

Testimony provided on New Mexico's Forest Fire Situation
for the
U.S. House of Representative
Natural Resources Committee

Honorable Helen Chenoweth-Hage
Subcommittee Chairperson on
Forests and Forest Health

by Richard Frost
Range Improvement Task Force Technical Investigator
Department of Agricultural Economics
New Mexico State University
June 3, 2000

Honorable Chairperson Chenoweth-Hage, thank you for this opportunity to share comments on the issues relating to the New Mexico's forest fire situation. My ongoing investigation on the forest conditions and impacts related to New Mexico wildfires is summarized in this report.

The preliminary results point to a pattern of restrictive forest practices by the U.S. Forest Service, combined with aggressive endangered species litigation against logging on the part of non-profit non-government environment organizations (NGOs), as the primary reasons the forests are in great peril from catastrophic fires. This is jeopardizing longstanding forest dependent Southwestern rural communities, cultures, and families, and has precipitated the events you are currently investigating. This information is not new and has been know about for some time.

Existing Studies

Reports compiled by the United States General Accounting Office (GAO) and presented to this committee on resources have already underscored the seriousness of the issue of catastrophic fires. The GAO reports T-RCED-98-273, Catastrophic Wildfires Threaten Resources and Communities, and T-RCED-99-79, Nearby Communities are Increasingly Threatened by Catastrophic Wildfires, point to:

- “The Forest Service’s decades-old policy of putting out fires creating high fuel loads;
- Increased number of homes along the wildland/urban interface areas;
- Lack of a cohesive strategy by the Forest Service for overcoming barriers to fuel reduction.”¹

The barriers identified in these reports include:

- “Conflicts between fuel reduction efforts and other agency stewardship responsibilities;
- Program incentives that focus on efforts that do not represent the highest fire hazards;
- Agency contracting procedures that are not designed for removing large amounts of materials with little or no commercial value;
- The high costs of such removals.”²

An assessment of forest health in 1993 concluded that “. . . only a brief window of opportunity of perhaps 15 to 30 years exists for management intervention before damage from uncontrollable wildfires becomes widespread . . .”³ That was 7 years ago. The 4 most recent fires of Cerro Grande (Los Alamos), Cree (Ruidoso), Scott-Able (Weed) and Viveash (Las Vegas) have consumed approximately 102,000 acres (or 159 square miles). The total acreage to date for all wildfires on government lands in New Mexico this year is approximately 320,118 acres (or 500 square miles), and the fire season is just starting.⁴ This is not unique to New Mexico. The national assessment on catastrophic wildfires estimates as many as 39 million acres (or 60,938 square miles) of national forests in the interior remain at risk of uncontrollable, catastrophic wildfire.⁵

¹GAO/T-RCED-99-79, p.1

²Ibid, p.2

³Ibid, p.5

⁴GACC Detailed Situation Report 05/31/2000

⁵GAO/T-RCED-99-79, p.1, 3

However, in all fairness to the Forest Service, we must extend our investigation to other existing reports and the events leading up to these fire conditions. GAO report RCED-95-51, Private Timber Harvest Not Likely to Replace Declining Federal Harvests, documents the notable “. . . drop in timber harvest on federal lands . . . mainly as a result of efforts to protect the habitats of threatened or endangered species”⁶ This report identifies a 66.7 percent decline in timber harvest in the Pacific Northwest from 1989 to 1993. “This significant decrease resulted from the federal courts imposing injunctions on federal timber sales, beginning in May 1991; the injunction virtually halted all federal timber sales within the habitat of the northern spotted owl. . . . virtually no new federal sales have occurred because of new suits to prevent harvesting.”⁷ This has led to the fuel wood build up previously discussed.

While this GAO report deals with timber harvest decline due to spotted owls in the Pacific Northwest, this same point was made in a personal discussion with Mark Harr of the Alamogordo, New Mexico based White Sands Forest Products lumber mill. The records maintained by this mill show that prior to the Mexican spotted owl habitat designation in the Sacramento Mountains 7 years ago, approximately 16 million board feet (mbf) were harvested from Forest Service lands by this company. That number has dropped to 0.5 mbf harvested from Forest Service lands, a decrease of 96.9 percent.⁸ The bulk of supply for the past 7 years has been from private lands (that are now reaching their harvest limits) and the Mescalero Indian Reservation. This harvest decline has led to the dangerous fuel wood build up that now exists in the Lincoln National Forest of the Sacramento Mountains.

Another report reviewed for this investigation is the U. S. Fish and Wildlife Service 1995 Recovery Plan for the Mexican Spotted Owl: Vol 1. In this report the basic management recommendations in New Mexico are for:

- 1,500 acre Protected Activity Center (PAC) areas around identified Mexican Spotted Owl nests;
- Timber harvesting in adjacent areas limited to 516-775 acres;
- Timber harvesting diameters of not more than 9 inches in PAC areas;
- Management for the prevention of catastrophic fire events.

