

THE U.S. FOREST SERVICE'S BUDGET REQUEST FOR FISCAL YEAR 2017

HEARING BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE ONE HUNDRED FOURTEENTH CONGRESS SECOND SESSION

MARCH 8, 2016



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TUESDAY, MARCH 8, 2016

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The Committee met, pursuant to notice, at 10:05 a.m. in Room SD-366, Dirksen Senate Office Building, Hon. Lisa Murkowski, Chairman of the Committee, presiding.

OPENING STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

The CHAIRMAN. Good morning, everyone. Good morning, Chief.

We are here this morning to review the President's request for the Forest Service for Fiscal Year 2017.

Chief Tidwell, it is good to be able to welcome you back to the Committee. We appreciate you being here to explain the President's proposal.

It is probably not going to be a surprise to you that I am not enamored with it. In fact, I have got some issues with several aspects of it. I will just mention a couple of them this morning in my opening statement.

We have several proposals here within the budget, a number of mandatory spending proposals, without providing offsets. I have mentioned this as other members of the Cabinet have come before us that when we have mandatory spending proposals with no offsets that is problematic.

The Secure Rural Schools program, SRS, is clearly an example of that. We have reached a point where if we are not cutting trees on federal lands, and we hardly are, then counties, parishes and boroughs are going to be cutting their budgets. That is not acceptable. The timber industry can be sustainable but the funding required for SRS without offsets and in the absence of timber harvesting is not.

We have many communities around the country, particularly in the West, that are dependent economically on the active management of our national forests. As you know, Southeast Alaska is full of such communities, and this is not a budget that they are going to find appealing.

On the Tongass, the Secretary of Agriculture has directed the Forest Service to expedite a transition away from old growth timber harvesting towards a timber program focused on predominately young growth. We know that this is a Secretarial mandate and it will fundamentally change the way the Tongass is managed, but

there is no mention of the transition in this budget to explain how it will be executed and how it will be funded. Yet that does not stop the Forest Service from moving on a plan amendment to lock in this transition before this Administration leaves office.

I think that the Forest Service needs to do what is right and what the Tongass Advisory Committee called for in its recommendations and that is a comprehensive, stand level inventory to address the uncertainties that exist in the amount, volume and timing of the availability of young growth to support transition.

A successful transition will only be possible if it is grounded in strong science and backed by comprehensive data. As a starting point, as a matter of common sense, really, we need a complete inventory before we allow a plan amendment to move forward.

In the meantime, it is critical that the Forest Service provide enough timber to meet market demand because if you do not do that, we have had this conversation so many times, if we do not do that, there is not any industry left to transition.

Another issue that I know that we will hear a lot of discussion about this morning is how this budget proposes to address wildfire. Again the Forest Service budget asks Congress to fund just 70 percent of the ten-year average of suppression costs. A proposed cap adjustment would pay for the remaining 30 percent as well as any costs above the ten-year average. This idea has been rejected every year since it was first proposed in the FY 2015 budget.

There is not an agreement here in Congress on whether or how to address what this proposal is aimed at, the growth of fire programs as a percentage of the Forest Service's annual budget. But what we do agree on, and I think you will probably hear it echoed from all of us this morning, what we agree on is putting an end to the unsustainable practice of fire borrowing. We know that we cannot continue to fight fires by diverting funds from other parts of the Forest Service budget, and we agree with you there.

That is why last year we worked so hard to include wildfire provisions in the Omnibus, and I think that they were proposals that were responsible and they were pragmatic. It included \$1.6 billion for fire suppression which is \$600 million above the average cost of fighting wildfire over the past ten years. It included \$545 million for hazardous fuels reduction, and it also included \$360 million for the Forest Service timber program which will help us begin to resume active management of our forests.

So barring a truly record setting fire season this year, fire borrowing should not be an issue for the rest of this fiscal year. That gives us some time here to advance legislation that addresses wildfire budgeting and how we manage our forests. We need to do both at once because we know the wildfire problem is not just a budgeting problem, it is also a management problem.

High up-front costs, long planning horizons and regulatory requirements, including what seem like an unending environmental review process, are impeding our ability to implement treatments at the pace and the scale that wildfires are occurring. We must also work with our state agencies, local communities and the public to increase community preparedness and install fire breaks to break up fuel connectivity to keep fires small.

As you know, we have a vested interest in my state to make sure that we are doing this right. About half of the 10 million acres that burned in last year's fire season were in Alaska. We have already had our second wildfire this year in the state. This is what, March 8th? And we have already had our second.

So know Chief, that I am eager to work with you as well as the other members of this Committee and other Committees that have a role on this issue. I know that we all agree that we have some real challenges here that will only grow worse if we fail to address them. I look forward to working with you to address these challenges and others.

With that I will turn to Senator Cantwell.

**STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Madam Chair, and thank you, Chief, for coming today to discuss the budget.

As you know, in 2014 Washington experienced the largest and worst fire in our state history, the Carlton Complex. In 2015, as we were still recovering from the Carlton Complex, Washington was hit hard again, this time even harder, and experienced the worst fire season in the history of our state. In one month more than one million acres of Washington burned. That is an area larger than the size of the State of Rhode Island.

Adding to economic loss and the loss of homes and businesses, we experienced tragic loss of life. Three firefighters were killed and another was severely burned in an entrapment. The Colville Tribe lost 20 percent of its timber. That was about \$1 billion worth of timber.

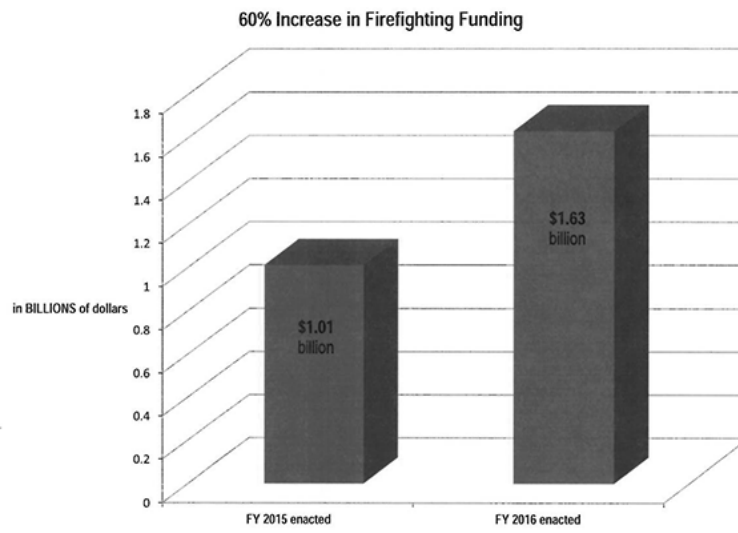
I spent last summer traveling the state, meeting with firefighters and residents to talk about everything from the evacuation process to the loss of their homes to numerous things that policy makers can do to help so that fewer homes burn down, so that we keep our firefighters safe, and to decrease the intensity of these fires so that they can be better managed.

I appreciate that the Committee and my colleague, Senator Barrasso, attended a field hearing in Seattle to talk about these issues as well. All of this underscores the importance of addressing these issues and getting the right solutions.

We need to better protect our communities and our firefighters from these wildfires. Guided by science, we need to invest in and pursue the policies that will make our forests more resilient to these wildfires. We need more equipment and more efficient use of existing resources to have a more hasty response to the initial attack of these fires.

Fortunately, as you can see from the chart behind me—my colleague, Senator Murkowski, mentioned the Forest Service had a 60 percent increase in firefighting funding for this year, giving us a window to come up with a functional solution. We certainly appreciate the work of my colleagues in getting that 60 percent increase.

[The information referred to follows:]



Source: Forest Service FY17 Budget Request

I know that Chairwoman Murkowski's state also experienced one of its worst fire seasons in Alaska's history, and we have been working together for months to try to get ahead of this problem.

We have had several hearings where we have talked about the need for different solutions to get different results. Particularly we need a better fire preparedness strategy. Better fire preparedness will reduce the risk posed to communities and our forests and reduce the cost to our nation.

Some of these estimates are that we could be spending anywhere between \$2 and \$4 billion a year for the next several years, given the changes that we are seeing in conditions. We need to start—obviously, once we get the Energy bill done—to focus on this issue and come up with legislation that will help all our communities. I believe that legislation should set key priorities of preparedness.

[The information referred to follows:]

Fire Suppression Costs Are Projected to Grow Significantly

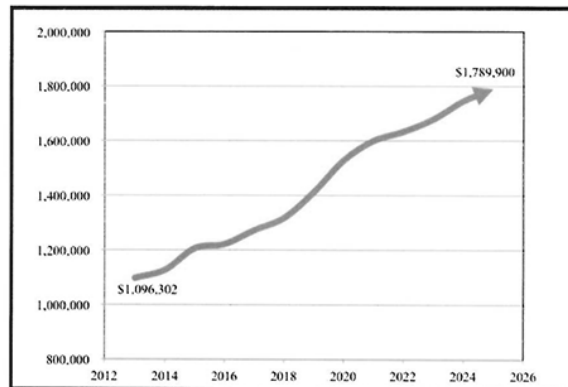


Chart represents the projected growth of the 10-year average cost of fire suppression (in \$1000s) through 2025. Source: *The Rising Cost of Wildfire Operations*, U.S. Forest Service

We must increase our communities' preparedness through activities such as hazardous fuel reduction, fire wise programs, changing the time and function of prescribed burns, and risk mapping.

We also need to improve the efficiency of our operations by making sure aircraft are available when needed and improving the safety of our firefighters. For us in the Northwest, it means getting a better Doppler system just to forecast weather conditions, since we have a blind spot right in the central part of our state.

We can invest in and prioritize fuel treatments that we know make a difference in at risk areas such as prescribed burns and mechanical thinning. I hope that we will, in the future, talk a lot about ideas to be very innovative on this. To me it makes no sense to talk about what you do after the fire has happened. We should be talking about what we can do to minimize the risk to everyone, and specifically, the \$2 to \$4 billion cost we are looking at each year from these fires.

The funding that was awarded last week to groups in Washington through the Joint Chiefs' Landscape Restoration Partnership is a great example of this. Thank you. It will help at-risk communities with fire preparedness in places like Kittitas, Chelan, and Okanogan Counties.

Finally, we can increase our use of technology, including unmanned aerial vehicles and GPS, so we can more accurately see the locations of spot fires so that firefighters in the community can be sent out to help.

I look forward to working out the remaining details with many of the members of this Committee, and certainly Chairwoman Murkowski, as we try to bring together legislative solutions here.

Turning to Secure Rural Schools, if I could for a moment, I want to express my concern in the delay in the distribution of the 2015 Secure Rural Schools payments. These 2015 payments still have not been distributed to communities. The fiscal years of counties in Washington begin in a few months. I can't imagine some of these counties trying to plan their annual budget not knowing how much they are going to get from the Forest Service.

In Skamania County, the Secure Rural Schools payments represent more than 15 percent of their budget, so these payments pay the salaries of more than half of Skamania County's 65 employees. So for our rural and timber communities these are very serious issues.

I noticed there was not a lot of detail in the Administration's proposal to reauthorize the Secure Rural Schools program but nonetheless, I look forward to working with you and the Chairwoman and members of this Committee, including Senator Wyden, over the coming months to extend this crucial program.

I also want to thank you, Chief Tidwell, for last week's announcement concerning recreational permits. I completely agree that we need to be finding ways to streamline the Forest Service process in order to make it easier for more young people to get outdoors.

I know Secretary Jewell announced a similar proposal across all Interior lands programs and it was right here in this room at last year's budget hearing when you and I talked about the problems with the YMCA of Greater Seattle and the Forest Service. I am de-

lighted to hear that you and Secretary Jewell are embarking on what, I think, is a very significant process to make it easier for young people, like those served by the YMCA, to move through the current permit process and open the doors to hundreds of young people and organizations.

So despite the good points, there are gaps in this year's budget request, and we should work to address these. We can do more to work together on recreational access.

Small businesses in my state that rely on the recreational economy are confused about some of the priorities in the budget. For example, the Forest Service is proposing to cut road maintenance and is currently exploring ways to close some of the major recreational routes in my state. We are going to hear loudly from people on this, so I intend to ask a question and get some details on that.

In the same budget, the agency is proposing significant increases in building new roads, so people are trying to understand the need to build new roads versus the backlog of maintenance of existing roads, without much of an explanation. We want to understand how we can be sure that these priorities are met on both sides.

I want to take a point of personal privilege, if I could, and conclude my remarks by recognizing the passing of my cousin, Shelia Cantwell. She was, like many of the Forest Service employees, dedicated to her career. She served 23 years in the Forest Service working for the Mount Whitney Ranger Station in Lone Pine, California.

Like many other people in the Forest Service, they do their work. They love their job. I want to thank all the people of the Forest Service for their hard work and dedication.

I turn back to you, Senator Murkowski.

The CHAIRMAN. Thank you, Senator Cantwell. Know that we too share the support for the good people who work for us and recognize your family member as well.

Chief Tidwell, welcome again to the Committee. Thank you for being here, and we look forward to your testimony.

I do not know, Mr. Dixon, if you will also be presenting comments this morning, or if you are here in a supporting role, which we appreciate as the Director of Strategic Planning for Budget and Accountability at the U.S. Forest Service. So thank you for being here as well.

With that, Chief, if you would like to proceed.

STATEMENT OF MR. THOMAS TIDWELL, CHIEF, U.S. FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. TIDWELL. Well Madam Chair, Ranking Member Cantwell, members of the Committee, I do appreciate the chance to be up here to be able to discuss our 2017 budget request.

Our request for '17 is very similar to what we had in '16 which requires us to make some really tough decisions—with basically a flat budget. This request will allow us to continue to increase our pace and scale to restore the nation's forests and grasslands by treating another 2.9 million acres to restore forest health and forest resiliency and improve watershed conditions.

It also allows us to decommission 2,000 miles of unneeded roads, restore over 3,400 miles of streams and improve the overall function on 22 different watersheds and with one of the key outputs from this work, 3.2 billion board feet of timber.

It maintains our 23 CFLRP projects and allows us to continue to work with the states to expand getting work done through the Farm bill authorities and with the Good Neighbor Authority.

It also allows us to continue to reduce the threat to firefighters and communities by treating 1.6 million acres of the highest priority areas of the wildland urban interface (WUI) to reduce hazardous fuels, plus another 400,000 acres that are outside of the WUI.

Through our state and private programs, we're focused on using a landscape-scale restoration approach that allows our state foresters to be able to look at larger landscapes and accomplish multiple objectives by having a combination of funds.

And with our Research and Development programs, we're going to continue to do our work to be able to understand what we need to do to be able to restore forests, to address the invasives and insect and disease outbreaks, to continue our work to be able to find ways to expand current markets and develop new markets for wood, and to be able to make use of the biomass that just has to be removed from our landscapes for us to be able to restore our healthy forests.

We also provide for an adequate level of fire suppression, to be able to deal with fires and continue to suppress fires where we need to and, at the same time, be able to manage fires in the back country. We'll have 21 large air tankers, 300-plus helicopters, over 1,000 engines and of course, our hot shot crews.

The thing I need to stress, and I appreciate the support from this Committee, is finding a solution to paying for the cost of fire suppression. I appreciate the additional money that was provided in FY16 into the FLAME account, but I think we all have seen what happens with the FLAME account and where that will help us this one year, it is not a solution.

We just have to find a way to be able to permanently stop the transfer, the disruption of our work every fall. We need to find an alternative to the ten-year average. That just no longer is working. It's not a viable budget approach.

And we need to, I think, come to agreement, understanding that there is one or two percent of these fires that occur every year that really are a natural disaster and they should be funded as a natural disaster.

So we are anxious to be able to work with this Committee and work with the House to be able to find a solution so that once and for all we can actually stop this disruptive practice and allow us to really focus on what the public needs, to be able to give the Committees, the Appropriators, some discretion so they don't have to use up all of their discretion to be able to pay for fires.

One key note. From just FY15 to FY17 in our proposed FY17 budget, the ten-year average goes up another \$237 million. That's what we're up against. And what drives these costs, the primary driver is homes in the wildland urban interface. That along with the changing conditions, our fire seasons are 68 days longer. It's a

good two to three months longer than what we had ten years ago. Those things are not going to change.

We can make a difference by reducing the hazardous fuels. We can reduce the severity of fires. We can make it safer for our firefighters, for our communities, but it's going to take a combination of fixing the budget and allowing us to then be more proactive to get out in front of this. It's one of the best job creators we have to restore our forests.

So I appreciate the time you've given me this morning. I look forward to your questions.

[The prepared statement of Mr. Tidwell follows:]

**Statement of Tom Tidwell, Chief of the USDA Forest Service
Before the Senate Committee on Energy and Natural Resources
Concerning President's Fiscal Year 2017 Proposed Budget
for the USDA Forest Service
March 8, 2016**

Madam Chairman and members of the Committee, thank you for inviting me here today to testify on the President's (FY) 2017 Budget request for the Forest Service. I appreciate the support this subcommittee has shown for the Forest Service in the past. I look forward to continuing to work together with members of the Committee to ensure that stewardship of our Nation's forests and grasslands continues to meet the desires and expectations of the American people. I am confident that this budget will allow the Forest Service to meet our mutual goals while demonstrating fiscal restraint, efficiency, and cost-effective spending.

Budget Request and Focus Areas

The President's proposed overall budget for discretionary funding for the Forest Service in FY 2017 is \$4.9 billion. That is \$787 million less than the FY 2016 enacted level and reflects strategic investments to reduce wildfire threats to communities and maintain forest restoration investments. The FY 2017 President's Budget for the Forest Service focuses on three strategic goals, as identified in our Strategic Plan for FY 2015–2020¹: (1) sustaining our Nation's forests and grasslands; (2) delivering benefits to the public; and (3) applying knowledge globally. Below, we outline how our budget for FY 2017 will fund programs corresponding to each strategic goal

Strategic Goal 1 -- Sustaining Our Nation's Forests and Grasslands

The Forest Service responds to the many stressors affecting our landscapes and watersheds by sustaining and restoring healthy, forests and grasslands. By restoration, we mean restoring the functions and processes characteristic of healthier, more resistant, more resilient ecosystems, even if they are not exactly the same ecosystems as before. Our goal is to protect and restore the ability of America's forests and grasslands to deliver all the social, economic, and ecological values and benefits that Americans want and need, both now and for generations to come.

The FY 2017 President's Budget for the Forest Service will fund the treatments and infrastructure needed to protect and restore the most critical landscapes¹. Our goal is to sustain and restore ecosystems that are capable of (1) furnishing clean and abundant drinking water; (2) resisting damage from fire, drought, floods, and insects and diseases; and (3) maintaining a strong productive capacity, thereby supporting economic opportunities for rural communities. To meet our goal, the FY 2017 President's Budget makes key investments in the following program areas:

- Collaborative Forest Landscape Restoration Program (\$40 million, the same level as enacted for FY 2016) -- to continue the 23 existing projects, which reduce the risk of catastrophic wildfires in high-priority, high-risk areas; improve water quality and quantity; increase carbon sequestration; and build on innovative implementation and monitoring work with our partners.

¹ U.S. Forest Service Strategic Plan 2015-2020: www.fs.fed.us/strategicplan

- Suppression (\$873.9 million, an increase of \$62.9 million above the FY 2016 enacted level) -- this amount represents 70 percent of the 10-year average costs for fire suppression, currently calculated at \$1.248 billion. The proposed cap adjustment would cover the remaining 30 percent of the 10-year average suppression costs as well as any costs currently funded through fire transfers. For FY 2017, the proposed cap adjustment is \$864 million.
- Hazardous Fuels (\$384.1 million, an increase of \$9.1 million above the FY 2016 enacted level) -- focusing on fuels treatments in the wildland/urban interface to reduce the risk of catastrophic fire on 1.8 million acres.
- Land Acquisition Program (\$65.7 million in discretionary funding, \$2.2 million above the FY 2016 enacted level, and \$62.3 million in mandatory funding) to consolidate fragmented lands within National Forest System borders and specially designated areas to support effective land and watershed management. The mandatory funds are part of the President's proposal for Land and Water Conservation Fund reauthorization, which calls for full mandatory funding starting in FY 2018.
- Forest Legacy Program (\$62.3 million in discretionary funding, the same as the FY 2016 enacted level and \$37.7 million in mandatory funding) to focus on preventing the parcelization of ownership and conversion of private forests to other land uses. The Forest Legacy Program is a key component of the President's America's Great Outdoors Initiative to conserve critical landscapes and reconnect Americans to the outdoors through reauthorizing the Land and Water Conservation Fund, with full mandatory funding starting in FY 2018.
- Forest Products (\$359.8 million, the same as the FY 2016 enacted level) to accelerate the pace of restoration and continue to work to create healthy landscapes. We anticipate the sale of 3.2 billion board feet of timber with this funding level.

Strategic Goal 2. Deliver Benefits to the Public

The FY 2017 President's Budget will help the Forest Service with our goal to build thriving communities by helping ensure abundant clean water, jobs and flourishing local economies, and opportunities to connect to the outdoors. To meet our goal, the FY 2017 President's Budget makes key investments in the following program areas:

- Landscape Scale Restoration (\$23.5 million, an increase of \$9.5 million above the FY 2016 enacted level) -- this increase will fund about 20 more innovative, cross-boundary projects that target high-priority areas identified in the States' forest action plans. This continued investment in cross-boundary, landscape-scale projects on State and private lands will spur innovation, bring partners to the table, support climate change mitigation and adaptation, and allow the agency to leverage partner contributions. This investment will sustain and restore forest health across large landscapes, assist urban communities in protecting their forests, and increase the number of cross-boundary projects.
- Recreation, Heritage, and Wilderness (\$264 million, an increase of \$2.2 million above the FY 2016 enacted level). This increase will modernize our recreation special uses program, expand access to the National Forest System, and increase the capacity of our community service and volunteer programs.

- Law Enforcement & Investigations (\$131.6 million, an increase of \$5 million above the FY 2016 enacted level). The funds will support intensive operations at marijuana plantations on the national forests and a comprehensive eradication, dismantling, and reclamation strategy. The additional resources will pay for removing infrastructure, trash, debris, and hazardous materials (such as rodenticides and herbicides) at the plantations and for reclaiming old marijuana sites.
- Facilities (\$71.6 million, a slight increase from the FY 2016 enacted level) to maintain our developed recreation sites and our fire, administrative, and other facilities.
- Secure Rural Schools (SRS)—the administration proposes reauthorization of the act. SRS is an important tool to strengthen economic opportunities for local communities.

Strategic Goal 3. Apply Knowledge Globally

The Forest Service has a long record of land management success, even though we work in complex and changing environments. We attribute our success in part to our world-class expertise in research and development; our capacity to develop new technologies; our innovation in forest products; our ability to conduct resource assessments; and our vast collection of geospatial information, inventory data, and monitoring information.

Through intellectual inquiry and knowledge transfer, the Forest Service will continue offering land managers and others better information, applications, and tools for natural resource management. By improving our fundamental understanding of forests and grasslands, we will make better decisions and better achieve our goals of sustaining the Nation's forests and grasslands and delivering benefits to the people we serve.

The FY 2017 President's Budget for the Forest Service will fund the research and development needed to sustain America's forests and grasslands and to deliver benefits to people. From on-the-ground natural resource management to long-term strategic policy development, all of our efforts to sustain forests and grasslands and to deliver benefits to people depend on new knowledge, information, and applications.

To meet our goal, the FY 2017 President's Budget makes key investments in the following program areas:

- Forest Inventory and Analysis (\$77 million, an increase of \$2 million from the FY 2016 enacted level) to continue to implement the annualized inventory program in all 50 States (including interior Alaska), the affiliated Pacific islands, Puerto Rico, and the U.S. Virgin Islands.
- Land Management Planning, Assessment, and Monitoring (\$183.9 million, a slight decrease from the FY 2016 enacted level). Through implementing the 2012 Planning Rule, we will achieve efficiencies in agency assessment and monitoring activities. The 2012 planning rule promotes a collaborative science-based approach for planning, monitoring, and conducting assessments.
- International Forestry (\$8 million, the same as the FY 2016 enacted level). These funds will support preventing illegal logging internationally, protecting U.S. forests from invasive species, supporting international policy discussions on climate change and the

role of forests and grasslands in greenhouse gas mitigation, and bringing innovative technology developments to the United States.

In connection with the FY 2017 President's Budget, we propose several key legislative changes to improve our effectiveness in delivering programs and services:

- *Fire Suppression Cap Adjustment.* We propose a budget cap adjustment to fund suppression costs for large and complex fires. Suppression would be funded at a level that covers 98 percent of the fires we fight, or 70 percent of our 10-year average suppression costs. Remaining fire costs would be funded through an "off-budget" fire suppression cap adjustment. Off-budget funding would follow from Secretarial declaration of need and the imminent end of appropriated discretionary funds.
- *Collaborative Forest Landscape Restoration Program.* We propose increasing the authorized funding level for this successful program from \$40 million to \$80 million which would fund up to 10 additional projects. The legislative proposal also extends the end date of the authority to 2026 to allow for the full implementation of additional projects should the Forest Service receive an increased appropriation.
- *Federal Lands Recreation Enhancement Act.* We propose permanent authorization of the Federal Lands Recreation Enhancement Act. Under the Act, 95 percent of the recreation fees collected on a national forest or grassland are retained at the unit where collected, to be reinvested in recreation sites and services. This is an interagency proposal together with the Department of the Interior. The current act expires on September 30, 2017.
- *Small Tracts Act Conveyance Authority.* We propose establishing additional categories of NFS land which the Secretary of Agriculture is authorized to sell, interchange or exchange, if in the public interest. By tying to the existing Small Tracts Act, the Forest Service will be better equipped to resolve landownership and management challenges, save limited resources, address community needs, and to move appropriate lands into private ownership. It would also minimally increase the maximum value of the land that could be conveyed to better align with current land values.
- *Land and Water Conservation Fund.* The Administration proposes permanent authorization for annual mandatory funding, without further appropriation or fiscal year limitation for the Departments of the Interior and Agriculture Land and Water Conservation Fund programs beginning in FY 2018. Starting in FY 2018, \$900 million annually in mandatory funds would become available. In FY 2017, our budget proposes \$900 million in total Land and Water Conservation Fund funding, comprising \$425 million in mandatory and \$475 million in discretionary funds. Proposed language will be transmitted to Congress shortly.
- *Secure Rural Schools and Community Self-Determination Act.* We support Congress reauthorizing the Secure Rural Schools and Community Self-Determination Act of 2000 making payments through mandatory funding. The funding for extending the act through 2020 is included in our Budget Justification, and we look forward to working with the Committees to develop the legislative proposal.
- *Extension of Grazing Permits.* We propose that the terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), which regard grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for FY 2017. This would address recent amendments to section 402 of the Federal Land Policy and

Management Act and public concerns that the amendments do not apply to grazing permits issued by the Forest Service on the national grasslands and on eastern national forests.

