

**The Wilderness Society · Sierra Club · Geos Institute · Defenders of Wildlife
· Earthjustice · League of Conservation Voters · Center for Biological
Diversity · Los Padres ForestWatch · Center for Sierra Nevada
Conservation · Town of Castle Valley, UT · Wilderness Workshop · Alaska
Wilderness League · Colorado Mountain Club · Cascadia Wildlands ·
California Wilderness Project · Klamath Forest Alliance · Washington Wild ·
Soda Mountain Wilderness Council · Environmental Protection Information
Center · Endangered Species Coalition · Conservation Northwest · Great
Old Broads for Wilderness · Grand Canyon Trust · Buffalo Field Campaign ·
San Juan Citizens Alliance · Sheep Mountain Alliance · California Native
Plant Society**

April 11, 2013

The Honorable Rob Bishop, Chair
House Subcommittee on National Parks, Forests and Public Lands
1324 Longworth House Office Building
United States House of Representatives
Washington, DC 20215

The Honorable Raul Grijalva, Ranking Member
House Subcommittee on National Parks, Forests and Public Lands
United States House of Representatives
Washington, DC 20215

Dear Chairman Bishop and Ranking Member Grijalva:

On behalf of our millions of members, activists, and supporters, we write to express our strong commitment to working together to find realistic, effective solutions to the land management challenges facing our country, including county payments and wildfire management. Accordingly, we also write to express our dismay at the polar opposite approach that is taken by the bills under consideration today, which are essentially Trojan horses for mandating or incentivizing damaging logging and grazing across vast swaths of our public lands with limited or no public input and few environmental protections, and for handing over unprecedented control of federal lands management to the states in the name of county payments and fire prevention.

A summary of the individual bills we are concerned with is included as an attachment to this letter.

We respectfully request that this letter be included in the April 11, 2013, hearing record for the Subcommittee on Public Lands and Environmental Regulations.

We should be looking forward, seeking collaborative solutions with broad bipartisan support, not reverting back to decades-old ideas that are destined to fail.

Wildfire management and county payments are unquestionably some of the most important challenges we are facing when it comes to the future of our national forests, public lands, and local communities. That is why it is critical that we be looking forward, having honest discussions about practical solutions. The era of the timber wars is over, and yet it appears, based on the bills being heard today, that the Subcommittee would like to revisit those dark days. The reality is that over the last two decades, we have successfully begun to change the way we manage our public lands, using collaborative approaches that help meet the needs of all stakeholders. Programs like Secure Rural Schools and its Resource Advisory Committees, and the Collaborative Forest Landscape Restoration (CFLR) program, have changed the dynamic. Parties that in the past might have been on opposite sides of a timber sale are now sitting down together and working out creative solutions. If we are going to successfully address our most pressing problems, including county payments and wildfire management, we need to build on this model. Instead, the bills being heard today attempt to demolish it.

“Trust” proposals and mandated intensive logging are not an acceptable solution to county payments.

We strongly oppose legislative proposals that mandate intensive logging or place our public forest lands in a “trust,” so that federal agencies or an appointed board are required to generate mandated revenues for local counties through intensive commodity extraction and other industrialized development that are likely unsustainable and damaging over the long run.

We understand and sympathize with the tight budgets that many local governments are facing, as these hardships affect the places where many of our members live and work. But these proposals abandon our nation’s vision of and commitment to a strong system of national safeguards to preserve America’s common natural heritage from environmental damage due to short-sighted economic interests. Mandating exploitation of our national forests and other public lands to meet unachievable revenue targets not only violates the concept of multiple-use, but is shortsighted and unsustainable and would decimate the clean drinking water, wildlife and fish populations, and economic and recreational benefits from activities such as hunting, hiking, fishing, and camping, that our public forest lands provide and support.

