taking care of those lands, especially when private lives are at risk and in jeopardy.

This is a very timely and incredibly important issue for States across the West, including South Dakota. And I know you and Chief Tidwell have had conversations with me in my office regarding this and how South Dakota is impacted. This is one of the hottest summers on record. Droughts have been declared in several different States. Forests across the West are turned into tinder boxes, as we have heard testimony today. One fire in the Black Hills claimed the lives of four National Guardsmen from North Carolina, and so my heart has been going out to those families as well in fighting these fires that have been going on.

The outbreak of the beetle has changed our landscape. I have some photos here that I am going to pass around to the other members on the Committee that they can look at what is going on in South Dakota. But what is so interesting is when you look at this picture, and I will let everyone on the panel look at it as well, is you can see the vast difference between what has been treated by the State and what the State has stepped up and taken care of and the difference on the U.S. Forest Service land and how the pine beetle is out of control on that land right next to land that the State has taken the opportunity to go in and address.

So I would like to thank my colleagues for introducing this legislation. I would also like to thank everyone for being willing to tackle this issue. It underlies the importance of this issue that we have people on both sides of the aisle that are looking to find a solution; that it is not a Republican, it is not a Democrat issue, that it impacts all Americans who care about our forests and the livelihoods of thousands of people across the Nation.

So one other question for Ms. Wagner as well. Have you been out to Colorado or to the Black Hills to visit and to see this with your own eyes yet?

Ms. WAGNER. I have not personally. I know the Chief has spent time in the field. Our regional foresters have spent time with many Members. I have not made the trip to Colorado or North Dakota.

Mrs. NOEM. I would love to personally invite you to come to South Dakota and to bring Chief Tidwell with me. He did come to my office and visit me, and I appreciated that. But there is an urgency on the ground, and I would love to bring you out to South Dakota and show you around and host you doing that. If they say something about—you know, we certainly have cooperation that is potential there, and so I certainly would love to have you envision

that and see that together to see how this could work and how these bills could work on the ground for the benefit of people living there.

So with that, I will yield back.

Mr. BISHOP. Thank you, Representative. Bluewood is very pretty, isn't it?

Let me turn to the Ranking Member Mr. Sablan.

Mr. SABLAN. Thank you very much, Mr. Chairman.

Let me start with Ms. Wagner. Almost 15 years ago the Forest Service began a process of reviewing the management of pristine forests or roadless areas. In 2001, the Forest Service Chief Mike Dombeck issued regulations to protect these areas, and therefore recognizes one of the most far-reaching conservation initiatives taken by the Federal Government since the Wilderness Act was passed in 1964. After a decade of litigation, 60 million acres of our forests and water that provide are protected from harmful. So H.R. 6089 declares an entire National Forest System in imminent danger. Does this declaration waive the roadless area protection in Colorado and every other State?

Ms. WAGNER. The position of the Administration is we support the roadless area conservation rule as enacted and reviewed by the courts. So there are 58 million acres under that management strategy identified across the Nation, and then specific roadless area conservation rule promulgated in the State of Idaho, and one under way for the State of Colorado.

In the case of high-priority need for fuels treatment and fire risk, the majority of those acres are outside of roadless areas adjacent to wildland-urban interface, and so we think we can abide by the provisions of the roadless area conservation rule and work on forest restoration where it is needed in priority landscapes.

Mr. SABLAN. But let me get back to my question.

Ms. WAGNER. Sorry.

Mr. SABLAN. Does the declaration—section 3 of H.R. 6089 declares the entire National Forest System in imminent threat. Does this declaration, section 3, waive the roadless area protections in Colorado and every other State, yes or no?

Ms. WAGNER. I believe it would.

Mr. SABLAN. It does. All right. Thank you.

Mr. Roberson, your testimony points out that two of these bills waive important environmental laws and make it difficult for the public to engage with Federal land managers. Can you give us an idea, make it short, of how many hazardous fuels projects the Bureau of Land Management implements every year and how many of these projects are appealed?

Mr. ROBERSON. We have treated—in the last 10 years, we have treated 23 million acres with fuels and—hazardous fuel reduction projects, stewardship contracting and Good Neighbor authority. And in 2011——

Mr. SABLAN. I can't hear you.

Mr. ROBERSON. OK. Over the last 10 years, we have treated 23 million acres of land. We have restored rangeland health and forest health in those acreages using fuel projects—fuel-reduction projects and other veg treatments. We have also in the last year—as an average we have treated 400,000 acres. And we have less than 1 per-

cent, half of 1 percent, are actually protested and appealed. These are projects that the community support that we have worked on with the community, and they have not been appealed or protested.

Mr. SABLAN. Thank you.

Mr. Kashdan, good morning, sir. Let me ask you this: Do you think all 193 million acres of the National Forest System lands are in imminent threat to health and safety so that roadless area protections should be suspended?

Mr. KASHDAN. Well, let me address that this way, and I am speaking more on my own behalf, because we haven't taken a position as a retiree group. The concern is that roadless lands are essentially lands in limbo, and we need to ultimately make some determination as to how to properly assign those to some type of either management or nonmanagement status. That would be as far as I would go on that.

Mr. SABLAN. All right. And so in your testimony on H.R. 6089, you raise concerns about the requirement for agencies to implement projects submitted by Governors within 60 days. Do you or why don't you have the same concern for the requirement to implement projects by the agency within 60 days? And quickly, please. Is that a realistic timeframe?

Mr. KASHDAN. If I am following your question correctly, let me just say that I think that that provision, although it tends to get a lot of attention and is precedential, 99 percent of the benefit derived from this bill is not germane to that issue.

Mr. BISHOP. OK, thank you. I appreciate that.

Mr. Tipton.

Mr. TIPTON. Thank you, Mr. Chairman.

I would like to give particular thanks to Mr. Jankovsky for taking the time to be able to be here out of my home district.

Tom, can you maybe give us a little idea, as county commissioner, how much time do you spend dealing with issues relating to land management?

Mr. JANKOVSKY. Well, land management in general—I am a new county commissioner, I have been in office for 2 years, and I thought I had a pretty good idea of what I was going to be doing as a county commissioner, but I am spending 50 percent of my time or more on Federal issues concerning our county, and they are numerous, this is one of them, but——

Mr. TIPTON. Should Federal agencies engage county commissioners a little more in terms of——

Mr. JANKOVSKY. There is no doubt. I think the benefit to this bill is that it creates a working relationship between local communities and Federal land managers, and I think that is very important, and I have the highest regard for our Federal land managers in our area, but I think there could be great improvement.

Mr. TIPTON. Great, thank you.

Mr. Roberson, I would like to ask you, does the Healthy Forest Restoration Act of 2003 require public input with respect to projects carried out under the terms of the Act?

Mr. ROBERSON. Yes, sir.

Mr. TIPTON. They do, OK. Those are authorities that we are using here. So you don't need to worry about the public input that

you were concerned about in your testimony in opposing the bill. We provide for that public input.

So, thank you, sir.

Mr. Kashdan, I really want to be able to visit with you, if I may, just a moment. I appreciate your candor with respect to section 6(e)(1) in H.R. 6089, and I recognize some of the fiscal constraints faced by the agency. With that said, with your extensive experience in Forest Service, do you believe that there are efficiencies within the agency that could be pursued that would help prioritize the approval of hazardous fuel reduction projects and to be able to actually help meet those fiscal needs?

Mr. KASHDAN. Yes, sir, I do, and I also think the provisions in H.R. 6089 specific to the Healthy Forest Restoration Act of 2003 regarding appeals, analysis, and judicial review will greatly enhance that. So you combine those efficiencies, you apply them to non-wildland-urban interface, and you use some of the existing tools with stewardship contracting, we are going to go a long way toward improving the accomplishment. I think there are examples of how far you can go when you are encumbered by very minimal analysis. I think burned area emergency rehab is an example of a program that is rapidly executed, delivered with good results, and it is done with a wide demand on the part of the public regardless of where they stand on the environmental spectrum to get work done to stabilize areas after a catastrophic wildfire, and it is an example of how far dollars can go when you are not encumbered by——

Mr. TIPTON. I appreciate that, because if we bring some common sense to the process, allocate the resources with common sense to be able to address the problem, we will be able to achieve an actual win-win. So I appreciate that, sir.

Ms. Wagner, I had the opportunity to be able to go out into Archuleta County in Colorado to be able to tour an area that was actually being treated that Congresswoman Noem was talking about. We are seeing a healthy forest emerge. We were talking about water table increases of 15 percent by getting in to be able to actually thin the forest, healthy trees that were then being able to survive and to be able to grow. Is it pretty much your estimation that when we see the tragedy of these fires moving through areas like South Dakota, Colorado, impacting our watershed, impacting wildlife habitat, impacting those streams and endangered species when that ash hits the rivers, that it is a good, sensible approach to be able to bring together tools and that local commitment of working with county commissioners, working with our local Governors, working with the tribes, the people who live there and love it most, to be able to make those sensible determinations of where the real risks are at?

Ms. WAGNER. Yes. We are keenly interested in working in that kind of environment and doing our part to help sustain our Nation's forests.

Mr. TIPTON. Great. Thank you very much for that.

Mr. Kashdan, I would like to come back to you real quick. In your testimony, you mention some of the great successes of the good neighbor policy authority that the Forest Service has accumulated in collaborative efforts that are going on. Given this, do you

believe it might also be beneficial to expand this applicability to BLM land as well?

Mr. KASHDAN. Definitely. I think the good neighbor authority as well as some of the other efficiencies modeled similarly, there was some similar authority in Oregon, and even some of our hazardous fuels money is authorized to be spent in a similar nature. It works, and to apply it to the other Federal agencies is a good thing to do.

Mr. BISHOP. Thank you.

Mr. Kashdan, I apologize for cutting you off twice, but you were able to answer in 9 seconds or less, that is very good.

I am doing another audible here. I want to explain what I want to get done. The Ranking Member of the Full Committee is here and has remarks on his particular bill. I have two other witnesses that need to talk about the Gosar bill that also have planes to catch here.

Can I just ask, Mr. Gosar, do you have any questions specific to H.R. 6089? And if not——

Dr. GOSAR. Not that can't be addressed later.

Mr. BISHOP. Mr. Gardner, I am assuming you are here for H.R. 6089?

Mr. GARDNER. Yes.

Mr. BISHOP. When I turn to you for questions on that, we will finish the questions on H.R. 6089, allow our two witnesses that are here specifically for that bill to be excused, bring the other two up for H.R. 5744, and then let Mr. Markey also give his opening remarks for his bill, if we can do it that way?

Cory, you are up.