- *Direct-Hire Authority.* We propose Direct-Hire Authority for resource assistant interns who have successfully completed the new Resource Assistant Program. The program is designed to attract recent graduates of institutions of higher education, with particular emphasis on women and on graduates from historically Black, Hispanic, and Native American schools or other schools with diverse student populations. Direct-Hire Authority will give us more flexibility in recruiting successful graduates of the program into our workforce.
- *Grazing Administrative Processing Fees.* The Budget includes appropriations language for a three-year pilot project to allow the Forest Service to recover some of the costs of issuing grazing permits/leases on Forest Service lands. The Forest Service would charge a fee of \$2.50 per Animal Unit Month, which would be collected along with current grazing fees. The fee will assist the Forest Service in processing pending applications for grazing permit renewals. During the period of the pilot, the Forest Service would work through the process of promulgating regulations for the continuation of the grazing administrative fee as a cost recovery fee after the pilot expires. The fees will be credited to the Management of Lands and Resources appropriation. The estimate for 2017 is \$15,000,000.

Future Outlook

The Forest Service serves the American people by ensuring that their forests and grasslands deliver a full range of values and benefits, including hundreds of thousands of jobs and annual contributions to the economy worth many times more than our entire annual discretionary budget.

Now we are facing some of the greatest challenges in our history. Invasive species, climate change effects, regional drought and watershed degradation, fuel buildups and severe wildfires, habitat fragmentation and loss of open space, and devastating outbreaks of insects and disease all threaten the ability of America's forests and grasslands to continue delivering the ecosystem services that Americans want and need. In response, the Forest Service is increasing the pace and scale of ecological restoration. We are working to create healthy, resilient forest and grassland ecosystems capable of sustaining and delivering clean air and water, habitat for wildlife, opportunities for outdoor recreation, and many other benefits.

Our budget request focuses on restoring resilient landscapes, building thriving communities, and safely managing wildland fire while providing an effective emergency response. Our requested budget will enable us to address the growing extent and magnitude of our management challenges and to furnish the mix of values and benefits that the public expects from the national forests and grasslands. Our budget priorities highlight the need to strengthen cooperation, collaboration, and public/private partnerships that leverage our investments to reach shared goals. Through strategic partnerships, we can accomplish more work while also yielding more benefits for all Americans, for the sake of all generations to come.

This concludes my testimony, Madam Chairman. I would be happy to answer any questions that you or the Committee members have for me.

The CHAIRMAN. Thank you, Chief.

Know that Senator Cantwell and I had hoped that March would be the month that we would really be able to focus on spending a lot of time, both in and out of Committee, on the wildfire piece. I think we are pushed back a little bit because of trying to get this energy bill across the finish line, but know that I certainly remain committed to trying to figure this out for the long-term rather than taking a year by year approach.

I want to begin my questions with the Tongass and the issue that I raised in my opening statement about this transition to young growth without first completing a stand level inventory of the young growth.

Last year the Forest Service provided approximately \$4 million from its budget for the transition framework. About \$2 million has gone to start work on young growth inventory studies. So far, I understand about \$4 to \$6 million more is likely needed for the studies and additional inventory work. The interesting thing is both the timber industry and the environmental groups agree that this work is needed to basically prove this out.

Can you give me information this morning in terms of how much funding you are proposing to spend to support young growth transition and where the money is coming from, because we just do not see it listed in the budget proposal, despite this being a secretary-mandated initiative?

Mr. TIDWELL. Well Madam Chair, the budget funding we'll be spending this year to be able to continue the stand level inventory is just part of the funding that we've allocated to the region. So with this—

The CHAIRMAN. So do you take it from other parts within the Forest Service budget allocated for Alaska?

Mr. TIDWELL. It's part of the funding that we receive from our forest products to be able to do forest stand inventory. And so that's part of the budget that Region 10 is receiving to be able to do that work with a cost share agreement with the State of Alaska, working with the state forester, to be able to do that stand level inventory so that we are developing information for project implementation.

Stand level inventory is not information that's needed to be able to amend the forest plan but for us to be able to move forward with the design of projects into the future because this transition is going to occur in the out years. It's not occurring today.

But we are moving forward with that. And so we're going to continue to not only do the stand level inventory, but we're also doing wood quality studies from our research and development folks so that we have a better understanding about where's the potential markets for the future for young growth wood, that type of wood that will come off of these young growth forests.

In addition to that, we're continuing to do our study about how to better understand how to thin out these forests. We've been doing a lot of commercial thinning over the years in the second growth stands. And we've had a study that's been going on for ten years. And we want to continue to do that so that we better understand how to manage these stands as we move forward.

The CHAIRMAN. Let me ask then, because I am concerned that if you have not specifically allocated within the budget funding for these inventory studies, you are just taking it out of the region's accounts. Again, where we see things short-changed.

We had a conversation just last year about how the recreation funding within Alaska, within our region, had effectively been cut back dramatically when you put it side-by-side to what was going on within the rest of the country. We have asked that be rectified and that is another question that I have for you because I cannot tell that it has been.

Again, it speaks to the issue. If you have not allocated more for this inventory and you have at least three independent analyses that say that the current young growth stands are too small, that there are too few to support a local manufacturing industry, how can you make a plausible determination that we can do this transition?

I am looking at this, recognizing how long it takes to do this study and the cost associated with it, and I am not seeing it specifically in your budget. So the question this morning is whether or not the Forest Service will consider postponing this transition until we have a complete, young growth inventory and a financial analysis that are completed in order to determine whether or not a transition is even feasible?

Mr. TIDWELL. Senator, it's essential that we move forward and complete the amendment to the forest plan.

The CHAIRMAN. But don't we have to have the study and the money?

Mr. TIDWELL. Not for a forest plan amendment, no. It's been two decades.

The CHAIRMAN. So then you have a forest plan amendment that is not based on a strong, sound analysis or the science to support it.

Mr. TIDWELL. Two decades of controversy and litigation around old growth harvest and roadless, and that's gotten us nowhere.

The CHAIRMAN. I understand that.

Mr. TIDWELL. This is—

The CHAIRMAN. But you still have to know that it is possible to get to a second growth industry because we cannot make those trees grow any faster. That is our problem.

Mr. TIDWELL. Well part of it is to also develop new markets for the second growth. And we're working together with Sealaska, with Mental Health Trust and the State of Alaska.

The CHAIRMAN. New markets are good, Chief, but you still have to have trees that are mature enough to harvest.

I am going to try to be more respectful of everybody's five minutes because last hearing I was very generous with folks. I am going to try to keep to the five minutes so we can get to everyone's questions.

I am going to turn to Senator Cantwell now, because I will have another opportunity. Thank you.

Senator CANTWELL. Thank you, Madam Chair.

Chief, you mentioned a couple of things when you were talking about getting at the front end of the problem and the costs. You are saying homes in the WUI, the wildland urban interface, and

changing of conditions. I am assuming you are talking about weather and climate change.

Mr. TIDWELL. Yes.

Senator CANTWELL. Do you think that an increased preparedness strategy, with treatments such as prescribed burns and fuel reduction, would yield dividends in this process? And do you think that ten-year stewardship contracts have been successful? Do you think that long-term contracts, if we work out the scoring and cancellation ceilings, makes things more predictable for companies bidding on prevention work? And you mentioned product value. What do you think of cross-laminated timber as being something in that mix of solutions?

Mr. TIDWELL. Well Senator, the work we've been doing over the years is making a difference, and we have dozens to probably hundreds of examples now where we have thinned out our forests and it has reduced the threat. It's made it easier for us to suppress the fires, made it safer for our firefighters. So that combination of doing a mechanical thinning, timber harvest and using prescribed burns is making a difference to reduce the overall threat.

In addition to the stewardship contracts, they have proven to be a very, very effective tool, not only to build more trust, more support for the work, but it provides that certainly, especially the longer-term, seven- to ten-year contracts. It provides a certainty for operators then to make the investments, they can get the loans because they know that the work is there, and it's making a difference.

Do we need to look to find ways to make that easier for not only the operator but at times for the agency? Yes, I'm interested in being able to do that.

Our biggest challenge right now is to be able to accelerate the work, expand the work in a way. And the problem that I have and I think it goes back to the Chair's, Madam Chair's comment. I'd love to be up here asking for more money. I'd like to have more money.

I can make a strong case to be asking for an increase in our forest products budget, a strong case for our recreation budget. But once again, any increase the Forest Service sees in the budget goes into the cost of fire suppression and that is a burden we just can no longer bear.

Senator CANTWELL. Well if I could ask about that, Chief, because I think the research I have is that 88 percent of the Forest Service's fuel treatments were effective at stopping wildfires that burned in FY15. So what I would like is to get from the Forest Service an analysis of what you think a robust program on preparedness and fuel reduction would look like in reducing wildfire losses even if they are just guesstimates because we don't know. I think the Carlton Complex Fire that burned over 100,000 acres in an afternoon is an example of how we never know when something like that is going to happen.

But with 88 percent effectiveness with fuel reductions, why can't we look at what an aggressive program would be and come up with some estimates on how—if we are predicting between \$2 and \$4 billion a year in cost to the Federal Government for suppression—what percentage reduction might we see in that cost?

Again, I know that there is a little bit of guesswork here because you don't know everything, like the weather, but it seems to me that we need to get a better understanding of this.

Do you think that more than ten year contracts are needed?

Mr. TIDWELL. Yes, I definitely, I think it's one of the best products that we have. And the more of those that we can get in place, the better off we're all going to be. So it's one of the things we'd like to continue to expand.

We're doing about 30 percent of our work now through stewardship contracting, but I would definitely like to see more of these long-term contracts.

Senator CANTWELL. And did you say something about cross-laminated timber (CLT)? Did you comment on that as a valued product?

Mr. TIDWELL. On CLT?

Senator CANTWELL. Yes.

Mr. TIDWELL. It's another one of the efforts that we have from our forest products lab to be able to develop new markets. And currently we have two plants in the United States that are using CLT. One of those plants is having to import their material.

This is a great opportunity for us to be able to expand to be able to use the small-diameter material as CLT for tall buildings. CLT is one of the things we're trying to encourage engineers and architects to use in tall buildings.

It's CLTs. That product is what allows us to be able to build these tall buildings and we're moving forward with a couple of examples of those to be able to show people that wood is a good tall building material.

Senator CANTWELL. Thank you.

Thank you, Madam Chair.

The CHAIRMAN. Senator Barrasso.

Senator BARRASSO. Thank you, Madam Chairman.

Chief Tidwell, it is good to see you again.

I have some concerns, serious concerns, about the way that the Forest Service is prioritizing its management objectives. The budget makes it clear the Forest Service values expansion of costly counterproductive programs, as I see it, much more than actual maintenance and management of current assets.

The funding increases for new roads, for land acquisitions while funding for capital improvement and maintenance, road maintenance, timber products, remains level or actually goes down a bit. It seems that the Forest Service should reevaluate its priorities. Not only would investment in active management and maintenance of current assets lower the future maintenance backlog, but I think it would actually help improve the forest user's experience, forest health, watershed health and help decrease the incidence and severity of the catastrophic wildfires that we are all concerned about.

So I just want you, if you could, to please explain how you justify adding this administrative staff, new lands, new roads, when the Forest Service currently has about a \$5 billion maintenance backlog of projects and is really unable, at this point, to address these within the current priority structure.

Mr. TIDWELL. With our request for LWCF funding which is, I think, it's very close to what we've received for the last few years. Once again, it's targeted on acquiring those key properties. A lot

of it is to provide access to be able to guarantee access to the public.

And once again, the cases that I've personally dealt with, every time we've acquired those lands it actually reduces our administrative costs. It allows us to do much larger projects. We don't have to worry about boundary management, so it's really an investment. And it's something that the public is very, very interested in us acquiring these key parcels.

With our roads' budget, the request is less than what we received last year. I wish we could ask for more, but when we have to look at finding that additional funding in a constrained budget to be able to put it into fire suppression, something has to give.

And I'll tell you there are very difficult choices that we have to make. And so that's one of the few areas that actually went down in our request between '16 and '17. But you also see that we're asking for additional money in the cost of fire suppression. That's what we're up against.

Senator BARRASSO. I want to switch to sage grouse.

Last September the Forest Service, Department of the Interior, announced Federal landscape-scale conservation plans for the Greater Sage Grouse habitat with 11 Western states impacted. The plans are controversial. Given the successful conservation work that has already been undertaken in states like Wyoming, with our special management plans, five months have now passed since the announcement and yet to my knowledge agency personnel on the ground in Wyoming still do not have guidance documents about how or when the agency intends to implement the plans.

It has not stopped the agency though from stating that seasonal uses like razing on local forests may change. So how is it possible that the agency staff can notify permittees that agency policy might change when they really have not yet even received guidance documents?

Mr. TIDWELL. Well Senator, what we're starting now is to actually have state-wide meetings to be able to meet with folks throughout the state and to be able to talk about how to move forward with this.

We have, like, a two to three year period of time, and so we want to focus on what are the changes that we can make? Where can we apply the investments we want to make to be able to improve sage grouse habitat and at the same time to work with permittees about how they can modify their operations over the next three years to be able to mitigate some of the impacts?

The Forest Service, we've—we're going to put over \$7 million into habitat improvement projects. And then with our FY17 budget request, we'll actually increase that, along with all of the money that the Bureau of Land Management is spending. But our plan here is to be able to work with folks to be able to address these issues.

Your state has just done an excellent job to be able to put the information together. And so, we're optimistic that, give us a few years, we'll be able to, you know, mitigate the impacts, improve sage grouse habitat, but at the same time, ensure the ongoing uses are still there.

Senator BARRASSO. Well, and that is my concern in terms of the—I have been to Wyoming the last couple of weekends hearing

specifically about that, asking that you communicate more clearly with permittees, with the agency personnel, in the Governor's office because you are right, Wyoming has done an exceptional job. It has been highlighted as a place that has done it right, and we do not want to compromise the hard work being done in Wyoming and other Western states to conserve the sage grouse.

So, thank you. Thank you, Madam Chairman.

The CHAIRMAN. Thank you.

Senator Heinrich.

Senator HEINRICH. Thank you, Madam Chair.

Chief Tidwell, welcome back.

I want to start with the Collaborative Forest Landscape Restoration Program (CFLRP). We have a couple of projects in New Mexico that have done some really great thinning work. It is a tool in the toolbox that is working for all the things that we say we want to do on our forests.

We are about seven years into the program, and I am starting to get questions from collaborators about how to continue the progress that we have been able to make in these forests. And for mills, in particular, as you know, three years is just not a lot of time or certainty.

So I wanted to ask you, do you support an extension of CFLRP or maybe a second round of authorization of projects and how can communities that have successfully implemented these projects make sure that the work continues after the end of the authorized collaborative project?

Mr. TIDWELL. Well Senator, in our '17 budget request we continue the funding for the 23 projects we have ongoing. And then also for out here we want to expand that to be able to expand the program, both financially but also to be able to add additional projects.

We're to that point where we also need to be thinking about how to extend this beyond the original ten years. And so it's something that will take legislative action to be able to add additional projects, expand the funding that's available, but also to be able to extend this. And I look forward to working with the Committee to find ways for us to do that.

Senator HEINRICH. I look forward to working with you, Chief, to make sure we do extend that program and working with my colleagues. As I said, this is a program that is effectively thinning our forests, doing it right and with enormous community support, and we need to use those tools that are working.

On an issue a little more geographically specific to New Mexico, in Western New Mexico, the Zuni Mountains Trails Partnership has been working now for many, many years to build out a mountain bike and other trail system in the Cibola National Forest, outside of Gallup. After several years of delays, we were expecting a final environmental assessment (EA) on this project last December but it was further delayed until this spring.

Recreation is one of the growing sectors in this part of the state, particularly in this forest. The counties and other partners have committed to working to contribute funding to actually build trails, so we just need the Forest Service to get a final decision in place

so that this can move forward. Can you commit to me today that we are going to see that final EA next month as was expected?

Mr. TIDWELL. Well Senator, it's my understanding we'll get it done this year. I'll have to get back to you as to just how soon, but I'm not sure we'll have it done next month. But we'll get back to you with a date. But I'm confident, from what I've been told, that we'll get it done this year.

Senator HEINRICH. The timeline on this has slipped and slipped and slipped. And you know, it is an example of where you have counties, you have businesses, you have the local forest, all working together on something that has the potential to really build a lot of trust and be an example, a successful example.

It is really quite frustrating when these timelines slip without the facts on the ground changing. This year is a little disappointing because this is not the first time. I have heard this timeline slip multiple times now, and it is certainly frustrating for the local communities.

We will follow up with you on that, but I would certainly hope that this would finally be done next month. I am aware of no reason it should not be done next month. No new information, no major changes in direction. So I look forward to following up with you and getting more specifics. I hope that this can happen a little sooner than that.

Mr. TIDWELL. I do too.

Senator HEINRICH. One last thing.

There have been some ongoing efforts to address the permitting issue. That is something I have got a lot of experience with as a former outfitter guide myself. That was covered by our Ranking Member.

Can you talk, just a little bit, about your efforts there because I think this is incredibly important to streamline this process and make it easier to get our constituents out in these forests whether they are doing that with an outfitter guide or a YMCA or a non-profit.

Mr. TIDWELL. We have been going through our process that we currently use to authorize outfitters and guides to be able to look at how we can do a better job to streamline that, make it a lot easier on our outfitters and guides.

In addition to that we're also looking at how we can change our current policies so to allow those non-commercial groups to be able to go out without a permit. It's one of the things that we're working on in conjunction with the Department of the Interior to be able to make it a lot easier for the non-commercial groups, the church groups, the city groups, the Ys, et cetera, and to be able to facilitate that to encourage more people to get out. So I'm really excited about the progress that we're making, and we're going to start implementing that this year.

Senator HEINRICH. I am very glad to hear that.

Thank you, Madam Chair.

The CHAIRMAN. Senator Capito.

Senator CAPITO. Thank you, Madam Chair, and welcome, Chief Tidwell.

I have said before that the construction and maintenance of adequate pipeline, we were talking about, Senator Heinrich was talking about pipeline. I am talking about a different pipeline capacity.

In the State of West Virginia we have got this shale gas boom in the Marcellus and Utica area we want to maximize the obvious potential there. But I want to ask you about the Forest Service involvement in the Federal Energy Regulatory Commission (FERC) process.

As you know the Forest Service is the coordinating agency but thanks to Chairman Murkowski and the base techs, the energy bill includes my provision on streamlining the natural gas permitting which would designate FERC as the lead agency to make, hopefully, the process move more quickly and more smoothly. Currently I do not think the process is moving as it should. I am hearing that there are excessive delays in the process and that the Forest Service is part of the problem.

Some of the problems are getting permission to survey to get on the ground data to find a suitable route, getting the Forest Service staff to review the data and then provide feedback in a reasonable amount of time, and then to determine if an amendment is needed to the Land Management and Resource Plan. These are just some of the major areas. My question to you is does the Forest Service have adequate resources to complete its part of the process in a timely manner? If not, what does the Forest Service need?

Mr. TIDWELL. We have adequate resources. If we had a larger staff, similar to what we had, you know, ten years ago, we'd be able to be more responsive. We'd be able to work a little bit faster.

But when it comes to a pipeline, the issues come from the public. The public's concern about the placement, the maintenance of pipelines. They want to be assured that it's going to be constructed in a way that doesn't cause unnecessary impacts to resources and that it is also constructed in a way that it is safe.

So we work with the companies. And ideally if the companies would come in and we have the upfront discussions about where they propose to put that pipeline. And so we can share the information that we have about the geology, et cetera, so that we can quickly eliminate certain areas that are going to be potentially problematic, certain areas that are very environmentally sensitive and to be able to route the pipeline around those.

That's how the process works, and we're making good progress. Ideally I wish that we could just, at the very start, come together and share all that information. And that's one of the things that we're trying to do a better job. So that when we hear about a proposal is to quickly sit down with a proponent and to be able to share our information and to be able to find that, the right route, for the pipeline. So we can quickly go through the analysis and be able to make the decision so that they, working with FERC, so they can go ahead.

Senator CAPITO. Right.

I do not disagree with anything that you have said here. I think that you have said quickly three times and I think that is the basis of my question is the timeliness of the decision. It is not disputing that there are problem areas or there are sensitive areas that you,

as foresters, know and precisely would enumerate to the companies and to the general public. That is not the dispute.

I think it is just trying to streamline the process. These are difficult, difficult issues in certain areas, and that is understandable. I would just ask you if maybe there is a way to make the process actually move quickly within in a timeframe that works? I tried to get timelines in there but I could not quite get them all the way into the bill.

My second question is, as you know, two-thirds of the nation's forests are in state and private forests. The Stewardship Program is providing assistance to our state foresters, and 90 percent of those plans are successfully implemented.

As a byproduct of those plans, forests that are owned by individuals and states provide almost 50 percent of the nation's wood supply. My question is why is the Administration proposing to increase agency fuel management and forest management budgets for Federal lands and yet decreasing the funding in the Stewardship Program?

Mr. TIDWELL. Well Senator, we're not decreasing that funding. We have moved some of the funding that's been in that account into what we call our landscape scale restoration account which allow the state foresters to be able to use those funds for forest health, for stewardship, for urban and community forestry. And they can have those funds together. So they can look at larger scale projects and not be limited to just looking at one piece of the problem there.

So actually, feedback we're getting from our state foresters when we started this program last year is that they liked it. Yeah, they have to compete for it, but the ones that are quick to be able to see how they compete, especially the work with their neighbors, they're able to compete well for these funds and actually get more work done.

So our overall funding stayed the same, we just are proposing to add additional funding then to the landscape scale restoration account.

Senator CAPITO. So the LSR, the Landscape Scale Restoration, is competitively built? There is no minimum amount that each state forester would get or anything of that nature?

I am over my time.

Mr. TIDWELL. They compete for that. They compete for that.

Senator CAPITO. Alright, thank you.

The CHAIRMAN. Thank you, Senator Capito.

Senator Wyden.

Senator WYDEN. Thank you, Madam Chair.

Chief, this effort to end fire borrowing seems like the longest running battle since the Trojan War. I mean, we have been at this since before I was Chair of this Committee. Shorthand, this is about raiding the prevention fund in order to fight fire.

Now I was very pleased that our Chair, Senator Murkowski, has talked about this. Senator Cantwell talked about it. I think everybody in this room knows getting to yes on forestry policy is a really heavy lift.

It is a real challenge and you have got to have a bipartisan approach. I think by way of trying to get this going this year, Chief,

how important is it to you to have the bipartisan leadership of this Committee get with the bipartisan leadership in the House, to start working with all of you? So we are going through the regular order. We are using the Committees, the bipartisan leadership here, bipartisan leadership in the House, but we're going to get out of the gates. We are now at, I think, 20 bipartisan Senate co-sponsors, 145 bipartisan members of the House, 260 groups, and I just want to find a way, working with my colleagues, with the bipartisan leadership of both bodies, to get this going.

How important is it to you that that start quickly?

Mr. TIDWELL. You know, Senator, it's essential. And it's not just for me. This is essential for the American public. Almost every question that I get asked, and they're all very good questions, I would have a different answer if we would have been able to fix this a few years ago.

When I think about the additional funding we've had to keep putting into this ten-year average and I think about what could we do with another \$237 million to be able to address the recreation needs, the roads' needs, to be proactive with forest management, to address more hazardous fuels. I understand how difficult this is, but it's essential we find a solution.

When I asked our folks last year, I said, what happens if we don't? If this keeps going in 2025, 67 percent of our budget will be for fire. Last year when I was up here we were talking 50 percent. In FY16, it was actually 56 percent.

I—there's got to be a solution, and I really appreciate all the hard work that's gone into it. And I understand it's difficult because if it was easy it would have been done a long, long time ago. But it's essential that we find a way, you know. And we are committed to work with the Senate. We'll work with the House, to be able to find a solution.

Your bill, definitely, is one of those solutions. There's other good ideas out there too, and we're committed to be able to work with that to find something that's actually durable.

You know, you passed the FLAME Act a few years ago. I was up here applauding that. It looked good. It didn't work for a lot of good reasons.

So I appreciate the Ranking Member's, excuse me, the Chair's comment about this needs to be durable. We've been at it for a long time, so let's find a way to be able to do it so that it isn't something we revisit in a couple of years.

Senator WYDEN. Well I appreciate that answer, and you clearly indicated that you are open to a variety of approaches.

As the Chair noted and something that I have long agreed with, we have got to have active management. There is no question about that.

We also have to find a way to get this done because this makes a mockery out of the Forest Service budget which is probably a little bit more colorful way to say what you have been saying and other people in the Forest Service have been saying for years.

So we are going to do everything we can, through the leadership on both sides of the Capitol, to work with you and to get this done. I know Senator Crapo, who has been with me on this, feels the same way.

One last point to use up the rest of my time. I want to thank you for the good work that your folks have been doing in Portland. They have done some exceptional work that, as you know, involves tree moss, and we have had some really serious public health questions.

I live in Southeast Portland. It is not directly in my neighborhood, but it is not that far away, and people are really concerned about the risk of these toxic metals that relate to industrial work done in the community. It looks like there are some big gaps in EPA clean air laws. They look to me like gaps the size of a lunar crater. But none of it really would have come to light without the ground breaking research that your people have done, so I am almost out of time but are you going to need additional funds in order to continue this research into the future?

Mr. TIDWELL. Well Senator, it's just another example of how important our research and development branch is to be able to develop the science, to do the studies, to be able to not only identify problems but more important, to find those solutions. And it's one of the things that I think it's essential that we find ways to be able to maintain a research and development budget.

When I look at where we were back in the mid-80's, and we had like over 1,100 scientists and we have much, over less than half of that today. Our scientists are doing a better job to be working with universities, et cetera, but it just shows you really the power of the benefit of science.

So this is one example to identify a problem. But I can tell you, it's also, it leads us to finding a solution. To be able to use vegetation, to be able to use our forests to provide that clean air, that clean water. That is the solutions that come out of science.

Senator WYDEN. Thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator Wyden. Know that there is a great deal of commitment for that bipartisan, bicameral effort to find the enduring and durable solution.