This last recommendation, management for the prevention of catastrophic fires, is emphasized continuously throughout the report. It is cited as the biggest threat to MSO recovery. This aspect of management has been largely ignored and resulted in the Scott-Able fire.

⁶GAO/RCED-95-51, p. 1

⁷Ibid, p 3.

⁸Telephone interview, 5/24/00

Scott-Able Fire Case Study

One of the key supporting documents obtained that lead to this conclusion on the Scott-Able fire is a letter from Sacramento District Ranger Max Goodwin to the Otero County Electric Cooperative dated August 31, 1995 (Exhibit A). This letter is just one in a series of letters over a 7 year period dealing with the power company's special use permit to cut hazard trees along a power line. This letter ordered the immediate cessation of all tree cutting activities associated with power lines on Lincoln National Forest lands.

The reasons cited for the cessation was for concerns the “. . . cutting may potentially be in violation of the Endangered Species Act.”⁹ District Ranger Max Goodwin cited the District Court of Arizona's enjoinder of all timber harvest activities in Region 3 of the Forest Service to include power line hazard tree clearing. This enjoinder was the result of the Silver vs. Thomas lawsuit which was filed on behalf of the Mexican Spotted Owl for the purpose of stopping all logging activities in Region 3 of the Forest Service. Silver is an Arizona physician with a close relationship with the Tucson based Southwest Center for Biological Diversity, a non-profit environment group which is well known for the numerous lawsuits filed on behalf of “endangered” species over logging and grazing issues.

Clearing activities were allowed to continue in November 1995, citing Clause C, in the Stipulation an Order for settlement of CIV-94-1610-PHX-CAM in a letter addressed to Max Goodwin from Forest Supervisor Jose Martinez (Exhibit B). However, the electric company was severely restricted as to the distance from the line that tree clearing was allowed, 10 feet. Also, “. . . dead trees leaning parallel to or away from the power line would be left standing. . . “ as were “. . . dead trees expected to survive snow loads and wind . . .”.¹⁰ Aspens were also cited as trees which “. . . account for a large percentage of power line outages. . . “.¹¹ The power company has been embroiled in a bureaucratic nightmare, due to the Mexican Spotted Owl, in their attempt to conduct sound line maintenance and fire prevention. The cause of the Scott-Able fire was an aspen blown down by high winds on May 11, 2000.

The fire destroyed 16,000 acres, much of which was in Mexican Spotted Owl PACs. A map showing the Scott-Able fire footprint and how it relates to known Mexican Spotted Owl PAC area is included in this report as Figure 1 on page 5. The map also shows the extent of declared Mexican Spotted Owl PAC area in the Sacramento Mountain region of the Lincoln National Forest. As one can see, it is quite extensive. This area is also the reason the White Sands Forest Products lumber mill has seen the 96.9 percent decrease in harvested timber on National Forest lands previously cited (Figure 2).

⁹Para. 2, Exhibit A.

¹⁰Page 1, para. 4, Exhibit B.

¹¹Page 2, para. 2, Exhibit B.