Mr. GARDNER. Thank you, Mr. Chairman and members of the House Resources Committee for allowing me to join you today and to participate in this.

Thanks in particular to Congressman Tipton for his work on this legislation and the work that he is doing to help protect Colorado and the Western United States, one of the most incredible resources this Nation has to offer, and also I want to welcome the witnesses from Colorado, thank you commissioners, and Commissioner Gibbs, good to see you, we served in the State legislature together, and I thank you for your work there and here.

I am stunned by the callousness of the Department of the Interior's objection to the healthy forest bill, H.R. 6089. We have a situation once again where Washington is fiddling while our States are burning. In your testimony, you state that Governors can require BLM to manage Federal lands and resources to meet the Governor's objectives without regard to national objectives, interests or a fair return to the American people. A fair return to the American people? I have over 200 homes burned in my district, tens of thousands of acres are burned. You want to protect wild and scenic rivers? What about the Poudre River that now has ash and debris flow contaminating the river, drinking water systems that are overwhelmed? And you are going to oppose this legislation because it gives the Governor the authority to save his State?

BLM's ability to manage for resources protected by Federal law: Do you believe that bark beetle, beetle-killed areas are high risk?

Mr. ROBERSON. Yes, Congressman.

Mr. GARDNER. Do you believe we ought to give the States the tools they need to protect their citizens and their State?

Mr. ROBERSON. We believe that we and the States should work together along with the local counties on this problem together and work together.

Mr. GARDNER. Do you believe you know better than the States?

Mr. ROBERSON. No, sir, I wouldn't substitute my judgment for that of the States.

Mr. GARDNER. Then why would you oppose a bill that gives the State the ability to protect its citizens?

Mr. ROBERSON. We are managing national public lands, and we are trying to do that to achieve ecological balance across the Nation. We believe——

Mr. GARDNER. Ecological balance?

Mr. ROBERSON. And to provide for jobs and opportunities as well. We believe in the principles that were outlined that Congressman Tipton just raised and that Mary Wagner just agreed to. We believe that we should work in concert, and we do that at the State and local level with the Governors. Our cohesive fire strategy will allow us to continue to work on building resilient landscapes and working together on fire preparedness and firefighting.

Mr. GARDNER. Is 90,000 acres of burned forest a resilient landscape?

Mr. ROBERSON. Not on that landscape, sir.

Mr. GARDNER. Two hundred sixty homes that have burned, resilient?

Mr. ROBERSON. We have——

Mr. GARDNER. Is what you are telling me, are your forest policies, are they working to prevent this from happening?

Mr. ROBERSON. The Bureau of Land Management has approximately 1.3 million acres of beetle-killed trees out of the 58 million acres that we manage. We are focused on that issue. We have a plan for beetle kill infestation in Colorado and other areas, and we are working through our local planning efforts with county commissioners, State foresters, and other land managers to address the issue, including the State governments, and our plans are reviewed by the Governors of the States when we complete them.

Mr. GARDNER. You mentioned the bill provides that high risk areas will be designated for 20 years, and you object to that. Are beetle-killed areas going to be around for 20 years?

Mr. ROBERSON. Twenty years ago, in my experience, we did not anticipate the level of beetle kill that we have now or some of the other changes that we have across the environment.

Mr. GARDNER. I will ask you again, are those beetle-kill areas going to be around for the next 20 years?

Mr. ROBERSON. I can't project, sir.

Mr. GARDNER. You are telling me that——

Mr. ROBERSON. I am saying that the——

Mr. GARDNER. You can't guess that a stand of dead trees won't be there in 20 years?

Mr. ROBERSON. Pardon me, sir. My statement is that 20 years as a designated high-risk area is too long, we believe. We believe that you can focus on those high-risk areas in——

Mr. GARDNER. How long does it take to recover from a catastrophic wildfire?

Mr. ROBERSON. Pardon me?

Mr. GARDNER. How long does it take to recover from a catastrophic wildfire?

Mr. ROBERSON. I have no idea.

Mr. GARDNER. Twenty years or less or more?

Mr. ROBERSON. I can get back to you on that.

Mr. GARDNER. I yield back my time.

Mr. BISHOP. Thank you.

I have just one question on this particular bill. Do others have other questions on this bill? Let me just ask mine, and then we are going to make the switch, and I think some of the other questions also would deal with Representative Gosar's bill as well or they can fit in that concept as well.

Mr. Roberson, I just have one specific to this. In your testimony, you said that 60 days to distinguish a high-risk area is not enough time. How much time is enough? How much time do you need to make that designation?

Mr. ROBERSON. We would normally do that through our local, working with county commissioners and the State and the State foresters, we would work with them to designate high-risk areas that still were in place.

Mr. BISHOP. Sixty days?

Mr. ROBERSON. I am not sure how long it would take. I think the level of the problem that we have, the magnitude of the multi-agency landscape that we deal with, I have no estimate, sir.

Mr. BISHOP. OK. And I will tell you my frustration, simply not just with you, but with almost every agency around here. I am a schoolteacher, which means you had 9 months to do it, and it was over. If my principal came to me and told me the final test is on Tuesday, and I simply said, Look, I can't cover all the material by Tuesday, I will get back to you when we are ready to actually take the test, you can imagine what would happen to me. In my profession, I was trained that you have to get it done when the deadline is there.

Yesterday we had another hearing, same situation. I wanted them to say when they actually will get it done. There is no deadline that happens to be there. We had another hearing when it said it would take an agency 4 years to do a study on a land swap. Those are frustrating to those of us who are not inculcated into the climate of Washington, D.C. So if 60 days is not enough, that presents an illusion of a problem that is difficult for me to wrap my mind around, because I am used to hitting deadlines, and I had no choice in that matter.

I appreciate that. With that, let me close this. I want to thank—oh, do you have a question?

I am sorry, Mr. Markey for this particular panel, on H.R. 6089. OK.

Mr. MARKEY. Yes. Thank you, Mr. Chairman, very much.

Mr. Romm, do you think that climate change or climate variability is influencing the frequency and severity of fires in the United States?

Mr. BISHOP. Mr. Markey, can I interrupt for just a second here?

Mr. MARKEY. Sure.

Mr. BISHOP. I think that is a very good and a legitimate question. It applies to the other bills as well. If I can do just H.R. 6089 so I can get these two witnesses on their way and then bring the other witnesses up, I would appreciate that.

Mr. MARKEY. I see what you are saying. No, I do not have any questions for those two.

Mr. BISHOP. Then, Commissioner Jankovsky, Mr. Kashdan, I appreciate your attendance here. I appreciate you flying all the way out here.

You can go back and enjoy yourself at this particular stage of the game, and I will invite David Cook from the Arizona Cattlemen's Association—I am sorry, the National Cattlemen's Beef Association and Doyel Shamley from the natural resource—I am doing this without glasses—coordinator from Apache County, Arizona, can come and join us at that panel.

And while they are coming up, Mr. Tipton, I will give you the last comment on your bill.

Then Mr. Markey, let me attend, give you time to introduce your piece of legislation. We will have the other two witnesses introduce their testimony, and then we will open it up for questions again.

Mr. Tipton.

Mr. TIPTON. Thank you, Mr. Chairman. I just wanted to make sure that the list of organizations, concerned citizens in Colorado and throughout the United States that are supporting H.R. 6089, to be able to submit their letters of support for the record.

Mr. BISHOP. Thank you very much. Without objection, it will be so ordered.

Mr. BISHOP. Once again, I apologize for shifting gears on everyone here, but I am trying to get everything to move in the proper order, and we will—one of you I know has a flight going out this afternoon. We will get you there on time. So I appreciate that.

Mr. Markey, we have not had a chance to introduce your piece of legislation. Can I give you 5 minutes to address your legislation?

Mr. MARKEY. I appreciate it.

STATEMENT OF THE HON. EDWARD J. MARKEY, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF MASSACHUSETTS

Thank you, Mr. Chairman, very much.

And I first want to address Congressman Gosar's earlier comment about the ability of people who live in the concrete jungle of Massachusetts to be able to understand wildfire and forest issues, because that is an ironic comment coming from a gentleman who lives in a landlocked desert State voting in this Committee just 2 days ago to authorize drilling for oil and gas in the ocean off the coastline of Massachusetts.

So the gentleman should probably square up where he thinks, you know, he has expertise to be able to vote because a desert State Member obviously should never be able to vote on anything to do with the oceans in the country.

Although, let's be honest, our job is to vote on everything, we are here to represent everybody, and so making those kind of artificial distinctions is absolutely inappropriate. It would rule out most

Members from most subjects because their State would not be the center of the issue.

We are here because it is the taxpayers of America who fund it all, you know, including the response to wildfires and the response to what happens after the wildfires are completed. It is a national issue, and the taxpayers from Massachusetts help out the taxpayers of Arizona and Colorado, and the taxpayers of Colorado and Arizona help out the taxpayers of Massachusetts when they need it. That is the essence of what this institution is all about, e pluribus unum, "out of many one," that is what the whole revolution was about, including the Civil War, to finally resolve that, that it is not separate, isolated States but, rather, all of us working together, and I just wish the gentleman appreciated that.

And I want to thank you, Chairman Bishop, for holding this hearing to consider legislation to combat wildfires. I am glad that the Full Committee will be holding an investigative hearing next Tuesday.

Today we are considering a bill I cosponsored with Mr. Grijalva, Mr. Luján, Ms. Napolitano, Mr. Costa, and Congressman Polis. We have a very serious problem, and I am willing to name it. The problem that we have impacting our lands across this country is climate change. If you think storms and drought conditions and catastrophic wildfires are just random freak events, then you are in deep, deep denial.

When Sigmund Freud studied denial, he suggested that when people are forced to face unpleasant facts, they are prone to, one, deny the reality of the fact outright; two, minimize the seriousness of the issue; or, three, project responsibility of the unpleasant situation on someone else.

This is an apt analogy to how the climate deniers have chosen to deal with severe weather events, drought and wildfire. For months, the majority has denied that there was a problem. Now the majority apparently is willing to accept part of the reality that we are approaching dust-bowl-like drought conditions and fires are becoming larger and more severe, but they still deny the root cause of the push to the extremes is actually caused by climate change.

Instead, they are going to project the responsibility of wildfires onto environmental laws, land management agencies, litigation, endangered species, and even immigrants.

If we are serious about reducing catastrophic wildfire, we first must admit that there is a link between climate change and wildfire. The Under Secretary of Agriculture, Harris Sherman, has admitted this link exists. The chief of the Forest Service has admitted this link exists. Scientists around the world have proven this link exists.