Senator Flake.

Senator FLAKE. Thank you.

Thank you, Chief Tidwell.

The question was asked earlier, are stewardship contracts and other activities we have undergone making a difference? I can tell you in Arizona, as you have seen and I have seen, they have. They have made a difference. We have towns that are still there that would not be otherwise, but we obviously have a lot of forest to treat. I appreciate you coming to my office in January and detailing some of the plans that you have to expedite that. The new 4FRI Chief Executive position, that is important. A budget increase for Region 3 and more acreage designated to existing industry—that is all important.

Can you talk a little more about—4FRI is the biggest of its kind in terms of projects—a Four Forest Restoration Initiative? What plans do we have, with the existing contracts that we have there and those on the outside, to expedite this forest restoration there?

Mr. TIDWELL. Well Senator, as you mentioned, you know, 4FRI was the first of its kind, to be able to do the analysis of a million acres with one document. So now we have 540,000 acres that's NEPA-ready for work to be able, under the 4FRI projects.

So we continue to work with the contractor to be able to expand their production. They did have their best month on record in December, and they indicate they'll be able to continue to expand. That's good.

But in addition to that we also are moving forward to provide additional acres that need to be treated for other operators in that state so that we can build on, not only the work that's being done by the Good Earth contractor, but also to be able to get additional work going. And at the same time we've got the rest of your state to worry about.

The 4FRI was a big project, but it was just a piece of it. And so that's the other challenge that we have.

When we look at some of the additional hazardous fuels funding and some changes we've made in our management and cost reductions that we've made to be able to dedicate some additional funds. But it's going to take multiple operators to be able to address the work that needs to be done in your state.

So the things, the changes, that we're making to be able to move faster, to be able to use the Farm bill authorities on other projects and also be working with the state, potentially with Good Neighbor Authority, to be able to expand our current work.

Senator FLAKE. Thank you.

Along those lines of allocation and budget priorities, the Eastern Arizona Counties Organization has discussed with you a detailed list, possible next steps, in terms of forest restoration on the east side. How do you plan to use the additional money for Region 3 in that regard? Will that be dedicating some to the priorities that they have outlined?

Mr. TIDWELL. Yes. They will also be, look at using some enterprise teams to get some of the NEPA done. It's also to be able to bring in additional people to be able to put the project package together.

And then also to be able to look at where are some areas that we can quickly get into so that we can continue to provide the wood that the east side operators need. And at the same time, to also move forward on some larger scale projects so that they too, can see multiple years of work in front of them versus what we'll be able to do in '16 and then have a question of well, what's happening in '17?

It's just another need for these long-term stewardship contracts. If we could get a few of those going on the east side, then I think we, you and I, would be having a different discussion.

Senator FLAKE. Thanks.

As you know Arizona has a long history of planning for water needs. We have the Colorado River that supplies a good percentage of the water that we utilize, but one of the most important sources is the runoff, the watershed that we have in our northern forests.

We asked the Governor and others to put forward some of the priorities for the state, and one is to make sure that we treat our watershed and are able to realize all the benefits that we can from that, all the water, treating Arizona's overly dense forest is a big part of that. As you know a healthy forest yields up to 25 percent more water than an unhealthy forest.

Given the Forest Service's experience with NEPA and narrowly tailored NEPA solutions and streamlining authorities, how can we utilize that? I mean, we have H.R. 2657, the Resilient Federal Forests Act, which is intended to help in terms of streamlining NEPA. How important is that to you?

Mr. TIDWELL. Well what's important to me is that the authorities we have are authorities that are supported across the board so we can actually, successfully, implement those.

I look at the authorities that came out of the Farm bill, the work that we're doing with insect and disease, the work we're doing with Good Neighbor Authority, that is allowing us to be able to expand our work because there's support. Those authorities were put together in a way that provides some assurances to those that had some questions and concerns about forest management but at the same time allowed us to be able to reduce some of the paperwork, some of the documentation of analysis. So they were very effective.

As we look forward for any authorities, for me it has to be something that provides that level of trust so that we can actually use it, because if you don't have that it just creates more controversy. What you'll find is that our employees will shy away from those verses to use different authorities.

So that, I think, is our challenge as we go forward. And once again, I think, that with the work from the 2014 Farm bill, insect and disease designations, those authorities have been, they're proving to be, very helpful and we're implementing those now.

Senator FLAKE. Thank you.

Thank you, Madam Chair.

The CHAIRMAN. Thank you.

Senator Warren.

Senator WARREN. Thank you, Madam Chair.

In recent years the Forest Service budget has been dominated by one thing, the cost of fighting wildfires. Two decades ago the Forest Service spent about 17 percent of its budget on fighting fires. This year firefighting will eat up nearly half of the agency's budget plus an additional \$800 million that has been separately proposed for disaster funding.

Now in large part the costs have increased because the number and intensity of fires has increased. Fire season now lasts about two and a half months longer than it did in 1970. Last year was one of the worst in decades with more than 10 million acres burning across this country.

The conditions that produce more wildfires are well known. Chief Tidwell, human activities have been driving dramatic changes in our climate. Can you describe the impact that climate change has had on major wildfires?

Mr. TIDWELL. Well Senator, the first one is the length of the fire season. And it's not just because the fire season is longer. When you have a fire season that's another two and a half months longer, it first of all, it allows those fuels to dry out that much more because they have another 60 days under the sun. And so when we, we not only see fires occurring earlier in the year, but then at toward the end of the fire season, our fuel moistures are much lower, so the fires burn at a higher intensity, cause more damage to watershed and are much, much more difficult to suppress. The other

things we're seeing is just hotter and drier weather. So you've got drier fuels, a longer fire season and then you have this hotter, drier weather.

And then the extensive droughts that we're having. We've always had droughts in this country, but what we're seeing today that the droughts are lasting longer and they're much more intense. And so they're causing even more problems. And we saw that through the West and we're getting some favorable moisture this year but it will take a lot more than one year to ever—forests recover from those droughts. So those are the things that are contributing.

There's one other key factor, and that is as we have this warmer environment with less of the really harsh, cold winters, especially early in the year, the insects and diseases are spreading. Our invasives are spreading.

Emerald Ash Borer is a good example here in the East. It's been around here for a while. It stayed pretty much in a few states and then as we started to really see the change in the climate, it's now been able to make it all the way to Canada.

That's the other problem that we're dealing with that the environmental changes, the climate changes. We're seeing they're also creating a very favorable environment for invasives.

Senator WARREN. This is very, very troubling because the pace of climate change is now accelerating.

Chief Tidwell, if we cannot make significant progress to address climate change, what can we expect about the cost of fires in the future?

Mr. TIDWELL. Well the cost of fires are definitely going to increase. But what's more problematic is if we can't get out and make more changes on the landscape to reduce the fuels, to be able to do a better job to build defensible space, we're going to continue to lose thousands of homes.

Last year we talked about the number of acres burned. We lost 4,500 homes. On average for the last ten years we lose 3,000 homes every year in addition to that the lives of our firefighters and the lives of our public.

So we have the opportunity here to be proactive, be able to address, you know, changing the landscape so that when the fires do occur they're less severe, they're easier to control, it's safer for our firefighters, safer for our public. Those are the things that we have to work on. And our scientists do not see any foreseeable change in the climatic situations we're dealing with for the foreseeable future.

Senator WARREN. Thank you.

You pull it all together there when you talk about the acres that we lose, we talk about the homes we lose and we talk about the lives that we lose. Obviously we need a real solution to fight wildfires, a solution that ensures sufficient funding, that keeps environmental protections in place and that provides certainty for all of the other Forest Service programs.

I appreciate the hard work that others on this Committee have done to try to come to that solution, but rising wildfire costs are just another example of the price we pay if we fail to take decisive action on climate change. Unless we take this problem seriously, unless we take meaningful steps to end reliance on fossil fuels and

cut back on greenhouse gas emissions, these fires will get worse, we will spend more money, we will jeopardize more lives, we will damage more critical ecosystems and communities that depend on our nation's forests.

Thank you, Madam Chair.

The CHAIRMAN. Senator Daines.

Senator DAINES. Thank you, Madam Chair.

Chief Tidwell, good to see you here again today. Thank you for your testimony. I share your commitment, as well as I know many members on this Committee, to solving the wildfire funding challenge and increasing active management of our national forests.

I know across many of our national forests, certainly in my home State of Montana, habitual litigation from fringe groups, who do not represent the majority of the people in Montana, have been one of the key barriers to moving forward with active management of our forests.

I recently received updated information from your Region 1 staff concerning litigation in Montana. I was told there are 21 active timber lawsuits going on in my state. That to me is astonishing, and it is unacceptable.

I had some students from Libby, Montana, in my office recently. They are called the Libby Loggers because of a vibrant timber industry up in Northwest Montana. The only folks winning today are the lawyers. And I said perhaps they need to change the mascot from the Libby Loggers to the Libby Lawyers. The lawyers are winning, the loggers are losing, the communities are losing, and the environment is losing. They are not actively managing a forest.

I appreciate the comments on the insects and infestations, certainly, of the pine beetle and what that is doing. We cannot even harvest dead trees oftentimes because we are getting challenged by these fringe groups.

In fact, I just saw a study which showed the Forest Service completes more time-consuming environmental impact statements than any other Federal agency. I just looked at the report here this morning. The Forest Service spends \$365 million a year complying with Federal laws and regulations.

My question, Chief Tidwell, as we look at the solution to go forward here, as we need to certainly, and I support change in the way that wildfires are funded, as well as ensuring that we move toward active forest management. I think a big part or a big barrier of that is litigation. If Congress provided litigation relief and regulatory relief in a way that maintains the public trust, is it fair to say the Forest Service would be able to get a lot more work accomplished on the ground and perhaps in a shorter timeframe?

Mr. TIDWELL. There's definitely projects that are litigated. And you know, in the past we definitely had much more litigation than we're seeing today. We've also, you know, our staff and attorneys are doing a good job to work through that backlog. What's even more important is the trend. So like last year in Region 10 or excuse me, Region 1, we had seven lawsuits and for—and three of those were for our vegetation management projects. And we had no preliminary injunctions to have to deal with.

So it's a combination of our folks doing everything they need to to be able to work with people and to be able to move forward with

that. But they have significantly reduced the amount of litigation when it comes to forest management and our vegetation projects.

Now the litigation in a lot of the other issues that we're dealing with, it's continuing to, actually, it's stayed the same or increased.

So that the solution, as I look at this, and I've spent a lot of time dealing with it over my career, is that if we can find ways for folks to understand what we're trying to get done and to be able to build that trust because so much of the, from my view, a lot of the litigation comes from the point that people believe that we're trying to do something else verses take care of the land.

Senator DAINES. To that point, I have been a supporter of the collaborative process, and it is working. It is working back home in Montana. However, of the 21 projects under litigation, 16 of the 21 were collaboratives where these folks show up, who are not at the table working together across various stakeholders, NGOs, the timber industry, the community, county commissioners, and then these fringe groups show up and litigate and challenge these harvests.

I think we all agree collaborations should be encouraged, but I strongly believe more needs to be done to protect the collaboratives from this handful of fringe obstructionists who repeatedly sue and upend the hard work and frankly, demoralizing folks who are trying to find a solution as we watch the forest burn in the summertime. We see the declining revenues that support our schools and our teachers and just a vibrant economy. I just ask that we continue to work together to find solutions to incentivize collaborations, to find ways to de-incentivize these fringe groups that are litigating a lot of these projects.

Mr. TIDWELL. Well Senator, I appreciate your support for our collaborative efforts and they are making a difference and yes, it's extremely frustrating when people have worked together, come to agreement on what work needs to occur and then you have somebody come in and file a lawsuit. It is frustrating.

I do think the ways to be able to incentivize collaboration, and I appreciate the work from Congress over the last two years. They recognize that. We see things where they want to put it into statute. I really appreciate that level of support, because I do think it is making a difference and it's really the answer.

I think that as we build more and more support and we build stronger collaboratives, I do think it will also help more people to understand really what we're after and to be able to build that trust. Because once you have that trust, that's what carries these collaboratives and that's what allows us to be able to get the work done.

When I look at the work that's going on in your state over the last few years, our employees are doing such an outstanding job working with the communities to be able to expand the work every year, be able to hit their targets, even with litigation that they're still dealing with. In your state it's one of the places we probably have as much as anyplace. But they are doing an outstanding job and appreciate, once again, your support for our collaborative efforts.

Senator DAINES. Thank you, Chief Tidwell.

The CHAIRMAN. Senator Hirono.

Senator HIRONO. Thank you, Madam Chair.

Thank you very much, Chief, for making the clear connection between climate change and the continuing challenges of fighting forest fires. I also agree with Senator Daines that collaboration is what we want to pursue.

Every state has forest resources and challenges that requires us to work very closely with the Forest Service, and then we depend on the expertise and what the Forest Service brings to the table. That is why so many of the questions from the Committee are very specific to what is going on in our states and your activities in those states.

So in that regard I did want to take a moment to thank you for your commitment to protecting Hawaii's precious landscapes in the President's 2017 budget. This includes prioritizing Hawaii's island forests at risk proposal for the Land and Water Conservation Fund as well as inclusion of both the O'oma and Helemano wilderness area in Hawaii through the Forest Legacy Program. As you know, our natural resources in Hawaii are facing numerous external threats, and your support in conserving these landscapes is very much appreciated.

I would like to, of course, invite you to visit Hawaii sometime to see all of the challenges and opportunities and the activities that you are very much engaged in in Hawaii. There is nothing like actually visiting a place to gain a fuller, I think, appreciation of what is going on.

I wanted to turn to one of the biggest emergencies that Hawaii's native forests are facing right now which is the Rapid Ohia Death, a fungal pathogen, in thousands of our native Ohia trees which have died. Ohia is significant because this tree makes up 80 percent of our native forests and is ecologically and culturally the most important native plant in Hawaii. Of course, our Ohia forests have a lot to do with our watersheds.

So one of the ground personnel from the Federal and state stakeholders, including the USFS personnel from the Institute of Pacific Islands Forestry in Region 5, with state and private grants are trying to answer several critical questions about this disease including transmission and resistance. We still need the resources to do the proper investigations and research.

What can the Forest Service recommend to Hawaii as it relates to Rapid Ohia Death based on lessons learned and best practices when you have been confronted with other tree diseases in other states? And would an incident command structure be helpful to identify and direct resources to help Hawaii and are there creative ways that we can engage expertise across the Forest Service on this topic and what other resources may be available for assistance?

Mr. TIDWELL. Well Senator, we are working very closely with the Agricultural Resource Service and also the University of Hawaii to be able to bring all of our resources together to be able to, first of all, understand how this is being transmitted and to be able, then, to look at some ways to be able to reduce the spread of this. We are also doing work to look at genetic resistance to be able to find which trees are able to fight off this fungus.

This fungus has been in Hawaii for a while, but it has just recently gone into the trees so we need to understand what is causing that to occur. It may be just another one of the indicators is we see the changing climate that we're seeing, you know, things, the fungus has been in our environment for many years all of it's starting to start creating a problem. We're seeing the same thing with bats, with white nose syndrome. So what we're looking at is to be able to bring all the resources together to quickly understand what's going on and be able to figure out how we can stop this.

The other thing we need to probably look at is how to stop the spread. So if there's some things that we can do to be able to get out in front of this.

I also know that there are some trials that are going on with some fungicides that may also prove effective. The problem with that is that it's such a large area and that may be very helpful in a specific area for a few trees around a person's home, et cetera, but to be able to stop this we're going to have to, I think, go beyond finding that solution.

So those are the things we're continuing to work on, and there's urgency to be able to quickly get out in front of this. But at the same time it's just another example of why our research and development program is so important so that we do have the scientists, we have the capacity, to be able to address these emerging issues.

Senator HIRONO. Do you have enough money in your Fiscal Year '17 budget proposal to do the kinds of things that you are doing because it is not just happening in Hawaii. These kinds of unusual occurrences are happening across the country, I would imagine, so you need to have a robust capacity for research, tests, what have you. Is there enough money in the budget? Well, there is never enough.

Mr. TIDWELL. So I'm pleased that we're able to ask for the amount of funding we do have. Yes. And then once again, until we fix this wildfire suppression funding situation we're not going to be able to be in a position to be able to ask.

So I do feel that we have an adequate level in our research and development. But it's one of the things we need to be aware of though, as there's going to be more and more invasives, more and more issues. Research and development is definitely an area that we need to increase our investment in.

Senator HIRONO. Thank you, and I thank the Chairwoman's leadership in the wildfire issue.

The CHAIRMAN. I look forward to working with you.

We will next turn to Senator Cassidy and then Senator Lee.

Senator CASSIDY. Hey, Chief.

Last September the EPA published an interim recommendation for environmental standards as well as ecolabels for use in Federal procurement. The recommendation for lumber defines, I think, FSC. You will know that term, but just to define it. The Forest Stewardship Council (FSC) certified and by including that but not including it, therefore excludes, if you will, the standard forestry initiative, SFI and the ATFS, the American Tree Farm System.

Now first in Louisiana about 85 percent of all of our lumber is either SFI or ATFS. I am also told that from the National Forest Service land there are about 42,000 jobs attributed to the forest

products from within NFS lands and that the Forest Service does not allow their harvested wood to be subjected to a third party standard. So not only are 85 percent of my foresters excluded but the entirety of the National Forest Service is excluded by these EPA standards. I am also told that both the SFI and the ATFS have the same sort of standards as the FSC, all these initials, I am sorry, but that they are just not included.

Thoughts on that? Why should we allow the National Forest Service products to be excluded based on their own rules and EPA rules?

Mr. TIDWELL. Well Senator, I'm going to have to look into this. But there's no question, we support, you know, the SFI, the tree farm, the FSC, you know, certifications. It's something that's in your state the majority of the private land is certified, and so we've always been supportive of that, you know. So this is something I'm going to look into but it raises the question of potential problems, because when we think about clean air and we think about clean water we need to be thinking about healthy forests and maintaining our forests.

So today, you know, our nation's forests, which is the majority of them are private land, as in your state, they sequester from about 12 to 14 percent of the CO₂ that's emitted each year. If we lose those forests and if there isn't ways to be able to have viable markets for the wood, private landowners are going to develop their land for some other use.

So it's essential that we make sure that we're, things that we're considering, it actually helps us to be able to maintain forests on the landscape. So this is an issue that I'll look into and I'll get back to you on it. But it is problematic when there's—when we're looking at things, especially when we're concerned about clean air and clean water. We've got to make sure that it allows us to be able to maintain our forests and part of that is to be able to have strong, economic markets for the wood. So it's essential that we have both, so I will look into this and get back to you.

Senator CASSIDY. It is interesting you just put a nice perspective, the degree to which the Federal Government passes regulations it makes it uneconomical for someone to have a forest.

That forest would be put to its other economic uses and the Federal Government will actually be working against clean water, against having, if you will, a sump for CO₂, if that is the priority and clean air. So the Federal regulation that restricts the access of another Federal agency to these products actually works against these stated goals of the agency. Is that a fair way to put it?

Mr. TIDWELL. Well, it could. And once again I'm not familiar with, you know, this EPA regulation, so I'm going to have to get back to you on that.

But, you know, my point was that we need to be very careful that we need to understand the benefit of our forests. And yes, we have our public land forests that are going to stay forested. But the majority of our forests in this country are private, and if we lose those private forested lands we lose the potential to be able to not only store carbon but provide that clean water, the wildlife habitat, the recreational settings.

So it's essential that we consider the impacts of any of our regulations so that we want to be able to do is to be able to promote that. And then at the same time, to be able to answer the question that yes, it's being managed in a sustainable way because some of our markets in Europe, there's people that are questioning our forest management in this country because of the standards that they have in some of the European countries require that their wood products are coming from sustainable, managed forests. So it's essential we'll be able to do that but at the same time, be able to do it in a way that we can maintain these forests.

It's—if I think about, if for no other reason, just the amount of carbon that's being stored. If we lose that sink, you know, we're going to have to find other ways to be able to deal with it. It's just another one of the benefits of forests that I'm not sure everyone recognizes.

Senator CASSIDY. We will then pose that as a question for the record, and we look forward to your reply after you have had a chance to review it.

Thank you.

The CHAIRMAN. Senator Lee.

Senator LEE. Thank you, Madam Chair.

Thank you for being here with us today.

Agriculture plays a pretty significant role in my home State of Utah. Our state's economy is quite dependent on agriculture, especially in many of the state's rural communities.

Now because of the fact that two-thirds of Utah's land is federally controlled, thousands of Utah ranchers are dependent on Federal land managers and the policies they set for their own livelihood, their own ability to feed their families and keep their farms and ranches operating.

Unfortunately for these ranchers and their families, Federal policies have become increasingly hostile toward livestock grazing. In fact, since the 1950s Federal land managers have cut livestock grazing rights by 74 percent. This is quite significant cutting those by 74 percent. This has created tremendous uncertainty for ranching families in Utah and undercut rural economy throughout my state.

Can you tell me, Mr. Tidwell, why have grazing permits declined so dramatically since the 1950s?

Mr. TIDWELL. It would be a combination of things but part of it would be the impact that was occurring from the grazing. It's also the change with the multiple use and that the public's interest in these lands for a variety of uses whether it's for recreation, whether it's for wildlife, whether it's for scenery. And so when we look at how to manage these lands we want—we're going to continue to graze these lands, and we can do it in a way so that we can maintain the ecosystem, maintain the riparian areas. We have thousands of places where we can do this.

And so has there been reductions over the last 60, 70 years? Sure there has. But you also have to remember that the reason the forest, the national forests, exist in Utah is that the community's petitioned Congress to have them reserved from the public domain because of the lack of management that was occurring way back in the late 1800s.

And so, over time, yes, there's been reductions. But it's been to be able to address the public's needs to provide, not only multiple use, but also to have sustainable grazing. And when we do that then the permittees are in a place where they have that certainty.

The other problem that we deal with is that we go through droughty periods of time in Utah, like everywhere else. And when we go through those droughty periods of time there's just less forage and there's less capacity on the landscape. Now the ideal situation would be the permittees would be able to reduce their numbers during that time, and then when we do get the more favorable precip years they could actually expand their operations. That's the place we need to be, but it's very difficult for many of our ranchers to have that flexibility.

Senator LEE. Yes, and I understand that there are a lot of considerations there, and I would not dispute that. I do not think any Utah ranchers would dispute the fact that it is necessary to restore rangelands to allow rangelands a chance to catch up so that our grazing permitting processes remain sustainable. But what I am hearing from a number of ranchers in Utah is that even after rangeland has been restored, after being allowed to rest for a while, it is still not opening up. That even once range conditions have improved substantially the grazing rights are not being restored. So why is that? Can you tell me why that is not happening? Is that the case, first of all? And to the extent it is the case, how do you justify that?

Mr. TIDWELL. Well, each allotment has a management plan that basically lays out that the rotation of livestock, the, you know, the duration and the intensity of grazing. Permittees follow that. And so if there's available forage, it's available. A lot of it just depends on water, and the more water distribution that we can have then you can spread the livestock out. It also depends on the operations.

So it's been my experience that we work with the permittees and we put a good plan together and it's their plan. They run the livestock. We set, these are the conditions that the public wants and needs from the landscape.

So, you know, you have that opportunity to use that for that forage. And so, there's a variety of things that factor into it. But if the forage is there, we're making use of it.

Senator LEE. Okay, thank you, sir.

Thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator Lee.

Senator Gardner.

Senator GARDNER. Thank you, Madam Chair, and thank you, Chief Tidwell, for being here today.

First of all, when we were having our budget hearing last year for the appropriations cycle, we had a conversation about the Forest Service's work around water, water policies and the ski area water rule. I understand in late 2015 that the Forest Service arrived at a ski area water clause that addressed the concerns of the ski industry, partners of the Forest Service, concerns that I shared with them which resulted in a resolution palatable to both the Forest Service and the ski area partners. I just want to thank you for your work on that.

I would like to briefly touch on the importance of healthy forest management practices. Coloradans who are living in and around Pike National Forest near Colorado Springs are closely watching an incident of species infestation of the Douglas-fir Tussock Moth. I understand from a stakeholder meeting with the Forest Service on Friday in the area in Colorado Springs that the Forest Service is not looking into the possibility of utilizing a categorical exclusion provision within the Farm bill to treat the affected areas.

The Douglas-fir trees in that forest are incredibly beautiful and certainly a local economic driver. I was hoping to get your commitment to continue to work with my office and local stakeholders to come to a resolution that will treat the Tussock Moth on the infestation on public lands which will lead to a healthier forest and obviously greater prevention for wildfires in the area.

Mr. TIDWELL. Well Senator, you have our commitment to continue to work with the city and the county there to be able to address that and to make use of that Farm bill authority. It's another example about the benefits of those authorities that were put together in a way that there's strong trust to be able to use those. And so this is a perfect example of that.

Senator GARDNER. Thank you, Chief.

Madam Ranking Member, I would like to submit to the record the Memorandum of Understanding among Colorado stakeholders for coordinated treatment of the Douglas-fir Tussock Moth on private—

Senator CANTWELL [presiding]. Without objection.

Senator GARDNER. Thank you.

[The information referred to follows:]

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF
COLORADO SPRINGS BY AND THROUGH ITS PARKS, RECREATION
AND CULTURAL SERVICES DEPARTMENT AND THE CHEYENNE MOUNTAIN
ZOO, COLORADO PARKS AND WILDLIFE-CHEYENNE MOUNTAIN STATE PARK,
EL PASO COUNTY, AND THE BROADMOOR HOTEL, FOR COORDINATED
TREATMENT OF THE DOUGLAS-FIR TUSsock MoTH
AND THE WESTERN SPRUCE BUDWORM**

This Memorandum of Understanding ("MOU") is made by and between the City of Colorado Springs, a home rule city and Colorado municipal corporation by and through its Department of Parks, Recreation and Cultural Services ("Parks") and the Cheyenne Mountain Zoo ("CMZ"), Colorado Parks and Wildlife- Cheyenne Mountain State Park ("CMSP"), El Paso County ("EPC") and the Broadmoor Hotel ("Broadmoor"), which shall collectively be referred to as the Parties or individually as a Party.

WITNESSETH

WHEREAS, the Parties have identified a significant threat posed by the Douglas-fir Tussock Moth and the western spruce budworm to their respective natural resources, totaling approximately six thousand (6,000) acres of property; and

WHEREAS, the Parties agree that participation to fund a contract for the coordinated treatment of the affected properties through aerial application of an approved insecticide is a cost effective and responsible approach to addressing this threat; and

WHEREAS, the Parties find that the performance of this MOU is in the best interests of the Parties, that the undertaking will benefit the public, and that the process identified in this MOU for division of the costs of contracting will fairly compensate the contracting Party for the services contemplated under this MOU; and

WHEREAS, the participating Parties agree to contribute an allocated share of the treatment costs into a gift trust administered to pay for the contracted services.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1.