1. MEXICAN SPOTTED OWL AND SCOTT-ABLE FIRE, MAY 2000

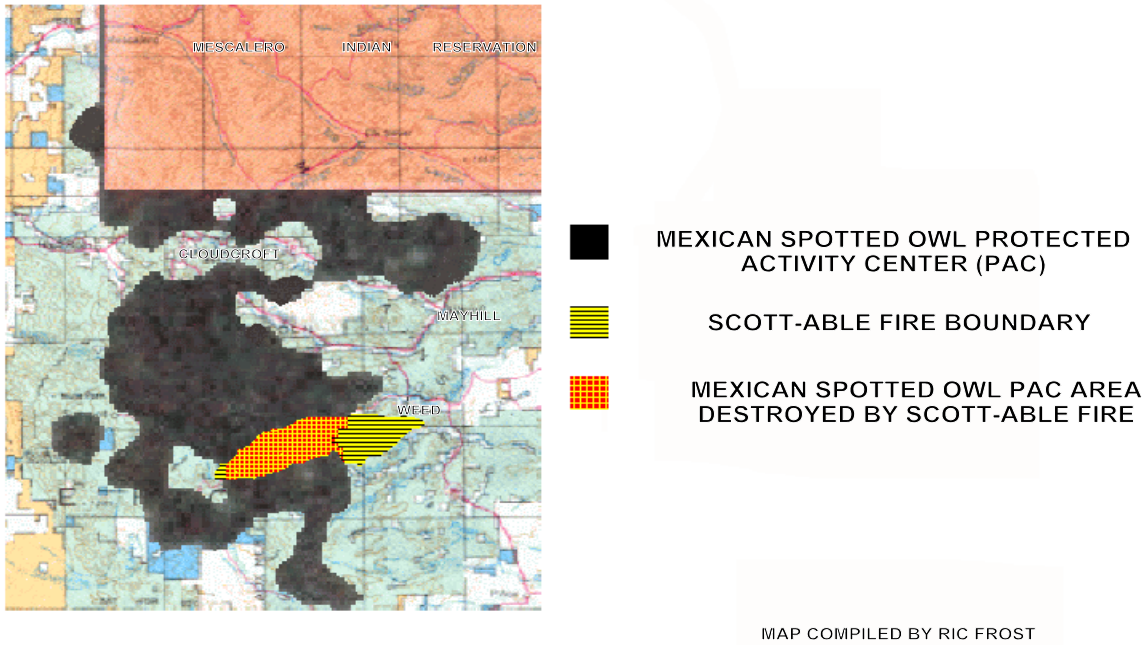
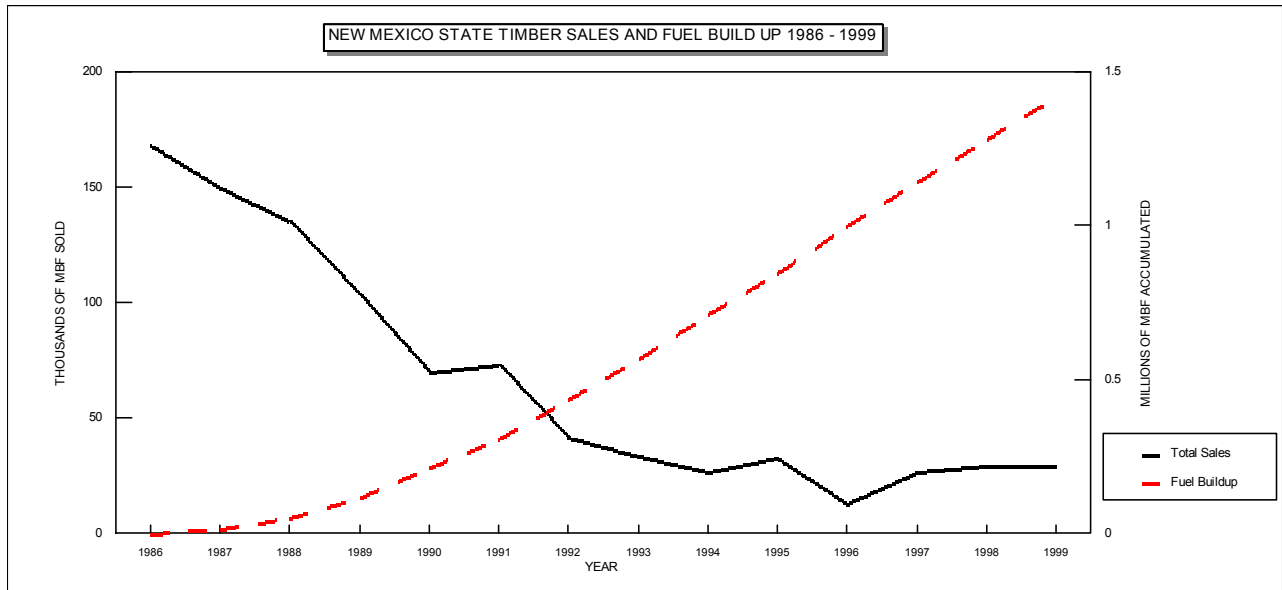


FIGURE 2: New Mexico Timber Sales and Fuel Buildup 1986 - 1999



Other Forest Fire Impact Assessments

Telephone interviews were conducted with various state and federal Forest Service agents and private business owners on their assessment of recent fires around the state. The results are tabulated with estimated total timber, the potentially harvestable timber and the home lumber equivalents destroyed by fire. Estimated timber is given in million board feet (mbf). For the home lumber equivalents, a 3 bedroom base home size of 1,500 square feet requiring 20,000 board feet was used.

Fire Name and Location	Acres Burned	Contact Reference For Estimate	Estimated Timber Destroyed	Estimated Harvestable Timber	Home Lumber Equivalent
Scott-Able, Weed	16,000				
		N.M. State Forestry	25 mbf	12.5 mbf	625
		Lincoln Natl. Forest	20 mbf	10 mbf	500
		Private Industry	-----	15 - 18 mbf	750 - 900
Cerro Grande, Los Alamos	47,000 (28,000 on NFS lands)				
		N.M. State Forestry	240 mbf	120 mbf	6,000
		Espanola Natl. Forest	200 mbf	100 mbf	5,000
		Private Industry	-----	144 - 174 mbf	7,200 - 8,640

Total Acres	163,000	Totals by Source			
Total Square Miles	355	N.M. State Forestry	265 mbf	132.5 mbf	6,625
		U.S. National Forest	220 mbf	110 mbf	5,500
		Private Industry	-----	159 - 192 mbf	7950 - 9540

The estimated variance of potential lumbered destroyed would have built between 5,500 to 9,540 homes. This is lumber that has been off limits primarily due to endangered species lawsuits against logging. There are other fires burning with high fuel loads for the same reason, lawsuits.