Such proposals would also come at great expense to the federal treasury, as the cost to the federal government of providing the commodities far exceeds what they are worth. For example, an analysis by Headwaters Economics of one draft proposal that required the U.S. Forest Service to intensively log national forest land to generate revenues for counties found that the “cost of implement[ation] . . . would require significant new federal spending – from \$1.8 billion to as much as \$5.9 billion annually above current [Secure Rural Schools Act] appropriations – based on the current cost of preparing and administering timber sales.”¹

¹ Headwaters Economics, Can Subsidized Timber Save County Payments? An Analysis of the Draft National Forest County Revenue, Schools, and Jobs Act (Sept. 21, 2011), available at http://headwaterseconomics.org/wphw/wp-content/uploads/CountyPayments_House_Proposal_Analysis.pdf.

Industrializing public lands will also damage watersheds and pollute drinking water and threaten western water supplies, as over 50 percent of fresh water in the West comes from federal forests.² Damage to these resources will directly impact farmers and other outdoor-related businesses that also generate revenue for counties and employ a range of skilled workers for the sport and commercial fishermen and hunting community. The most recent 2012 report from the Outdoor Industry Association confirms that the outdoor recreation industry directly supports 6.1 million jobs and contributes over \$646 billion annually to the U.S. economy. The U.S. Forest Service's most recent annual visitor survey showed that Forest Service lands attracted 166 million visitors in 2011, and that visitor spending in nearby communities sustained more than 200,000 full- and part-time jobs.

Accordingly, the undersigned organizations strongly oppose any and all county payment proposals and recommendations – such as the ones being heard today – that create “trusts,” set mandatory targets for intensive logging and other industrialized resource extraction, and essentially transfer federal lands to private control. These measures would weaken or eliminate vital safeguards for clean water and wildlife and drastically increase and/or promote intensive logging, grazing, mining, and drilling. Sacrificing protection of one of the most valuable and enduring assets of the United States – our public lands – is the wrong approach to solving county budget shortfalls, and we urge you to oppose these and other similar proposals.

Secure Rural Schools should be reauthorized for the short term while a long term solution can be crafted and adopted with broad bipartisan support from both Congress and a wide range of local and national stakeholders that SRS has enjoyed for over a decade.

The Secure Rural Schools and Community Self Determination Act (SRS) program is expiring, leaving rural communities across the country in financial risk. This program provides important funding for schools, community services, and roads in more than 1,900 counties in 49 states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. SRS has received broad bipartisan support ever since its original passage in 2000 because it helps the economic stability and sustainability of rural communities. By decoupling payments from commodity receipts and introducing new funding for projects on public lands, SRS has helped counties with the transition away from unsustainable dependence on logging to a more diverse economic base in the face of declining timber production on public lands and changing economic opportunities related to restoration and conservation.

The undersigned groups strongly support reauthorization of this important SRS program. Our organizations stand ready to work with you to discuss alternate funding sources that

² Restoring watersheds where possible from damaging logging and other development can cost taxpayers – including counties – hundreds of millions of dollars a year in lost revenues and vital ecosystem services. For example, Salem, Oregon was forced to spend nearly \$100 million on new water treatment facilities after logging projects fouled the Santiam River with mud and silt. Salem is not alone; up to 124 million people nationwide receive drinking water from national forest watersheds, with an estimated value between \$4 and \$27 billion annually.

do not jeopardize our clean water, wildlife, and public lands. However, in the near term, Congress needs to create breathing room for communities with an emergency extension and reauthorization of the SRS program. This will alleviate their immediate financial straits while a long term solution can be crafted and adopted with broad bipartisan support from both Congress and a wide range of local and national stakeholders that SRS has enjoyed for over a decade.

The immediate need of our rural communities and the potential harm caused by failing to extend a proven program that funds counties and doesn't sacrifice conservation values is simply too great to delay any longer.

Effective wildfire management strategies are based on science and protecting the places near where people live, not on eviscerating public input and environmental safeguards.

We recognize that uncharacteristic wildfire and insect and disease infestations present a challenge to our public lands managers. However, we believe the issue is a lack of financial resources, not a lack of legal authority. We strongly encourage Congress to provide managers the financial resources they need to protect communities and restore watersheds rather than the fear-and-rhetoric atmosphere H.R. 818 and H.R. 1345 promote. Representative Markey's proposal is the only pending bill that attempts to preserve any of the minimal protections within the Healthy Forest Restoration Act of 2003 ("HFRA"). However, even this bill would require important improvements were it to be marked up. Well-meaning but ineffective active management treatments to address fire, insects, and disease have the potential to shape our public lands for decades to come – especially scientifically-debatable treatments that would reach far beyond the public safety demands of the "wildland urban interface."