Procedure. Parks agrees to be the contracting party and to identify a qualified contractor, determine an appropriate treatment plan, and obtain a price quote based on a fixed unit price on a per acre basis for application of the insecticide. Parks shall consult with the Parties to identify a fair allocation of cost to each based on the fixed unit price quote. Upon mutual agreement of the Parties concerning the division of costs, each Party shall to remit their allocated share of the cost of treatment into a designated Parks gift trust. Parks shall then contract for the services to be delivered in accord with the requirements contained within the contract Scope of Work and the

fixed unit price quote. The Parties acknowledge and agree that due to the many review processes for this cooperative project, changes to the selected insecticide application and to the acreage to be treated may occur at any time.

Section 2.

Term and Effective Date. This MOU shall be in effect upon the date of the first signature and shall be effective for each Party upon their authorized signatures. Unless terminated by all of the Parties, this MOU shall remain in effect so long as there are at least two Parties to this MOU and a contract to perform the services contemplated by this MOU remains in effect. The term for the initial contract shall be from date of contract execution through July 30, 2016. In no event shall the total term of the contract, including the initial term and any extensions exceed one year from the date of contract execution.

Section 3.

Termination. Any Party to this MOU may terminate their participation upon 30 days written notice to the other Parties. In the event a Party terminates its participation prior to delivery of the services and incurrence of contract costs, the terminating Party will be entitled to a refund of their funds remitted into the gift trust. In the event a Party terminates its participation after Parks has incurred contract costs to perform the services or after the contracted services have been performed, the terminating Party's allocated share may be partially refundable or nonrefundable at the discretion of Parks.

Section 4.

Liability. Each Party agrees to be responsible for its own liability incurred as a result of its participation in this MOU. In the event any claim is litigated, each Party will be responsible for its own expenses of litigation or other costs associated with enforcing this MOU. No provision of this MOU shall be deemed or construed to be a relinquishment or waiver of any kind of the applicable limitations of liability provided to City or County by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et. seq.* and Article XI of the Colorado Constitution.

Section 5.

No Third Party Beneficiaries. By entering into this MOU, the Parties do not intend to create any obligations express or implied other than those set out herein; further, this MOU is not intended to and shall not create in the public or any individual member of the public, a third party beneficiary relationship, or to authorize any person not a party to this MOU to maintain suit for personal injuries or property damage pursuant to the terms, conditions or provisions of this MOU.

Section 6.

Appropriation. In accord with the Colorado Springs City Charter, performance of the Park's obligations under this MOU is expressly subject to appropriation of funds by the City Council. In the event that funds are not appropriated in whole or in part sufficient for performance of the Park's obligations under this MOU, or appropriated funds may not be expended due to City Charter spending limitations, then the Parties may terminate this MOU.

Section 7.

Governing Law. This MOU is subject to, and shall be interpreted and performed under, the laws of the State of Colorado, and the Charter, City Code, Ordinances, Rules and Regulations of the City of Colorado Springs. For any dispute requiring court action concerning this MOU, jurisdiction shall exclusively be in the El Paso County District Court for the Fourth Judicial District of Colorado.

Section 8.

Severability and Waiver. In the event that any part, term or provision of this MOU is found to be in violation or conflict with any federal or state law, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the MOU did not contain the particular part, term or provision held to be invalid. The waiver of any breach of a term, provision, or requirement of this MOU shall not be construed or deemed as waiver of any subsequent breach of such term, provision, or requirement, or of any other term, provision, or requirement.


Section 9.

Execution. This MOU may be executed in as many counterparts as there are signatory Parties, each of which shall be deemed to be an original of this MOU.

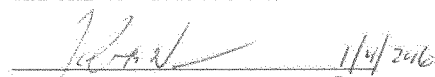
CITY OF COLORADO SPRINGS
DEPARTMENT OF PARKS, RECREATION AND
CULTURAL SERVICES


Karen Palus- Director Date 1/4/16

STATE OF COLORADO
PARKS AND WILDLIFE
CHEYENNE MOUNTAIN STATE PARK


Title SE Regional Manager Date 1-4-16

THE CHEYENNE MOUNTAIN ZOO


Title Director of Operations Date 1/4/2016

EL PASO COUNTY

Amy Dalton 1-12-16
Title Date

ATTEST: Philip Roseman
County Clerk & Recorder



THE BROADMOOR HOTEL

Fred Dickman January 4, 2016
Title Date

APPROVED AS TO FORM:

Brian Halay
Office of the City Attorney

Senator GARDNER. Chief Tidwell, recently the Forest Service prepared a supplemental environmental impact statement on the Colorado roadless rule and reinstated the North Fork exemption to the rule. I would like to thank you for your work on this issue to date and look forward to the final record of decision. I think it is important that we recognize the value of coal mining in the North Fork Valley and to uphold the exception which is the result of years of negotiation and collaboration among the Forest Service, Colorado and stakeholders.

Madam Ranking Member, I would like to submit two letters for the record on the Colorado roadless rule. One from Governor Hickenlooper and another letter I joined advocating for the exemption to be upheld in the Forest Service's analysis. If I could get those submitted to the record.

Senator CANTWELL. Without objection.

Senator GARDNER. Great. Thank you.

[The information referred to follows:]

STATE OF COLORADO

OFFICE OF THE GOVERNOR

136 State Capitol
Denver, Colorado 80203
Phone (303) 866-2471
Fax (303) 866-2003



John W. Hickenlooper
Governor

April 06, 2015

The Honorable Tom Vilsack
Office of the Secretary
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Dear Secretary Vilsack:

I am writing to you in furtherance of our ongoing collaboration on matters regarding management of Colorado's backcountry lands by the United States Forest Service (USFS). Adopted in July 2012, the Colorado Roadless Rule (CRR) is an exemplar of cooperative federalism, and its implementation to date demonstrates the commitment we share to see its promise fulfilled.

One essential element of the CRR has drawn litigation and, across Colorado, concern. The North Fork coal mining exception, 36 C.F.R. § 294.43(c)(1)(ix), was included in the final CRR to allow the construction of temporary roads to facilitate underground coal mining activities, including methane venting for miner safety, in the North Fork Valley of western Colorado. Any such temporary roads in the North Fork coal mining exception area would be closed to the public, are expected to last three to five years, and would be decommissioned to restore the landscape following use. Of the 19,100 acres in the North Fork coal mining exception area, approximately 4,000 have existing coal leases. Under the CRR, these areas would remain within the Colorado Roadless inventory, and the ability to expand existing mines would be tightly controlled.

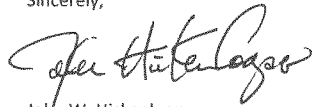
In June 2014, environmental organizations successfully challenged the USFS and Bureau of Land Management's decision to authorize a modification to the coal leases held by Arch Coal Company at the West Elk coal mine, in operation since 1981 in the North Fork Valley. The lease modification decision had the effect of potentially allowing the construction of roads, pursuant to the North Fork coal mining exception, beneath the 5,800 acre Sunset Roadless Area. The federal district court found that the federal agencies failed to comply with the National Environmental Policy Act (NEPA) in conducting their environmental review of the lease modification and in adopting the CRR's North Fork coal mining exception. In September 2014, the federal district judge ordered the North Fork coal mining exception severed from the remainder of the CRR and vacated.

This turn of events causes me concern and is the subject of this letter. The CRR represented a collection of compromises, each of which was necessary to secure its adoption and, we believe, its ability to endure in the face of political and policy changes. While the final CRR package provided the opportunity for defensible space around communities and recognized opportunities for jobs important to Colorado and the nation such as in coal mines and ski areas, for example, it also protected 409,500 acres of USFS roadless lands not identified in the 2001 rule and identified 1.2 million acres as upper tier acres where roadless characteristics would be conserved at a level higher than that in the USFS's 2001 Roadless Rule. The North Fork Coal Mining Exception was fundamental to this balance. In addition, the CRR has been described as an "insurance policy" for Colorado's backcountry lands. Given longstanding litigation surrounding the USFS's 2001 Roadless Rule and the 2005 state-petition rule, the CRR was intended to provide a measure of certainty as to the management of these lands. The federal district court's vacatur of the North Fork coal mining exception removes the CRR's assurances as to future activities in the North Fork Valley.

I therefore write to urge you to take expeditious steps to address the federal court's ruling and to remove impediments to future coal mining in the North Fork Valley. My predecessors included the North Fork coal mining exception in Colorado's petitions for rulemaking to ensure that the coal mines in that area would be able to expand and continue to provide critical jobs for Coloradans, and I support and reiterate that goal. Repromulgation of the North Fork coal mining exception as originally written would address this, and I stand ready to assist you in any way necessary to accomplish that goal in an expeditious manner, including participation in NEPA review of the rulemaking as a cooperating agency.

Thank you for your time and attention to this matter. I continue to believe that the level of cooperation between the USFS and the State of Colorado embodied in the Colorado Roadless Rule is a model for management of federal resources, and I remain committed to working with you to realize its full potential.

Sincerely,

A handwritten signature in black ink, appearing to read "John W. Hickenlooper". The signature is fluid and cursive, with the first name "John" being the most prominent.

John W. Hickenlooper
Governor

Congress of the United States
Washington, DC 20515

January 20, 2016

The Honorable Tom Vilsack
Secretary of Agriculture
Department of Agriculture
1400 Independence Ave., S.W.
Washington, D.C. 20250

Secretary Vilsack,

We encourage the completion of the environmental analysis resulting from a June 2014 court ruling on the Colorado Roadless Rule (“the Rule”), and the reinstatement of the North Fork Exception to the Rule at the earliest possible opportunity. The Rule, finalized in July 2012, provided for an exception in the North Fork Coal Mining Area that would allow the construction of temporary roads to facilitate the continued underground mining of coal resources. These temporary roads would not be available for general public use, and would be reclaimed to their natural state after fulfilling their purpose.

The Rule was the result of many years of negotiation and collaboration among the United States Forest Service (USFS), the State of Colorado, and local communities and stakeholders, and it recognized the importance of coal mining in the North Fork Valley. The commonsense exception measure was designed to foster continued resource development while retaining strong environmental protections.

However, in a June 2014 court ruling, the exception was vacated pending further environmental analysis. On April 7, 2015, the USFS published its Notice of Intent to prepare a Supplemental Environmental Impact Statement (SEIS) to reinstate the North Fork Coal Mining Area Exception to the Colorado Roadless Rule, and published the Draft SEIS on November 20, 2015 for a public comment period ending January 15, 2016.

We thank the USFS for its work on this issue to date, because these coal resources are not merely an important component of the state’s energy portfolio; mining has been ingrained in the very history and culture of the North Fork Valley. The industry has supported generations of families in Delta and Gunnison Counties, and remains critical to the prosperity of the region’s communities. It is urgent that any unnecessary barriers to the long-term vitality of the region’s coal industry, and by relation the economic health of these communities, be removed as soon as possible.

We thank you for your time and serious consideration of this important issue.

Respectfully,



Cory Gardner
United States Senator



Scott Tipton
Member of Congress



Mike Coffman
Member of Congress



Doug Lamborn
Member of Congress



Ken Buck
Member of Congress

Cc: The Honorable John Hickenlooper, Governor, State of Colorado
Mr. Tom Tidwell, Chief, U.S. Forest Service
Mr. Dan Jirón, Regional Forester, Region 2
Mr. Scott Armentrout, Forest Supervisor, Grand Mesa, Uncompahgre, and Gunnison
National Forests
Board of County Commissioners, Delta County, Colorado
Board of County Commissioners, Gunnison County, Colorado

Senator GARDNER. Recreation on Forest Service lands, as you know, is obviously a tremendous part of Colorado's economy, our country's economy. Senator Shaheen and I are working on legislation that would focus more on the recreational economy, the outdoor economy, to get a better understanding of its economic impact.

Recent studies in Colorado show that the ski industry in the state generates about \$4.8 billion annually. The vast majority of the 25 ski areas in Colorado are located, at least partially, on national forest land. In addition, I have read that the ski areas generate over \$20 million in fees that go directly into the U.S. Treasury.

My concern is centered on reporting that the Forest Service is finding it increasingly challenging to keep up with the growing recreational industry, including these ski areas. In fact, the most heavily used, popular forest in the country is White River National Forest generating nearly \$18 million of the fees paid to the Treasury each year. But we have seen the White River National Forest staff steadily decline, the budget eroding over the past several years. So they are struggling to uphold their end of the partnership. In fact, since 2009 if you look at it, I think they have seen a 40 percent reduction in their budget, the White River National Forest, as they take on new projects, as they take on improvements, expansion of summer recreation that has been such a great success over the past several years.

How do we address this, at the Forest Service level, this erosion of local capacity to serve recreation that is critical to Colorado and so many other communities?

Mr. TIDWELL. Well Senator, we face that problem everywhere, not just in your state.

You know, the ski areas are great partners. They're often willing to actually help, you know, pay for additional analysis when they're looking at expanding and especially as we're now moving into the forest season resorts to make full use of these facilities.

We're doing what we can to be able to be a good partner and to be able to be responsive, but there's a problem you mentioned, you know, with the staffing. It's just, it's something that's occurred because of the cost of fire suppression. And it occurred gradually over quite a few years, over ten plus years, to the point where, you know, we just have 33 percent fewer employees outside of fire than what we did just a few years ago. And so, it's just another example.

Now that being said, what we're looking at is to find a way so that we can actually be more efficient with our processes so we can actually be even more responsive. It's one of the things that we want to be able to sit down, especially with the ski areas, where they can bring capacity, you know, to help with the problem. But we still have our role.

But if we can find ways to be able to, you know, package different proposals together, to be able to get the work done up front so that there's, you know, strong support, people, the public, understands what's being proposed. We'll continue to be able to do a better job but it probably isn't going to satisfy their needs, and we're just going to have to find a way to stop the erosion of our staff.

Senator GARDNER. So specifically, with the fire funding fix, how would that help on the staffing issue? How specifically could we

make sure that that money then, that it is prevented from being drained away over here to go into staffing issues?

Mr. TIDWELL. Well the first thing, it would stop the transfers. So we wouldn't have to deal with that anymore. We wouldn't lose all that time and expense and funding. And then the second thing is that we'd be able to at least maintain our current staffing or ideally build that over time because it would provide flexibility, budget space within the constraints so that appropriators could, you know, add to our budget instead of constantly reducing it to be able to pay for fire.

So you know, that's the first thing is to stop the erosion and then to be able to create the space so that we can be proactive, not only on forest management but also to be able to deal with recreation so that we can carry out our responsibilities to be a good partner with all of our recreation users and especially the ski areas.

Senator GARDNER. Chief Tidwell, keeping in mind the drought maps and snow pack levels, as you are looking into the spring and the summer, what areas of the country are you concerned about from a forest fire perspective?

Mr. TIDWELL. Well, you know, this year with our projections we're looking at having a less active year than we had last year. But we're also seeing areas where we're getting a very warm spring and we're seeing the snow, you know, come off the low ground, low areas. And so that's becoming a concern so that in our lower elevations we're now looking, it looks to me, that we may have an early fire season.

Our higher country is going to be in much better shape than it was last year, at least out West, so we may not have those large fires in the high elevation. But come September it's going to dry out.

One of the problems that we have is that when I'm asked to predict the fire season, you know, and our scientists can look at it. And one of the things they do, they predict the cost. So for FY16 our predictions right now is that we're 90 percent confident that the cost of this fire season is going to be between somewhere around \$700 million and \$1.72 billion. And that's today. And then we're talking about FY17 budget. So the idea that we can actually predict, I mean, we've got great scientists, but it is just so difficult. And so even for this year I'll be able to give you a good projection in May but probably not until May can I really answer your question.

Senator GARDNER. I understand. Thanks, Chief.

Thank you.

The CHAIRMAN [presiding]. Thank you, Senator Gardner.

Chief Tidwell, let me go back again to the Tongass and the transition issue. I mentioned in my opening comments my concern that this transition only works if you have those that are able to stay in the business. We have had this conversation before, and I appreciate that the Forest Service has stuck with the Big Thorn sale. That is going to, hopefully, keep enough timber out there to keep things alive into next year.

But I do remain concerned about the future. In 2015 you sold no old growth at all. So far this year in '16 you are planning to sell just 51 million board feet unless a revised Wrangell Island sale can

be worked out. Looking out to 2017 and beyond, old growth sale planning is pretty much nonexistent with the focus entirely on preparing for young growth sales.

So every year when we sit down in this public forum I raise the question to you, what do I say to people back home? What can I tell the folks at Viking about how the Forest Service intends to keep them and other mills alive? The industry needs old growth and a supply they can count on. It is needed to pay for investment. What do you say to the people who are working whether at Viking or at another mill? How do you encourage them to stay there? So what can you tell me that will be encouraging to the men and women in Southeast that continue to depend on a supply of timber from the Forest Service?

Mr. TIDWELL. You know Senator, I think our transition to young growth over time is the solution to be able to provide that certainty, to provide that bridge timber, to reach agreement that yes, there will be bridge timber made available.

The CHAIRMAN. But what do we do in the short-term because—

Mr. TIDWELL. Well.

The CHAIRMAN. You say over time, and I am saying okay, we can talk about it over time. But how do we keep them alive until then because the outline that I have given you is we have got timber that we can look to this year that keeps us alive through next. But how do you see their future after that?

Mr. TIDWELL. Well, we're continuing to move forward with our annual timber program while we're doing this, and so far in FY16 the target for the Tongass is 62 million board feet. And it's my understanding they're committed to get that done, that—

The CHAIRMAN. Are you aware, Chief, in order to keep this transition alive, we have got to rely, not only on what is coming off of the Forest Service lands, but also off of non-Federal lands? I understand Sealaska has told you as recently as just last week that they are going to have a difficult time continuing economic operations and that they are going to be seeking to supplement their timber supply with sales from the Tongass. They tell me that they are going to need to buy 20 million board feet annually for perhaps 30 years from the Tongass.

So how do you make this all work? How do you make this all work, not just for this year and not just for '17? If Sealaska is saying that they are going to need 30 years and you are suggesting that you are going to be able to have 62 million board feet, how does this all pencil out?

Mr. TIDWELL. Well it starts by the—there is—the folks in Alaska are working together, the state, Sealaska, folks on the Tongass and folks from the Mental Health Trust, to be able to look at how we can have, really, an all lands approach so that there is going to be x amount that's available for the industry and actually work together. This is something that you could say we should have been doing a better job in the past; however, we're looking at how we can do a better job as we move forward.

And then based on that, to be able to have the coordination between the programs. But it's essential that we're able to produce. And I wouldn't be up here telling you that I, without any question, believe that this approach, that over time to transition to the young

growth, is the solution to be able for us to continue to provide the integrated wood products industry in Southeast Alaska.

And yes, we're going to have to continue to have the bridge timber. We're going to also have to be moving forward with some young growth to be able to start giving operators a chance to be able to explore markets, you know, with that young growth. And so that is our course.

The CHAIRMAN. Well—

Mr. TIDWELL. That is our plan over time to be able to do this.

The CHAIRMAN. I understand that it is a plan over time and again, I am trying to make something that works beyond the paper plan because on paper it might be possible. But again, you cannot push this young growth timber to grow any quicker. It cannot be a fantasy plan. It has to be based on accurate analysis and assessment and a reality on the ground.

I continue to have the same concerns that I have had. I will continue to express them. It is not because I am sitting back here in Washington, DC, reading some talking points. It is because I am talking to the people that are on the ground, that are out in the communities, that are on Prince of Wales Island, who do not believe that they have the capacity to hang on much longer.

They hear the good plans and they believe that it is nothing but pie in the sky. The effort, again, for these families that have worked so hard, for so many decades, and are not asking for the timber industry that was around 20 years ago, 30 years ago, they are asking to just be working with the facts.

I am going to ask one more quick question and then turn to my colleague here, and this is regarding the proposed new, forest-wide standards and guidelines to address renewable energy development within the Tongass and the transition plan. You know that I had pushed for this last year, continue to do so, but what we are seeing is guidelines that appear to be pretty simplistic looking, pretty vague and therefore it causes me to question how effective they can be. Does the Forest Service plan to utilize an approach that would give greater clarity, more consistent, enforceable guidelines through an approach that has been put forward in the five year review—that is to provide for a renewable energy LUD? Because the issue that I am hearing is that what the Forest Service is proposing just does not provide enough clarity, there is ambiguity that is not going to be helpful to folks.

Mr. TIDWELL. So Senator, are you referring to the alternatives?

The CHAIRMAN. Yes.

Mr. TIDWELL. In the Forest Plan amendment?

The CHAIRMAN. Yes.

Mr. TIDWELL. Well, that's one of the benefits for the comments that we've received. I wanted to thank you for your letter, that very well written letter.

The CHAIRMAN. It was a good letter. Thank you.

Mr. TIDWELL. And it's part of the comments. And as we go through those, those are the things we're going to be addressing. But those are the things, the feedback, that we need on the plan, if there's things we need to change.

You know, that being said, we have, I know that we have at least five projects that are approved or under construction. There's an-

other seven hydro projects that we're working on with FERC to try to get through, plus another, I think, another dozen that we're still, you know, looking to start the analysis on.

So we are, we're moving forward. So we're not waiting for the Forest Plan amendment. We're going to continue to be able to work with folks to be able to move forward to be able to implement those hydro projects.

The CHAIRMAN. I would ask you to look to making sure that these standards, these guidelines really do do what we are hoping which is to help facilitate the renewable energy development projects that we are talking about.

Let me turn to Senator Cantwell.

Senator CANTWELL. Thank you, Madam Chair.

Chief Tidwell, I wanted to ask you about the Ascot Mine. Ascot Resources, a Canadian mining company, is proposing to conduct exploratory drilling on the Gifford Pinchot National Forest adjacent to Mount St. Helens National Volcanic Monument. The exploratory Goat Mountain Mining development could impact about 900 acres, and 165 of those acres of the proposed 900-acre development were purchased by the Land and Water Conservation Fund.

So you can see where I am going here. Why would the Forest Service allow for this proposal to move forward if you had already previously helped to conserve the land by purchasing it with the Land and Water Conservation Fund? I want to understand how those two things can co-exist together? I shouldn't say that that way. I don't believe they can co-exist, so I'm interested in this process that you're moving through.

Mr. TIDWELL. Well Senator, I share your concern. And I'm not certain on the timing of this, but I understand we acquired that property using LWCF a few years ago and then we have this mine proposal.

So when we acquire properties they then become part of that national forest and the management is then covered under their forest plan. It raises the question for us to be thinking about this as we move forward to if there are, you know, areas depending on why this land was acquired. Was it just to block up ownership? Was it to provide public access? What was the key reason that the forest plan should assure that that, the purpose for acquiring the land, should still exist?

But when we do have a, you know, a mining proposal that comes in on top of that, it raises the question about do we need to do a better job to be thinking out on these key parcels that are being acquired so that if it's what the public is okay with, then we're okay with it. But if it raises those questions, it's something that we need to be considering.

This is somewhat unusual. It's happened, I think, at least once before that I'm aware of, when we've acquired lands and then had someone come in and stake a mining claim on it.

Senator CANTWELL. I am having a hard time understanding how we would use LWCF and not think it was for public use. I mean, LWCF is about protecting the public's access and interests, so it is hard for me to believe that a NEPA document would say that there is no recreational impact when literally LWCF is about preserving

areas for recreational and public access for the future. That is why we are doing it because we do not want the development.

Mr. TIDWELL. Well, you know, mining is also part of the use that occurs on national forests, too, you know, so it's one of the challenges that we have to deal with and balance.

Senator CANTWELL. But not in conjunction with LWCF.

Mr. TIDWELL. I agree and you know, it's one of the things that I want to look at how we can maybe avoid these problems from happening, in the future. But it's—once those lands are acquired then they are managed as part of the national forest. And if they are open for mining and there's a mining claim then, you know, that proponent has the ability to propose an operation.

Senator CANTWELL. Well anyway, I am sure you will hear from people who believe that it has recreational value and that it should be stated so in a NEPA document, but we will leave that for now.

I want to ask you about road maintenance. The Mount Baker-Snoqualmie National Forest is proposing to close a number of its roads. I can understand closing roads that are endangering our watersheds, but there are a number of road closures there that are being proposed because of lack of maintenance funding. I want to understand how we can be proposing new roads when we have this backlog of maintenance?

Mr. TIDWELL. Well Senator, each year we build a very few number of roads. And often, those are roads that are to replace existing roads, to be able to move a road out along a stream, et cetera, to reduce environmental impacts. And then there's a few places where we do build a few roads and some are in the State of Alaska. But over many years the number of new roads that we're building is always a small number of maybe, you know, 10 or 15 miles per year.

But your point about road maintenance is an issue, and we have a tremendous amount of backlog of deferred road maintenance that is contributing to not only the erosion but impacting the quality of our streams and our fisheries, et cetera, and it continues to be an outstanding problem for us.

So as we look at which roads need to be closed we go through a public involvement process to identify those roads so that we can reduce some of the backlog of our deferred maintenance, reduce the impact to streams and at the same time still provide for a level of public access.

Senator CANTWELL. I think you have something like a 13 percent decrease in the road maintenance funding but you have an existing \$5 billion backlog. So to me, I do not know where you were talking about specifically building the new roads, but I am trying to understand the value because, as recreation supports so many jobs in our area, we certainly want to make sure that people are having access by the way of the recreational businesses for the Snoqualmie National Forest.

What I am saying is, I am sure every day you have to make decisions about these issues, backlog versus new roads, but I am asking whether you consider the impact that that maintenance backlog has on recreational areas when it is such a big part of an economy in an area?

Mr. TIDWELL. We do, and it's one of the reasons why we sit down, not only with the communities but local officials and the public, to be able to find solutions to this problem.

And so the majority of our road budget goes to maintenance, and we are proposing to spend \$6 million on some new roads. I will be glad to provide for the record where those roads will be located and the purpose of those roads to be able to reduce environmental impacts and provide needed access for the public.

Senator CANTWELL. Thank you. I appreciate that.

If we can dialog about the Mount Baker situation, specifically with the community, that would be so helpful.

Mr. TIDWELL. Yes.

Senator CANTWELL. Thank you.

The CHAIRMAN. Thank you, Senator Cantwell.

