

A Clear Look at the “Forest Jobs and Recreation Act,” S. 1470

By the Last Best Place Wildlands Campaign

The Forest Jobs and Recreation Act (FJRA) was unveiled by Senator Jon Tester in July 2009. Shortly thereafter, concerned citizens and organizations formed the Last Best Place Wildlands Campaign (LBPWC), a coalition dedicated to wildlands protection, Wilderness preservation and the sound long-term management of our federal public lands legacy. Our coalition includes 5th generation Montanans, small-business owners, veterans, retired Forest Service supervisors and district rangers, hikers and backpackers, hunters and anglers, outfitters and guides, scientists and community leaders.

The LBPWC’s concerns with Senator Tester’s FJRA are based not necessarily on what the drafters of the bill intended to do; rather *the issue is what this bill, as written, actually would do*. To help the public better understand these issues, the LBPWC commissioned a line-by-line analysis of the FJRA available at: <http://testerloggingbilltruths.wordpress.com>.

As written, FJRA represents a serious threat to America’s public lands legacy. The 100,000 acres of mandated logging would be unprecedented and represents an unscientific override of current forest planning. Congress legislating logging levels is antithetical to the National Forest Management Act and irresponsible given that lumber consumption in America has dropped 55%.

The bill undermines the National Environmental Policy Act by imposing an unrealistic and arbitrary 12-month NEPA timeline, which would preclude the Forest Service from accurately assessing environmental impacts. FJRA would also localize the management of our national forests, opening the floodgates for mandated logging, mining, grazing, drilling or road building for national public lands elsewhere. This could fragment the entire National Forest system and ignores the basic principle that national public lands belong equally to all Americans.

The bill also contains several provisions that abrogate the Wilderness Act by allowing non-conforming uses including, for the first time ever, allowing military aircraft to land in designated Wilderness. It also releases Wilderness Study Areas currently protected by law by the late Montana Senator Lee Metcalf. The numerous unfunded mandates included in the FJRA could cost US taxpayers well over \$100 million and, according to the head of the Forest Service, would require the agency to transfer already-sparse funding from other National Forests in Montana, the region and the country to the FJRA forests.

Over the past five years, long before this bill was introduced in Congress, open, inclusive and transparent collaborative processes have sprung up around Montana. Citizens and Forest Service professionals have been rolling



up their sleeves, getting out on the ground, discussing differences, and most importantly, focusing on areas of common ground. This is part of the story you’re not hearing from supporters of this bill. While complaints of “gridlock” are common from FJRA supporters, a new General Accounting Office report found that 98% of Forest Service fuel reduction projects proceed without litigation.

The Last Best Place Wildlands Campaign supports Wilderness, forest restoration and sustainable jobs in the woods. If the goal is more Wilderness in Montana we stand ready to be part of that process. If the goal is to get diverse interests working together on scientifically-based restoration projects or bona-fide fuel reduction work near communities, let’s build on what’s already happening. Congress doesn’t need to mandate logging, throw science-based planning and management out the window and cause the “balkanization” of our entire National Forest system.

Make Your Voice Heard

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Senator Max Baucus
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What's being said about the FJRA?

Harris Sherman, Under Secretary of Natural Resources and Environment, in official testimony before the US Senate's Energy and Natural Resources Committee:

“The levels of mechanical treatment that are called for in S1470 are likely unachievable and perhaps unsustainable...If the Committee decides to go forward with a bill, we would urge you to first, alter or remove the highly specific timber supply requirements, which in our view are not reasonable or achievable. Secondly we'd like to urge you to amend the National Environmental Policy Act related provisions, which in our view are flawed and are legally vulnerable. Thirdly, we would urge you to consider the budgetary implications to meet the bill's requirements. If we were to go forward with S1470 it would require far greater resources to do that and it will require us to draw these monies from forests within Region One or from other Regions....My concern [with FJRA] is that there will be somewhat of a balkanization that occurs between the different Forest Service regions in the country. Those [National Forests] who are first in may get funded and those who come later may find there are less funds available. There will be certain 'haves' and 'have nots' that result from this process. Then in some ways there is no longer a national review, an effort to sift out what priorities ought to exist across the country.”

The Wilderness Society in official testimony submitted to the US Senate's Energy and Natural Resources Committee (Note: Even TWS, a supporter of the bill, has serious concerns with certain FJRA provisions):

“We oppose Congressionally mandated treatment levels in the bill because they, a) neglect the root causes of the problems this bill is intended to address, b) set an adverse national precedent, c) create unreasonably high expectations, d) fail to provide the agency the resources it needs to do its job, and e) most important, we do not believe this approach will work on the ground....Based on consultation with NEPA experts, we do have concerns that some of the specific language in this section of S. 1470 could effectively undermine the application of NEPA and its implementing regulations.”

Jack de Golia, Beaverhead Deerlodge National Forest public affairs officer from 1989 to 2008, in a letter to the editor published statewide:

“The unfortunate outcome of the [Beaverhead] Partnership was to cast doubt on the integrity of the forest planning work that people had felt was open until about 2006. The Partnership's political shenanigans then put the forest plan on hold for a time and it never regained public trust. Now Tester wants special legislation for decisions that should be left to forest managers. Does this mean we'll get special laws for each national forest? If we do, it's the end of "national" forests — they'll become legislated fiefdoms of the local congressional delegation. That's not a good outcome. And mandating a cut isn't good forest management either. The Partnership group was on to something, but drew up their drawbridge too soon....Then the Partnership sold their idea like it was the best thing since sliced bread and they did that very effectively. But, putting their plan into law is not the right thing to do. Let the forest planning process work. Tester should not be monkeying with that.”

Jack Ward Thomas, chief emeritus of the U.S. Forest Service, in a guest column titled “Tester's forest bill not a feasible, long-term solution” printed in the Missoulian, January 25, 2010:

“[The Forest Jobs and Recreation Act] approach is flawed, inappropriate, less than fully informed, and has implications for the management of the entire national forest system. It should be debated in that context.”

Senator Max Baucus, from his standard, form letter constituent reply to S.1470:

“[The Forest Jobs and Recreation Act] guarantees access for motorized recreation. It allows thousands of acres of land, currently managed as wilderness, to be used for [motorized] recreation and timber harvest.”

Visit testerloggingbilltruths.wordpress.com for more info on the Last Best Place Wildlands Campaign and the FJRA.