The "wildfire management" bills being heard today, H.R. 818 and H.R. 1345, fly in the face of best science and evidence about effective solutions to protecting communities and forests from wildfire. While these bills purport to protect public lands from wildfire and disease, in reality they fast-track a huge range of projects with limited-to-no public review, federal oversight, scientific support for efficacy of wildfire or disease suppression tactics, prioritization of public safety, or protections for our most sensitive places. Moreover, by potentially diverting increasingly scarce resources away from the wildland-urban interface, fire risk for communities could increase. These bills open up large areas of our national forests and public lands for logging and development well outside the wildland-urban interface, where public safety concerns are highest. Such controversial projects could also proceed in vast swaths of our national forests with limited or no oversight or public input, while also potentially eliminating protections for roadless areas, old growth stands, and other ecologically sensitive areas.

New authorities are not needed as current authorities already exist to facilitate fire and insect treatments.

HFRA currently provides broad authority to the federal government to conduct a wide range of logging projects to reduce hazardous fuels and treat insect and disease infestations using minimal and expedited NEPA, public participation, and appeal processes. As a result, HFRA already applies to large areas of our forests. In passing HFRA, Congress intentionally prioritized projects intended to protect at-risk communities and within high-risk watersheds that provide municipal water supplies. As recognized in this fundamental tenant of HFRA, when it comes to protecting people's homes and property, it is important to concentrate efforts within the wildland-urban interface adjacent to such homes.³ We would further note that when HFRA was passed by Congress at the urging of President George W. Bush, Congress felt it was important to include certain key sideboards to avoid logging in ecologically sensitive areas like old growth forests, wilderness and wilderness study areas, to retain large trees within projects, and to monitor project effectiveness.

In addition, the Forest Service has a variety of administrative tools it utilizes to address forest health and fire-related threats. Forest Service regulations allow the agency to take action in emergency situations when necessary to protect human safety, property, or important natural or cultural resources without having to prepare NEPA documentation beforehand (see 36 C.F.R § 220.4(b)). The agency also utilizes several Categorical Exclusions that exempt a wide variety of projects from NEPA requirements, including but not limited to commercial thinning, prescribed burning, hazardous fuels reduction, insect and disease control, post-fire rehabilitation, and salvage logging (see 36 C.F.R. §§ 220.6(e)(6),(10)-(14)). Other administrative tools include authorities to remove hazard trees from roadsides, to implement Burned Area Emergency Recovery (BAER) practices, and to create defensible space in the immediate vicinities of communities at risk.

The opportunity for judicial review is not a roadblock to existing authorities that facilitate fire and insect treatments.

Legal challenges to fuel reduction projects are often blamed for hampering efforts to prevent wildfires, even though HFRA already requires expedited public input, administrative appeals, and judicial review provisions. Moreover, contrary to this ill-informed myth, a variety of data confirms that negligible levels of projects are impacted by public engagement and litigation. For example, data obtained and analyzed by House Natural Resources Committee Minority staff show that almost no wildfire prevention projects are stopped by environmental or endangered species protections. The report

³ Forest Service research shows that the most effective way to prevent homes from burning is to clear trees and brush from the area directly around them. See e.g., U.S. Dep't of Agriculture Forest Service Rocky Mountain Research Station, FOURMILE CANYON PRELIMINARY FINDINGS 69, 90 (Oct. 2011), available at <http://www.scribd.com/doc/68850263/Fourmile-Canyon-Fire-Prelim-Report> (83% of the homes that burned were ignited by surface fire as opposed to crown fire. This indicates that the "survival or loss of homes exposed to wildfire flames and firebrands (lofted burning embers) is not determined by the overall fire behavior or distance of firebrand lofting but rather, the condition of the Home Ignition Zone (HIZ) – the design, materials and maintenance of the home in relation to its immediate surroundings within 100 feet."). In addition, although it is often argued that backcountry logging of beetle-killed trees is necessary to prevent fire, the few scientific studies that support a link between beetles and fire report a very small effect, and other studies have found no relationship between insect outbreaks and subsequent fire activity. See W.H. Romme et al., RECENT INSECT OUTBREAKS AND FIRE RISK IN COLORADO FORESTS: A BRIEF SYNTHESIS OF RELEVANT RESEARCH (Colorado Forest Restoration Institute 2006), available at <http://spot.colorado.edu/~schoenna/images/RommeEtAl2006CFRI%20.pdf>.