Chief, I just have a couple of quick, hopefully, very quick questions for you.

The first relates to aviation resources and coordination with the states. Back in December we received testimony from National Association of State Foresters that during the 2015 fire season, because of some new Federal rules, you had U.S. Forest Service dispatchers decline to call up state aircraft for fires on Federal land even when the state aircraft might have been closest to the fire start. We talked a lot about the issue of carding and different standards for aircraft used in fire suppression.

Can you give me a quick update on the aircraft carding issues and progress on the coordination then between Forest Service, Department of the Interior and the states, so that we know that we have got one carding system out there that recognizes aviation standards as being equal and accepted by all?

Mr. TIDWELL. Madam Chair, we are working with the states to be able to come up with that one standard.

The CHAIRMAN. Okay.

Mr. TIDWELL. We operate about, at least 300 to maybe 400 helicopters and, you know, dozens of contracted aircraft that all do meet this one standard that the Forest Service has. That being said, not all the states do and so we want to ideally get to a point where there's just one standard so that it makes it easier for us to be able to use resources. And it also, you know, ensures that level of safety that our pilots are looking for and the public is looking for.

The CHAIRMAN. Do you think that you can do that relatively quickly or how long of a process is this? Because again, as we heard in the Committee here, there is nothing that frustrates people more than knowing you have got an immediate issue right there, you know exactly what has to happen, and yet you are stuck because somebody does not have the proper authorization.

Mr. TIDWELL. It's going to take some time. I don't think this is—

The CHAIRMAN. Like years?

Mr. TIDWELL. It may. A lot of it will depend on our partners in the states on their willingness to be able to come together on one standard.

The CHAIRMAN. Well if there is anything we can do to help facilitate those conversations so that we can make that happen more rapidly, I think that there would clearly be interest in doing that.

Let me go to an issue in Southeastern Alaska. This relates to Shee Atika and Cube Cove land deal. This is a situation where there were inholdings within Admiral T. Island for Shee Atika Native Corporation.

What has been going on is there has been a long protracted situation, an effort for an appraisal of the lands. That was accomplished last October, and it was accepted by Forest Service and Shee Atika. That appraisal now expires in October unless there is a purchase option agreement that is signed locking in the appraisal price. What we have recently learned is that there is new staff at Forest Service that think an environmental site assessment that was conducted prior to the appraisal is no longer valid and needs to be redone. That would completely pull the rug out from under all the progress that has been made and the effort for Shee Atika, again, to get this concluded.

I would ask you to look into this issue and determine whether the reassessment needs to be redone or whether it can simply be updated. We would really like some assistance in just making sure that there is a process that is smooth on this.

If you can also look into the issue of the split ownership of the Cube Cove lands with regards to Sealaska. Again, a local issue, but it is one that has been outstanding, and it seems to me there is no reason that we cannot get this resolved.

Mr. TIDWELL. Well Senator, we are going to move forward. We do need to update that environmental study assessment which is a relatively quick and easy thing to do. We'll be able to get that done this spring, be able to move forward and get a purchase option. And it's my expectation that we'll be asking, I'll be asking, for your help for us to be able to quickly complete that purchase that we've been working on this for many years.

The CHAIRMAN. Yes, we have.

Mr. TIDWELL. So we want to make sure we get it locked in this year, so we can quickly move forward to be able to complete that purchase.

The CHAIRMAN. And recognizing that appraisal then expires in October we have got a pretty tight timeline here, so—

Mr. TIDWELL. That's why we have to get the purchase option in place, get that study completed and move forward to start acquiring the lands with the money that we currently have plus what we're requesting in FY17.

The CHAIRMAN. Okay. Well let us work closely with you on that. Two very quick ones here.

What are the Forest Service plans for offering new opportunities for tourism firms and wildlife bids to gain new or additional days for services in Region 10 both in Tongass and Chugach? We have received so many complaints in my office about the lack of new opportunities, no solicitation open periods. You have new operations that would love to come in and gain some use days. Can you tell me whether or not there are going to be any new solicitations for the Chugach in either '16 or '17?

Mr. TIDWELL. I'll have to get back to you on it, on the Chugach.

The CHAIRMAN. Would you?

[The information had not been received as of the date of printing.]

Mr. TIDWELL. I know that we're going to move forward with some on the Tongass, but your point is well taken that this is the sort of thing we need to be able to find ways to make it easier and to be able to expand those operations so that more people can get out there. And then also it creates more jobs.

The CHAIRMAN. Well, if you can look into that.

It goes back to a point that I made earlier with regards to our request to Forest Service last year on the recreation dollars that come from Forest Service. Alaska has taken disproportionate reductions in funding over the years. You were directed to correct and address that. We have not seen where that has been remedied, and I would like an update on that as well.

[The information had not been received as of the date of printing.]

My final question for you this morning regards Secure Rural Schools (SRS).

We were told that the payments through the extension that we did last year, that the payment was supposed to go out to the states last month for distribution. I am hearing now that the payments may be delayed. Can you give me any update to that as to when communities might expect to see their SRS payments?

Mr. TIDWELL. The payments should go out no later than next week.

The CHAIRMAN. Okay, okay, and it will be as advertised, if you will?

Mr. TIDWELL. Yes, we did have some discussion on whether these payments would be subject to sequestration, and the determination was that they are not.

The CHAIRMAN. That will be welcome news.

Mr. TIDWELL. So it took a little while to be able to get there, but that did delay things a few weeks. But we're now ready to move forward.

The CHAIRMAN. Okay, good.

We'll know that is another area I know Senator Wyden and I and Senator Cantwell have looked to how we are going to deal with SRS and again making sure that these communities that are so reliant on these dollars are able to provide for some planning.

Senator CANTWELL. You know, Chief Tidwell, I just want to say thank you because that's so important to these communities, so I am sure that they will be very anxious to hear that news this morning and getting this revenue out to them, as I mentioned Skamania County, but there are many other counties in our state that are so dependent upon that.

I am also eagerly awaiting your outcome on the Small Business Set Aside Rulemaking. I am not asking you to make comment here, but we are looking forward to seeing your comments on that.

I know my colleagues also asked about the YMCA permit process and you are in the stages of finalizing that. That too, will be very, very important to us. I appreciate how much you have worked with them in the interim time since we first brought this up in the Committee. We will look forward to the details of how that process works.

So, thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator Cantwell, for bringing up that last point on the Set Aside. You and I had worked on that letter some time ago, I guess last October, but we are still waiting on that.

It is not just a response to that letter. It was back in '13 that we had assurances that we would see something to correct the problem in '14. Congress urged the Forest Service to address this in Approps bill and then in '15 we directed Forest Service to act within our Interior Approps bill with the stewardship contracting.

I would certainly hope that we would have some form of communication back from you in terms of where this is and why it has not been addressed. If you could get that to us, we would appreciate it.

Mr. TIDWELL. We'll provide the Committee on the update, the progress we're working through with the Small Business Administration on that.

The CHAIRMAN. Okay. Thank you.

And Chief, thank you for being here this morning. Thank you for your responses to the questions from all of us and thank you for your work. We appreciate it.

[Whereupon, at 12:07 p.m. the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED

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Questions from Chairman Lisa Murkowski

Murkowski Q1: What is the final methodology that will be applied in the Young-Growth (Y-G) inventory study? How many young-growth stands will be surveyed, how many trees will be surveyed per stand, what age classes of trees will be studied, exactly how complete a survey will be conducted and when will the data be finished?

Answer: The Young Growth (YG) Inventory is a stand-level, field intensive effort that will sample 35,000 acres of older (>55 yrs.) YG stands, 15,000 acres of younger YG (40-55 yrs.), and an additional 20,000 acres of Old Growth (OG) Bridge timber.

The YG inventory will consist of one plot per 2.5 acres and each plot will survey western hemlock, Sitka spruce, and cedar. The younger YG (40-55 years) inventory will consist of one plot per 5 acres and each plot will measure every tree. A similar stand-level, detailed inventory of the OG bridge timber is being developed in consultation with the Alaska Division of Forestry. The inventory is expected to be completed over the next two field seasons (2016 and 2017).

Murkowski Q2: Can a complete inventory of the 435,000 acres of young-growth in the Tongass be completed on a \$2 million budget? If not, how much more money will be needed in FY 16 or FY 17 to complete the YG inventory? What accounts/budget line items (BLIs) will the Forest Service utilize to fund this work? Will this money come out of the Region's allocation for these BLIs?

Answer: The Forest Service (FS) does not intend to fund an intensive survey of all 435,000 acres of YG on the Tongass. The Forest Service State and Private Forestry has dedicated \$2.5 million of the \$4 million challenge cost share agreement with the Alaska Division of Forestry to complete a stand-level timber inventory on 70,000 acres of combined young growth and old growth bridge timber. The inventory will be conducted during the 2016 and 2017 field seasons. The information gained from the inventory, in combination with existing information on Tongass YG stands, will provide a rich data set from which project-level timber sales will be planned. At the end of the 2016 field season the FS will evaluate whether additional funding will be necessary to complete the inventory.

Murkowski Q3: What is the estimated cost of the economic studies sought by the Tongass Advisory Committee to determine what products can be made at what costs from Y-G in the Tongass? When will those studies take place, when will they be finished, and exactly which Forest Service budget accounts will be used to pay for the cost of the "cut up" studies?

Answer: The Tongass Advisory Committee (TAC) included recommendations to monitor certain economic data associated with the young growth transition, such as the number and value of private sector jobs, including those associated with wood products

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processing. The Forest Service is currently seeking public comment on the monitoring plan and will consider the Committee's recommendations along with all other comments received. When it comes to funding, the FS has not yet committed to, or obligated funds for, any specific economic studies recommended by the TAC.

Murkowski Q4: A July 2013 memo from U.S. Department of Agriculture Secretary Tom Vilsack (Secretary's Memorandum 1044-009) directed the Tongass National Forest to transition its forest management program away from old growth to Y-G timber management. How much funding has this Secretary-mandated transition received from the Department of Agriculture's budget?

Answer: During fiscal year 2014, 2015, and 2016, the Tongass National Forest directed funding from its program budget allocations toward completion of the Plan Amendment and costs associated with the Tongass Advisory Committee (TAC). By the end of fiscal year 2016 it is expected that a total of approximately \$4 million will be expended for this effort. This funding has been used for contracts, environmental analysis, salary, travel, publications, public meetings, and TAC support. An additional \$4 million from State and Private Forestry was provided in fiscal year 2015 to support the challenge cost share agreement with the Alaska Division of Forestry. This funding is being used to conduct the stand level timber inventory in support of the transition (\$2.5 million), as well as for training to increase capacity for woods-working jobs in Southeast Alaska's communities and the private sector (\$1.5 million).

Murkowski Q5: During the hearing, Chief Tidwell, you repeatedly said that an amendment to the Tongass Land Management and Resources Plan (TLMP) could proceed in advance of completion of the young-growth inventory or of economic studies because the plan amendment would not affect Forest Service transition efforts. Since the plan amendment is likely to be in place for at least eight years, if not much longer given the length of time it normally takes to adopt and win final approval to implement a new TLMP, could you explain why the plan amendment will not affect the existing industry's health over the next decade and thereafter?

Answer: The ongoing Tongass Forest Plan Amendment is supported by landscape-scale resource inventory data, consistent with the 2012 Planning Rule and the National Forest Management Act. The Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) are scheduled for completion in late 2016. Postponement of the ROD to await stand-level inventory work is not necessary because the currently available information is of sufficient scope and depth to support the development of the FEIS and ROD. Postponing issuance of the ROD would also delay implementation of key proposed provisions, including provisions to enhance support for renewable energy project development and the transition to young growth harvest management. Finalizing the plan will help operationalize more young growth sales. If the record of decision for the plan is delayed there will remain uncertainty in providing sufficient volume to sustain

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the timber industry because of continued risk of litigation related to old growth timber harvest needed for the transition.

The Forest Service will continue to plan and offer sufficient old growth timber sales from roaded areas of the forest to insure that a bridge exists for the remaining infrastructure to transition to young growth. Ensuring that sales move forward expeditiously is critically important to maintaining a robust forest industry while we transition to predominantly young growth management.

Murkowski Q6: During the hearing you discounted three analyses, (The Nature Conservancy 2009 Beck report, the Forest Service 2010 Economic Analysis of Southeast Alaska and the Alaska Forest Association analysis of the Forest Service 2015 Demand Analysis) that all question whether there will be sufficient young-growth to support the operation of a Y-G mill in the region. You also mentioned that the Forest Service hopes to make 62 million board feet (mmbf) of timber available in FY 16, but did not talk about the amount of old-growth timber or young-growth timber the Forest Service is planning to prepare for sale and actually sell in coming years while a transition proceeds. Given these facts, how can the Forest Service make a responsible determination that a young growth based timber industry is financially feasible and will meet the Secretary of Agriculture's mandate of "maintain the existing industry" when it lacks information that can only be gained by stand-level analyses that assess young growth within the identified timber base?

Answer: The mandate to "maintain a viable industry" speaks to providing "bridge" old growth timber sales sufficient to maintain the industry infrastructure while the opportunities for young growth processing increase during the transition.

The Forest Service will offer increasing volumes of economically viable young growth timber sales over that time period based on site specific project design and based on the current five year timber sale plan. The first large offering of young growth (Kosciusko) is scheduled in 2018.

The Forest Service has sufficient young growth inventory information on hand to model the transition at the Forest Plan, or landscape level. The Forest Plan amendment process sets overall management direction and guidance for the Tongass National Forest.

Murkowski Q7: Please provide the Committee the official five-year planned timber sale schedule for the Tongass National Forest. Please include an explanation of the current status of all sales in the five-year schedule, including those planned for this year, and note any legal, administrative, or financial impediments to offering such sales.

Answer: Included in the following table is the Tongass National Forest five-Year Timber Sale Schedule for 2016 through 2020.

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District	Project/Sale	2016	2017	2018	2019	2020
POW	Kosciusko Young Growth			Prep/Offer 25 mmbf		
	Prince of Wales Large Landscape Assessment	Inventory	Project Initiation	NEPA Analysis	NEPA Analysis	Prep/Offer 60 mmbf
	Big Thorne Small Sales	Offer 1.5 mmbf	Offer 1.0 mmbf	Offer 1.0 mmbf	Offer 1.0 mmbf	Offer 1.0 mmbf
WRD	Wrangell Island	FEIS and ROD	Prep/Offer 40 mmbf	Prep/Offer 13 mmbf		
	Navy 3 Sisters	Offer 7.4 mmbf				
	Navy Mossman Heli	Offer 3.2 mmbf				
	Zarembo OG/YG	Project Initiation	NEPA	NEPA	FEIS/ ROD	Prep/Offer 40 mmbf
PRD	N. Kuiu	Offer 23 mmbf				
	Mitkof Heli	NEPA	FEIS/ ROD/ Prepare	Offer 15 mmbf		
	3 Bays	Inventory	NEPA	FEIS/ROD/ Prepare	Offer 35+ mmbf	
KMRD	NW Revilla	Inventory	NEPA	NEPA	Prep-Unknown mmbf	
The following sales are currently under litigation and are being further evaluated to determine if positive value projects can be produced:						
	Traitor's Cove **	10 mmbf				
	Scott Peak **	8 mmbf				
	Overlook **	4 mmbf				
Totals		57.1 mmbf	41 mmbf	54 mmbf	36 mmbf	offer 65+ mmbf plus bank shelf volume

Murkowski Q8: As a follow up to a question asked at the hearing, in the Lower 48, where there are lower operating costs and shorter haul distances, it normally takes about 100 million board feet (mmbf) for a medium-sized mill utilizing young-growth to be economic to install and operate. The Forest Service proposed transition plan amendment only calls for about 40 mmbf to be available in a decade and about 61 to at most 80 mmbf of young-growth in year 16 of a transition. The old growth offered would be just 5 mmbf a year. At the hearing you said that it would be up to the mills, the state and Native corporations to come together to find products they can make, markets they can profitably sell to, and to size facilities to succeed within those constraints. When I

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mentioned that Sealaska has said it will not be able to economically afford to harvest its young-growth timber lands without gaining up to 20 mmbf of old-growth from Forest Service lands – four times what you are proposing in year 16 of the Y-G transition, I did not understand your answer. Why do you believe that there is already sufficient data to show that a Y-G transition can be successfully achieved?

Answer: The proposed Tongass Plan Amendment purpose and need is centered on a transition to a predominantly young-growth based industry and a reduction of old-growth harvest. The alternatives were designed to correspond with current demand projections, with a decreasing percentage of old growth. The proposed Amendment analysis is supported by a forest management modeling system applied to the alternatives; the modeling evaluated long-term timber harvest levels based on transition objectives and utilizing available data. The available data and forest management modeling show that a transition that meets current demand projections can be successfully achieved. Over the next five years, the projected young growth available ranges from 40 to 81 MMBF. After that, the young growth available ranges from 85 to 115 MMBF.

Murkowski Q9: I understand the Forest Service withdrew the agency's Groundwater Directive late last year in light of wide spread opposition. Now, the Forest Service is advancing "the Framework for Water Stewardship," which describes the Service's plans for managing watersheds and all matters of water on Forests. Is there any discussion underway in the agency to revise and reissue the groundwater directive in any form? What was the impetus and the policy objective behind development of the framework? How will the framework be developed and implemented? Will it need a Directive?

Answer: No, there are no current or planned discussions to revise or reissue the groundwater directive.

The impetus for the consideration of a Framework is that the agency and our partners would benefit from a strategic roadmap that provides a more defined context of direction and focus. The framework is envisioned to be used with our other water and aquatic resource tools, such as the Watershed Condition Framework, the National Best Management Practices Technical Guides, the Groundwater Dependent Ecosystem Inventory Field Guides and the Water, Climate Change and Forests – Watershed Stewardship for Changing Climate Guides. We have only *considered* the development of a comprehensive Framework for Water Stewardship (Framework) to protect and restore water sources and water-dependent resources. Currently there is no further refinement of this Framework except conceptual discussions on how it would fit with other agency work products.

Murkowski Q10: For more than a decade, small business timber purchasers have petitioned the Small Business Administration and the Forest Service to include stewardship contract timber volume in the small business timber set aside program. At every step of the process they have met with dogged and steadfast resistance from the

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U.S. Forest Service. Ranking Member Cantwell and I sent you (and the SBA) a letter inquiring about this issue on October 1 2015, and we still have received no response and no outreach. The FY2016 Interior bill further directs the Forest Service to issue a rulemaking. At the hearing you indicated you would respond. Please explain how the Forest Service plans to comply with this directive, and tell me your specific timeline for doing so.

Answer: The Small Business Administration (SBA) is proposing changes to its regulations regarding the Timber Sale Set-Aside Program. The Forest Service's (FS) role is to develop a directive implementing the SBA's rule change once finalized. The FS and SBA have cooperated and prepared a joint Advance Notice of Proposed Rulemaking (ANPRM) soliciting public input on possible amendments to the Set-Aside Program. The ANPRM was published in the Federal Register on March 25, 2015 (80 FR 15697-99), for a 60-day notice and comment period ending on May 26, 2015. The ANPRM requested comments regarding:

- The possibility of including saw timber volume sold as part of a stewardship timber or stewardship services contract in the calculation of the timber sale share of small business;
- How timber sale appraisals should be performed for small business set aside sales and associated costs and benefits to stakeholders; and
- Input on various policy options regarding the Set-Aside Program.

The FS and SBA are using the ANPRM comments received to develop a proposed rule (SBA) and, subsequently, a proposed directive (FS). Both documents require public notice and comment and will be published in the Federal Register for a 60-day time period.

The United States Department of Agriculture (USDA) and Forest Service (FS), in cooperation with SBA, developed a preliminary analysis of the effects of the inclusion of Stewardship Integrated Resource Timber Contracts (IRTCs) in Set-Asides, and of the effects of the appraisal point changes. The results are being used to inform the proposed rulemaking (SBA) and directive (FS) efforts. The rulemaking process is subject to many variables and it is difficult to precisely predict when the directive will be complete.

Murkowski Q11: The USFS received a \$5 million increase in Forest Inventory and Analysis (FIA) in the FY16 budget. Please explain how that additional funding was distributed to the regional FIA programs and states, and what additional work this funding will accomplish?

Answer: The additional funding was allocated to the four research stations as follows.

Pacific Northwest (PNW)	\$2,202,000
Rocky Mountain Research Station (RMRS)	\$56,000

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Southern Research Station (SRS)	\$2,200,000
Northern Research Station (NRS)	\$542,000
	<hr/> \$5,000,000

This allows PNW to implement interior Alaska and maintain a 10-year re-measurement cycle for all forest lands both public (inclusive of R10, R6 and R5) and private. The additional funds to SRS recognizes increased forest area throughout the Southern region and especially western Texas and Oklahoma. Increased funding to SRS and NRS maintain the desired 7 years base federal funding required for states to partner for a 5 year re-measurement cycle. RMRS is maintaining a 10 year re-measurement cycle.

Murkowski Q12: At the hearing I asked you about the about the different standards and carding the Forest Service, the Department of the Interior and states have for aircraft used in fire suppression. Can you provide an update on the aircraft carding issue and progress on coordination between the Forest Service, Department of Interior and States to establish one carding system that recognizes each party's aviation standards as being equal and accepted by all parties?

Answer: The Forest Service, along with the Department of the Interior and its bureaus, have resolved differences in recognizing each other's approvals. The standard is the same between all these agencies. Each Forest Service region, the Department of the Interior Office of Aviation Services, and the bureaus will honor each other's approvals without additional inspection or documentation. Each state, as a sovereign entity, retains the right to maintain their own standard, but recognizes the common standard required to provide cooperative support on federal fires.

Murkowski Q13: The Forest Service and the Alaska Mental Health Trust last year reached an agreement to initiate (ATI) a land trade proposed by the state agency, where Alaska would trade thousands of acres of timber lands in urban settings for mostly second-growth timber on Prince of Wales and Hecata Islands. But apparently there has been no movement in many months on the Forest Service formally signing the memorandum of understanding needed to even start the lengthy land trade process. When will the land trade process, including the crafting of an environmental impact statement that is required, start?

Answer: In April 2015, the Forest Service completed the Feasibility Analysis (FA) for this exchange. In June 2015 an Agreement to Initiate (ATI) for a "value for value" land exchange was executed. The ATI, a public, non-binding agreement, details the land exchange process, highlights existing issues, and identifies the next steps during the exchange.

The next steps include drafting a Memorandum of Understanding (MOU) for developing an Environmental Impact Statement (EIS) as part of the environmental analysis pursuant to the National Environmental Policy Act (NEPA), boundary line surveys, and appraising

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the parcels. Both parties are currently engaged in the drafting of the MOU which defines the roles and responsibilities during the NEPA process for a third party contractor, the Forest Service, and the Alaska Mental Health Trust (AMHTA). The Forest Service anticipates the AHMTA will sign the MOU in April 2016. The Forest Service anticipates the NEPA process will take 24 – 30 months to complete.

Murkowski Q14: Congress when it passed the Tongass Timber Reform Act clarified a provision of the 1980 Alaska lands bill, requiring the Forest Service to provide enough timber to meet market demand for Tongass timber. Congress repeated that provision just two years ago in the Sealaska lands bill that the Forest Service supported. All of that legislation requires you to put out a demand study yearly that states the forecast demand for timber from the forest which you are supposed “to seek to meet.” The draft demand study, upon which your forest plan amendment is seemingly based, calls for a sharp drop in demand this year and into the future, but while it mentions that the high value of the U.S. dollar is causing some of the demand decline, it admits very honestly that the demand dropped dramatically not because of market forces, but because the Secretary’s transition memorandum requires that a cap be placed on the amount of old-growth timber being offered, and so the study limits its demand estimates to the amount of timber that might be available to supply the market. This circular logic is certainly intellectually dishonest. Both Sealaska and the Viking mill tell me they could this year sell far more timber at economic prices, if you just made more timber available. That means that demand is higher than what you are assuming, and certainly higher than what you want to provide. What is your justification for your latest demand study showing more than a 100 mmbf drop in market demand for Tongass timber between 2014 and 2015? Why do you feel that the new demand study is in keeping with the law’s requirements?

Answer: From 2000 to 2011, the Tongass National Forest timber harvest declined by nearly 70 percent. Factors contributing to the decline included changes in the structure of the Alaska forest products sector, macroeconomic conditions in domestic and overseas markets, markets for Alaskan products, and conditions faced by Alaska’s competitors. Considering all these, the Pacific Northwest (PNW) Research Station projected the average demand for Tongass National Forest timber, over the next 15 years, ranged from 46 to 76 million board feet. Three different scenarios display alternative futures for Southeast Alaska that all incorporate the transition of the Tongass National Forest from old-growth to young-growth timber harvest. These scenarios differ in the use of the projected harvest, in that the young growth scenario calls for a reduction in harvest from the Tongass National Forest, the wood energy scenario focuses on demand for utility logs, and the US housing scenario includes a projected increased demand for saw logs for lumber.

PNW Research Station scientists established that demand in the “seek to meet” language meant demand for end forest products. This interpretation of demand is based on solid economic theory and is the accepted definition in all PNW Research Station long-term timber demand analyses. The application of this definition in peer-reviewed

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methodology includes identifying all markets receiving Alaska wood products, assembling historic market data for wood products, and projecting the future using a trend-based approach. The Forest Service's timber demand projections are based on accepted principles of economics and undergo rigorous peer review to ensure that the decisions they support are scientifically sound and legally defensible.

Murkowski Q15: Mine exploration and development requires road access to transport heavy equipment and to provide for affordable maintenance and operation. Arbitrarily prohibiting roads causes many otherwise excellent mining projects to be technically or economically infeasible. What set of criteria will the Forest Service use to evaluate a mining projects' economic and technical feasibility to allow road access to such projects in and through Inventory Roadless Areas under a new Tongass Transition Plan Amendment? Will the Forest Service consider adopting a Mineral LUD to assure access to, and development of mining claims on the Tongass National Forest (particularly in Remote Recreation and other TUS Avoidance Areas) and on the roughly 9.6 million acres of the Tongass National Forest subject to the 2001 Roadless Rule?