Economic Assessments and Other Impacts

The timber destroyed in the Scott-Able fire was evaluated for potential economic activity using the values from the preceding table. The Otero County economic model developed by New Mexico State University's Range Improvement Task Force was used. It was determined that between \$3.2 - \$4.9 million in potential direct economic activity was lost. Between \$1.9 - \$2.8 million in potential personal income was lost. The combination of direct, induced and indirect potential economic activity lost was between \$5.1 - \$7.7 million dollars. Total potential full time employment is between 93 - 140 jobs lost. This is just the Scott-Able fire.

The economic impacts from the loss of at least 25 homes burned has yet to be fully evaluated. At least 48 homes are without electricity due to 33 utility poles being destroyed in the fire and there is no time given as to when they can expect restoration of services.

The taxpayers are bearing the bill for tens of millions if not hundreds of millions of dollars for the cost of fighting this fire. The economic evaluation for the Los Alamos Cerro Grande fire is still being developed, but initial estimates place the figure into the billion dollar range.

Impacts from expected mudslides and other rain runoff flood related problems are yet to be realized. Bill Armstrong, of the U.S.F.S. Espanola Ranger District, explained to me the impacts in Los Alamos from anticipated mudslides include recently built expensive water treatment and sewage plants. There is also a nuclear power plant in Los Alamos directly in the path of flood waters arising from the Cerro Grande fire. A more complete estimate of economic impacts is being developed for your hearing in New Mexico scheduled for sometime in July.

The Lincoln National Forest contact person, Dennis Watson, estimated that 4 Mexican Spotted Owls were lost.

Two impacts that cannot be priced are the loss of two lives. One was a Forest Service employee and the other was a contract pilot. Both were dedicated men. They lost their lives en route to survey the Scott-Able fire. I doubt that their families are concerned over the lost of 4 spotted owls and affected habitat.

Other Related Issues

As stated before, one of the basic management recommendations for Mexican Spotted Owls is management for the prevention of catastrophic fire events. In the Western part of New Mexico is the Gila National Forest. It is one of the first and earliest National Forests established in this country. When the Mexican Spotted Owl actions were implemented, the entire logging industry in that region of New Mexico was shut down. Jobs disappeared and Catron County experienced unemployment rates of approaching 36 percent. Many families moved away in order to survive. Much of the equipment was sold or left to the elements and is in disrepair. That was 7 years ago.

In February of 1999, the USFS of that region contacted our department to help them develop plans to bring back the loggers as the USFS has a substantial area that needs to be harvested due to the

severe build up of timber. They pointed out that the area needed to be worked or a catastrophic fire equal to or greater than the Yellowstone fire of years ago would occur. They had a contract for sale and had no takers or even inquiries. Our reply was that it would take tens of millions of dollars and at least 2 years to put the logging infrastructure back in place. The loss of the economic structure due to endangered species has created the situation that when the USFS has timber to harvest, there is no one to do it.

Roads need upgrading. Equipment needs to be brought back in. The whole area would have to start from scratch in rebuilding the infrastructure to help the Forest Service do its job in managing for catastrophic fires and fulfill the original mission of the Forest Service found in the Organic Act of 1897: to manage for timber production.

Concerns over endangered species litigation has so overwhelmed the federal agency and has been infiltrated with environmental idealists, that this agency has lost sight of its original purpose. Managers are now so hesitant to use common sense in their approach to manage rationally, they irrationally make decisions or make no decisions out of fear of incurring litigation from non-profit environmental agencies such as the Forest Guardians, The Southwest Center for Biological Diversity, the Sierra Club and a host of other groups. They are unable to manage effectively with sound silvicultural practices. Thus we have the catastrophic potential for wildfires that exist today.

Non-Profit, Non-Governmental Agencies

Another point of concern regarding current fire conditions in New Mexico is that the non-profit environmental organizations involved in litigations with the U.S. Forest Service have an established agenda to eliminate logging and grazing practices from all public lands. This is better known as “Zero Cut” and “Un-ranching the West”. The focus is to litigate using the Endangered Species Act, The Clean Water Act, and the National Forest Management Act again and again.¹² This is without regard to established logging and grazing contracts or the established intents of Congress and the agenda is to be implemented by any means possible.

It should be pointed out that the National Wilderness Institute published a far reaching study (May, 1997) on the ineffectiveness of the Endangered Species Act.