states that “[i]n the last three years, the Forest Service and [BLM] have implemented over 8000 projects to reduce hazardous fuels for over 10 million acres of federal land When put in context of all the work undertaken by the Forest Service and [BLM], appeals impacted less than 1% of all hazardous fuels work on over 10 million acres of land.”⁴ A 2010 Government Accountability Office report also confirms that for fiscal years 2006-2008, the Forest Service issued 1,415 decisions involving fuel reduction activities, covering 10.5 million acres, but that only two percent of these decisions were litigated.⁵

Conclusion

We want to reiterate our strong commitment to working together to find realistic, effective solutions to the land management challenges we are facing, including county payments and wildfire management. Unfortunately, the bills under consideration today set us backwards, instead of pushing us forward on a path towards successful solutions. We strongly oppose the bills discussed at today’s hearing including H.R. 1294 – “Self-Sufficient Community Lands Act of 2013”; H.R. 818 - “Healthy Forest Management and Wildfire Prevention Act”; H.R. 1345 - “Catastrophic Wildfire Prevention Act of 2013”; H.R. ____ – “Restoring Healthy Forests for Healthy Communities Act”; H.R. ____ – “O&C Trust, Conservation, and Jobs Act”. Attached is a summary of our concerns with these bills.

Sincerely,

David Alberswerth
Acting Senior Director for Government Affairs
The Wilderness Society

Debbie Sease
Federal Campaign Director
Sierra Club

Randi Spivak
Vice President Government Affairs
Geos Institute

Noah Matson
Vice President for Landscape Conservation
Defenders of Wildlife

⁴ Edward J. Markey, Ranking Member, House Natural Resources Committee, DOUSING THE CLAIMS: EXTINGUISHING REPUBLICAN MYTHS ABOUT WILDFIRE 2 (July 24, 2012), available at http://democrats.naturalresources.house.gov/sites/democrats.naturalresources.house.gov/files/DousingtheClaims_WildfireReport.pdf.

⁵ GAO, REPORT TO CONGRESSIONAL REQUESTERS: INFORMATION ON APPEALS, OBJECTIONS, AND LITIGATION INVOLVING FUEL REDUCTION ACTIVITIES, FISCAL YEARS 2006 THROUGH 2008 5 (March 2010), available at <http://www.gao.gov/assets/310/301415.pdf>.

Martin Hayden
Vice President, Policy and Legislation
Earthjustice

Tiernan Sittenfeld
Senior Vice President, Government Affairs
League of Conservation Voters

Bill Snape
Senior Counsel
Center for Biological Diversity

Jeff Kuyper
Executive Director
Los Padres ForestWatch

Karen Schambach
President
Center for Sierra Nevada Conservation

David D. Erley
Mayor
Town of Castle Valley, UT

Will Roush
Conservation Advocate
Wilderness Workshop

Andi Burgess
Rainforest Program Director
Alaska Wilderness League

Scott Braden
Conservation Director
Colorado Mountain Club

Nick Cady
Legal Director
Cascadia Wildlands

Gordon Johnson
Director
California Wilderness Project

Kimberly Baker
Forest and Wildlife Advocate

Klamath Forest Alliance

Tom Uniack
Conservation Director
Washington Wild

Dave Willis
Chair
Soda Mountain Wilderness Council

Andrew J. Orahoske
Conservation Director
Environmental Protection Information Center