Earlier this week a massive chunk of ice twice the size of the island of Manhattan broke off the Petermann Glacier in Greenland, and scientists point to warming ocean temperatures as the culprit. I have suggested that we rename it Denier Island, where those who question the science behind global warming can spend the summer cooling off and escaping the heat waves, the drought and the wildfires that have beset the United States, and today two of those bills seem to be legislating from Denier Island.

The goal that I have is to introduce legislation here that will make it possible to recognize that we have a problem with our forests. It also recognizes that we don't have the type of scientific certainty to lock in logging and grazing projects for 10 or 20 years like the other measures propose. Instead, my bill allows the Forest Service and the Bureau of Land Management the flexibility to do thinning in areas impacted by insects and disease without waiving environmental laws and forcing Federal agencies to make decisions on projects in unrealistic timeframes.

My bill also recognizes our constrained fiscal environment and gives the Federal agencies additional authorities they desire to stretch their Federal dollars further. As we will hear from both the Forest Service and Bureau of Land Management, stewardship contracting authority is very helpful by allowing agencies to barter trees for thinning work.

I thank you, Mr. Chairman, for the opportunity to make an opening statement, and I appreciate the panel that will be here to discuss the subject.

[The prepared statement of Mr. Markey follows:]

Statement of The Honorable Edward J. Markey, Ranking Member, Committee on Natural Resources

Good morning and thank you to all who have joined us today.

I want to thank Congressman Bishop for holding this hearing today to consider legislation to combat wildfires. And after my requests to the Republican leadership to hold these hearings, I am also glad that the Full Committee will be holding an investigative hearing next Tuesday.

Today we are considering a bill I have sponsored with Ranking Member Grijalva, Ranking Member Lujan, Ranking Member Napolitano, Congressman Costa and Congressman Polis.

As we are going to hear today from Joe Romm *[Rome]* and others, we have a very serious problem—and I'm willing to name it. The problem we have impacting our lands across this county is climate change. If you think storms, drought conditions and catastrophic wildfires are just random, freak events, you are in deep, deep denial.

When Sigmund Freud studied denial, he suggested that when people are forced to face unpleasant facts they are prone to 1) deny the reality of the fact outright; 2) minimize the seriousness of the issue or 3) project responsibility of the unpleasant situation on someone else.

This is an apt analogy to how the Republican Party has chosen to deal with severe weather events, drought, and wildfire.

For months the Majority denied there was a problem. Now, the Majority apparently is willing to accept part of the reality—that we are approaching dust-bowl-like drought conditions and fires are becoming larger and more severe. But, they still deny the root cause of the push to the extremes is climate change. Instead, they are going to project the responsibility of wildfires onto environmental laws, land management agencies, litigation, endangered species, and even immigrants.

If we are serious about reducing catastrophic wildfire, we first need to admit that there is a link between climate change and wildfires.

The Undersecretary of Agriculture, Harris Sherman has admitted this link exists.

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Scientists around the world have proved this link exists.

Earlier this week, a massive chunk of ice twice the size of Manhattan broke off of the Petermann Glacier in Greenland, and scientists point to warming ocean temperatures as the culprit. I have suggested that we rename it Denier Island, where those who question the science behind global warming can spend the summer cooling off and escaping the heat waves, the drought and the wildfires that have best the United States.

And today, two of these bills seem to be legislating from Denier Island.

On Denier Island, environmental laws are causing catastrophic wildfires and so they should be waived. In different ways, both H.R. 5744 and H.R. 6089 waive important land protections.

On Denier Island, people participating in government are causing catastrophic wildfires so they need to be cut out of the process. H.R. 5744 and H.R. 6089 rob citizens of their ability to influence the future of our forests.

On Denier Island, popular policy protecting pristine and unroaded forests forest is nuisance and needs to be overturned. H.R. 6089 takes a clever approach to suspending the roadless area protection policy in Colorado and elsewhere.

The legislation I have put forward with my colleagues recognizes we have a problem in our forests. It also recognizes that we don't have the type of scientific certainty to lock in logging and grazing projects for ten or twenty years like the other measures propose.

Instead, my bill allows the Forest Service and the Bureau of Land Management the flexibility to do thinning in areas impacted by insects and disease without waiving environmental laws and forcing federal agencies to make decisions on projects in unrealistic timeframes.

My bill also recognizes our constrained fiscal environment and gives the federal agencies additional authorities they desire to stretch the federal dollars further. As we will hear from both the Forest Service and Bureau of Land Management, stewardship contracting authority is very helpful by allowing agencies to barter trees for thinning work.

The Good Neighbor Authority in my legislation makes projects that cross federal and state lands cheaper by allowing federal agencies and state agencies to partner and issue one contract for large areas that include both federal and state lands. Finally, with the limited money available for clean-up work after fires, the Markey bill gives priority consideration to communities whose water source is at risk due to wildfires on federal lands.

As we hear the testimony of our witnesses today, I urge us all to acknowledge and accept the seriousness of the issue we are attempting to address. This can help us move forward with smart solutions.

Thank you. I yield back my time.

Mr. BISHOP. Thank you. All right.

Mr. Shamley, I understand you have the first flight that has to go out?

Mr. SHAMLEY. I believe so.

Mr. BISHOP. All right. Can I ask you if you can make your statement first for the record and then Mr. Cook, and then we will open up questions to both Mr. Markey's bill as well as Mr. Gosar's bill, so Mr. Shamley, if you would, please.

STATEMENT OF JOHN DOYEL SHAMLEY, NATURAL RESOURCE COORDINATOR, APACHE COUNTY, ARIZONA

Mr. SHAMLEY. I am Doyel Shamley from Apache County, Arizona. I am the natural resource coordinator for the county there and also do work for many other entities, like the State legislature, other counties, et cetera. The need for sweeping and massive reform and the mechanisms to expedite forest management projects to reduce hazardous fuels, increase forest health, and economic development cannot be stressed enough. The current system in place is heavily laden with out-of-date, along with unclear and conflicting mandates upon the land management agency, slowing down an already cumbersome system even more.

Many more roadblocks to fuels reduction, stewardship activities by counties along with pre- and post-fire activities need to be addressed and removed as well, and there is no doubt in the minds of Apache County and elected officials around the Western regions that something drastic has to happen, because unless we have drastic and sweeping changes made to management practices, we will lose our great Western timber stands. This will affect the very cultural and historic uses of the people, the people's ability to de-

rive economic benefits, recreational abilities, strategic capabilities along with a loss of massive amounts of habitat and wildlife. And H.R. 5744 can go a long way in getting there because we are at a point where emergency measures are needed now.

Having this week just attended the strategic planning meeting for the National Institute of the Elimination of Catastrophic Wildfires as a keynote addresser, it is completely evident that multiple peoples and entities with decades of experience on the land see the threat to our Nation and heritage. The bulk of the participants were prior land management agency people who have come together alongside multiple Ph.D. scientists, research professors, and college deans that were present to address these issues. One thing that was notable during this event was the multiple instances in which presentations and conversations turned to the issue of catastrophic wildfires on our forests and what to do with the forests throughout the country and mainly especially in the West. This is due to the overwhelming evidence that our current state of affairs will lead to nothing but irreparable damage.

Another topic that needs to be highlighted and addressed that goes hand in hand with catastrophic wildfire prevention is the necessity of the roadway networks in there, they cannot be neglected. Those roadway networks have proven time and time again after the Wallow Fire—and remember we just went through that last summer, 838 square miles destroyed, and those roadway networks are a critical part of that wildfire prevention. Those have to be integral with our future plans, including with this bill of Mr. Gosar.

Sweeping changes are necessary to the stewardship of our lands, and the model of county stewardship by Apache County, Arizona, needs to be replicated throughout the United States. H.R. 5744 would allow county stewardship and others to more easily move forward with wildfire prevention and protection to health, safety, and welfare in all those areas under our jurisdiction.

Post-fire activities are almost next to none, if you want to know the truth. Being on the ground, zero, if you will. Post-fire recovery programs were often so shortsighted, mismanaged or misguided as to be useless to the very people and resources they were meant to be helping. Multiple programs came down, and many of us have to ask after going through the conundrum of bureaucracy and red tape and seeing no outcome, agency after agency—dollar upon dollar was waved in front of the victims of these fires with no outcome whatsoever—where did the money go, many of us have to ask? Millions of dollars and absolutely unusable by anybody affected.

Unless the very fabric and core of the management practices and conservation of our natural resources in this country are reviewed with the best available science, one of the greatest losses in our history will occur, and these times do call for immediate actions unfortunately, and these bills and questions can begin that attack upon these problems.

We need to remember, too, that the catastrophic wildfires are just a symptom of a disease, and that is to a great extent mismanagement by Federal land management agencies of our lands held in trust for the public. And with that, I would just like to remind everybody a little historical note that we need to get both back in control, the government and fire, and George Washington

alluded to that when he stated, the machinations of government, how they were like fire, and it was a dangerous servant and a fearful master.

[The prepared statement of Mr. Shamley follows:]

Statement of John Doyel Shamley, Natural Resource Coordinator, Apache County, Arizona, and CEO, Veritas Research Consulting, on H.R. 5744, H.R. 5960 and H.R. 6089

The need for sweeping and massive reform in the mechanisms to expedite forest management projects to reduce hazardous fuels, increase forest health and economic development cannot be stressed enough. The current system in place is heavily laden with out-of-date along with unclear and conflicting mandates upon the land management agencies, slowing down an already cumbersome system even more. Many more roadblocks to fuels reduction, stewardship activities by Counties along with pre and post fire activities need to be addressed and removed as well. There is no doubt in the minds of residents and elected officials throughout Apache County and the Western States in general that a catastrophic loss of a natural resource is occurring. Unless drastic and sweeping changes are made to the management practices of federally managed lands, we will lose our great western timber stands. Effecting the very cultural and historic uses of the people, ability to derive economic benefit, recreational abilities, strategic capabilities and national defense along with massive amounts of habitat and wildlife. H.R. 5744 can greatly aid in this endeavor and is of utmost importance considering our current situation.

The road networks throughout each forest are not only an economic and social asset to each County and State they fall within, but an absolutely necessary item in the abatement of, and dealing with, wildfire incidents. These road networks need to be retained in their entirety, fully intact as they are on the ground and must not be encumbered by any legal or physical blockages, removed from mapping inventories or in any way hindered in their ability to be used.

Sweeping changes are necessary in the Stewardship of our lands, and the model of County Stewardship by Apache County, Arizona needs to be replicated throughout the country. If Stewardship is to be successful, it must be in the hands of the County Governments who often are the most experienced in the care of our lands, the cultural and historic uses and the most logical and feasible local governing body. Only through concise coordination with County Government as a lead entity on the treatment and conservation of our resources will the National Forest System be able to survive.