Answer: The current Tongass Forest Plan includes a Minerals Overlay with the stated goal 'to encourage the prospecting, exploration, development, mining, and processing of locatable minerals in the areas with the highest potential for mineral development.' The proposed Plan Amendment retains the Minerals Overlay LUD with standards and guidelines for lands open to mineral entry that encourage the exploration, development and extraction of locatable, salable, and leasable minerals and energy resources, and also ensures the right of ingress and egress granted by the 1872 Mining Law and other laws and regulations. The Roadless Rule provides that a road may be constructed in an inventoried road less area if the Responsible Official determines that "[a] road is needed pursuant to reserved or outstanding rights, or as provided for by statute or treaty". The Forest Service has recognized that the 1872 Mining Law gives a statutory right of reasonable and necessary access related to the exploration and development of mineral properties. This statutory right is subject to reasonable regulation for the protection of surface resources. The Forest Service will work with the project proponent to determine the permissible activities during NEPA analysis of a proposed project.

Murkowski Q16: At page 23 of the Forest Service's May 2010 *The Economic Analysis of Southeast Alaska*, it states:

Based on the best available information regarding the costs of conducting commercial thinning of young growth, the products that can be made from it, and the values of such products, *young growth management is not currently economically viable without substantial public investments to pay for thinning. This is because the vast majority of young growth currently available on the developed land base is too young and small to generate profits in excess of the logging and transportation costs used in this analysis* (see appendices C, D and E for cost and price details).

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- What is the level of investment in commercial thinning of Tongass young growth contemplated by year from 2010 through 2050 estimated by the May 2010 *The Economic Analysis of Southeast Alaska* to achieve the 30 – 50 mmbf described in the Tongass Transition Plan DEIS?

Answer: *The Economic Analysis of Southeast Alaska*, May 2010 was conducted, upon request, to ascertain the potential for a more rapid transition to a young growth based forest management program. Analysis and modeling was conducted based upon the best information available in 2010. The 2010 report served as a point of reference; however, it did not form the baseline information used in the modeling for the Forest Plan Amendment nor did it drive any of the alternatives under consideration.

The Forest Service has more current and accurate information on the ages, location and distribution of young growth stands which has been used for modeling in support of proposed alternatives in the Forest Plan Amendment. The 2010 report has not been used to drive budget requests or considerations with respect to commercial thinning in young growth stands nor has it been used to drive day to day considerations around the young growth transition.

- What has been the level of investment in commercial thinning of Tongass young growth from 2010 through 2015?

Answer: Commercial thinning denotes a harvest prescription which is implemented by a purchaser during execution of a commercial timber sale. The Forest Service does not track what purchasers spend on commercial thinning. The Forest Service funds the preparation work for commercial thinning, including designation and measurement of the trees to be harvested and the subsequent administration of the contracts (but does not track that spending by forest). The Tongass has offered, and sold, the Heceta Young Growth Stewardship contract which implemented a “commercial thin” prescription and it was successfully completed in 2015. The sale was planned, designed and administered within the normal forest products appropriations for the Tongass.

- What makes you think that a new Administration or Congress will increase the level of investment in commercial thinning of Tongass young growth?

Answer: The design, planning and execution of commercial thinning prescriptions in planned timber sales is accounted for within the normal timber sale (NFTM) fund code structure. By law, the Alaska Region cannot offer a timber sale unless it appraises positive, and unless there is a mandate to subsidize young growth logging, we would not anticipate a need for additional investments in commercial thinning.

- What is the level of investment in commercial thinning of Tongass young growth in the current budget? What volume of Tongass young growth is available for harvest in 2016 at that level of investment?

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Answer: There is no specific amount of “investment” planned for commercial thinning of young growth in the current budget save what funds are allocated to prepare and lay out any specific timber sale project that incorporates an intermediate, commercial thinning prescription in a young growth stand. Timber sale costs vary widely based on size, location, and prescriptions being implemented. Presently there are two young growth sales under contract (Big Buck and Little Buck) totaling approximately 4.2 MMBF.

- If the level of investment in commercial thinning of Tongass young growth does not increase above that in the current budget, can the Forest Service achieve 30 to 50 mmbf of young growth in any year between 2016 and 2050? What volume of young growth would be achieved? And again, what volume do you anticipate an industry needing to be economic to finance and operate?

Answer: The transition to young growth strategy envisions a gradually increasing offer of economic young growth sales, without logging subsidy/investment, through the transition period of approximately 16 years.

Alternative 5 (Preferred) in the Draft Forest Plan Amendment projects approximately 25 MMBF per year by year 15 increasing to in excess of 60 MMBF per year by year 20. The model has also predicted approximately 85 MMBF per year available on an annual basis beginning in year 25. (Figure 2-9, Page 2-33, DEIS, Forest Plan Amendment).

Murkowski Q17: The 2010 *Economic Analysis of Southeast Alaska* demonstrates that, when disaggregated, the young growth timber south of Frederick Sound that meets NFMA, TTRA, and TLMP requirements and is in large enough blocks and is sufficiently connected to existing transportation infrastructure to be capable of economic harvest is limited to no more than 30 to 50 mmbf per year. Do you have new reports or information that amends these volume projections? What type of integrated industry that is limited to 30 to 50 mmbf per year does the Forest Service envision?

Answer: *The Economic Analysis of Southeast Alaska*, May 2010, was conducted, upon request, to ascertain the potential for a more rapid transition to a young growth based forest management program. Analysis and modeling was conducted based upon the best information available at that point in time and conclusions were reached and serve as a point of reference. The 2010 report does not form the baseline information used in the modeling for the Forest Plan Amendment nor did it drive any of the alternatives under consideration. The Forest Service has more current and accurate information on the ages, distribution and characteristics of young growth stands which has been used for modeling to support proposed alternatives in the Forest Plan Amendment. The Forest Plan Amendment will guide and direct the transition to young growth.

Murkowski Q18: Until the recent passage of the so-called Sealaska Lands Bill the Culmination of Mean Annual Increment (CMAI) requirement of the National Forest

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Management Act prohibited timber harvest on the Tongass until timber has reached its so-called "rotation age." The rotation age for the Tongass is 90 to 100 years, depending upon site conditions. Since significant timber harvest did not occur on the Tongass until the 1960s, harvest of young growth would ordinarily not be allowed under the NFMA for another 30 to 40 years. Since the harvest in the 1960s was along the beach and along streams, harvest of the oldest of the young growth timber will not be permitted in these areas in any event because of the Tongass Timber Reform Act (TTRA) and the 2008 Amended Forest Plan restrictions. Thus, the oldest of the young growth is not available for harvest notwithstanding the departure from CMAI. So, as a practical matter, how and in what areas will the departure from CMAI increase the volume of economic young growth timber available for harvest, especially since the service's waiver from CMAI is limited to no more than 50,000 acres and no more than 15,000 acres in the first decade?

Answer: Three of the alternatives under consideration in the Draft Tongass Land Management Plan do propose limited young growth harvest activities within previously restricted areas albeit with fairly restrictive prescriptions. Some of the older young growth will be available for harvest and it is too early to tell how much that will be. The CMAI departure will provide limited opportunities within those restricted areas. The use of the CMAI departure on a broader scale will be best determined at the individual project level planning phase. As the young growth transition is envisioned as a phased and gradual increase in output over time our assessment is that the acreage limitation, by decade and in total, will not be an impediment to meeting overall objectives.

Murkowski Q19: The Forest Service maintains Old Growth Reserve LUDs, which include many acres of young growth stands. To what extent are these stands included in the 30 – 50 mmbf of young growth inventory that the Tongass Transition Plan Amendment asserts are available for timber harvest?

Answer: The amount of young growth harvest in Old Growth Habitat LUDs in the proposed Plan Amendment varies by the alternatives considered. Alternatives 1 (no action) and 4 do not include young growth harvest in Old Growth Habitat LUDs. Alternative 2 (proposed action) has the greatest amount of young growth acres harvested (32,800) in Old Growth Habitat LUDs, followed by Alternative 3 (29,250 acres) and Alternative 5 (the preferred alternative, 1,796 acres). The acreage is based on best available data, mapping, and modeling work analyzed in the Plan Amendment Draft Environmental Impact Statement. Actual volume of young growth that could be produced from these acres depends on the on-the-ground conditions.

Murkowski Q20: Considering that second growth trees regrow and absorb carbon 2.5 times faster than old growth timber, should the Tongass Transition Plan Amendment DEIS revise its discussions of the carbon impacts of timber harvest to account for this? Please provide the Committee the Forest Service's assumptions for carbon avoidance/sequestration throughout the cycle of regrowth which occurs following a timber harvest. Was this accounted for within carbon avoidance analysis in the DEIS?

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Answer: Yes, it was accounted for in the carbon avoidance analysis. Section 3-13 of the proposed Plan Amendment DEIS discusses carbon sequestration, and how carbon is lost or sequestered in the cycle of regrowth. The section points out that the Tongass is a carbon sink, stores more forest carbon than any other National Forest, and because of the cool conditions that inhibit decomposition, stores carbon through decaying plant matter that is incorporated into the system's soil profile. As stated in the DEIS: "Generally, the capacity of a forest system to sequester and store carbon depends on the location, age, and species composition of the forest (Birdsey et al. 1993). Newly established forests accumulate carbon rapidly for many years, with a reduction in the rate carbon is accumulated as trees mature, growth slows, and decaying material accumulates." Carbon storage and sequestration on managed and unmanaged lands are discussed. Citing Barrett (2014), the section indicates that "growth and recruitment of live trees removed an estimated 760 pounds of carbon per acre per year from the atmosphere, but net change in live carbon mass was not significantly different from zero, with mortality and harvest estimated at 670 pounds of carbon per acre per year." Yet it has been shown that 0.2 - 0.6 % of stored carbon has been lost on the Tongass since timber harvest began in the early 1900's, or 0.098% - 0.264% of the total amount of U.S. carbon emissions in 2012 alone, Leighty et al. (2006). There is uncertainty in the answer to whether or not timber harvest in second growth will result in net carbon sequestration." "Ultimately, a net loss or gain of carbon in active management situations depends on how the harvested timber is used (e.g., biomass fuels, pulp, paper, or timber products), what substitute materials are available for construction purposes (i.e., non-wood materials), the amount of carbon emitted during harvesting activities, and the amount of carbon emitted via decomposition of on-site wood and soil organic matter losses." And: "Whether active management of forests on the Tongass National Forest has resulted in a net gain or loss of carbon is currently unknown." Complete citations for the research referenced above can be found in the Plan Amendment DEIS starting at page 6-1.

Murkowski Q21: Hydropower has been used to generate power in the Southeast Alaska for over 120 years. In 1947, the first Federal study of the potential for a regional electrical intertie was prepared by the Federal Power Commission (FPC) (precursor to the Federal Energy Regulatory Commission) and the Forest Service. Entitled "Water Powers of Southeast Alaska," the joint study identified over 200 potential hydro power sites in Southeast Alaska and observed: "In developing a power system many of these projects would logically be connected with high voltage transmission."

On November 13, 2000 Congress authorized construction of a Southeast Alaska-wide intertie, which included the Tongass National Forest. Public Law 106-511, Title VI provides:

**SEC. 601. SOUTHEASTERN ALASKA INTERTIE
AUTHORIZATION LIMIT.**

Upon the completion and submission to the United States Congress by the Forest Service of the ongoing High Voltage Direct Current viability analysis pursuant to United States

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Forest Service Collection Agreement #00CO-111005-105 or no later than February 1, 2001, there is hereby authorized to be appropriated to the Secretary of Energy such sums as may be necessary to assist in the construction of the Southeast Alaska Intertie system as generally identified in Report #97-01 of the Southeast Conference. Such sums shall equal 80 percent of the cost of the system and may not exceed \$384,000,000. Nothing in this title shall be construed to limit or waive any otherwise applicable State or Federal law.

- Southeast Conference Report #97- 01, which was prepared in 1998, provides for a Southeast Alaska wide hydro power intertie that would substantially lower the cost of power throughout Southeast Alaska. However, neither Public Law 106-511 nor Report #97-01 of the Southeast Conference is even referenced in the Tongass Transition Plan Amendment. Nor are the impacts of the 2001 Roadless Rule upon the Southeast Intertie Project analyzed. Why?

Answer: The proposed Plan Amendment includes forest-wide renewable energy direction that replaces and removes direction and the Transportation and Utility System Overlay LUD contained in the current 2008 Forest Plan. The proposed Plan Amendment accordingly does not analyze specific renewable energy projects, such as an Intertie Project. However, Alternatives 2 through 5 of the proposed Plan Amendment will make renewable energy projects more permissible in two ways. First, by recognizing that all lands may be suitable for renewable energy sites (unless the lands are specifically designated otherwise by Congress) through the removal of the Transportation and Utility System Overlay LUD. Second, by giving the proposed Renewable Energy direction precedence over other plan direction. The proposed Plan Amendment thereby clarifies that renewable energy production on the forest will be encouraged to decrease the number of Southeast Alaska communities powered by diesel generators, reduce carbon emissions, and stimulate economic development. The proposed Plan Amendment acknowledges that proposed transmission lines serving as power interties among Southeast Alaska communities may be located within inventoried roadless areas (DEIS p. 3-282). The Roadless Rule does not prohibit construction of power or transmission lines in inventoried roadless areas. The Rule anticipates a multitude of permissible activities, including authorized special uses, that do not involve "road construction or reconstruction" as defined in 36 CFR §294.2 (66 Fed. Reg. 3272).

- Why does the proposed Tongass Transition Plan Amendment DEIS not include and address the rights of way for transmission corridors and log transfer facilities which were specified and illustrated in SAFETEALU Map No. 092337, consistent with its 2006 Memorandum of Understanding No. 06MU-11100100-151? Will last year's highway bill provision result in a resolution of the dispute between the State of Alaska and Forest Service over right of way access to these log transfer facilities?

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Answer: The proposed Plan Amendment replaces the transportation direction in the Transportation and Utility System Overlay LUD contained in the current 2008 Forest Plan. The purpose of the plan direction for transportation systems corridors is to facilitate the availability of National Forest System land for the development of existing and future transportation systems and those provided for by applicable law, such as Section 4407 of P.L. 109-59, as amended. The proposed Plan Amendment references Section 4407 at page 5-13 of the Proposed Forest Plan. The Alaska Region, together with the Alaska Departments of Natural Resources and Transportation and Public Facilities, are currently updating the Memorandum of Understanding implementing Section 4407 in light of the enactment of recent legislation.

Murkowski Q22: Despite the Tongass Transition Plan Amendment DEIS's emphasis on climate change and carbon offset in regard to abstaining from cutting Tongass timber, and despite requirements of federal Executive Order 12866, there is no credible analysis or even mention of the much greater carbon reduction benefits which can result from using renewable energy and clean hydropower in the Tongass as an alternative to fossil fuel-based generation in the lower 48 States. The benefits of this course of action are significantly greater than benefits of timber harvest avoidance and even displacement of remaining diesel-based generation in Alaska. What is the reason for this asymmetry of analysis? Why does the Forest Service continually avoid discussing the benefits associated with use of Tongass renewable energy as an alternative to fossil fuel-based generation in the lower 48 states?

Answer: The proposed Plan Amendment renewable energy direction objective is to encourage renewable energy production during the life of the Plan. This is achieved by the addition of renewable energy plan components, which would allow renewable energy sites to be proposed regardless of land use designation type or emphasis. Responding to renewable energy projects would be in the following priority order: whether they lead to decreasing the number of Southeast Alaska rural communities powered by diesel generators; whether they increase existing renewable energy capacity; and whether the project exports energy resources without benefit to Southeast Alaska communities. The benefits of renewable energy projects would be identified and analyzed as each individual project is proposed. The Alaska Region has a robust renewable energy program that works in partnership with the State of Alaska, rural communities, and many other partners to provide technical assistance, outreach and education, research, and financial support to help communities transition towards use of renewable resources such as hydropower and biomass.

Murkowski Q23: The Tongass Transition Plan Amendment includes "Remote Recreation" LUDs which prioritize use of vast areas of the Tongass for remote recreation activities over other potential uses. What mechanisms does the Forest Service have in place for tracking and monitoring use of these lands for "Remote Recreation," to assure that this classification is maximizing public benefits? What data is available on use of

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these lands for “Remote Recreation” purposes? How frequently must a Remote Recreation LUD be used for this purpose in order to justify continued classification?

Answer: The Forest Service does not track and monitor the use of these lands beyond the information gathered through the National Visitor Use Monitoring surveys. These surveys are developed for the entire forest and cannot be attributed solely to any one area or LUD. The Tongass also has an outfitter/guide database containing more specific information about where authorized use takes place across the forest. There is no specific use requirement applied to justify this land use classification. The goals of this LUD are to provide extensive, unmodified natural settings for primitive types of recreation and tourism; to provide opportunities for independent closeness to nature, and self-reliance in environments offering a high degree of challenge and risk, and to minimize the effects of human uses so that there is no permanent or long-lasting harmful environmental effects.

Murkowski Q24: It is my understanding that Forest Service is working to refurbish the federal government’s campsite booking website, Recreation.gov, which hosts virtually all online booking for not only Forest Service campgrounds, but the National Park Service and other Department of the Interior agencies’ facilities. What can you tell me to assure me that refurbishing the site doesn’t risk ending up with missed deadlines, and rollout delays caused by mismanagement and untested products or custom created software. As a way to ensure data security indeed does meet the highest standard, does the Forest Service plan to use people who are Payment Card Industry Data Security Standard compliant?

Answer: The Recreation One-Stop (RIS) program has been conducting market research for more than four years to identify emerging technologies and additional vendors who can provide the kind of service that meets modern customer expectations.

Within the Request for Proposals (RFP) for the new 10-year contract, the RIS program adopted the tenets laid out in the US Digital Services Playbook. In addition, RIS engaged directly with US Digital Services advisors to ensure the RFP incorporated Playbook guidelines every step of the way.

Furthermore, immediately upon contract award, RIS will engage with the contractor using the industry standard ‘**Agile**’ approach for developing and implementing the next generation Recreation.gov platform. The Agile approach provides the ability to respond to change and better positions the program to develop a service platform that meets the needs of visitors today and into the future.

- This will entail weekly and often daily face-to-face meetings with the contractor’s program management and software development teams.
- We intend to work in short ‘sprints’ to write, test and deploy usable code that will provide all of the tools for trip planning, reservations, financial processing, reporting, design and customer service.

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- As sprints are completed, we will test each portion of the code to ensure it meets the government's needs and public expectations. Code that does not pass testing will be immediately returned to the backlog to be corrected.
- Another aspect of the Agile process is extensive user testing. The public and many other stakeholders will be involved in testing throughout the process to ensure we are able to deliver what the public wants, not what we think they want.
- By using this method, the government will be involved at every step to ensure that we create a tested, viable and valuable service platform when it is time to transition.

In response to your question about data security, the contract requirements include the highest levels of information security, privacy protection, secure financial processing, and compliance with all applicable laws and regulations pertaining to government IT services.

We are also currently under a PCI compliance contract with Approved Scanning Vendor (ASV) Backbone Security. Backbone is listed as an ASV by the PCI Security Standards Council.

Questions from Ranking Member Maria Cantwell

Cantwell Q1: The Joint Fire Science Program (JFSP) conducts critical research to help inform wildfire management policies, including how to more effectively manage wildfires and build resilience in the face of growing climate-related risks. For example, the program recently funded a University of Washington study on high-resolution remote sensing systems, which survey forest canopy structures and have the potential to improve the accuracy and effectiveness of fire behavior models. The Northwest and Alaska Fire Research Clearinghouse, which provides information about fire science and technology relevant for Washington, Oregon, Idaho and Alaska, is also funded partly by the JFSP. This research work, which is coordinated across multiple agencies and draws in experts across the nation, could not be more urgently needed, given the recent history of severely damaging and costly fire seasons and the scientific projections for worsening risks in coming decades. Our nation's wildfire management policies must be grounded in the best available science.

Thank you for responding to my feedback and that of many others by moving JFSP into the Forest and Rangeland Research budget.

However, I see that the funding request for JFSP has decreased from \$7 million to \$3 million this year. Would you please tell the Committee why you have lowered funding for JFSP, which is among the most popular and effective wildfire research programs?

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Answer: Due to the relatively flat budget and the need to fund the rising cost of fire suppression, the Forest Service needed to make a series of tough decisions about how funding is allocated. One of those decisions was to reduce the funding for the Joint Fire Science Program to ensure sufficient funds would be available for fire suppression. Reduced Joint Fire Science Program funding is also the result of funding higher priority research such as research on invasive species and bioenergy.

Cantwell Q2: I am told that recently the Gifford Pinchot combined their two Small Business Administration (SBA) Market Areas into one market area over the objection of the three Large Business sawmills and the three Small Business sawmills that all unanimously objected to the proposed combination of the two market areas.

Would you please explain the reasoning behind this decision and how it complies with existing SBA guidance on this issue?

Answer: On May 21, 2015, the Gifford Pinchot National Forest Supervisor notified timber purchasers and interested parties of the proposal to consolidate the Gifford Pinchot North and South Market Areas into one market area for the purpose of administering the Small Business Timber Sale Set-Aside Program. In addition to soliciting comments from timber sale purchasers and interested parties, Forest Staff consulted with the Small Business Administration.

Generally, the feedback received was not favorable toward the proposal and there were concerns whether the factors identified in Forest Service Handbook were adequately addressed to support the Forest's rationale for the consolidation. Upon review of the comments, the Gifford Pinchot National Forest Supervisor agreed that the Forest lacks sufficient documentation to support a recommendation to the Regional Forester. On November 13, 2015, the Forest Supervisor notified timber purchasers and interested parties of her decision to not recommend to the Regional Forester a combining of the two market areas.

Cantwell Q3: I appreciate the increased funding for Landscape Scale Restoration included in the President's FY 2017 budget. I also see that the request for Urban and Community Forestry has decreased. The climate in our cities is significantly impacted by the health of our urban forests. The impact of city trees on reducing pollution, childhood asthma and other lung diseases, and even home energy costs are well documented. Would you please tell the Committee how much of the increase for landscape scale restoration came from urban forestry? In other words, how far down is the urban forestry budget for FY 2017?

Answer: The reduction in Urban and Community Forestry is not a direct result of maintaining funding for Landscaped Scale Restoration (LSR). The reduction in Urban and Community Forestry funding is also partly due to increased fire suppression cost. The Urban and Community Forestry budget requested in FY 2017 is \$23.686 million, a reduction of \$4.354 million.

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Cantwell Q4: The Knutson-Vandenberg (K-V) Act of 1930 has long been utilized by the Forest Service to accomplish forest restoration activities by utilizing revenue generated from the sale of timber on National Forests. In 2005, through the Interior Appropriations bill (P.L. 109-54), Congress amended the K-V Act to allow the Forest Service to utilize receipts generated from the sale of timber to pay for “watershed restoration, wildlife habitat improvement, control of insects, disease and noxious weeds, community protection activities, and the maintenance of forest roads within the Forest Service region in which the timber sale occurred.” The 2006 authority (P.L. 109-54) to utilize K-V trust fund collections for projects outside of the sale area boundary gave the Forest Service the means to expand and expedite its restoration efforts in connection with forest management projects utilizing traditional timber sale contracts.

Would you please tell the Committee if the agency is fully utilizing this expanded authority by collecting all of the revenue available to carry out work under the K-V authority, including for activities outside of the sale area boundary? If not, why?

If the agency were to fully utilize this expanded authority to collect revenue and fund K-V projects irrespective of the sale area boundary, how much funding might be available for these the types of restoration activities authorized under P.L. 109-54 as amended?

Does the Forest Service deduct agency indirect cost pools from activities funded with K-V trust funds? If so, what is the average percentage assessed?

Answer: Yes, the Forest Service (FS) is utilizing this expanded authority to collect all of the revenue available to carry out work under the K-V authority, including for activities outside of the sale area boundary.

The agency implements the authority with two programs, the Cooperative Knutson-Vandenberg (CWKV) and the Cooperative Regional Program or CWK2. The CWKV addresses resource improvement work within the established sale area and the CWK2 addresses a broader range of restoration work outside the sale area but within the region where the timber sale occurred. Funds available under the CWK2 program can only be used once it has been determined that the CWKV funds are no longer needed for work on the timber sale area. The CWK2 funds are determined after an annual cash balance analysis of the CWKV collections and a determination of the work remaining to be completed for each national forest.

Once the amount of excess funds are confirmed, they are transferred to the CWK2 account to perform identified work. The amounts available to transfer vary from year to year. In FY 2014, \$14.4 million was used to fund regional projects (CWK2) outside the sale area but within the region as authorized by P.L. 109-54. In FY 2015, the total used was \$33.1 million.

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Yes, the Forest Service deducts agency indirect cost from activities funded with K-V trust funds. For Fiscal Year 2016, the indirect cost was calculated as 32.7 percent.

Cantwell Q5: During our hearing, you committed to providing for the record details on new roads the Forest Service proposes to build. Would you please provide the Committee with a list of proposed new roads and the location, miles, and purpose of each of these roads?

Answer: The Forest Service does not have any plans to build new permanent roads. The amount requested is to fund mostly short road extensions to create access for critical Forest Service work. These extensions are typically 1/4 mile or less each, and add up to less than 10 miles per year. The purpose of these road additions are to accomplish restoration work, including timber sales, fuel reduction, watershed restoration, and vegetation management. In many cases the roads would be decommissioned afterwards, but sometimes they are needed for future use. We do not have specific locations planned for this road work, but we do know that typically in the course of restoration work throughout the country, the local staff will identify some need for new roads to access the targeted areas.

Questions from Senator John Barrasso

Barrasso Q1: You testified that the Forest Service is beginning the process of discussing guidance documents related to implementation of sage grouse conservation with states and other relevant stakeholders. When are these guidance documents expected to be final and available to state and regional agency personnel?

Answer: Various guidance documents have been distributed in draft form for review, and they will continue to be circulated and finalized during the next few months, as questions arise during interpretation of the Records of Decision and Amendments. The documents that are being produced are only internal memos and do not establish any new policy, but assist Forest Service personnel with finding the resources they need to apply standards and guidelines published in the Amendments. The memos are currently under internal review and will be available for external review in May or June 2016.

Barrasso Q2: How much input and feedback from states and local stakeholders will the Forest Service include, and implement, in the final sage grouse conservation plan implementation guidance documents?

Answer: The Forest Service provided draft copies of the sage grouse conservation plan implementation guidance documents for state agency review and comment and actively engaged and encouraged input and feedback. Further, States can help us identify questions about the Amendments that we can discuss in our implementation guides. The guides the FS is producing are not decision documents that establish any new policy.

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Formal public input was incorporated into the actual Amendments, when the decisions were made.

Barrasso Q3: Will these sage grouse conservation plan implementation guidance documents be unique to the 11 states in which federal, Forest Service plans will be enacted, or will guidance documents be broad and make generalizations across regions?