Leda Huta
Executive Director
Endangered Species Coalition

Dave Wertz
Science and Conservation Director
Conservation Northwest

Shelley Silbert
Executive Director
Great Old Broads for Wilderness

Mary O'Brien
Utah Forests Program Director
Grand Canyon Trust

Daniel Brister
Executive Director
Buffalo Field Campaign

Dan Randolph
Executive Director
San Juan Citizens Alliance

Hilary Cooper
Director
Sheep Mountain Alliance

Greg Suba
Conservation Program Director
California Native Plant Society

Appendix:
**Summary of Problematic Bills Being Considered in the Subcommittee on Public Lands
and Environmental Regulations' Legislative Hearing of April 11, 2013**

Bills that mandate intensive logging or would create “timber trusts” to maximize revenue production for counties:

H.R. – “Restoring Healthy Forests for Healthy Communities Act” (Hastings)

- Establishes “Forest Reserve Revenue Areas” as a replacement for the current Secure Rural Schools county payments program, simultaneously creating a legally-binding logging mandate with no environmental or fiscal feasibility limits, and reestablishing the discredited 25% logging revenue sharing system that was eliminated over a decade ago with the creation of SRS.
- Requires the Secretary to designate “Forest Revenue Areas” on every national forest within 60 days. These are mandated to include “all commercial forest land capable of producing twenty cubic feet of timber per acre”. This sets an unprecedentedly low bar for lands that can be used as commercial timber lands, and would cover a significant amount of the national forest system.
- In Revenue Areas, the Forest Service would have a legally-enforceable fiduciary obligation to produce a mandated minimum amount of commercial timber (no less than 50% of available saw timber) for the financial benefit of local counties. A county could potentially sue the federal government for failing to deliver enough timber to industry to generate enough revenue for the counties, even if the Forest Service didn’t have adequate funding from Congress to develop timber sales.
- Requires any logging technique necessary, including clearcutting, to achieve harvest mandates.
- The only exemptions from automatic designation as a Revenue Area are for Wilderness Areas or land “on which the removal of vegetation is specifically prohibited by Federal statute”. This does not include roadless areas, monuments, wilderness study areas, old growth, or other conservation lands, so these lands could be opened to mandatory logging. Once a Forest Reserve Revenue Area was established, it could not be reduced.
- The Roadless Rule may not apply, potentially making inventoried roadless areas subject to roading and commercial logging.
- NEPA review would be either eliminated or severely limited: The bill creates a new CE that eliminates NEPA analysis for any project proposed in response to a potential or actual “catastrophic event” (broadly defined) regardless of acreage, for a range of projects— including timber sales— within the Wildland Urban Interface, and for any timber sales less than 10,000 acres. For practical purposes, this would eliminate NEPA requirements for nearly all timber sales and other projects in the Revenue Areas. Where NEPA analysis still applies, no alternatives analysis is required, cumulative effects analysis is artificially constrained, and the analysis is time- and length-limited.
- Endangered Species Act protections would be limited: Regardless of a project’s actual effect on endangered species, the Secretary of Agriculture is required to submit a determination that the project would not jeopardize the species. Fish and Wildlife Service or National Marine Fisheries Service would be required to respond

- to this mandated “non-jeopardy” finding in a truncated timeline and with only minimal information.
- HFRA’s limited administrative appeals process and judicial review provisions apply to all projects, and judicial review is further limited by requiring any plaintiff to post an up-front bond covering all estimated defense costs. This would effectively preclude almost all judicial review.
 - The beneficiary counties would receive 25% of the gross timber receipts. Much of the remaining timber revenue would be deposited in the “K-V Fund” and the “Salvage Sale Fund”, which are existing mechanisms to avoid timber receipts going into the federal treasury.
 - Provides for a short-term extension of the Secure Rural Schools and Community Self-Determination Act of 2000 until this bill’s provisions are fully implemented in 2014.