Post-fire activities, rehabilitation, restoration and emergency measures are greatly hindered and in many cases so encumbered as to be a continual cause of great losses of economy, habitat and livelihoods. Many of the post-fire recovery programs are so short-sided, mismanaged or misguided as to be useless to the very people and resources they are meant to be helping.

Unless the very fabric and core of the management practices and conservation of our natural resources in this country are concisely reviewed using the best available science, one of the greatest losses to our country will continue to progress to the point of being lost forever. And in fact, the entire system of lands, timber stands, resources, human environments and culture that people across this nation look to as one of the greatest assets in our country is threatened with permanent and unrecoverable damage.

Mr. BISHOP. Thank you. I appreciate your testimony.

Mr. Cook.

STATEMENT OF DAVID COOK, ARIZONA CATTLE GROWERS ASSOCIATION, PUBLIC LANDS COUNCIL, NATIONAL CATTLEMEN'S BEEF ASSOCIATION

Mr. COOK. Chairman Bishop and members of the Subcommittee, thank you for inviting me to testify today on H.R. 5744. My name is David Cook, and I am a rancher from Gila County, Arizona, where my wife and I, along with our son and daughter, run a cow-calf operation on public and private lands.

I am vice chairman of Federal Lands Committee for the National Cattlemen's Beef Association, and today I am also representing the Public Lands Council and the Arizona Cattle Growers Association. Livestock grazing represents the earliest use of Western lands as our Nation expanded westward. Today those lands and resources found on them continue to be essential for livestock, wildlife habitat, open space, and rural economies of the West.

However, a hands-off management approach by the Federal agencies has led to severe damage of the resource. By all but shutting down logging and continuously reducing grazing on public lands, multiple-use industries are suffering. This mismanagement is causing a build-up of fuels that leads to catastrophic wildfire. When catastrophic wildfire breaks out, there are no winners; not the wildlife, not the rural communities or the taxpayers.

That is why we are here today, to discuss real, immediate relief to the dangerous situations on and near our public forested lands. Last year in Arizona alone, we had 1 million acres burned up, impacting 100 ranching families and displacing about 18,000 head of cattle. As of this week, over 1.5 million acres have burned this year in the West alone. The overall cost of wildfires range from 3 to 10 times fire suppression costs, not counting property loss, personal injuries, and death.

For ranchers, the cost includes displaced cattle, lost forage, loss of infrastructure, and death of livestock.

What is the cause of this destruction? We should start by looking at NEPA. Agencies face a tremendous workload of hourly burdensome NEPA analysis and other regulations. They plan, study, get sued, plan and study for months and even years on end, creating backlogs and pile-up. Extreme anti-logging and anti-grazing environmental groups wait in the wings to file suit on procedural points, like missed deadlines, oftentimes collecting attorney's fees.

In doing so, they add to agency workloads and further worsen the backlog. The result is tremendous economic uncertainty. The Forest Service estimates a current NEPA backlog of 2,600 grazing allotments. I have personally been involved in an 8-year process to renew a simple 55-head permit. How is this remotely acceptable?

We should also take a look at another environmental law that has added greatly to the problem, the Endangered Species Act. Wildfire poses a huge threat to many wildlife species, yet ESA is often used to limit activity, such as timber harvesting and grazing, the very activities that should be used to reduce fuel loads and diminish the threat to wildlife. The spotted owl has all but wiped out the timber industry in the West and drastically reduced grazing. By the way, over half of the Mexican spotted owl nesting sites were destroyed in the Wallow Fire alone. How long do we have to watch everything from wildlife habitats, subdivisions, to natural resource wealth go up in smoke on the nightly news before our country wakes up and calls for a stop to the mismanagement of these public lands?

The Catastrophic Wildfire Prevention Act goes to the heart of the problem. Regulations that have led to overgrowth of fuels, it will expedite grazing and thinning projects and encourage free enterprise solutions on Federal lands that will reduce the threat of catastrophic wildfire, ultimately reducing threats to communities, the

landscape, and endangered species. It puts special focus on two priority areas: The wildland-urban interface and the endangered species habitat. If the agencies miss the deadline, it automatically deems those projects compliant under NEPA. Wildfire does not wait for endless deliberation in high-risk situations. Neither should we. Still, the bill allows for a 30-day public review and comment period. No longer would radical environmental groups be able to hold off until the last minute to bring a project to its knees.

Finally, this bill requires the use of existing ESA emergency provisions which allow for informal consultation. This bill is just common sense. It will put people to work and help countless communities while improving the health and safety of our forests. Again, thank you for the opportunity to testify today, and I look forward to any of your questions.

[The prepared statement of Mr. Cook follows:]

Statement of David Cook, Public Land Rancher and NCBA Federal Lands Vice-Chair, National Cattlemen's Beef Association, Public Lands Council & Arizona Cattle Growers Association, on Bills to Reduce Risk of Catastrophic Wildfire, Improve Forest Health; "The Catastrophic Wildfire Prevention Act of 2012"

Dear Chairman Bishop, Ranking Member Grijalva and Members of the Subcommittee:

The National Cattlemen's Beef Association (NCBA), Public Lands Council (PLC) and Arizona Cattle Growers Association (ACGA) appreciate the opportunity to voice to the Subcommittee on National Parks, Forests and Public Lands our strong support for H.R. 5744, the Catastrophic Wildfire Prevention Act of 2012. H.R. 5744 was introduced by Congressman Gosar (AZ) to address the forest health, public safety, and wildlife habitat threats presented by the risk of wildfire, including catastrophic wildfire, on National Forest System lands and public lands managed by the Bureau of Land Management (BLM). The legislation would require the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development. Timber thinning and livestock grazing projects aimed at reducing hazardous fuel loads on our Nation's forests would be expedited, particularly in forests surrounding communities.

Dire Situation Facing the Nation's Forests

Fires are a natural occurrence in forest ecosystems in North America and, when occurring in healthy forests, should be considered beneficial. Fire acts to remove excess debris including dead and dying trees and herbaceous material, providing sunlight and nutrients for subsequent growing seasons. Removing young trees where sufficient canopy cover exists helps maintain a balance within the forest system. However, while naturally occurring fire is good for healthy forests, catastrophic wildfire-–a result of excessive forage and trees—causes great harm to forest ecosystems. Roughly four decades of severe mismanagement of our National Forests has resulted in vast areas of public lands that have either recently experienced or are at risk of experiencing catastrophic wildfire. According to the Evergreen Foundation, forest density has increased 40 percent in the U.S. over the last 50 years.(http://evergreenmagazine.com/pages/Forest_Facts-v2.html). Also on the rise, largely as a result of this overgrowth, is insect infestation. According to the U.S. Forest Service, thinning trees would help put a stop to the growing pine bark beetle epidemic, which currently affects over four million acres across South Dakota, Wyoming and Colorado alone (http://www.fs.fed.us/rmrs/bark-beetle/faq/). Under current management, however, the infestation is leading to dead trees—and even more risk of catastrophic fire.

According the USDA Forest Service Rocky Mountain Research Station in Missoula, Montana there are vast areas of federal land managed by the federal government which are not meeting "condition class I" standards. "Condition class I" classification means fuel loads are within their historical range. According to the research station's data released in February 2001 (which is the most recent data), only 31% or about 52 million acres of forested land managed by the federal government are classified as "condition class I," leaving more than two thirds of the forests with fuel loads exceeding historical levels, which puts those lands and the surrounding areas

at risk of wildfire (potentially catastrophic). Specifically, lands designated as "condition class II," or lands characterized by vegetation that is moderately altered from historic levels, equate to about 66 million acres. Lands classified as "condition class III," or lands characterized by vegetation that is significantly altered from historic levels, consists of about 50 million acres (http://www.firelab.org/ScienceApps_Files/downloads/coarsescale/data_summary_tables.pdf—Rocky Mountain Research Station report).

What are the effects? According to the National Institute for the Elimination of Catastrophic Wildfire, overstocked tree stands and dense canopies have contributed to "such disastrous fires as the 2002 Hayman Fire in Colorado, the 2008 fires in Trinity and Siskiyou counties of California, and the 2011 New Mexico and Arizona fires; more than one million acres of valuable national forest resources have been destroyed by these wildfires alone." (http://www.stopwildfire.org/). In Texas in 2011, roughly 4 million acres, nearly 3,000 homes and over 2,700 other structures were destroyed by wildfire.

This year, this situation does not look much better. As of last month, over 25,000 fires had burned well over a million acres just this year (http://www.amforest.org/images/pdfs/AFRC_Newsletter_6-22-12.pdf). According to the National Interagency Fire Center, "Worsening drought conditions in the West are leading to below normal live and dead fuel moistures and above normal Energy Release Components (ERCs) from the southern California mountains east through New Mexico and Colorado, and north through Montana and the Dakotas. Expanding drought in the Midwest could lead to low fuel moistures in the Ohio and Mississippi Valleys. Additionally, many of these areas have increased fine fuel loading from lingering dead, standing fuels and below normal snowpack, creating a heavy and continuous fuel bed" http://www.predictiveservices.nifc.gov/outlooks/monthly_seasonal_outlook.pdf.

One need only take a look at individual states to know the seriousness of the situation.

Colorado, for example, has seen over 85,000 acres and many structures burn, with more expected as the summer progresses. According to the American Forest Resource Council (AFRC), the state has vast acreages of lodgepole pine dying off due to insect infestation, but virtually no action has been taken to protect or thin the forests. Colorado has also lost most of its sawmilling infrastructure due to litigation, appeals and the inability of the Forest Service to offer timber sales. The southwestern United States, says AFRC, is facing the same fate. New Mexico has already seen nearly 350,000 acres burned. Fires are also taking a heavy toll in Montana, Nevada, California and Oregon. Southeastern Oregon's "Long Draw" fire, the biggest Oregon burn since 1865, spans over a half-million acres and has officially claimed 200 livestock; 400 more cattle are missing. Ranchers in this area and across the west will be in dire need of pasture. Some of them will likely go bankrupt and out of business.

What's the Cost?

The fiscal costs of wildfire extend far beyond just suppression. However, suppression expenditures (aviation, engines, firefighting crews, agency personnel, etc.) are nonetheless formidable, adding up to over $1 billion annually. And even though the agencies are dedicating more and more resources to wildfire suppression (the U.S. Forest Service spends nearly half its budget fighting fire), the number of burned acres continues to rise (http://www.idahoforests.org/img/pdf/FUSEE.pdf).