“The study's authors, Rob Gordon, James Streeter and James Lacy of the National Wilderness Institute (NWI) spent more than a year analyzing thousands of pages of government documents and creating a database with more than 200,000 data points to conduct the study which is the second largest paper ever published by Environment International. Among the study's findings:

- * Numerous species were incorrectly listed as threatened or endangered (over 90%);
- * No species has recovered primarily as a result of the ESA;
- * In only two instances can reclassification of a species from endangered to threatened be attributed to successful management actions and in both of these cases the actions could have been taken without the Act;
- * Most the species claimed by USFWS to have achieved 75% of their recovery objectives are not beneficiaries of successful actions taken under the Act;

¹² Sam Hitt talk given at the Southwest Environment Center, Las Cruces, New Mexico, December, 1997

- * The government data is too poor to demonstrate a general trend for protected species - either positive or negative;
- * Federal expenditures on endangered species are made primarily by agencies other than the USFWS and NMFS, the principal implementing agencies;
- * There is no scientific rationale for the allocation of funds among species”.¹³

This is to say the non-profit environmental organizations, the Forest Guardians, the Sierra Club and the Southwest Center for Biological Diversity and others are using the ineffective ESA to force the U.S. Forest Service to violate valid standing logging and grazing contracts.

Sam Hitt, director of the Forest Guardians, also made this comment at meeting in Las Cruces, New Mexico (December, 1997), regarding the support of ending logging in New Mexico at the demise of existing cultures:

“...why are we cutting the 500 acres in La Manga that might provide maybe at the most 9 months worth of work? To save a culture that’s 400 years old?”¹⁴

New Mexico prides itself with the sustainable forest culture that has existed since before the environment groups existed. The non-profit Forest Guardians obviously don’t.

On May 24, 2000 Congresswoman Cynthia McKinney proposed the National Forest Protection and Restoration Act (H.R. 1396) . This act would “. . . terminate subsidies for the federal logging program . . . control human access . . . close roads . . .” (Exhibit C). This is in conjunction with John Talberth, Executive Director of the National Forest Protection Alliance. Mr. Talberth has an extensive history with the New Mexico based Forest Guardians responsible for so many of the lawsuits for “endangered” species against logging. He is also one of the individuals involved in the Mexican Spotted Owl recovery plan previously described (Exhibit D). The claim for this act is to prevent catastrophic fires but the language grossly misrepresents the cited GAO report on the causes of logging increasing fire risk. The result of this bill will be to impede fire fighting access and further threaten communities with catastrophic wildfires as described in GAO report T-RCED-99-79, Nearby Communities are Increasingly Threatened by Catastrophic Wildfires.

On top of this is the current Forest Service Roadless Area Conservation plan (comments due June 17, 2000) which is targeting 54 million acres (or 84,375 square miles) of land for removal from access by the public. Again, this is being done in the name of “protecting” the environment and “endangered” species. This includes prohibiting road construction, removal of some existing roads and not allowing badly needed reconstruction on existing roads. This will impede fire fighting access and enhance the existing, GAO identified, serious catastrophic wildfire conditions now threatening rural communities. This proposal is also being promoted by the National Forest Protection Alliance, Forest Guardians, the Sierra Club and many other non-profit environment groups.

¹³ Release summary, Conservation Under the Endangered Species Act, National Wilderness Institute, Washington, DC

¹⁴ Sam Hitt talk given at the Southwest Environment Center, Las Cruces, New Mexico, December, 1997

Summary

The point of bringing these activities by the non-profit environmental NGOs to light is to demonstrate the nature of the environmental organizations in their agenda to disrupt the ranching and logging cultures and communities not only of New Mexico, but of all public land users in the United States. The U.S. Forest Service is but one United States agency these environmental groups have targeted for aggressive litigation with the intent of disruption of resource production activity.

The results don't concern who they affect, only the goals of the organizations. The U.S. Forest Service and the agenda doesn't concern itself with the destruction of long established communities and cultures, including those which can trace their origins four hundred years back to the beginnings of this great nation, the United States of America. This great nation was founded on the principle of equal opportunity for all to pursue life, liberty and justice.

It is a sad day when a government agency, such as the U.S. Forest Service, is bullied into violating due process and founding principles by agenda driven organizations and employees to establish their view of how the world should be. The U.S. Forest Service should be held to the highest standards of following scientific, NEPA and CRIA regulations as they are established. The ranching and logging communities of New Mexico deserve their day in court and I ask that this Subcommittee on Forests and Forest Health see that this day occurs.

I thank this committee for this opportunity to share this testimony and for its concern for the communities of New Mexico.