Answer: The Forest Service Amendments only apply to some National Forest System lands in Utah, Idaho, Nevada, Wyoming, Montana and Colorado. There are many components that are broad and apply evenly among states and regions. Other components (e.g., buffer sizes) are specific to forests within different states. We are working to maximize consistency among the various Forest Service Units (Regions or Forests) within each state.

Barrasso Q4: Will state and regional agency personnel have authority and flexibility to adapt sage grouse conservation plan implementation strategies as required by ecological, geographical, and historical characteristics of the habitat in question? If not, what flexibility does the Forest Service intend to include in the guidance?

Answer: The Forest Service will follow the Standards and Guidelines that were written in the signed Amendments and Records of Decision. We will be as flexible to local conditions as the Amendments allow.

Barrasso Q5: How closely, and at what level (local, state, region, or national) is the Forest Service working with Bureau of Land Management officials to ensure guidance documents from each of the agencies is collaborative and consistent?

Answer: We are participating closely with the Bureau of Land Management (BLM) at National, Regional, State, and District levels and actively collaborating with state-sponsored interagency teams and working groups to maximize collaboration and consistency not only between FS and BLM, but also with appropriate state agencies.

Barrasso Q6: Under the parameters of this budget, how does the Forest Service intend to expand active forest management to create healthy landscapes rather than continue the perpetual cycle of wildfire suppression and land restoration?

Answer: Since 2011, the agency has increased the pace and scale of forest restoration by nine percent. New and extended authorities, like those provided in the 2014 Farm Bill, have allowed the Forest Service to work more efficiently and extensively with partners. We expect to continue these efforts in FY 2017 through the Collaborative Forest Landscape Restoration Program, Good Neighbor Authority, Landscape Scale Restoration Program, and through tools such as the Watershed Condition Framework.

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The FY 2017 President's Budget request also continues to propose a cap adjustment as a new approach to budgeting for wildland fire suppression. This will minimize the risk of fire transfers and provide greater stability and certainty of funding to other programs that preemptively reduce fire risk and support critical forest and rangeland management needs.

Barrasso Q7: You testified that holding level the Forest Products funding would result in an increase or "acceleration" of restoration to "create healthy landscapes". What is the Forest Service proposing to change in Fiscal Year 2017 that would result in the perception of "acceleration" when there is no increase in funding input and no proposed increase in board feet produced?

Answer: To effectively restore all of our forests, we have been working hard to integrate our restoration activities to meet multiple objectives at the same time. In FY 2017, the agency will continue to increase opportunities to collaborate across ownership boundaries and within programs. Through integration with other programs, including hazardous fuels projects where both fire risk reduction and timber output objectives may be accomplished together, the agency is moving aggressively to reach a total volume sold of 3.2 billion board feet in both FY 2016 and FY 2017—a challenging level last achieved in the late 1990's.

We continue to work across landownerships and programs in an integrated fashion to achieve landscape scale outcomes including improving our watersheds. We expect to increase the pace of watershed improvement in FY 2017, moving 22 watersheds to an improved condition class, and treating 2,900,000 acres to sustain or restore watershed function and resilience.

Barrasso Q8: Given the significant impact invasive species have on forest ecosystems, why is the Forest Service proposing a decrease in invasive species research funding in their budget? Will the funding requested be used for prevention, management, or eradication through either EDRR or normal agency response protocols?

Answer: The FY 2017 President's Budget request for Forest and Rangeland Research includes a \$1 million increase from the FY2016 enacted level. The Forest and Rangeland Research funding requested will be used for research which provides information and technology that supports the FS prevention, management and eradication activities, administered through the FS National Forest System (NFS) and State and Private Forestry (SPF). NFS and SPF administer the EDRR and other forms of response protocols through their budgets.

Barrasso Q9: You testified that funds in both the land acquisition line item, as well as funds provided for land acquisition under the Land and Water Conservation Fund, could be justified because the Forest Service uses these monies to acquire lands that ultimately decrease agency costs (for boundary management, etc.). Please provide examples of

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where a decrease in agency costs has occurred as the direct result of acquiring lands. Please include the actual and estimated expenditures and savings for these parcels, and all other costs associated with management of these parcels under current management conditions.

Answer: We use Land and Water Conservation Funds to purchase properties from willing sellers in order to connect critical habitat and landscapes and provide recreational access for the public. These consolidations also result in efficiencies for management of National Forest System (NFS) lands. To do this, we purchase lands that are inholdings within existing NFS lands, or are contiguous to existing NFS lands. We also work with local partners to acquire lands that local communities agree are in the public's interest.

Past acquisitions on the Bridger-Teton National Forest have resulted in a reduction of 22 miles of boundary and the following savings were realized: 22 miles X \$5,000 per mile for maintenance = \$110,000 every 15 years, or \$7,333 annual savings, as well as \$40,000 WUI fire prevention savings, for a total of more than \$47,000 annual savings. Currently, there are 30 active trespass cases on the Bridger-Teton National Forest, which can cost the Forest Service an estimated thousand dollars for a simple resolution and up to tens of thousands of dollars under litigation.

Barrasso Q10: Please provide a breakdown of the funds allocated and distributed under the State Fire Assistance program, including administrative fees taken by the agency before funds are transferred to the states.

Answer: For FY 2016, \$78,000,000 was appropriated for the State Fire Assistance program. Of that amount, \$1,981,000 was held back for cost pools (administrative costs for which all Forest Service programs are assessed) and facilities, \$2,200,000 was used for salary, travel, training and other program administration costs; \$2,682,000 was used for grants to State and local government partners for Fire Adapted Communities. The net of that amount was \$71,217,000, of which \$58,399,291 was allocated to the states, and \$12,817,709 was allocated to national and regional priority projects on behalf of the states, and in consultation with the National Association of State Foresters.

Barrasso Q11: What is the status of Tesoro Corporation's permit application (FS-2700-25/OMB NO. 0596-0082) pending with the Santa Clara/Mojave Rivers Ranger District of the Angeles National Forest? Does the Forest Service seek any additional information from or have any additional requests for Tesoro? When will the Forest Service complete and issue the permit to Tesoro? When can Tesoro expect to begin its investigation of and, if necessary, additional work on its crude oil pipeline in the Angeles National Forest?

Answer: We issued the permit to Tesoro on March 21, 2016. Pre-construction meetings are under way and the project is moving forward.

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Questions from Senator Ron Wyden

Wyden Q1: Secure Rural Schools

Chief, you and I have had many conversations about the importance of Secure Rural Schools for communities across Oregon. I understand that the Administration's budget includes a phase out of SRS through 2020, but I also understand that the Forest Service has noted in the past that timber harvest would have to increase by 500 percent in order to make up for a full loss of SRS, which is not a sustainable or realistic number. What do you see as the way forward that balances sustainable timber with ensuring that rural communities aren't left in the cold?

Answer: We propose to continue to accelerate the pace of restoration and continue our work to create healthy landscapes and healthy communities and associated jobs and economic benefits. Our FY 2017 proposal is to sell 3.2 billion board feet of timber.

However, the economic benefits provided to local communities by our National Forest lands go beyond just timber sales. I see the way forward as meeting the challenges of building landscape and community resilience through collaborative approaches to ecological restoration, connecting Americans to the outdoors, expanding on recreation benefits, creating a wide range of opportunities for economic expansion to retain and create jobs, and partnering with communities and other agencies to reduce the threat of catastrophic wildland fires.

Wyden Q2: Biomass Energy

Chief Tidwell, as you know, increasing the use of woody biomass for energy production is another way to support forest restoration and wildfire resilience efforts, while also creating jobs and keeping dollars in rural communities. There is great potential for this industry nationwide. For example, in my home state of Oregon millions of tons of dry biomass could be harvested on a sustainable basis from forest lands, providing a steady source of renewable low-carbon feedstock to power and heat our homes and businesses. The Forest Service plays an important role in facilitating the advancement of the sustainable use of woody biomass for energy, through programs like the State Wood Energy Innovation grant program and the Statewide Wood Energy Team program. How can the Forest Service expand needed support for woody bioenergy applications? And how will the Forest Service work with the Department of Energy and the Environmental Protection Agency on these efforts?

Answer: The Forest Service is engaging on multiple levels to expand wood energy. Our agency annually issues grants through our Wood Innovations program to implement individual wood energy projects and to more broadly stimulate growth of the wood energy sector as a whole. Our successes with a variety of projects in Oregon have collectively helped expand the wood energy sector in the state and reduce barriers to entry for future projects. The continuation of these grants is key to supporting and promoting wood energy throughout the U.S.

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For example, we are currently working with partners on a large-scale project to convert the electric power plant in Boardman, OR from coal to torrefied wood. This has the potential to open up a wood energy market niche of significant scale in Oregon and to showcase this type of opportunity for other parts of the country. On a broader scale, our personnel will continue to provide direct technical support on wood energy issues to interested organizations in the private and public sectors across the country, including your staff. Strong and sustained support for woody bioenergy and bioproducts research is crucial for sustainably providing biomass and a cost-effective means to produce liquid transportation fuels, petrochemical alternatives, other biobased products, and biopower. Our woody biomass specialists and researchers will engage in technology transfer to move technologies from the demonstration or applied research phase to practical applications.

The Forest Service works closely with the Environmental Protection Agency (EPA) and Department of Energy (DOE) on wood energy issues. This collaboration has been very successful. For decades our researchers have worked with DOE on feedstock production, management, and analysis. Since 2000, we have closely collaborated on wood energy issues with DOE and EPA through the Biomass Research and Development Board. We plan to continue this collaboration and look for opportunities to better leverage resources in our respective organizations.

Questions from Senator James E. Risch

Risch Q1: There are 26 whitewater outfitters on the Middle Fork of the Salmon River. These outfitters are concerned that the Historic Preservation Plan (HPP) for the Frank Church River of No Return Wilderness (FC-RONRW), now in its sixth draft, could lead to unnecessary campsite restrictions and reduction in use levels. The current HPP is proposing the closure of 63 of the 95 campsites in the river corridor. The HPP is also analyzing the continued use of 10 campsites on the main stem of the Salmon River that are used by outfitters and other river users. Middle Fork outfitters generate federal use fees in excess of \$230,000 annually. Another \$235,000 in Recreation Enhancement Act fees are generated from Middle Fork users annually. The Middle Fork of the Salmon River is an internationally known vacation destination for guided and self-guided users. It is an important rural economic driver for central Idaho towns like Stanley, Challis, Salmon and others. The resource is well managed and caring users utilize pack-it-in, pack-it-out methods. Chief Tidwell, does the Forest Service intend to cut recreational access to the Middle Fork and the main stem of the Salmon River, both of which are world renowned whitewater rivers?

Answer: Currently there are no plans to reduce access to either the Middle Fork or the main fork of the Salmon. Site specific analysis will be done collaboratively and all options will be investigated.

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Risch Q2: The Idaho Panhandle National Forest (IPNF) has been under a court order since 2007 to prepare a winter travel management plan for the Bonners Ferry, Sandpoint, and Priest Lake Ranger Districts. Until that plan is complete, snowmobile use is enjoined on several hundred thousand acres. It is my understanding that a variety of factors contributed to the delay, some of which were within the control of the agency and some that were not. Can you elaborate on some of those factors?

Answer:

- Grizzly Bear Access Amendment: The Access Amendment had been remanded by the courts. Until it was signed, we could not complete consultation with U.S. Fish and Wildlife Service on projects that were “likely to adversely affect” (LAA) grizzly bears. The IPNF had made good progress in 2008 and 2009, but analysis showed the Winter Travel Plan would LAA grizzly bears, so consultation could not be completed. The Access Amendment was signed in November 2011.
- Forest Plan: After the Access Amendment was signed, the revised Forest Plan was a priority for completion by Forest Staff. The Revised Forest Plan has new management area direction that affects Winter Travel Planning efforts and such travel plans would need to be consistent with the Revised Forest Plan. The revised Forest Plan was signed in January 2015.
- Funding and Capacity: Since 2009, Forest Service funds for Recreation, Heritage and Wilderness programs, and likewise for the IPNF have decreased, challenging our ability to fund the Winter Travel Plan effort. Additionally, the IPNF lacked the resources to assign to the Winter Travel Plan while working to complete the Access Amendment and Forest Plan. Winter travel planning on the Kaniksu portion of the Idaho Panhandle NF will require an environmental impact statement because the litigation that forced much of the closure in the Selkirk range was due to potential conflicts over snow motorized use and Caribou (listed as endangered under ESA).

Risch Q3: The Idaho Panhandle National Forest does not have the planning dollars it needs to get the winter travel planning process started. I also understand that the outlook isn't going to improve. I'm told that the recreation programs in the Northern Region will be cut by 30% over the next three years. Is that accurate?

Answer: No, it is not our intention that funding for the Northern Region recreation programs will be cut 30% over the next three years.

Risch Q4: Can you assure me that the Idaho Panhandle National Forest will get the requisite funding and that the winter travel management plan will be completed in a timely fashion?

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Answer: At the requested appropriation levels, Region 1 will provide additional funding to the Idaho Panhandle National Forest in 2017 to initiate the winter travel planning process. Our goal is to complete the winter travel management plan in a timely fashion.

Risch Q5: The Wildland Fire Science Program was originally a \$2.6 million program with half going to Forest Service and the remaining half divided between the University of Idaho and University of Montana. It has been funded through State and Private Forestry in the past. The Forest Service has been talking about moving the program to Joint Fire Science Program (JFSP) but then eliminated the direct funding for the JFSP in the FY17 budget. Chief Tidwell, what is the outlook for the Wildland Fire Science Program in FY17 and what is the outlook for fire science research in the agency over the next five years?

Answer: Due to the relatively flat budget and the need to fund the rising cost of fire suppression, the Forest Service needed to make a series of tough decisions about how funding is allocated. One of those decisions was to reduce the funding for the Joint Fire Science Program to ensure sufficient funds would be available for fire suppression. Over the next five years, with increased fire suppression cost, our ability to maintain the current levels of fire science research will become more challenging. If a fire cap adjustment is enacted, the risk of fire transfers will be reduced, allowing the agency to re-evaluate budget allocations.

Risch Q6: In 2012, the Department of Agriculture was included in the Broadband Deployment on Federal Property Working Group, which was created when President Obama issued an executive order aimed at accelerating broadband infrastructure deployment across Federal agencies. Please describe the U.S. Forest Service's current strategy to implement and facilitate the timely and efficient deployment of broadband facilities on Federal lands?

Answer: The Forest Service continues to experience an increase in demand for the occupancy and use of National Forest System (NFS) lands for a variety of uses, including broadband. The agency continues to explore opportunities to improve our responsiveness and to make our processes more efficient, including exploring opportunity for fee retention authority for communications uses; implementing specialized teams to assist local units with large scale projects; creating additional training opportunities for employees; developing an online system for electronic filing and processing of land use proposals; improving the data management system to quickly and more accurately track land use applications' and, communicating with industry to identify and remedy specific issues.

We are actively working with all Working Group members and the Broadband Opportunity Council to improve our environmental analysis efficiencies, Dig-Once policy, and Section 106 compliance reviews. In addition, we are providing training and education to our employees on the existing tools we have available, such as, issuing long-

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term authorizations (up to 30-years for some use types) and the use of our existing categorical exclusions.

Risch Q7: Since the 2012 executive order (referenced in question number six), please describe the ways the U.S. Forest Service has improved performance of Federal permitting and its review of broadband infrastructure projects? Specifically, the strategy to improve the broadband deployment processes and decisions by avoiding duplicative reviews; coordinating review processes with other agencies; providing clear notice of all application and other requirements; ensuring consistent interpretation and application of all procedures, requirements, and policies; and ensuring the public availability of current information on these matters.

Answer: Over the past five years the Forest Service has made a concerted effort to engage communications stakeholders, including speaking at meetings held by PCIA, Utah Broadband Summit, and California Wireless Association, to provide information on our application processes. In addition, Agency program managers hold monthly calls with major tower companies and cellular providers to provide program updates and address specific issues.

We also maintain a close working relationship with the Bureau of Land Management (BLM) as we have an identical legal and programmatic framework for managing communications uses. We have held joint training sessions for employees that have included representatives from private industry and FCC participation. With BLM we have adopted a standardized application form, lease authorization, and national rental fee schedule for wireless communications.

The Forest Service maintains a public website that has links to our standard forms, rental fee schedules, and other related information.

We are actively working with all Working Group members and the Broadband Opportunity Council to improve our environmental analysis efficiencies, Dig-Once policy, and Section 106 compliance reviews with the end goal of reducing duplicative processes and developing standard procedures. We are also coordinating through USDA to identify new communications projects that will be reported and tracked as "covered projects" under the FAST-41 initiative for expedited permitting.

Risch Q8: On September 25, 2015, the Environmental Protection Agency (EPA) published Interim Recommendations for Specifications, Environmental Performance Standards, and Ecolabels for Federal Procurement. This recommendation would require that federal agencies only purchase products that are certified to the Forest Stewardship Council standard. Timber producers in Idaho are certified under the Sustainable Forestry Initiative or the American Tree Farm System. If EPA's interim rule goes into effect, none of the timber produced in Idaho, whether it was harvested from private land or Forest Service land, would be eligible to build a federal building in Idaho. Further, this

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new standard from the EPA is inconsistent with the United States Department of Agriculture's (USDA) BioPreferred Program, which sets mandatory purchasing requirements for federal agencies, fully recognizes wood products and accepts all three forest certification programs. Chief Tidwell, will you work with the EPA to help them develop a new federal procurement standard that recognizes the benefit of all third party wood certification standards?

Answer: Yes, the Forest Service will work with the EPA on this matter.

Questions from Senator Jeff Flake

Flake Q1: There is a proposal for the President to bypass Congress and designate over 1.7 million acres of land in northern Arizona as the Grand Canyon Watershed National Monument. A designation could significantly limit many of the uses of public, private, and state trust land in Northern Arizona. Within Arizona the potential new monument designations have been opposed by elected officials at all levels, numerous local municipalities, sportsmen's groups, and conservation organizations. In neighboring states there have been troubling Presidential designations over the past year. A 700,000 acre monument was designated in Nevada last summer and three monuments totaling nearly 1.8 million acres in California were created last month. Many in Arizona are increasingly worried that Arizona is next. Because over half of the land proposed for the monument is managed by the Forest Service I would expect the Forest Service to play a role in any upcoming designation.

- a) What actions, if any, has the Service taken in regard to a possible designation of a new National Monument in Arizona?
- b) Are you aware of any plans by the President to designate a new National Monument in Arizona?

Answer: The Forest Service has not taken any action nor are we aware of a proposal to designate a national monument.

Flake Q2: I was encouraged by the USFS's withdrawal of the Proposed Directive on Groundwater Resource Management last June (80 FR 35299). The Federal Register Notice of Withdrawal acknowledged "concerns that the proposed directive would exceed the Agency's authorities and infringe on the State authorities to allocate water," and stated that any future actions "will not, infringe on State authority, impose requirements on private landowners, or change the long-standing relationship between the Forest Service, States, and Tribes on water." I am aware that despite the withdrawal of the proposed directive, policies in Region 3 of the Forest Service, particularly FSM Supplement No 2500-2001-1, dated September 5, 2001 have the potential to impact private water rights adjacent to USFS land in a manner that is inconsistent with state water law. Conditioning a permit on effects of using a state water right on private land is

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the type of expansion of authority that was very troublesome in the proposed groundwater directive. The legal authority cited for the proposed directive was flawed, particularly the broad application of reserved rights to groundwater for a number of purposes and the similarity of this overreaching authority to Region 3 policies is concerning.

- a) Is it USFS policy to consider the exercise of private water rights not located on USFS land in evaluating USFS permit applications?

Answer: The Forest Service does not have the authority to modify any established water rights or uses of water or any other activity on lands not managed by the agency. States are responsible for issuing water rights and ensuring that any new water rights do not affect existing water rights, regardless of ownership. The Forest Service is responsible for evaluating proposed uses of NFS lands and making a decision whether to issue a requested permit. The Forest Service must consider what effects proposed uses would have on water resources such as springs, wetlands, streams, etc. that exist within the affected area of any proposed use of National Forest System (NFS) lands. In addition, if there are private water rights or uses in an area that might affect or be affected by a proposed use of NFS lands, then those water rights and uses must also be considered in the analysis for that proposed use of NFS lands.

- b) Does the USFS consider this policy to “infringe on State authority, impose requirements on private landowners, or change the long-standing relationship between the Forest Service, States, and Tribes on water”?

Answer: Forest Service Manual Southwestern Region Supplement No 2500-2001-1, dated September 5, 2001, does not provide for including terms and conditions in a Forest Service permit to account for the effects of using a water right on non-federal land. The Regional Supplement clearly states that State law will be observed in all cases involving a state water right.

The Forest Service does have the authority to condition permits for uses of National Forest System land to protect National Forest System values. Provisions in the Regional Supplement address the Special Uses screening process used when determining whether a proposed project will be considered for permitting. Once a proposal has been accepted for permitting review, the Forest Service would evaluate whether the proposed project could have potential negative consequences on water resources and existing water rights and uses on non-Federal land downstream from the project, and this would be disclosed in the National Environmental Policy Act analysis for the project.

- c) In response to my questions on the groundwater directive following your testimony in front of the committee on February 26, 2015, you stated that “the Agency will develop a revised proposed directive that will be published in the Federal Register for a second round of public comment and engagement with all

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interested parties.” In light of the withdrawal of the proposed directive, does the Service plan on promulgating a new groundwater resource management directive? If so, please provide an update on the timeline and consultation for any new directive.

Answer: The Forest Service continues its efforts to work with states, tribes, and others to address groundwater issues when they arise, but has no plans to propose a new groundwater directive.

Flake Q3: I received a letter from National Park Service Associate Director Stephanie Toothman on February 5th (H32(2280)) announcing a 30 day extension of the nomination period for the proposed listing of the *Chi'chil Bildagoteel* Historic District as a Traditional Cultural Property. The early February letter stated that the extension would be announced in a new Federal Register Notice that also identified the district by its common name (Oak Flats). The extended nomination period was not published in the Federal Register until February 29th, and the property was listed 4 days later on March 4th. A notice announcing to the public that they have 30 additional days to comment on the proposed designation which is published with only 4 days remaining in the comment period seems to defeat the intent of the extension.

- a) Does the Forest Service view the 4-day extension period as sufficient to meet the intent of giving the public 30 additional days to comment on the proposed listing?

Answer: The nomination went through two review periods of 30 days each. Public comments were received during both reviews. Given the press coverage on the nomination we believe citizens were well informed and had ample opportunity to comment.

- b) What effect does a listing have on the Forest Service continuing to move forward with permits required to complete the actions directed in section 3003 of Public Law 113-291?

Answer: Legal requirements under the National Historic Preservation Act (NHPA) compel the Forest Service to consider the impacts to historic properties whether they are listed on the National Register or not. The listing does not add complexity or gravity to this process. Since the Traditional Cultural Property is eligible for the National Register, policy dictates how considerations of effects are made.

Flake Q4: The NEPA process allows for a categorical exclusion (CE) from further analysis for certain actions on Federal lands, including short term mineral, energy, and geophysical investigations (36 C.F.R. 220.6(d)(8)).

- a) How many CE's has Region 3 issued under this provision in the past five years?

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Answer: There have been approximately 38 decisions signed utilizing this category.

b) How many of those have been challenged in court?

Answer: Two cases have been filed; one in 2012 and one in 2015.

c) How many have been upheld in court?

Answer: The Court ruled against the Agency on the FY 15 case. On the FY 12 case, the plaintiff withdrew the proposal resulting in a withdrawal of the CE. The Court dismissed that lawsuit.

d) What has been a typical timeframe for approving such a CE?

Answer: Timeframes generally average approximately 6 months from project initiation to decision.

e) What have been the disturbance areas in the approved CEs?

Answer: Generally most decisions cover the drilling of test wells on 2-20 acres. Some decisions cover a whole district or several thousand acres.

Flake Q5: The Southwest Ecological Restoration Institutes continue to prove helpful in developing effective public policy aimed at restoring healthier forests and watersheds. I understand that because the Consolidated Appropriations Act, 2016 (PL 114-113) was silent on funding for the Institutes the funding level is at the discretion of the Forest Service. What funding is the Forest Service providing to the Institutes for FY16?

Answer: In Fiscal Year 2016, the Forest Service is providing \$1.5 million to the Southwest Ecological Restoration Institutes.

Flake Q6: Under the Wild Free-Roaming Horses and Burros Act of 1971, the Service administers three wild horse or burros territories in Arizona.

a) Please provide information on the number of burros that inhabit these territories.

Answer: There are three territories in Arizona. Two have wild animals (active). One does not (inactive). The numbers are the most recent census.

- The Double A territory on the Kaibab NF is active with 150 burros (no horses).
- The Heber territory on the Apache-Sitgreaves NF is active with 32 horses (no burros).
- The Saguaro territory (burro) on the Tonto NF is inactive with no animals.

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b) What appropriate management levels have been established for these territories?

Answer: Appropriate Management Levels, or AMLs, denote the “carrying capacity” of the land – that is, the number of animals that the land can sustain so that both land and animals are healthy. AML numbers may not match the number of animals on the land due to various management constraints (e.g. the settlement agreement discussed below). AML numbers for the territories are as follows:

- Double A (burros): 35
- Heber (horses, burros): 0
- Saguaro (burro): 25

c) What steps the Service is currently taking to manage the burros in these territories?

Answer: Double A Burro: From 2009-2011, the Kaibab NF trapped 142 burros that were then sent to BLM adoption facilities. All of these burros were adopted. The Forest is in the process of developing a plan, through the NEPA process, for further management including the use contraceptives.

Heber: Management of the Heber Wild Horse and Burro Territory is limited by terms of a 2007 settlement agreement. Gathering and removal of excess wild horses and burros (unclaimed and unbranded horses and burros on public lands of the United States) and stray animals is prohibited until after a new Territory Management Plan is developed through the NEPA process. Pre-work has been completed for the project level Territory Management Plan. This project is expected to proceed after the Apache-Sitgreaves Land Management Plan update is completed. Surveys completed in February 2015 indicate a population of 32 horses within the territory and 294 in the surrounding area. There are no burros on the territory.

Saguaro: The Saguaro Wild Burro Territory is inactive. It was originally designated based on a small number of burro present at the time the Act was passed. The last burro died decades ago and the territory has remained vacant.

d) What is the coordination process between the Bureau of Land Management and Forest Service in managing these territories?