Fire suppression costs do not account for local and state governments' expenditures, or for the loss of private property, timber and forage loss, damage to utility lines, evacuation aid, and many, many more costs. The National Institute for the Elimination of Catastrophic Wildfire estimates that "overall damage costs of wildfires range from three to 10 times fire suppression costs, not counting associated property losses and personal injuries and deaths" (http://www.stopwildfire.org/). For ranchers, the costs include dealing with displaced cattle; lost pasture that takes years to recover; repairing fences, waterlines, and other infrastructure; and death loss of livestock to fire. In Arizona in 2011, the Arizona Cattle Growers Association reported that major fires impacted at least 100 ranching families and displaced approximately 10,000 head of cows and 8,000 head of calves.

Why does this situation exist?

It has become all too clear from the millions of charred acres across the west, that the planning process currently in use by the federal agencies is woefully broken. Planning, studying, consulting, litigating, appealing then planning and studying more for months and even years on end is not working and must be changed. How long do we have to watch subdivisions go up in smoke on the nightly news before our country wakes up and stops the dangerous mismanagement of public lands?

There are many reasons why the federal government finds itself in a situation where over two-thirds of the land it manages is at risk of catastrophic wildfire due to fuel loads in excess of historical norms. The various reasons for the burgeoning fuel loads have one common theme: overregulation and, as a result, environmental litigation that creates a self-perpetuating cycle. According to the BLM, livestock grazing has been reduced on BLM lands by as much as 50 percent since 1971, while the timber industry has been nearly destroyed over the last 30 years—all almost entirely due to federal laws and regulations and predatory environmental groups.

For far too long we have allowed outside interests and bureaucratic paralysis to dictate the management of our Nation's forests. Our federal government needs to reduce the current bureaucratic planning process and litigious playing field that our forests have been subject to for most of the last 30 to 40 years. Radical environmental groups masquerading as government watchdogs or protectors of the wildlife and forests drive their anti-livestock, anti-logging agenda through endless lawsuits and appeals—often times collecting attorney's fees in the process.

One of the major impediments to efficient management of National Forest System Lands is the National Environmental Policy Act (NEPA), an act intended to require agencies to analyze alternatives when making major decisions. Unfortunately, the law has been abused to the point that NEPA has become an endless process, creating a state of gridlock. The excessive regulations resulting from NEPA have led to massive paperwork backlogs. On grazing Forest Service decisions alone, the agency estimates that there are currently approximately 2,600 grazing allotments that (as interpreted by the courts) "need" NEPA analysis. Such backlogs inevitably lead to litigation from extremist environmental groups, who wait in the wings to sue on process-based matters such as missed deadlines. Their lawsuits then suck up more resources, creating the aforementioned self-perpetuating cycle—and keeping agency personnel from doing the job we hire them to do: work with ranchers and other on-the-ground managers to care for the land. Instead, our members' livelihoods are being jeopardized, as are the land, the environment and wildlife. Such "management" is unacceptable.

In addition to NEPA, the Endangered Species Act (ESA) has been abused to drive the anti-livestock and anti- multiple-use agendas of special interest groups. The irony is that wildfire poses a great threat to many wildlife species, yet the ESA is often used to limit activities such as timber thinning and livestock grazing that reduce fuel loads and diminish the instances of wildfire. Critical habitat designations for the spotted owl have all but whipped out the timber industry in the northwest. Mexican Spotted Owl and Goshawk critical habitat designations have impacted ponderosa pine/conifer forests all over the West, and have resulted in substantial reductions in livestock grazing over the years (of note: over half of the Mexican Spotted Owl nesting sites were destroyed in the Wallow Fire). Heaven help the sage grouse, should the U.S. Fish and Wildlife Service decide to list it as a "protected" species: the listing has the potential to limit or remove the most important tool to reducing the threat of wildfire on the sage brush sea—grazing. How can we continue to allow species "protection" to be the source of such destruction?

A number of other laws and regulations limit the management of our nation's forests to little more than preserves devoid of sustainable resource management through multiple-use activities.

Grassroots effort to bring commonsense solutions forward

In 2011, in an effort to respond to the problems and threats faced by the livestock industry and communities across the west and in Arizona particularly, the Arizona Cattle Grower's Association drafted the Save Arizona's Forest Environment (SAFE) plan. This grassroots effort led directly to ACGA and the national livestock associations working together to pass policy and, ultimately, work with Congress to develop legislation to provide solutions.

More than twenty-five entities, listed below, endorsed ACGA's original SAFE plan, including Arizona's state Senate and House. The plan's goal was—and is—to reduce fuel loads and take other appropriate actions so that the risk of catastrophic wild fire is reduced in Arizona's National Forests by providing for long-term, self-funding mechanisms and infrastructure to eliminate the dangerous accumulation of overgrown trees and forests. More specifically, the plan seeks to achieve forest health, protect adjacent communities from catastrophic fire, achieve other forest management goals, and maintain Arizona's Forest lands in an ecologically sustainable condition. The ACGA proposes to use proven silvicultural practices, prescribed fire and proper forage management to achieve these goals. The Catastrophic Wildfire Prevention Act of 2012 shares the core principles of the SAFE plan.

Endorsing Organizations of ACGA's SAFE Plan:

National Cattlemen's Beef Association
Public Lands Council
Yavapai County BOS
Town of Prescott Valley
Mohave County BOS
Town of Chino Valley
Sedona-Verde Valley Association of Realtors
City of Cottonwood
City of Kingman
Town of Camp Verde
Town of Miami
Town of Globe
Town of Eagar
Town of Springerville
Lake Havasu City
City of St. Johns
Town of Pima
Catron County, New Mexico
City of Safford
Greer Fire District
Tri City Councils (Kingman, Bullhead City, Lake Havasu)
Arizona Senate Committee on Water, Land Use and Rural Development
Town of Thatcher
Arizona House of Representatives Committee on Energy and Natural Resources
Town of Duncan
Hidalgo County, New Mexico
City of Prescott, Arizona

Catastrophic Wildfire Prevention Act of 2012

In an effort to provide efficiencies to the regulatory process for reducing fuel loads on federal lands, Congressman Gosar introduced the Catastrophic Wildfire Prevention Act of 2012. The proposed legislation will expedite projects (timber thinning and livestock grazing), encouraging free enterprise solutions on federal lands to reduce the threat of catastrophic wildfire, ultimately reducing threats to communities, the landscape, and endangered species.

The bill proposes to first and foremost address areas with homes in the wildland/urban interface (where federal lands are adjacent to communities.) This element is important, as an estimated 44 million homes in the U.S. are currently located in fire-prone wildland/urban interface areas, and the Forest Service predicts a 40% increase in new homes in similar areas by 2030 (http://www.idahoforests.org/img/pdf/FUSEE.pdf). It also focuses on the aforementioned "At-Risk Forests," which include all federal land classified as condition II and III by the Rocky Mountain Research Station report titled "Development of Coarse-Scale Spatial Data for Wildland Fire and Fuel Management."

In these at-risk areas and in areas where endangered species are found, the bill expedites projects that focus on surface, ladder, and canopy fuels reduction activities and that enhance threatened and endangered species habitat. Informal consultation under the Endangered Species Act would be completed under the emergency provisions of the Act. Prior to the listing of any species under the Endangered Species Act research will be conducted to measure the impact a listing will have on fuel loads. Recovery plans and critical habitat designations will have catastrophic fire risk assessment analysis included.

Exceptions to utilization standards would be made for livestock grazing for fuels-reduction projects in the at-risk areas. Timber harvesting and thinning would also be authorized projects. Resource management plans, land use plans and forest plans would not have to be amended while implementing authorized projects. The Secretaries would complete an environmental assessment for timber harvest and grazing projects within 30 days after notice in the federal register. Failure to meet this deadline would deem projects compliant with all requirements under NEPA. Grazing projects would be approved for a minimum of 10 years and timber projects for a minimum of 20 years. Adequate public review (30 days) would be allowed. In order to prevent litigation, the only members of the public allowed to comment on the final decision would be those who commented on the draft.

Conclusion

The National Forests are capable of providing the many values and benefits that people expect from our forests, but they need proper management in order to provide these values. The livestock industry supports prescribed fire, commercial timber harvest, noncommercial treatments and enhanced forage harvests on federally-managed forests. Further, we believe that commercial utilization payments could play a large role in bringing back private investment to help finance the many and extensive treatment needs of the forests.

It will be through the empowerment of private investment, individuals and communities that we set the guidepost for future forest planning. We need to direct and see through the initiative to return people to work in the woods, protect habitats and communities and return to the days of 5,000 to 10,000 acre fires in our forests—not 500,000 acre catastrophes.

We urge the committee to advance the Catastrophic Wildfire Prevention Act of 2012 without delay, to enact commonsense solutions to reduce the threat of wildfire on public lands. H.R. 5744 will provide tools the agencies need to effectively manage the Nation's forests.

Again, we thank you for the opportunity to provide these comments to the Subcommittee. If you have any questions concerning these comments or need further information, you may contact Dustin Van Liew at the Public Lands Council and National Cattlemen's Beef Association as our point of contact.

Mr. BISHOP. Thank you very much, and I appreciate how both of you hit the mark right there. That is very kind. You were watching it very well.

We now are opening it up to questions now of Mr. Markey's bill, Mr. Gosar's bill. I will yield my time to Mr. Gosar because I know you are probably on the same airline that Mr. Shamley is going on. We will talk to you about how you should be using Delta later on.

Mr. Gosar, allow me to yield my time to you.

Dr. GOSAR. I appreciate it.

Ms. Wagner, Mr. Roberson, so timetables are failing us.

I mean, I have just witnessed, just for a contract to get private industry for large swaths for the 4FRI initiative taking 6 months, and we knew it was coming. I mean, this is inappropriate. In fact, I am very aware that the chief had to fly in to Albuquerque to even oversee these types of contracts. I mean, this isn't rocket science, and I know we have to get it right.

So you disagree with the timetables here. What would you like to see as far as timetables, 6 years, 5 years? I mean, it is inappropriate what we are doing right now, so give me a timetable very quickly.

Ms. WAGNER. What I would like to say is I appreciate the leadership of local elected officials. In many cases, they are the heart of some of the most successful work that we are doing out on national forests. States are playing a very similar role. We agree there is more work to be done. We would like to work with you to find all of the right tools to be most expeditious and efficient——

Dr. GOSAR. So I am limited on my time, so I really want to recapture this. Give me a timetable. Give me what you look at as a timetable. We said 60 days. Give me a timetable.