EXHIBITS A THROUGH D

EXHIBIT A

**Order to Stop Timber Cutting
on Otero County Electric Power Line**



United States
Department of
Agriculture

Forest
Service

Sacramento
Ranger
District

P.O. Box 288
Cloudfcroft, NM 88317
(505) 682-2551

File Code: 2720

Date: August 31, 1995

Otero County Electric Cooperative
Mr. Bill Mershon
P.O. Box 227
Cloudfcroft NM 88317

RECEIVED
SEP - 1 1995
OTERO CO. ELECT. CO-OP

Dear Mr. Mershon:

This letter is to serve as written notice under the terms of your powerline special use permit to immediately cease all cutting of trees associated with your powerlines on Lincoln National Forest lands.

Several factors have contributed to the situation requiring this action. First, it has come to our attention that your maintenance crews are not abiding by the guidelines for the falling of hazard trees, as set forth in a letter to you dated December 20, 1993. Because this tree cutting has taken place outside the terms of your permit and the conditions of the current Biological Assessment and Evaluation, the cutting may potentially be in violation of the Endangered Species Act.

Finally, the District Court of Arizona has enjoined all "timber harvest activities" in Region 3 of the Forest Service until the required consultation regarding the Mexican spotted owl commences. The Region has interpreted this injunction to apply to your tree cutting activities as well.

Please call at 682-2551 if you have any questions regarding this action.

Sincerely,

MAX E. GOODWIN
District Ranger

cc:
SO



Caring for the Land and Serving People

EXHIBIT B

Memo to Max Goodwin from Jose Martinez

Department of
Agriculture

Forest
Service

Lincoln
National
Forest

Federal Building
1101 New York
Alamogordo, NM 88310-6992
(505) 434-7200

File Code: 2720
Route To: 2670

11/14/95 → Date: November 14, 1995

Subject: Otero County Electric Cooperative

To: District Ranger, Sacramento RD

ASBOW-CROFT RD		
DATE 11-16-95		
1	DR	CC
CC	SAB/95	Dammy Love
	CC	
	CC	
	CC	
CC		Page Done

In response to your letter dated October 31, 1995, I encourage you to continue meeting with Otero County Electric Cooperative representatives. Clear understanding of each others needs is essential to constructively work through required processes and providing customer service.

I consider your authorization of cutting "any vegetation that is touching or has touched (as evidenced by burned branches) the powerline as an obvious immediate hazard to life and property" as meeting the intent of Page 3, Clause C, in the Stipulation and Order for settlement of CIV-94-1610-FHX-CAM.

You have recommended additional actions be approved based on what the Otero County Electric Cooperative representatives and you perceive as needing immediate address within Clause C mentioned above. I will address each of your recommendations.

"Cutting of undergrowth within ten feet of powerlines (anticipating wet, heavy snow). Powerlines then sag and short out on vegetation below."

I do not think that ten feet should be a constant criterion for action. The deflection varies by factors such as distance from anchor points (poles), topography and line construction. I do believe that vegetation which is presently in the zone of probable line deflection from snow, ice or wind, is presenting risks as identified in Clause C. You should correct these situations by working with electric cooperative officials to ensure that they are interpreting the vegetation clearing consistent with present hazards and expected line deflection on a site specific basis. The implementation phase of determining hazard and risk will be critical. We often agree at the administrative level but do not effectively communicate or provide oversight to the field crews doing the work. I expect you, in concert with the electric cooperative officials, to address how you can implement the job of eliminating immediate hazards to life and property and remain fully accountable for actions being taken consistent with Clause C.

"Cutting of dead trees leaning toward the powerline or upright dead trees which would hit the powerline if they fell in that direction. Dead trees leaning parallel to or away from the powerline would be left standing."

You should address these situations by working with electric cooperative officials to ensure that they are interpreting the dead tree hazard consistent with present hazards and expected risks on a site specific basis. If it is reasonable to expect the dead tree to remain standing through this winter given wet soils, snow loading and wind, then it should not be felled. Again, the implementation phase of determining hazard and risk consistent with

Clause C will be critical. I expect you in concert with the electric cooperative officials to address how you can implement eliminating dead trees which are immediate hazards to life and property and remain fully accountable for field crew actions being taken, consistent with Clause C.

"Aspen which could hit the powerline. Historically, aspen accounts for a large percentage of powerline outages, sometimes even green trees which appear to be healthy and strong."

The immediate risk that aspen represents will vary by site specific location. The Slide Group Campground area is obviously a site where the electric cooperative has information which supports a clear immediate hazard. I am sure that collectively you and the electric cooperative officials have information which will allow site specific address of aspen which presents immediate danger to life or property. Address these situations by working with electric cooperative officials to ensure that interpretation of the aspen hazard is site specific and consistent with present hazards and expected risks. I expect you in concert with the electric cooperative officials to address how you can implement eliminating aspen which are immediate hazards to life and property and remain fully accountable for field crew actions being taken, consistent with Clause C.