Answer: The Forest Service is responsible for management of wild horses and burros on or from National Forest System lands. Forest units are responsible for developing management plans as necessary for their territories. These Forests units work closely with the Bureau of Land Management (BLM) Districts when there are adjacent lands with herds of wild horses and burros. In Arizona, the Forest Service continues to work closely with the BLM when we are in need of their expertise or the use of their contractors. Because of the BLMs ability to handle and adopt burros, the Forest Service

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will continue to work with them in the capture, preparation and adoption of excess burros.

In many places, Forest Service administered territories and BLM administered herd management areas are adjacent or in fact have the same animals moving back and forth between the lands. Where there are such areas, the Forest Service and the BLM work together to develop coordinated plans. In some cases, the agency with the majority of lands will be designated lead for the management and planning and the other will participate as a partner and a decision maker as necessary.

A new national agreement is being developed to guide local Forest Service and BLM unit coordination regarding jointly managed areas. These are areas where the animals being managed cross jurisdictional boundaries and coordinated management is desirable. Individual units may enter into 'Service First' agreements to cover shared costs and support between agencies at the field level.

Flake Q7: It has come to my attention that the current Tucson Rod and Gun Club application for a special use permit to construct a public shooting range in the Coronado National Forest has been under consideration since 2008. I would like to receive additional information on the process that was used to review this permit.

Answer: An application was submitted in 2008 for a special use permit proposing to construct a public shooting range in the Coronado National Forest. The proposal was screened, using the initial and second level screening criteria (6 CFR 251.54(e) (3)). The Forest Service worked with the proponent to complete a financial ability and technical capability determination. An Environmental Stewardship Plan and Safety Plan was also completed by the proponent. The District Ranger worked closely with the applicant for 3 or 4 years on several outstanding issues which included a Cost Agreement and a 3rd party contract. The outstanding issues were never resolved and no progress was made towards authorization. On October 19, 2015, the project proponent submitted another a special use proposal to construct a public shooting range in the Coronado National Forest. The Forest used the initial and second level screening criteria to determine the application was not to be considered at this time. The Forest sent a letter stating the results of the screening process to Mr. Hardy.

- a) What criteria does the USFS use to determine whether changes to a permit application made throughout the review process should be considered as a revised permit application or a new permit application?

Answer In the review process a proposal, defined in 36 CFR 251.51 and FSH 2709.11, 10.5, is a request to use National Forest System lands that has not passed the screening criteria, whereas an application, defined in 36 CFR 251.51 and FSH 2709.11, 10.5, is a proposal that has passed screening criteria and is accepted for further consideration. Only

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until a proposal is accepted and considered an application, could an application be revised.

- b) In assessing consistency with the current Forest Management Plan during initial screening process for a new permit application what discretion does the USFS have to refer to a Forest Management Plan which is not yet approved?

Answer: The current Forest Management Plan would be used to assess the consistency during the initial screening process for a proposal to use National Forest System lands.

- c) Please describe the USFS criteria for selecting outside groups to represent public interests in evaluating a special use permit application, particularly describe how the USFS ensures a balanced range of public interests are represented.

Answer: There is no criteria for selecting outside groups to represent public interests in evaluating a special use permit proposal. The Forest Service conducts the review. The Forest Service determines whether a proposal passes the initial and second level screening criteria. Activities authorized by a special use authorization are considered a federal action as defined by the Council on Environmental Quality (40 CFR 1508.18). Once a proposal is accepted as an application for further consideration it would follow the Forest Service regulations of the public scoping process (36 CFR 220.4 (e)) in accordance with National Environmental Policy Act of 1969 as amended.

- d) Does the USFS consider advisory committees that provide public input on forest management activities to be subject to the Federal Advisory Committees Act (5 U.S.C. Appendix – Federal Advisory Committee Act; 86 Stat. 770, as amended)?

Answer: Any group is subject to evaluation whether it merits Federal Advisory Committee Act (FACA) consideration. Not all groups meet the requirements.

Flake Q8: On March 4, 2016 Kaibab National Forest Supervisor Heather Provencio returned to the Town of Tusayan the town's application for authorization to improve and maintain roads and install utilities on National Forest System land. The stated reason for returning the application was that upon reconsideration the application was found not to meet all 9 on the minimum screening requirements. The letter states that the request did not meet the requirement that "the proposed use must be consistent, *or can be made consistent*, with the Kaibab Forest Plan." The letter also states that the request did not meet the requirement that the "proposed use must not unreasonably interfere with the use of adjacent non-National Forest Service lands." Based on comments received during the scoping process from the National Park Service, the Forest Service was concerned about interference with adjacent lands. I have concerns about the process the Kaibab National Forest staff used to make the decision without apparently allowing the applicant to modify the proposal.

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- a) Was any additional information requested from the Town of Tusayan following the receipt of the public comments on their application?

Answer: The Kaibab National Forest had discussions with the Town of Tusayan and requested additional information throughout the process, including after receipt of the public comments.

- b) Was the Town of Tusayan given the opportunity to modify their proposal following the receipt of the public comments on their application?

Answer: The Town of Tusayan could have modified its proposal at any point during the review process. The Town may still modify its proposal to address the concerns raised in the Kaibab's letter of March 4, 2016, and can submit their modified proposal to the Kaibab for consideration.

- c) Was there an effort to see if the application could be made consistent with the Kaibab Forest Plan?

Answer: As proposed, it was determined that the project was not consistent with the Kaibab National Forest Plan. The Town of Tusayan has the opportunity to address the inconsistency in any future proposal.

- d) What evidence does the USFS require from adjacent landowners to substantiate concerns of unreasonable interference with the use of adjacent lands, and what opportunities does the USFS to allow the applicant to address those concerns?

Answer: The Kaibab National Forest received many comments throughout the process, including during the scoping period. Significant concerns were raised by adjacent landowners, including the Grand Canyon National Park and the Havasupai Tribe. The Forest Service has identified those concerns to the Town of Tusayan, so that they may be addressed in any subsequent proposal.

Flake Q9: The staggering amount of timber and biomass that must be removed from Arizona's forests in order to bring them back to a healthy state can never be treated solely by the USFS and requires industry partners. One lesson that has been clear from the experiences with the 4FRI Phase One contractors is neither the Forest Service nor the industry partners fully understand the financial impacts of one another's decisions. A more reliable analysis done in advance of the bidding of projects can increase the confidence to attract much needed private investment in Arizona's forests.

- a) What is the Forest Service doing to better represent what businesses can expect from financial partnerships?

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Answer: The Forest Service recognizes that not all of the timber sales and stewardship contracts offered are located exactly where purchasers may prefer or consist of the particular mix of material that is most profitable to them. We are working with industry members to address the challenge of balancing the economic viability of offerings with forest restoration objectives, and planning our offerings based upon the capabilities of industry and the Forest Service.

- b) How does the Forest Service utilize and incorporate third-party economic analysis into its administrative process to ensure that contractors have the information needed to bid on projects and make investment decisions?

Answer: The Forest Service agrees that our planned forest restoration activities must be economically viable for the timber industry to be able to accomplish this important work. We continue to work with the timber industry, Arizona State government, and other stakeholders to ensure this outcome. One example is the third party economic analysis initiated by the CC Cragin Watershed Protection Project partnership group that will help us make informed decisions and ensure successful implementation of these crucial treatments.

Question for the Record from Senator Al Franken

Franken Q1: Thank you for including strong funding for the Land and Water Conservation Fund in the U.S. Forest Service Fiscal Year 2017 (FY17) budget request—in particular \$3.5 million for the Minnesota North woods project to be incorporated into the Superior National Forest.

The Boundary Waters Canoe Area Wilderness (BWCAW) in the Superior National Forest in northeastern Minnesota is the most visited wilderness in the United States, attracting more than 250,000 visitors every year. The BWCAW includes within its borders more than 80,000 acres of land endowed to Minnesota to generate funds for the state public school system, but wilderness restrictions limits revenue-generating activities. As you know, stakeholders have recently agreed upon a hybrid approach—including both a land purchase and exchange—to fix this decades-long management issue. Chief Tidwell, I thank you for initiating an Environmental Impact Assessment to prepare for a land exchange. However, I was disappointed that the land purchase through the Heart of the Continent project did not make it into your FY17 Land Acquisition request. What do we need to do to make sure that the BWCAW gets prioritized in future budget requests?

Answer: The Forest Service and the State of Minnesota are prepared to solve this decades-long management issue. The hybrid approach that uses both land exchange and purchase seems to be the best way forward to meet the needs of all stakeholders especially the thousands of annual visitors to the BWCAW. The BWCAW proposed \$15 million for a first phase of purchase funding through the inter-agency collaborative Land

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and Water Conservation Fund (LWCF) competitive process for FY 2017. Unfortunately the BWCAW project was not selected for funding from among the inter-agency collaborative projects. While the Department of the Interior has a clear interest in protecting the water and wildlife in the BWCAW, the entirety of the Wilderness is within Forest Service boundaries and therefore made it less competitive than other projects for which two or more units from Forest Service and DOI were participating.

I recommend that the proponents for the BWCAW work with the Regional Forester in Milwaukee to submit the acquisition in the agency "core" LWCF process for FY 2018. The BWCAW may be more competitive in the Forest Service Land and Water Conservation Fund competition that focuses on land acquisitions that reside completely within the jurisdiction of the Forest Service. The core evaluation criteria place greater weight on acquiring inholdings in Wilderness than the inter-agency competition.

Questions from Senator Joe Manchin III

Manchin Q1: Since my tenure as Governor, the State of West Virginia has worked collaboratively with numerous local, state and federal agencies to develop and expand the WV Statewide Interoperable Radio System (SIRN) with all agency partners at no charge. All 55 Counties within West Virginia, 12 agencies from bordering States and over 20 federal agencies are utilizing the SIRN for their interoperable and agency communications within West Virginia. This partnership is successful because each agency contributes the resources they can in exchange for free use of the system, but, unfortunately, the Forest Service has recently called that arrangement into question by attempting to assess a fee on one of these SIRN towers in the Monongahela National Forest. I'd like to follow up with you about this to see if we can resolve this issue in a collaborative manner without penalizing all the local, state and federal stakeholders who rely on it to perform.

Can I get your commitment to work on that with me?

Answer: I will gladly have discussions with you or your office to further clarify the Agency's position and resolve this matter.

Manchin Q2: West Virginia is the third most heavily forested state according to the National Association of State Foresters. In 2014, the Farm Bill directed the State Foresters to take a comprehensive look at forests in all ownership categories across their states and develop State Forest Action plans.

These State Forest Action Plans identify priorities in order to direct limited resources to where they are most needed. The 2015 West Virginia State Action Plan identified the following priorities: (a) conserve and manage working forest landscapes for multiple uses; (b) protect forests from threats; and (c) enhance public benefits from forests.

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How are the National Forests working with State Foresters to accomplish the objectives and priorities detailed in these Forest Action Plans?

Answer: The Forest Service has encouraged all National Forests to work with State Foresters to support the implementation of State Forest Action Plans. Some National Forests are working more closely with State Foresters than others, but the agency is putting effort into making sure that we are collaborating closely in all states.

Both the Monongahela and Washington/Jefferson National Forests have Memorandums of Understanding in place with West Virginia's Division of Forestry to help achieve state goals related to habitat conservation. Further, the Monongahela National forest works closely with the state's land managers on three specific working groups, all dealing with forest health issues: the Gypsy Moth Working Group, the Hemlock Conservation Group and the Invasive Species Working Group. In addition, other cooperative efforts are occurring with the Cooperative Weed and Pest Management Areas, the Fire Learning Network, High Elevation Restoration Working Group (name changed to Central Appalachian Spruce Restoration Initiative – CASRI).

Further, State and Private Forestry, through our regional offices in the Northeastern Area (NA) worked with the Monongahela National Forest (MNF) and the WV State Forester's office to have the MNF designated by the Forest Service as an "Insect and Disease Epidemic Area" under the 2014 Agricultural Act (Farm Bill -- Sec. 8204). This 2014 designation underscores the significant forest insect and disease issues facing the MNF. These forest health threats are all identified as National Priorities in the State's SAP. In response, the MNF, NA, the State of WV, and partners have been taking aggressive action to manage a variety of invasive insect and disease issues. For example:

1. Gypsy Moth – the MNF, NA, and WV Division of Forestry coordinate with the WV Department of Agriculture in suppressing gypsy moth populations on all lands.
2. Hemlock Woolly Adelgid – in collaboration with other Federal and State land managers, and NGO's, the MNF completed an environmental assessment and is actively managing high value hemlock conservations areas across the Forest.
3. Beech Bark Disease – in collaboration with the Forest Service Northern Research Station (NRS), NA, and the State, the MNF has established one of the first disease resistant beech tree nurseries in the nation.
4. Invasive Plants – the MNF is an active partner in the multi-partner Potomac Cooperative Weed and Pest Management Area.
5. Other forest health threats – the State, NA, and the MNF are actively surveying for other current and potential forest threats, such as emerald ash borer, Asian long horned beetle, thousand canker disease, and balsam woolly adelgid.

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Manchin Q3: The report language in the FY 2015 appropriations bill for the Department of the Interior directed the Forest Service to work with State Foresters to accomplish Forest Inventory and Analysis work, better known as – F – I – A. Specifically, the language stated that “The Committee finds that State forestry agencies and their cooperators are often able to accomplish critical FIA work with equal quality at lower costs than the Forest Service. The Forest Service is directed to work with State Foresters to identify ways to more efficiently deliver the program in all States, including timely inventory updates, and should explore opportunities to work with additional State forestry agencies and their cooperators who can accomplish necessary field work at lower cost.”

What has the Forest Service done to increase work with State Foresters as directed in last year's report language?

Answer: Forest Inventory and Analysis (FIA) produces an Annual Business Report which outlines both partner contributions and grants to partners. Currently, about 34% of FIA's work, predominantly field work, is contracted to partners. In addition, many research tasks that require specific skills that may not be needed long-term are contracted to universities and administered by FIA scientists. The general rule is, if partners at a lower cost can accomplish an FIA task to the program's rigid quality assurance specifications, FIA contracts the task.

Questions from Senator Bill Cassidy

Cassidy Q1: Last September, the EPA published Interim Recommendations for Environmental Standards as well as ecolabels for use in federal procurement. Their recommendation for lumber includes the Forest Stewardship Council (FSC) standard but excludes the Standard Forestry Initiative (SFI) and American Tree Farm System (ATFS).

In Louisiana, 85 percent of all certified lumber is either SFI or ATFS certified. From the National Forest Service (NFS), there are roughly 42,000 jobs that are attributed to forest products from NFS lands, and that the Forest Service does not allow its lands to be subjected to a third party standard. All three standards are similar but SFI and ATFS have been excluded.

- Will the Forest Service and Department of Agriculture commit to defending these certification programs?
- Why should we allow the NFS products to be excluded from use in federal procurement despite NFS' rules for lumber certification and EPA's recommendations?
- Federal government regulations are making it uneconomical for a citizen to have a forest, meaning the forest will/could be put to other economic uses. Is the federal government working against its initiatives for clean water, clean air, and CO2 sinks and the stated goals of the respective Agencies?

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Answer: The Forest Service recognizes the value of forest certification systems, including the Forest Stewardship Council (FSC) standard, the Sustainable Forestry Initiative (SFI) and the America Tree Farm System (ATFS), and the role they play in promoting sustainable harvesting. We are always willing to work with our partners and other federal agencies such as EPA to promote efforts such as these that help support working forests, which in turn provide important ecological benefits such as clean air, clean water, and carbon sequestration.

Cassidy Q2: In your testimony, you said that part of having clean air and clean water meant being focused on healthy, maintained forests so that there are viable markets for lumber. Otherwise, private landowners would develop their land for another use.

In February, EPA released a draft of the government's annual greenhouse gas accounting book Inventory of U.S. Greenhouse Gas Emissions and Sinks. In that draft, EPA revised its estimates for absorption of greenhouse gases in sinks in order to meet objectives in the Paris climate agreement. The revision shows 636 MMT (from 912 MMT in the Second Biennial Report to Intergovernmental Panel on Climate Change) absorbed from sinks in 2005. The Administration's goal is for over 1,200 MMT absorbed by sinks in 2025, a near 100 percent increase.

- Do EPA's Interim Recommendations run counter to the Administration's stated objectives in the Paris climate agreement and Clean Power Plan by restricting the type(s) of certified lumber that can be harvested for use in federal procurement, thus impacting the ability for forests to remain healthy sinks for carbon absorption?

Answer: No, we don't believe that is the intent of the interim recommendations. We are working with EPA to understand their process, and to help them understand the role various forest certification systems, including the Forest Stewardship Council (FSC) standard, the Sustainable Forestry Initiative (SFI) and the America Tree Farm System (ATFS) can play in supporting both sustainable harvesting and carbon sequestration.

Questions from Senator Martin Heinrich

Heinrich Q1: The last update on the status of the Zuni Mountain Trail Project provided to my staff, in December 2015, estimated a record of decision would be issued in April 2016.

Can you provide an updated timeline for the record of decision for that project? If that timeline is no longer likely, when do you expect a final decision?

Answer: The timeline for releasing a draft decision notice, Findings of No Significant Impact (FONSI) and revised Environmental Assessment for public objections is

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anticipated in late fall 2016 with a final decision by the end of the calendar year or early 2017. The project will be ready for implementation in 2017.

Heinrich Q2: What caused the additional delay?

Answer: The draft Environmental Assessment was sent out for public comment in September 2015. Comments were received from some equestrian groups expressing concern that equestrian use would not be allowed on the proposed system of trails, particularly because these groups had been involved in earlier planning discussions regarding the Zuni Mountain Trail Project.

These concerns were shared with McKinley and Cibola counties who offered to work with the equestrian and mountain bike groups to resolve the issues and make proposals for which of the proposed trails would also be suitable for equestrian and mountain biking use. The Cibola NF signed a Memorandum of Understanding with the Cibola and McKinley counties to serve as a cooperating agency to help resolve these conflicts. Meetings between the two groups concluded in March 2016 with an understanding for multiple use of the trail system.

Additional heritage sites were identified for survey late last fall and the Counties and the Forest needed more time to mutually complete this work. The reports are being drafted and clearance with the State Historic Preservation Office (SHPO) will tentatively be completed in late summer 2016.

Heinrich Q3: What administrative steps (e.g., tribal consultation, SHPO clearance, et al.) must be completed before the record of decision? When do you expect to complete each of those steps?

Answer: There are issues with the location of some trail sections that need to be resolved with the Zuni Pueblo. The Forest has met several times with the Pueblo regarding these concerns and sent a draft report for review by the Pueblo. The Forest is meeting with them in April to further discuss their concerns. The State Historic Preservation Office also has some concerns about the location of sites. The Forest is working to either mitigate potential effects, relocate or drop some sections of the trail.

Additional major administrative steps based on the revised proposed decision include updating the NEPA analysis and response to comments, updating the Master Plan for the project, regional office review of the sustainable recreation strategy and funding plan, and concurrence for ESA consultation with USFWS. These steps will occur following resolution of the Zuni Tribe and SHPO issues based on modifications to the proposal.

Heinrich Q4: The Mescalero Apache Tribe is working to reopen their saw mill, which could process wood from the entire Lincoln National Forest when up and running. An

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operating mill in southern New Mexico would significantly increase the marketability of biomass removed as part of hazardous fuels reduction and forest restoration projects.

Are there any Forest Service programs that could help get that mill open and operating again?

Answer: The Forest Service has been providing the Mescalero Apache Tribe specific advice regarding the reopening of their Tribal-owned saw mill. The Forest Service also recently provided funding through the Forest Products Lab for continuation of that work. The Tribe can also reach out to local leadership, the Forest Supervisor, to gain knowledge about opportunities in the near future to help the Tribe supply the mill.

Questions from Senator Mazie Hirono

Hirono Q1: *Wildfire in Hawaii*

Wildfire in Hawaii has grown in importance over the past 50 years because of observed warming of the Hawaiian Islands, greatly expanded cover of non-native and invasive fire-prone grasses and shrubs, and a large increase in fallow lands. This situation is only getting worse with the severe El Niño drought that is currently causing one of the most severe fire seasons on record.

The Forest Service's R5 Fire and Aviation Management branch as well as the Institute of Pacific Islands Forestry both provide funding and leadership for addressing fire in Hawaii. However, more resources are needed. Can the USDA Forest Service expand its support for leadership and research development, as well as on-the-ground management and training in Hawaii?

Answer: Under current budgetary constraints, including the rising cost of fire suppression, there are limited resources (funding, personnel and the need to partner with other agencies and organizations) for the Forest Service to expand its support for leadership and research development as well as on the ground management and training in Hawaii.

Hirono Q2: *Biocontrol in Hawaii*

Hawaii is home to numerous invasive species, and the worst are rapidly transforming our forests and rangelands. For example, on all islands, the Forest Service's Forest Inventory and Analysis program tells us that invasive Strawberry Guava greatly outnumbers our most common native tree – 'Ohi'a.

With Strawberry Guava, the Institute of Pacific Islands Forestry's Biocontrol program has provided an important solution to the Strawberry Guava problem. However, because of very limited staffing, this program is able to tackle very few species, and so is making progress at a very slow rate.

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Does the USDA Forest Service have a larger vision for biocontrol programming for Hawaii and the US Affiliated Pacific Islands? Is the USDA Forest Service aware of the pace of change in our forests, that invasive plants are quickly coming to dominate our native ecosystems? What are the opportunities for ramping up Hawaii's biocontrol efforts?

Answer: USDA Forest Service Forest Health Protection (FHP) became actively engaged in providing technical assistance in the release and monitoring of biological control organisms used in invasive plant management in the 1990's. The FHP Forest Health Technology Enterprise Team biological control program (FHTET-BC) is part of the broader Forest Services National Strategic Framework for Invasive Species Management (2013) as well as regional plans dealing with invasive species. A number of FHP competitive funding opportunities, including the Special Technology Development Program (STDP) and the Biological Control of Invasive Plants Program (BCIP), are available to biocontrol researchers. Through authorities contained in the Hawaii Tropical Forest Recovery Act of 1992, FS FHP provides suppression funding for invasive plants in Hawaii and the Pacific Islands.

We are aware of the pace of change in Hawaii's forests and problems invasive plants cause. No one agency or state possesses the resources (people, quarantine facilities, or funding) to successfully develop invasive plant biocontrol agents. Partnerships are critical. In the Pacific Basin, the Forest Service (State & Private Forestry and Institute of Pacific Islands Forestry), in cooperation with other USDA agencies (e.g., APHIS), state governments (like Hawaii), international NGOs, and foreign governments (e.g., Australia, New Zealand) are involved in the development of biocontrol's for invasive plants. A multi-agency Pacific Basin working group has recently formed to develop priorities and identify funding opportunities.

Hirono Q3: *Watershed Health in Hawaii*

Between Rapid 'Ohi'a Death, fire, and invasive species, watershed health is being compromised in ways not even imaginable a few decades ago. The USDA Forest Service has made impressive commitments to watershed management across the Continental United States. What are the opportunities to expand support for watershed management in Hawaii?

Answer: As mentioned above, the current budgetary constraints, including the rising cost of fire suppression, limit resources (funding, personnel and the need to partner with other agencies and organizations) for the Forest Service to expand its support of watershed management in Hawaii. However, the Forest Service values an effective relationship with Hawaii state agencies, universities, non-governmental organizations, and other federal partners to collaboratively work on watershed management priorities.

Hawaii is very competitive in receiving Forest Service funds for Cooperative Forestry & Fire programs authorized in the Farm Bill. The State receives annual grants for these

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programs which can be used to support watershed management objectives. Hawaii has also been very successful in receiving additional funds through USFS nationally competitive programs including Landscape Scale Restoration (LSR), Wildland Urban Interface (WUI) Hazardous Fuels Reduction, Forest Legacy, and USFS & NRCS Joint Chiefs' Landscape Restoration Partnership. All of these competitive programs are focused on activities that conserve and restore high priority watersheds.

Fiscal Year	Annual Cooperative Forestry & Fire Grants	LSR, WUI & Joint Chiefs' Grants	Forest Legacy Grants	Total FS Grants to Hawaii per Fiscal Year
FY 2015	\$1,725,000	\$457,000	\$30,000	\$2,212,000
FY 2014	1,675,000	789,000	30,000	2,494,000
FY 2013	1,450,000	835,000	3,290,000	5,575,000
FY 2012	2,018,000	595,000	2,035,000	4,648,000
FY 2011	2,067,000	1,355,000	10,000	3,432,000

In addition to direct funding, the FS provides technical assistance through State and Private Forestry and the Institute of Pacific Islands Forestry. Both of these staff groups provide a wide array of technical specialists to support forest and watershed restoration interests across Hawaii and the U. S.-affiliated Pacific Islands.

Hawaii has demonstrated that it effectively competes nationally for FS watershed and forest management funds. As Hawaii continues to put forward such high quality proposals, we anticipate the State will share in competitively-awarded funds through USFS and other federal agencies' competitive programs.

Questions for the Record from Senator Rob Portman

Portman Q1: It is my understanding that the U.S. Forest Service works with the Bureau of Land Management on expression of interest (EOI) nominations to lease federal land for oil and gas development. In my home state of Ohio, nearly one-hundred EOIs are being considered for lease in the Wayne National Forest. As of the end of last year, the Forest Service had not completed its consent/adjudication on any of the eleven EOIs that the BLM had fully adjudicated and sent over for your review. What is your timeline and process for completing your adjudication of EOIs? How many EOIs in the Wayne National Forest has the Forest Service adjudicated to this point? What is the timeline for offering the first round of EOIs in the Wayne National Forest for lease sale?

Answer: As of December 30, 2015, the Forest Service has officially received 7 Expressions of Interest (EOIs) from the Bureau of Land Management (BLM) totaling approximately 3,599 acres on the Wayne National Forest. Staff on the Wayne National Forest have reviewed the lands nominated in these EOIs. On April 1, 2016, Wayne National Forest staff transferred the 7 EOIs to the oil and gas staff with the Forest Service Regional Office for Region 9 in Milwaukee, where they are under review.

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Timeline and process for completing adjudication: the final phase of the process for these EOIs is secondary review of the adjudication packages received from the Wayne National Forest staff and final authorization by the Regional Forester. The Wayne NF has adjudicated two EOIs. These were completed and ready to transmit to the BLM as of April 25, 2016. The remaining 5 EOIs will be processed in early summer.

Timeline for offering the first round of EOIs for lease sale: The BLM informed the Forest Service Region 9 Regional Office that BLM needs about 180 days to process a package to a lease sale once they receive authorization from the Forest Service.