Ms. WAGNER. Sixty days for the Governors to identify high risk areas?

Dr. GOSAR. Yes. Tell me what is wrong with this.

Ms. WAGNER. There is nothing wrong with it. I believe that it would be advantageous to look at the State action plans and assess where they identify priorities.

Dr. GOSAR. And in good stewardship, you should already be doing that, should you not?

Ms. WAGNER. Absolutely, yes.

Dr. GOSAR. Thank you.

Mr. Roberson, you actually said again you weren't in favor of this timetable. I want to hear your specifics very quickly.

Mr. ROBERSON. I am in agreement with Associate Chief Wagner. I believe that we need to look at our local plans. We are looking at our local plans, our cohesive fire strategy bills on those plans in the States, and I believe together we identify those high risk areas and go out and work on them.

Dr. GOSAR. So what is wrong with 60 days? So my problem is, I don't see a problem with 60 days because let me explain to you. I see a lack of trust by the Federal Government with counties and

States. I absolutely see that, and that has got to stop. Trust is a series of promises kept, and I don't see the Federal Government keeping their promises one iota. There are limited finances we can use here, and when we are starting to look at these widespread swaths to take care of, it is going to have to reinvigorate the private sector so that you are returning money on investment.

Mr. Cook, I mean, give me your experience, I mean, we just saw this Wallow Fire, it was a disaster; I mean, an absolute disaster because this forest isn't returning anytime soon, is it?

Mr. COOK. Not only is it not returning anytime soon, it has affected the permittees and the families. So, of the large $56 million, I would give the total to of the loss in revenue and economic growth and rural communities.

Dr. GOSAR. And you have a kinship and a stewardship with the forest and the environment, don't you, because, I mean, you have to watch this very carefully, right?

Mr. COOK. You know, communities and public land ranchers, we are one with the land, we want the land to be in the best shape it possibly can, we are the stewards of the land, and many times the agencies hand tie us to what we can do. I am reading a biological assessment now on a grazing allotment where the number one threat to the spotted owl is catastrophic wildfire, according to the recovery plan, and the biologist doesn't even mention that, but they want to reduce grazing, and it does not address the fuel load whatsoever.

Dr. GOSAR. Wow, amazing. Embracing private enterprise actually creating money and royalties actually goes to, I think, it is our education system, is it not?

Mr. COOK. I agree. In fact, what I was just speaking about back here was that I saw the PILT information in the Secure Rural Schools Act, I know it has been funded for one more year, but you know, in the West, in rural areas, we want to be put to work. We want industry. We want jobs for our communities. We don't want government handouts. And we want to put loggers back in the forest. We want to put cattle back on the land. And we want to manage those things within our State the way we want to do so.

Dr. GOSAR. Mr. Shamley, I know you just got back from a conference on the West Coast, and you have some amazing information, do you not, that you want to share with us?

Mr. SHAMLEY. Yes. One of the key things I think to note is there is a growing movement amongst academia, former employees of the agencies, and I am in full agreement of it, one of the only long-term fixes is disposal of the forest back to the States of the public lands because there is no feasible way to manage the forest as the system is now, and we are going to keep losing millions, keep destroying massive amounts of habitat, as we saw in the Wallow Fire, and we are hamstrung and unable currently to do anything about it. Our county stewardship program is bold. It is working, and we are actually the ones protecting the spotted owl packs. I don't see any of the litigants there cutting alongside of us.

Dr. GOSAR. You are actually blazing a trail that is just pretty much common sense, is it not?

Mr. SHAMLEY. Yes, it is, and we created a lot of jobs for a lot of people already.

Dr. GOSAR. Thank you.

I yield back.

Mr. BISHOP. I appreciate that.

Mr. Sablan.

Mr. SABLAN. Thank you very much, Mr. Chairman.

One of my experiences recently, is I flew to the Island of Hispaniola down south near Florida. Flying onto the island, you see half of the island is lush green and the other half is barren, Dominican Republic and Haiti, and there must be something wrong there.

And Mr. Cook, I am not going to argue with you, sir, because you know your business better than I do, but apparently, you know, it is like NEPA and the spotted owl are the reasons for all our problems here, and so, you know—but we ought to also look, there are places in the world where we can see the consequences of lack of regulations or lack of control over natural resources. And I also don't understand the science as well as Ph.D.s and scientists, but on issues of climate change, anyone who wants to see evidence of climate change, I invite you to the islands where I am from, and you will see coconut trees inside the water, you will see house stilts in the water, you know, because of the rising sea, and at this time, I yield the remainder of my time to Mr. Markey.

Mr. MARKEY. I thank the gentleman very much.

You know, in 2012, we are beginning to emerge from the great recession, but a new drought for a new era is threatening a majority of our country. The Dust Bowl was surely due to an actual parched state, but it was also man made as years of poor land management and farming on marginal land had sapped the strength from our soil, leaving it to turn to dust as the rain dried and the winds whipped.

This flash drought of 2012 is also man made, but not because we failed to learn the lessons of the land. We did. It is man made because we have failed to heed the warnings from nature. The drought of 2012 is yet another data point in the ever-growing canon of climate catastrophes.

Mr. Romm, the frequency, the intensity of these fires in the West, how much of it do you think we can attribute now to this rapidly changing climate here in the United States and on the planet?

Dr. ROMM. Well, you know, I think that is the question of the day, and I had an article in Nature, which I would like to get into the record on the next dust bowl. I think drought is the most pressing problem caused by climate change.

Let me frame it this way: I think we know global warming makes extreme weather more likely and many kinds of extreme weather more destructive, and the analogy people have used is a baseball player on steroids, you know, you don't know that any individual home run was caused by the steroids, but if you see 70 home runs in one season, you are breaking records you never broke before, then you know that, you know, and this is what is going on with the atmosphere, it is juiced on warming.

Scientists knew that there were three reasons that global warming was going to make wildfires worse. This has been long known. Obviously, whenever it is hotter, it is drier, the Palmer Drought Severity Index is based on soil moisture, so you know soil moisture

is driven by how much evaporates, how much comes down, and how much evaporates. So when it is hotter, you get more evaporation, so global warming makes droughts worse, and it makes droughts longer.

The second thing that was known is you are going to get earlier snow melt. As the seasons—as spring—you know, we had no winter. Winter was kind of like spring this year, spring was like summer, and summer is like hellishness, and that is global warming. So when you have your spring become summer, the snow melt goes early. Colorado had staggering loss of ice, and it is actually interesting, I lived in both your district, Mr. Markey, at one point, and I lived in your district, Mr. Tipton. I worked for Amory Lovins at Rocky Mountain Institute in Old Snowmass, and so I know what, you know, the place looked like 20 years ago, and I know what it looks like now. And when you get the earlier snow melt, many of these Western regions, including, you know, Colorado where I lived, doesn't get a lot of precipitation in the summertime. It requires the stream flow from the reservoir of snow, snow and ice, that is the reservoir, and so the second impact that global warming causes drought and wildfire is you lose the snow melt earlier.

Third is that global warming actually changes the climate, that is why it is called climate change. It shifts the subtropical dry belts, and unfortunately, when you expand the subtropical dry belt, that hits the Southwest. We are going to see less precipitation, and that is the double whammy that States like Colorado are going to be hit by. More soil moisture evaporation.

And then, finally, the bark beetle, you know the bark beetle, which we talked about——

Mr. MARKEY. My time the gentleman yielded to me, and I am very appreciative of, but our time has expired. So we will come back again.

Dr. ROMM. We will come back to the bark beetle.

Mr. BISHOP. Mr. Tipton.

Mr. TIPTON. Thank you, Mr. Chairman.

I think to get this focus back on the topic of the hearing, a simple question, is the bark beetle an imminent threat? Maybe we can just—yes or no I think covers it.

Ms. Wagner, can we start with you?

Ms. WAGNER. There is concern for the impacts the bark beetle have.

Mr. TIPTON. Is it an imminent threat?

Ms. WAGNER. I would agree.

Mr. TIPTON. Yes.

Sir?

Mr. ROBERSON. Yes, sir, on the 1.3 million acres of public land.

Mr. TIPTON. Yes, great. Thanks. Dan?

Mr. GIBBS. Congressman, yes. I brought a few so folks can see how small it is and how it——

Mr. TIPTON. Keep them captive. Great. Thank you, Dan.

Sir?

Dr. ROMM. The bark beetle is an invasive species. It is not a yes or no question. It is a long-term threat. It is an invasive species that has become invaded because the climate changed, and the climate is going to keep changing, so it is going to keep invading. So

it is an imminent threat, and it is a threat 20 years from now, and it will be worse in 40.

Mr. TIPTON. Thank you, sir. Mr. Cook?

Mr. COOK. Absolutely, sir.

Mr. TIPTON. Mr. Shamley?

Mr. SHAMLEY. Yes, absolutely.

Mr. TIPTON. You know, a Senator from our State, Colorado, had requisitioned a study, came at the request to the U.S. Forest Service and said that the primary reasons that we are seeing the bark beetle infestation is because of the Forest Service actions regarding approving of timber harvesting, active management, lack of active management, drought, lack of allocation of resources to timber management, limited access to areas due to the inability to be able to provide access routes, Federal land designation, which precludes forest treatment as the primary contributing factors to the rampant bark beetle outbreak.

So, Ms. Wagner, I guess I would like to ask the question, since this was a report that came out of the Forest Service, which I think helped identify the problem, do you believe that an expedited approval authority can help us actually do that, given the information we received out of the Forest Service in Southwest Colorado, that by actually getting in and thinning these devastated areas, we increase the water table and we increase the health of trees?

Ms. WAGNER. We would like to do more in bark beetle restoration.

Mr. TIPTON. Thank you so much.

With that, Mr. Chairman, I would like to yield the balance of my time to my colleague from Arizona, Mr. Gosar.

Dr. GOSAR. So, Ms. Wagner, what we have really is a pandemic. It is not just about the bark beetle; it is about cankers and blights as well because what we do is, it is like somebody here who has got the measles and we are all stuck around here so they are much more contagious to everything else around here. We have different species that have different requirements, like the ponderosa pine. We want to see 10 to 25 trees per acre instead of the 600 trees. So we have a problem here, and we have to address it, and by allowing them to stand, we are just aggressively creating the pandemic, are we not?

Ms. WAGNER. Yes, we have serious concerns about insects and disease and their prevalence because it is droughty; it is hot.

Dr. GOSAR. So the little jar that the gentleman showed us, it is just a focal point for the disease if you don't get rid of it, because what you are doing is if there are areas that they continued to create the infestation, true?

Ms. WAGNER. Yes, conditions are ripe for that.