In summary, I accept your recommendations in concept, but I want you to apply them in concert with Otero County Electric Cooperative officials based on site specific consideration of the immediate risk identified in Clause C. I recommend that you, accompanied by your appropriate staff and appropriate Otero County Electric Cooperative officials, consider a field review to facilitate understanding of how removal of immediate hazards and accountability will be addressed. I further want you to establish mechanisms which will ensure that the authorized actions are implemented in compliance with Clause C.

I appreciate you working with electric cooperative officials to address their future needs, and I support your programmatic approach to improve efficiency and customer service. Frustration often comes from insufficient coordination between us and our customers. It is imperative that we communicate frequently so that we understand their needs and they understand the process which must be followed. When both parties are collaborating on the solution, there are no surprises; the answer is always better and a valued relationship is maintained.

If you have further questions concerning the Stipulation and Order for settlement of CIV-94-1610-PHX-CAM, address them to me as your Forest Supervisor or Don DeLorenzo of my staff.


JOSE M. MARTINEZ
Forest Supervisor

EXHIBIT C

Congresswoman Cynthia McKinney and John Talberth

Comment Letter on H.R. 1396

X-Sender: <NFPA-updates@vortex.wildrockies.org>
Date: Thu, 1 Jun 2000 16:24:52 -0600
To: "NFPA-Updates" <NFPA-updates@vortex.wildrockies.org>
From: Jeanette Russell <Russell@wildrockies.org>
Subject: [SEAC-ANNOUNCE:1171] NFPA Would Prevent Catastrophic Fires
Sender: owner-SEAC-Announce@envirolink.org
Reply-To: Russell@wildrockies.org
X-Listprocessor-Version: 8.2.07 -- ListProc(tm) by CREN

NFPA Would Prevent Catastrophic Fires

(See Dear Colleague letter below)

For more information contact:

John Talberth, National Forest Protection Alliance: (505) 986-1163

Jon Fremont, Office of Congresswoman Cynthia McKinney: (202) 225-1605

On May 24th, Washington-Congresswoman Cynthia McKinney (D-GA) called on Congress to pass forest protection legislation already before the House that would provide \$300-500 million annually to reduce fire risk and restore ecosystem health on National Forests. The measure has strong support from environmental organizations. The legislation, the National Forest Protection and Restoration Act (H.R. 1396) would terminate subsidies for the federal logging program and redirect a portion of these subsidies into a major program to restore the ecological integrity of National Forest lands. A major portion of the funds generated by the legislation would be applied to clearing of brush and thickets, controlling human access, replanting native vegetation, prescribed burns, closing unnecessary roads, and other measures designed to reduce the threat of catastrophic fire in at-risk watersheds bordering communities throughout the West. The legislation already has the support of 79 co-sponsors.

According to Congresswoman McKinney, the recent catastrophic fire in Los Alamos, New Mexico is a wake up call for Congress to intervene quickly. In a letter sent to the entire Congress, McKinney says that H.R. 1396 is the quickest and most effective way to protect at-risk communities from fire. Because H.R. 1396 proposes a stand alone fire risk reduction program that is not linked to timber sales, it has the highest likelihood of gaining widespread support and funding activities that are grounded in science, and not contaminated by commercial incentives. In her letter, McKinney cites a recent GAO report which states that current incentives in the Agency's main fuel reduction program are acreage driven, not hazard based, and incentives in its timber sale program are largely driven by commercial rather than safety considerations.

According to McKinney, H.R. 1396 eliminates this problem: Sadly, some of my colleagues are using the recent tragedy in Los Alamos as an excuse to increase the Forest Service's logging program. However, science shows that logging is the problem, not the solution. Fire risk reduction projects would be better accomplished by direct funding instead of continued subsidized logging.

According to John Talberth, Executive Director of the National Forest Protection Alliance, H.R. 1396 would free enormous amounts of Forest Service resources to address the fire risk problem in a scientifically credible manner. The Forest Service logging program is a primary cause of western forest fires, and costs taxpayers over \$1.2 billion per year. Under H.R. 1396, these subsidies would be redirected to create thousands of new jobs in the woods restoring our National Forests under the direction of independent scientific panels. If Congress is serious about protecting communities from fire, H.R. 1396 should be advanced as quickly as possible.

PREVENT FOREST FIRES-COSPONSOR H.R. 1396

May 24th, 2000 - from Congresswoman Cynthia McKinney

Dear Colleague:

The federal government must insure that it is doing all it can to protect lives, property, and forests from the risk of unnatural catastrophic fire. Sadly, some of my colleagues are using the recent tragedy in Los Alamos as an excuse to increase the Forest Service's logging program. However, science shows that logging is the problem, not the solution. Fire risk reduction projects would be better accomplished by direct funding instead of continued subsidized logging. Why?