H.R. 1294 – “Self-Sufficient Community Lands Act of 2013” (Labrador)

- Converts the management of national forests from purposes that serve a broad spectrum of interests (in accordance with the Forest Service Organic Act, Multiple-Use Sustained-Yield Act, and National Forest Management Act), to purposes that serve a limited number of local economic interests and are likely to include unsustainable commercial logging.
- At the request of a state-appointed Board of Trustees, consisting of local elected officials and timber, grazing, and recreational/off-road vehicle interests, the Secretary *must* transfer management control of any National Forest requested by the Board. Only Wilderness and lands on which vegetation removal is prohibited by federal law (which potentially does *not* include roadless areas) are exempted.
- These lands, which must be at a minimum 200,000 acres per state, would be managed by the Board as a locally-controlled trust (“community forest demonstration area”) for the sole purpose of generating revenue for counties and local governments.
- Federal protections, including NEPA, Clean Water Act, and Endangered Species Act, no longer apply. Lands are treated as state-owned lands for purposes of regulatory compliance.
- Federal government remains responsible for providing (and paying for) all fire pre-suppression, suppression, and rehabilitation services.
- Revenues generated by the Board-managed lands will be distributed solely to local and county government units currently funded under title I of the Secure Rural Schools and Community Self-Determination Act of 2000.

H.R. _____ – “O&C Trust, Conservation, and Jobs Act” (DeFazio, Walden, Schrader)

- Eliminates and/or restricts the responsibility and authority of federal natural resource management agencies over federal lands by creating a timber trust on 1.479 million acres of O&C forest lands currently managed by the Bureau of Land Management (BLM) and US Forest Service in Western Oregon. The trust would be managed for the sole purpose of maximizing revenues from logging for the benefit of 18 counties in Western Oregon where these lands are located.
- In addition, an estimated additional ~54,000 acres of public forests currently managed by the BLM would be transferred to and managed with a similar mandate to maximize

annual revenues by Coos County with revenues going exclusively to Coos and Douglas Counties.

- Inventoried Roadless Areas, and Late Successional Reserves and Riparian Areas designated under the Northwest Forest Plan, are all subject to inclusion in the Trust. Exempted from inclusion are wilderness areas, national wild and scenic rivers, lands within the National Landscape Conservation System; areas of critical environmental concern; national parks and federal lands in national monuments. Trust lands are barred from future designation as a National Monument under the Antiquities Act.
- Lands in the Trust would be managed by a Board of Trustees appointed by the Governor of Oregon. The trustees are legally bound by a fiduciary obligation to “maximize annual revenue” from timber production, and are required to use any timber harvest technique including clearcutting to meet this obligation.
- All Federal environmental laws including NEPA and ESA would be waived and these public lands would be managed as if they were privately owned timberlands. Opportunities for public input would only be provided pursuant to the Oregon Forest Practices Act, which amongst other limitations does not require alternatives analysis. Riparian buffers of 5% per acre under the Oregon Forest Practices Act would reduce riparian protections on the 1.48 million acres of Trust lands relative to the current levels of protection (37% per acre) afforded by the Aquatic Conservation Strategy of the Northwest Forest Plan.
- The Act would eliminate any protections for endangered species. More than 600,000 acres of critical habitat for one or more terrestrial species protected under the ESA would be managed as industrial forestlands. The ecological effects modeling done for Governor Kitzhaber’s O&C Panel show the Trust proposal would clearcut 27 percent of the designated critical habitat for the threatened northern spotted owl in the O&C landscape in the next 50 years and eventually 44 percent of that ESA-designated habitat. Moreover, over the next 50 years about 20 percent of nesting habitat for the threatened marbled murrelet in the O&C landscape, and the proposal would alter the management of over 600 miles of rivers and streams that have been identified as critical habitat for ESA protected coho salmon. In some cases, Trust lands would receive fewer environmental protections than private lands because the bill shields the timber trust from certain provisions of the Endangered Species Act and Clean Water Act that apply to private timberland owners. For example, the legislation further waives application of the ESA standard for private timberlands (Section 9) pertaining to the northern spotted owl, requiring only compliance with the Oregon Forest Practices Act whose requirements do not ensure compliance with the federal ESA.
- Judicial review is limited by creation of a 60-day statute of limitations for any challenges. Judicial review of management decisions by the Trustees could be brought only by O&C counties, except to the extent a claim could be brought against a private landowner for the same action.
- Any land exchanges between the Forest Service and the timber trust are exempted from FLPMA, NEPA, APA, the ESA and other federal statutes.
- Positive elements of the bill: BLM lands in Western Oregon not transferred to the timber trust (824,866 acres of forests generally older than 125 years) would be transferred to the Forest Service. These lands would be managed under existing federal laws and the Northwest Forest Plan. An unknown subset of these lands would be permanently protected, if they were defined as “old growth forest” by a committee established by the bill. The bill would establish 88,620 acres of new Wilderness, 128

miles of new Wild and Scenic Rivers, and repeal some provisions of the Oregon and California Lands Act of 1937.