Dr. GOSAR. So the longer it stands, the bigger the problem?

What do you think about that, Mr. Cook?

Mr. COOK. Well, I ranch in the ponderosa pine area up to 7,000 feet in elevation, and I see what you are talking about, and what I don't understand is when you have people talk about a drought, you have all of these trees competing for that same drop of water, so the forest needs to be thinned. I don't know why we all can't agree with that and move forward, and I think we would have a much healthier forest if we would just do so.

Dr. GOSAR. Mr. Shamley, would you agree with that?

Mr. SHAMLEY. Yes, I would, because I can take anybody here that wants to go see tours of our once great forest and show you whole entire hillsides, and the Forest Service personnel are the ones who indicated that due to it being too thick of a tree stands and the lack of activities in there, they became weakened because they were competing for water. At that point is when the beetle moved in.

Dr. GOSAR. Well, I want to take us back to the Rodeo-Chediski fire there. And what we saw is mitigation by the tribes, which was very interesting because do they have the same kind of problem on the tribal lands as we do on the public lands?

Mr. SHAMLEY. Not at all.

Dr. GOSAR. Why not?

Mr. SHAMLEY. Because they are treating the lands. They are being proper stewards, and they are thinking about conservation, not preservation.

Dr. GOSAR. I have to stop you there. So they are thinking about conservation and they are thinning the forest?

Mr. SHAMLEY. Yes. And creating——

Dr. GOSAR. This is an oxymoron. I really can't get this.

Mr. SHAMLEY. Our fire, sir, as you know as well as anybody, came to a halt when it hit the Apache Reservation where they do do treatments.

Dr. GOSAR. So let me ask you one last question. A dynamic forest is all old growth trees, or is it young growth, medium growth, and old growth trees?

Mr. SHAMLEY. It is a full mixture, sir.

Dr. GOSAR. Thank you very much, I appreciate it.

Mr. BISHOP. Once again, I appreciate this.

Before I turn to Mr. Markey, I assume you have some more questions, before I do that, Mr. Shamley, I don't know if Mr. Cook is on the same flight, Representative Gosar, I know you have a flight. Do not think it is going to be offensive if you leave to go to the airport when you need to go to the airport.

Mr. SHAMLEY. OK, cool.

Mr. BISHOP. We are happy to have you here as long as you can stay, but when the witching hour hits, please feel free.

Mr. SHAMLEY. OK.

Mr. BISHOP. Mr. Markey, did you have any other questions?

Mr. MARKEY. Yes, I do, thank you.

Mr. BISHOP. Please.

Mr. MARKEY. I am just going to come back to you, Mr. Romm. I think you are just trying to be reflective of what is happening in explaining the bark beetle and why it is now reproducing not once a year but twice a year, why the change in temperatures are causing that to happen, why it is expanding its footprint, hitting larger and larger areas because of climate change, because of the changing temperatures, and you are just trying to explain that scientifically as a reality that has led to the metastasization of the problem in the same way that New England, our winters are now 4 degrees warmer than they were in the 1970s, so the Massachusetts and Vermont maple trees, they are going further and further north,

heading toward Canada, and that is just the change in climate, the change in temperatures. I mean, we barely had a winter last year.

All you are doing is just pointing out the facts that the maple trees are going further and further north and the bark beetles are reproducing twice a year and able to cause more and more damage, and the climate is at the heart of it. It is a big change that is occurring.

And so I don't, you know, I don't know why, you know, we just can't agree on that because it is not just the West, it is New England, it is a common problem that we all have to deal with and the consequences, you know. First of all, you can put a band-aid on it here and there, and you try to put together policies that deal with the band-aid, but you have to step back and look at the larger kind of climate cancer that is out there and say, what can we do to reduce the longer-term impacts that are going to be profound?

And I think, Mr. Romm, that is what you are bringing to this discussion, and we thank you for that.

Commissioner Gibbs, as a wildland firefighter, can you tell us how effective air tankers are in addressing wildfire situations like we saw recently in Colorado Springs?

Mr. GIBBS. Congressman, I do think that the utilization of air tankers is important. I think it is most effective when you put resources on the ground for defensible space around communities, first of all, but if there is a large scale, you know, utilizing single engine air tankers or the big heavies are a positive. The big heavies, of course, can carry more slurry, but, you know, the single engine air tankers definitely have more versatility, they are easier to get around. Quite often, the big heavies cannot fly, of course, when it gets windy, and the single engine air tankers definitely tend to be more versatile, you can get more up in the air as well.

Mr. MARKEY. Thank you, sir.

You know, whether it is a flash flood or a flash drought or flash of lightning igniting wildfires, climate change is increasing the risk to all parts of the country. And what happens in the Midwest does affect Massachusetts, it does affect Arizona because there is an extreme weather food tax, there is higher prices for food coming to every American because of this drought. I mean, at $7 a bushel for corn, we are looking at real consequences.

Can you talk about that, the economic impact, Mr. Romm, on every American?

Dr. ROMM. Sure. Well, I think—and certainly every American is very concerned about the, you know, explosion of the wildfires, but I think, and I have said, I mean I have read much of the literature, I have written a great many articles on, you know, I believe that it is through food prices that most people are going to experience climate change because, you know, people can adapt. We can go in when it is hot to an air conditioned room, but a farm is just out there exposed to the weather, and there is no question, food prices have been stuck at levels that we haven't seen in 20 years, and, you know, Oxfam projects that food prices are going to double or triple.

Mr. MARKEY. Can I go to Mr. Cook then quickly? Are you concerned about the impact that the drought has on corn and other

grain prices in terms of the impact that it is going to have on your business?

Mr. COOK. Oh, absolutely. The cost association with corn prices directly affects our beef cattle prices, and they move together, and that opens up a whole other discussion. But of course, any agriculture producer in the West or Midwest is always concerned with drought.

Mr. MARKEY. Do you think climate change is playing a role here in this expansive drought?

Mr. COOK. My thoughts are a little bit different than probably yours, Congressman, with all due respect. Our timeline now, what you are speaking of since the 1970s to today is about a pebble on the size of a sand on a beach somewhere. I mean——

Mr. MARKEY. Mr. Romm, is it a pebble on the sand on a beach?

Dr. ROMM. No, not at all. I don't think there is any question that the, you know, climate change is making the droughts worse. I think it is very important, and I don't know if there is going to be another round of questions, but people have to understand. There is a difference between just warming the average temperature and changing the climate, and there have been two or three major studies in the last several months that say when you lose the Arctic ice, you weaken the jet stream, and when you weaken the jet stream, weather patterns get stuck. And, you know, there have been two or three peer-reviewed studies, so if you are asking why are heat waves lasting longer, why are highs sticking around longer, why are droughts longer, it's climate change driven by carbon pollution.

Mr. BISHOP. I am sorry to interrupt you.

Mr. MARKEY. No, I appreciate it.

Mr. BISHOP. It is unfair because you had one second left when you were asked the question.

Mr. MARKEY. No, I appreciate it, I appreciate it. Thank you.

Mr. BISHOP. Let me just ask one quick question on my own if I could of Ms. Wagner. I appreciate you being here, appreciate your service when you are up in the Northwest on the ground, and you learned your trade up there. A reference was made to baseball, which obviously piqued my interest, that home runs were a cause of steroids. Home runs are also caused of corked bats. So let me ask you about an alternative method here, Ms. Wagner.

One of the witnesses has said that there is almost little, there is little empirical research to document the fact that lower fuel loads and reduction in ladder fuel reduces fire severity and causes suppression. Ms. Wagner, could you just describe some of the research that your agency has done with respect to the effects of fuel reduction on wildfire behavior?

Ms. WAGNER. Two specific research publications I can cite from the Angora fire in California and from the Wallow Fire in the Southwest. We have had our research scientists look at pre- and post-fire impacts and fuels treatments, we have seen a fire as recently as this summer on the Bridger-Teton National Forest, the Fontenelle, and through visual pictures as well as science, you can see the difference that a stand that is thinner that has had ladder fuels removed and how fire behaves when it encounters that envi-

ronment. I would be happy to provide some of those research publications to the Committee.

Mr. BISHOP. Thank you, I appreciate that. Mr. Roberson, let me just ask one specific question from your testimony about H.R. 5960. It said in your written testimony that it adds mountain pine beetle infestation as areas eligible for applied silviculture assessments under the Healthy Forest Restoration Act in section 404. Section 404 does authorize the Secretary to conduct applied silviculture assessments on Federal lands that the Secretary determines is at risk of infestation by or is infested with forest-damaging insects. Can you simply define forest-damaging insects.

Mr. ROBERSON. I believe that the term defines itself, sir. I would say that the mountain pine beetle would qualify then.

Mr. BISHOP. Actually you are correct, it does define itself in the statute that is already there. 402 does define forest-damaging insects, which does include the mountain pine beetle, so I guess the question I would have to ask is how is this new authority that would be given to you, if it is already in statute?

Mr. ROBERSON. We believe—some of the authorities were specifically for the Forest Service, and this may have been one of those. I can get back to you on that, though.

Mr. BISHOP. Yes, I think your testimony needs to be a little bit clarified in that particular area.

Mr. ROBERSON. I can get back to you with an answer, sir.

Mr. BISHOP. Thank you. Let's see if there is another round of questions.

Mr. Gosar, do you have any other questions you would like to ask? I will recognize you.

Dr. GOSAR. Ms. Wagner, when we have these heavy canopied forest fires, they are intense, are they not?

Ms. WAGNER. Yes.

Dr. GOSAR. So, in many cases, they actually sterilize the soil, do they not?

Ms. WAGNER. Post-fire we do an assessment, and we are able to determine the intensity of the fire, and in some cases, yes, we are seeing impacts to soil.

Dr. GOSAR. So is it easier to mitigate that, or is it tougher when you sterilize soil?

Ms. WAGNER. No, it is tough to recover from.

Dr. GOSAR. Our topsoil out in the West is much thinner than it is probably back East right now, are they not?

Ms. WAGNER. There are soil types that are definitely of concern when they are impacted by fire.

Dr. GOSAR. OK. So let me ask you a question. So, you know, we also have these inabilities for roadless rules that impact our harvesting process. I mean, they are a core part of how we are going into the forest. Tell me what part of a road mitigation is tougher to do than sterilized soil.

Ms. WAGNER. I am sorry, I am not following your question.

Dr. GOSAR. So when we do a road, an interim road to go to log, how is that mitigation worse than sterilized soil? If the answer is not——

Ms. WAGNER. I think we have the ability to design roads and place roads so they are low impact.

Dr. GOSAR. I would agree definitively.