Logging increases fire risk. Logging causes adverse changes in forest composition. Logging operations leave behind debris that becomes tinder dry in open clearcuts. Chainsaws and other logging equipment throw sparks and start fires. The Sierra Nevada Ecosystem Project Report, issued in 1996 by the federal government, found that "timber harvest, through its effects on forest structure, local microclimate and fuel accumulation, has increased fire severity more than any other recent human activity." Logging has greatly increased fire risk on our National Forests.

Logging Does NOT Provide Fire Risk Reduction. Timber sales depend upon timber purchasers and the markets in which they operate, and are not based on actual fire risks. In many regions of the West, there is little demand for timber sales, especially the low value, small diameter trees that characterize thinning projects. According to a 1999 report prepared by the GAO, "most of the trees that need to be removed to reduce accumulated fuels are small in diameter and have little or no commercial value." Because there is no market for these trees, these projects sit on the shelf for years.

Forest Service budgets are tied to logging, not forest stewardship. The Forest Service has budgetary incentives to maximize the size of the commercial timber sale program. This leads to commercial "contamination" of projects that otherwise may be grounded in sound scientific principles. In their 1999 report, GAO found that Forest Service managers "tend to (1) focus on areas with high-value commercial timber rather than on areas with high fire hazards or (2) include more large, commercially valuable trees in a timber sale than are necessary to reduce the accumulated fuels." GAO further noted that "current incentives in the Agency's

main fuel reduction program are acreage driven, not hazard based, and incentives in its timber program are largely driven by commercial rather than safety considerations."

Now is the time to provide adequate and responsible funding for forest stewardship. Together we can reduce or eliminate the risk of catastrophic wildfire in communities throughout the country in a scientifically credible manner. I invite you to join 79 of your colleagues as a co-sponsor of the National Forest Protection and Restoration Act, H.R. 1396. If you would like to cosponsor this legislation, or if you have any questions, please contact Jon Fremont of my staff at extension 5-1605.

Sincerely,

Cynthia McKinney
Member of Congress
Jeanette Russell,
Network Coordinator

National Forest Protection Alliance
P.O Box, 8264, Missoula, MT 59807
406) 542-7565, fax (406) 542-7347
email: russell@wildrockies.org
www.forestadvocate.org

The NFPA is a national alliance of citizens and organizations dedicated to protecting public lands from commercial exploitation, and in particular, protecting federal public lands from commercial logging.

EXHI
Parti
of
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Pers
Com
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on
n
Owl
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U.S. Forest Service, Rocky Mountain Region;
Elizabeth Estill, Regional Forester.
(Player, R.).

Arizona Game and Fish Department; Duane L.
Shroufe, Director. (Johnson, T.).

Arizona State Land Department; M. Jean
Hassell, Commissioner.

Otero County Commission; Richard L. Zierlein,
Chairman.

San Juan County Commission;
Ty Lewis, Chairman.

**OTHER GROUPS
AND INDIVIDUALS**

Applied Ecosystem Management, Flagstaff, AZ;
Tod Hull. (On behalf of: Northern
Arizona Loggers Association; Precision
Pine and Timber Company; Reidhead
Brothers Lumber Company; Stone
Forest Industries).

Defenders of Wildlife, Washington, DC; Robert
M. Ferris, Director, Species Conservation
Division; Gregory J. Sater, Wildlife
Counsel, Legal Division.

Forest Conservation Council, Santa Fe, NM;
John Talberth, Executive Director.

Southwest Center for Biological Diversity, Silver
City, NM; Kieran Suckling, Executive
Director. (Attachment signed by Dennis
Morgan, Research Associate, Southwest
Center for Biological Diversity; Kieran
Suckling, Executive Director, Southwest
Center for Biological Diversity; Sharon
Galbreath, Chairperson, Grand Canyon
Chapter, Sierra Club; Samuel Hitt,
Director, Forest Guardians; Joanie Berde,
Carson Forest Watch; Tom Ribe, Public
Forestry Foundation; Tom H. Wootten,
Conservation Chair, Mesilla Valley
Audubon Society; Mary Lou Jones, Zuni
Mountain Coalition; Joseph Feller; Dave
Henderson, Southwest Forest Alliance;
Charles Babbitt, President, Maricopa
Audubon Society; John Talberth, Execu-
tive Director, Forest Conservation
Council; Jim Powers, Prescott National
Forest Friends; Gary Simpson, Northern
New Mexico Chapter, Wilderness
Watch; Eleanor G. Wooten, Vice Presi-
dent, T & E, Inc.; Gwen Wardwell,
Director, Rio Grande Chapter, Sierra
Club; Mike Siedman; Jeff Burgess.).

Stone Forest Industries, Flagstaff, AZ; Steve C.
Bennett, Regional Manager.

Mark Herron, Santa Fe, NM.

Terry Johnson, Los Alamos, NM.

Dennis R. Kingsbury, Munds Park, AZ.

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