Bills that purport to address wildfire by eviscerating longstanding common sense protections:

H.R. 818 - "Healthy Forest Management and Wildfire Prevention Act" (Tipton)

- Authorizes road building on roadless areas by declaring that all National Forest System and BLM public lands are under "imminent threat," thereby triggering an across-the-board application of a previously narrow exemption to the national, Idaho, and Colorado roadless rules.
- Governors (without any input from the Forest Service or BLM) or the appropriate Secretary, can designate "high-risk areas" based on current or future risk of fire, insects, drought, and undefined "deteriorating forest health conditions."
- Inventoried roadless areas, old growth, wilderness study areas, endangered species habitat and other sensitive areas can be designated; only wilderness and national monuments are exempt.
- "High risk areas" "should be" designated no later than 60 days after enactment but may be designated anytime as consistent with the legislation. Areas are designated for 20 years and may be renewed indefinitely.
- Once designated, the Governor or Secretary may develop "fuels reduction projects" – which is defined to be virtually anything *including* clearcutting– across the designated area, including outside of the wildland-urban interface areas.
- Secretary *must* implement these projects within 60 days from the date proposed by the Governor or completion of their own Department's proposal.
- Projects would move forward with extremely limited NEPA analysis to include only a no-alternative or limited-alternative analysis, and using HFRA's limited public input and expedited environmental review, administrative appeals process, and judicial review provisions. Also exempts projects from the Appeals Reform Act, severely curtailing – and in some cases eliminating – the public's ability to know about, submit comments, improve, and appeal projects.
- Although it provides that projects must be consistent with land and resource management plans, it allows the Secretary to modify plan standards to accommodate projects.

H.R. 1345 - "Catastrophic Wildfire Prevention Act of 2013" (Gosar)

- Requires the Secretary to conduct "wildfire prevention projects" in designated "at-risk" forests and on threatened and endangered species habitat. All of these terms are so broadly defined that virtually any part of a forest could be designated and any type of project could be approved (including commercial logging in endangered species habitat, and grazing even though it encourages the spread of highly flammable cheatgrass).
- Any Forest Service and BLM land, including inventoried roadless areas and wilderness study areas, can be designated.

- Projects do not have to comply with the land management plan (i.e. timber sales and grazing can occur in areas deemed inappropriate in the LMP)
- Projects require informal ESA consultation only.
- A large percentage of projects would be exempted from NEPA review either under the bill's new Categorical Exclusion (CE) that covers any projects within 500 feet of infrastructure, or under its mandated "emergency alternative arrangements" which CEQ is required to approve for any project where a CE does not already apply and the local county has declared itself threatened by wildfire.
- Projects where NEPA review is required would move forward with only minimal review (no alternatives analysis) and an abbreviated NEPA process of only 60 days for EAs and 90 days for EISs. If these deadlines aren't met, projects are automatically deemed to have complied with NEPA.
- NEPA analyses are automatically deemed sufficient for 10 years (for grazing) or 20 years (for timber harvest), regardless of whether scientific evidence or conditions change.
- Compliance with the bill's limited-to-nonexistent public input and review requirements results in automatic compliance with NEPA, the National Forest Management Act, the ESA, and the Multiple-Use Sustained Yield Act, regardless of any substantive conflicts.
- HFRA's limited administrative appeals process and judicial review provisions apply to all projects. Mandatory "emergency alternative arrangements" for NEPA compliance are exempt from judicial review altogether.
- Provides a 10-year extension of Stewardship Contracting, but makes two major changes: Takes 25% of timber sale receipts that are currently being reinvested by the Forest Service into forest restoration and gives them instead to the local county to be used for any purpose; and extends the duration of contracts from 10 to 20 years.