Mr. Shamley, tell me some of these other things that you have been doing that drew so much attention out in your local or your most recent speech.

Mr. SHAMLEY. Well, one of the big things, of course, was the multiple counties and the scientists actually there were reveled to hear about the county stewardship. You know, we had to use all the forests that the county possesses to protect health, safety, and welfare of the residents and pass drastic resolutions and bring the fight all the way to Washington, which we did in January, to move on to the forests that look at either, get something done or we are going to fix it.

Now at that point, after Tidwell ditched the meeting, our locals, though, and they are the only ones I can give due credit to, not the agencies as a whole, local fire and fuel teams and our local supervisor, they are the ones who worked with us and said, yes, you are right, that area needs to be treated, and, yes, you are right the west side of Greer, which we are targeting, was completely left off any target plans by the U.S. Forest Service for treatment. Now, this town already tried to half burn down in the Wallow Fire or not try, it did half burn down. The other half that we are treating to protect the residents and mainly our watersheds and the only actions that are protecting the Mexican spotted owl pack, there was no plans by the agency. They completely left it off any plans or maps.

Dr. GOSAR. Mr. Cook, I know there is an example of this integral aspect that we are talking about, that we kind of really mimic this that actually shows that you can mitigate and take care of the forest and you can also have increased grazing, you can also have a number of different proprieties that you are increasing endangered species. I think it is a ranch in Utah, and it may be in Mr. Matheson's, if I am not mistaken, the ranch that shows everything being built. But there is a proper balance, is there not, that actually shows this working?

Mr. COOK. Absolutely. And in speaking for myself, you know, we monitor the spotted owls on our own ranch, we pay for the monitoring ourselves because the agency fails to do so. They will go into consultation with the Fish and Wildlife Service and have a biological opinion that says they will monitor the species. We find that doesn't happen. So in fear of litigation and losing our permits, we actually hire the biologist who does the monitoring for the agency ourselves. What we have come to find out is the owls, in my opinion, and what I am seeing in the research is that the owls do not breed and do not reproduce on the years that cattle are not present in that thick wooded forest. So we have a lot of data, a lot of science that shows the grazing impacts, when done in the proper methods does nothing but benefit the endangered species.

Dr. GOSAR. So I guess I am going to go back to the organism, I am a science guy, I am very astute about botany as well, sir. So when you have an unhealthy situation, it endangers everything, you know, you don't have enough light going to the canopy bottom, you don't have a diversification of different species, and therefore what it actually does is it hurts the spotted owl, it hurts the whole different plethora of species within that environment, does it not?

Mr. COOK. It absolutely does, and that is the discussion we have been having with the Forest Service and the Fish and Wildlife Service today is cattle grazing creates transition zones, and around these transition zones in these overgrown steep forests and conifer, the cattle creek transition zones around the wildlife drinkers and the salt blocks and stuff, and we find that is what benefits the species, actually, the cattle being there.

Dr. GOSAR. Thank you.

Mr. BISHOP. Thank you very much. I assume you were talking about Deseret?

Dr. GOSAR. Yes.

Mr. BISHOP. That is my district, I claim that. Thank you.

Mr. Sablan, do you have any other questions?

Mr. Markey, do you have other questions?

Mr. MARKEY. Yes, I do, please.

Can you bring this up here?

You know, and this discussion about steroids, I just love it.

And I just happen to have a chart; it is now 4 years old, but it still works for the purpose of this discussion. And so, I had my staff go back about 4 years ago and track the number of players in the Major Leagues who had more than 40 home runs per year. In over a period from 1920, Babe Ruth's first over-40-home-run period, all the way up to 2009, the average was 3.3 players per year averaged more than 40 home runs. Mickey Mantle, Willie Mays, you go through every—Ted Williams, you go through every phase.

Then all of a sudden, in about 1995, it started to spike up to 8, 9, 10, 11, 12, 13 players hitting more than 40 home runs. And it stayed very high until Major League Baseball, after congressional hearings, finally decided they were going to test for steroids, artificial substances put into the bodies of people. No longer a better diet and corked bats and smaller ballparks and bigger players, but let us just check for the steroids. And guess what? It went right back down to 3.3 players per year who were averaging more than 40 home runs per year.

And by the way, this chart looks exactly like the spike in the amount of CO_2 in the atmosphere and the rising temperatures on the planet since the dawn of the industrial age, when human beings started to inject additional carbon dioxide into the atmosphere. And it will take a number of congressional hearings ultimately before we will finally come to realize that it is not sunspots, and it is not these other ingredients that the climate deniers want to attribute this dramatic rise to, in the same way that Major League Baseball did all the way from the Commissioner down to the lowliest ballplayer who all had a stake in this phony system that was put together, but rather just the reflection of the reality that once we get the artificial additional chemicals out of our system, then the climate will start to calm down, the wildfires will start to calm down, the droughts will start to calm down. But until we get the steroids out of the climate, until we admit that we are playing a role in this, then all of the other issues are just Band-Aids trying to deal with the harm that is being done both to the players, you know, and to the game, the whole planet, on an ongoing basis.

Mr. Romm, what do you think about this? It is an eerie correlation; is it not?

Mr. ROMM. Yes. And it has moved beyond correlation to causation. And you can move beyond correlation to causation when you have an underlying theory. We know that carbon dioxide from burning fossil fuels traps heat. We know—they call them greenhouse gases for a reason. They didn't make up the term "greenhouse gases" because the gases don't act like a greenhouse. They do. And if there were no greenhouse gases in the atmosphere, the planet would be 60 degrees Fahrenheit colder, and there would be no civilization as we know it.

I would just like to make a point. I have learned a great deal at this hearing. I am not an expert on short-term forest management. I am kind of an expert on the medium and long term. There is no question that trees compete for water, and there is no question that drought is a big problem for trees, and it also exacerbates the bark beetle problem because trees kill bark beetles by releasing sap. But I have now heard this theory that the solution to the drought problem is that we thin forests so that trees don't compete so much.

The problem is we are on a track where your districts are going to see levels of soil moisture in the coming decades that are worse than the Dust Bowl, which was a minus 3 on the Palmer Drought Severity Index, which means that you are going to thin, there is going to be more drought and wildfire, and another Congressman from your district in 20 years will come and say, we have to thin some more. And then 20 years after that, we will thin until there is nothing left.

The thinning to deal with drought is not a sustainable solution; it is the end of all trees in all of your districts. And as someone who as skied in your district and lived in your district and hiked in your district, I must say I love your district.

Mr. MARKEY. Mr. Romm, I thank you.

In the same way that we knew that utility infielders and substitute outfielders who went from 13 home runs to 50 home runs—somehow we knew they weren't Mickey Mantle and Willie Mays, and something must be wrong, and that the extra weightlifting that they were doing wasn't making them Mickey Mantle and Willie Mays. I think most people know there is something wrong, and we are contributing to it. And as soon as we admit it, I think—and I mean the beef industry and every other industry—I think we will get to the heart of the solutions we have to put in place.

Thank you, Mr. Chairman.

Mr. BISHOP. Thank you.

Let me just ask one last question, and I hope I think this will be the end of it. You have planes to catch.

Bobby Richardson was probably the best second baseman in the history of the world. I loved him. Casey Stengel once said, he doesn't smoke, he doesn't drink, he doesn't stay out at night, and he still can't hit 250.

Mr. MARKEY. Although he was roommates with Mickey Mantle for 15 years.

Mr. BISHOP. That was Billy Martin. No, I am sorry, that was Bob Cerv and Roger Maris.

It was the perfect non sequitur that not smoking, not drinking, not carousing can help you live longer, but it doesn't help you hit a curve ball. So I appreciate that.

Unless there are other questions from any Members, I want to thank our witnesses for being here. There may be additional questions from Members that will be sent to you. If you do, I would ask you to respond in a very timely manner with that.

Mr. BISHOP. I thank you. I hope you make your flights. I appreciate the chance to visit with you. I do appreciate all the testimony that was given here today.

Thank you very much, and this Committee will stand adjourned.

[Whereupon, at 11:15 a.m., the Subcommittee was adjourned.]

[Additional material submitted for the record follows:]

Statement of The Honorable Mike Coffman, a Representative in Congress from the State of Colorado

Thank you, Mr. Chairman, for holding this important hearing on these proposals for reforming forest management policies.

Over the past several months it has become beyond clear that we need a change in the way we manage our national forest lands.

In Colorado, the Waldo Canyon and High Park fires destroyed over 100,000 acres and 600 structures. The reported insured losses total $450 million. In addition, Colorado had to authorize $25 million in emergency relief to combat the fires.

The stakes are too high for us to continue with current insufficient forest management plan. Acting with expediency to remedy the problem could prevent millions of dollars of costly damage to our communities.

I have met with County Commissioners, Forestry Officials and conservation experts who have pleaded for strong, comprehensive solutions to combat the emergency situation of wildfires in their areas.

Over the last few decades we have seen a stark rise in the number of wildfires in Colorado. During the 1980s there was an average of roughly 1200 wildfires per year, but during 2000–2009 there was an average of 2400 wildfires per year.

An accumulation of regulations and environmental litigation have resulted in limited means available to forest officials to treat and prevent densely packed forests.

Unfortunately, one of these few available measures is prescribed burning.

Recently in my district, the North Fork fire took the lives of three Coloradans. This fire was caused by a prescribed burn that was used to treat unhealthy forest land.

It is illogical to prevent fire with fire when there are alternative, less dangerous methods available to trim dense, dry and dangerous forests.

I give credit to the Healthy Forest Restoration Act (HFRA) of 2003 for starting the process of creating a more active forest management strategy and providing us with a framework to build on.

However, HFRA was just the first step as our Western communities need us to give them more forest management tools and flexibility in order to mitigate the risk of out of control wildfires.

We need a fresh approach and to build upon the positive aspects of HFRA.

H.R. 6089, the Healthy Forest Management Act, is this fresh approach we need. This legislation will give more authority for state and local officials to manage federal forest lands and establish effective hazardous fuel reduction projects.

This legislation will allow officials to move away from prescribed burns and allow our Governors and County Commissioners the necessary tools to protect their communities from devastating wildfires.

This flexible local strategy will allow communities to trim densely packed forests, and clear the economically viable beetle infested wood, which will result in long-term health of our forests.

Colorado county commissioners, forest conservation groups and lawmakers agree that a return to proactive forest management strategy will help curtail the risks of devastating wild fires.

For this reason, I am thrilled to join my colleagues from Colorado in supporting the Health Forests Management Act and I ask for this Committee to support it as well.

Thank you, I yield back.

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