

State of Montana
Society of American Foresters

Montana Society of American Foresters review of S.1470: Senate Forest Jobs and Recreation Act of 2009

Dear Senator Tester,

We highly commend you for your leadership to help resolve some of the gridlock on national forests, particularly those in Montana. Our diverse membership works with the many values that forests have and desires that these forests remain productive and functional. As such, we recognize and endorse the value and concept of wilderness for appropriate areas on landscapes, as well as forests managed for a broader range of multiple uses including an emphasis on wood products for fiber and fuel. We find that S. 1470 is a good step in helping delineate areas where wilderness may be the best use, versus those areas where active forest management (including restoration goals) may be better suited.

Creating a process through which forest and landscape management planning can be effectively, efficiently, and cooperatively designed and implemented on federal lands has, to date, eluded and frustrated us all. It is with this perspective that we ask you to consider some additional points with regard to the bill.

1. A primary emphasis of this bill is to use management to “restore” forest conditions on more than 70,000 acres to reduce the severity of wildfires and make forests more resilient to climate change related impacts, such as the current bark beetle epidemic; the magnitude of which is unprecedented in modern history. Restoration is a term that falls within the general concept of forest conservation, where restoration is a treatment that will help conserve a desired forest condition or functionality. It is our observation that forests are highly dynamic, changing with climatic conditions, species characteristics, and disturbance agents often with a large degree of unpredictability. Thus a one-time treatment within a defined time frame is highly unlikely to maintain, fully restore, and conserve desired forest conditions. As a result, we recommend removing the 15 year sunset provision.
2. We would encourage you to include legislative language that emphasizes or mandates active forest management that also produces merchantable wood raw materials over the long term...if not perpetuity. An example statement might be: “Forest management activities, consistent with prescribed restoration treatments, must be used on a sustainable and permanent basis following the first 15 year treatment on the designated landscapes. Forest management activities would be the primary tool to maintain and conserve forests for the desired objectives of wildlife habitat, recreation, water resources, wildfire and climate change resilience and additionally designed to produce renewable and economically marketable wood products.”
3. Though you have attempted to bring everyone to the table while negotiating legislative language, it has come to our attention that local governments and other stakeholders have not been actively engaged in the delineation of proposed new wilderness area boundaries. We would suggest that these boundaries be reviewed through specifically designated local resource advisory committees before they are implemented. Although federal lands are cared for in trust of the desires of all American citizens, local governments and communities are uniquely impacted and have an intimate knowledge and history of these landscapes that we feel can greatly benefit the conservation and future of these areas. They should be included as vital members of such landscape-use designations.

4. The appeals process through NEPA is part of the reason why gridlock has occurred on federal lands – particularly National Forests. Such appeals, while providing an important review opportunity, have also been used to delay the planning process and implementation of projects in a timely manner. We would therefore suggest that the appeals process be constrained to a specific time frame starting with the completion of the environmental assessment and ending with the issuance of a final decision.
5. Forest and logging contractors, once they start work, cannot absorb the costs associated with delays resulting from injunctions and litigation which ultimately can destroy their business. When civil litigation is brought against a project that delays contractors from completing their work, we suggest that a bond sufficient to compensate for contractors lost revenues be posted by the litigants.
6. The practice of forestry and implementation through logging practices can result in undesirable and short term ecological impacts such as soil disturbance. Such disturbances can be mitigated using Best Management Practices and through natural recovery by native plants. Research has shown that soil disturbance to a prescribed level is beneficial, if not essential, to the establishment of seedlings for many desirable plant and tree species. We therefore encourage that any appeals or litigation process consider the balance between short term disturbance and long term forest health as well as ecological resilience and restoration.
7. Experience has shown that local governments often have invaluable information to present when projects are challenged in a court of law, however, they often lack the funds or the ability to act as interveners in a federal court. Giving them a mandated ability to participate and recover their costs would allow for local expertise to play a vital role in the discovery process.
8. Given that forest are highly complex and dynamic biological populations, we feel that the wider the scope of administration allowed, the more adaptable the restoration processes can be. Stewardship contracts, while perhaps a preferred managerial process, should not be used to exclude other contract options to meet specific needs.
9. Though very well intentioned, we fear S. 1470 will not meet the goals stated in the bill, such as the legislated Allowable Sale Quantity, because it does not give the Forest Service the adequate tools or funding needed to efficiently and responsibly fulfill the statutory and regulatory requirements while also prevailing against special interest litigants seeking to stop or stall all management on national forests. Without the tools or funding, we are gravely concerned Montana may lose the ability to responsibly manage federal forests and in turn, lose the ability to prevent catastrophic wildfires, large-scale insect and disease epidemics, and protect communities, water and wildlife.

The Society of American Foresters greatly appreciates the work you and your staff have committed towards finding solutions and improving the management of our National Forests. We know the problems and solutions surrounding national forest management are highly controversial and again commend you for taking a stand and helping to solve the problem. These forests, as well as the work force that depends upon them and is committed towards their conservation, are at a critical turning point. If the management process is not resolved such that the long term care and conservation of these forests is a priority, as well as the work force that maintains them, then they will suffer the consequences associated with the whims of nature.

Historical evidence indicates that forested landscapes, especially in the northern Rockies, can rapidly and dramatically change along with the critical resources they provide their surrounding human populations. We see evidence of this already with the mountain pine beetle outbreak and wildfires of the past decade. Forest management, inclusive of harvesting, is a tool that can moderate such effects while also providing vital, renewable, and carbon neutral resources to our society. It does not need to be exclusive of other forest values such as wildlife,

clean water, recreation and remote and rustic experiences. It is a tool that can help us all, to which the Society of American Foresters is strongly committed. We appreciate the opportunity to comment on S.1470 and wish you success in helping find solutions for our national forests. Our forests and professionals desperately need your help in solving the gridlock on these threatened resources. Please contact us if we can be of any assistance in clarifying our comments.

Very Sincerely,



Montana State Society of American Foresters
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