

Committee on Resources

Subcommittee on Forests & Forest Health

Witness Testimony

STATEMENT OF
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UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Committee on Resources
Subcommittee on Forests and Forest Health
United States House of Representatives

Concerning Draft Legislation for Community Protection and Hazardous Fuels Reduction

February 9, 1999

MADAM CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for the opportunity to appear before you today to discuss draft legislation for community protection and hazardous fuels reduction. I am Larry Payne, Assistant Deputy Chief for State and Private Forestry. The Forest Service testified for the Administration on a similar bill, H.R. 2458, at a hearing before this subcommittee on September 23, 1997 during the 105th Congress.

I preface my remarks by saying that the Administration has not had sufficient time to analyze fully the most recent draft of this bill, thus my testimony reflects only our initial reaction. Also, we understand that this draft bill affects the Bureau of Land Management (BLM), and today's remarks should not be interpreted as a representation of BLM's concerns.

In summary, we appreciate the modifications reflected in the draft bill which address some of our previous concerns. However, we continue to have concerns about certain elements of the draft bill.

Our four major points of concern:

1. We believe that we currently have sufficient authority to accomplish most of the objectives of this draft bill;
2. We have substantive concerns about the cost-effectiveness and special funds' provisions in the draft bill;
3. We continue to be concerned about the definitions for certain terms, and;
4. Appropriations are already available to address fuels treatment priorities in the wildland/urban interface, including expanded authority for use of the roads and trails fund for forest health-related work, if needed.

We believe that in combination these factors make the proposed draft bill unnecessary.

BACKGROUND

The Forest Service has a number of efforts currently underway that place a priority on forest and ecological health. An ongoing forest health risk mapping effort has provided preliminary information on forest health risk factors related to fire, insect and disease, wildland/urban interface, and threatened and endangered species. This information, at a broad scale, will help identify areas of the country that are in a high risk category.

Current authorities such as the Cooperative Forestry Assistance Act of 1978 provide the Administration with significant means to address the conditions of public lands as part of the urban interface issue. - The Knutson-Vandenberg Act and the Brush Disposal Act of 1916 allow for forest protection, reforestation and restoration inside timber sale area boundaries and the abatement of fuels generated by harvest activities.

The Forest Service has a national strategy for stewardship contracting. Pursuant to section 347 of the Department of Interior and Related Agencies Appropriations Act, 1999, we are currently examining a variety of new tools for addressing forest and ecological health and other ecosystem concerns through vegetative management. Twenty-two stewardship contracting pilot projects have been identified, and consistent with the terms of this legislation we will be adding up to 6 new pilot projects in Region 1 (Montana and northern Idaho) of the Forest Service. A number of these projects are primarily designed to address hazardous fuels problems.

For example, in the interior mountain West, the Upper Swan-Condon project on the Flathead National Forest is designed to improve forest conditions, reduce forest fuels, and create stand conditions where prescribed fire can be used as a long-term management tool. Another pilot project on the Lolo National Forest is utilizing an end-results contract to sell and harvest timber in a manner that will more closely approximate natural occurrences like wildfires. Some of the pilot projects explicitly address the hazardous fuels issue within a wildland/urban interface context. Illustrative are the Winiger Ridge and Mt. Evans projects in the Colorado front range. These projects are being carried out in cooperation with the Colorado State Forest Service.

We expect to have these projects underway beginning this spring and will be monitoring and reporting the results with the public and Congress as we proceed. Until we have had an opportunity to complete and evaluate the results of these tests, and collaborate with the public on them, we feel it would be premature to propose broadly applicable solutions.

Appropriations for fiscal year 1999 will provide sufficient funding in fire and forest health to address high priority areas of immediate concern, specifically wildland/urban interface areas. Also, the 1999 Appropriations Act authorized the use of the roads and trails fund for forest projects, if needed.

Another potential solution to deal with flexibility in addressing forest stewardship needs is the new forest ecosystem restoration and improvement line item of \$15,000,000 proposed in the fiscal year 2000 budget. This would enable the Forest Service to implement treatments such as thinning, partial cutting and other vegetative treatments to restore or maintain watershed health. This money would give managers flexibility in planning and integrating projects that are outside timber production areas and are in need of money to fund.

CONCERNS

We have substantive concerns related to the draft bill that merit more analysis and discussion. The section that addresses contracting is vague as to how the cost efficiency determination is to be made. This section also would authorize using the receipts derived from the sale of forest products to offset some or all of the costs incurred by the purchaser in carrying out a required forest management project -- in essence the trading of goods for services. It is likely that the draft bill would bear a PAYGO cost. The existing stewardship pilots are testing this concept with specific sideboards and improved performance based contracting procedures in place. and will provide a basis for evaluating what new authorities, if any, are

needed.

Another section deals with the establishment and initial funding for "Special Funds". The draft bill would require both the Secretary of Agriculture and the Secretary of the Interior to establish and maintain a special fund for planning, offering, and managing eligible forest products sales. The Special Funds would be funded in part by transfers of \$10,000,000 from amounts available to the Secretaries for the reduction of hazardous fuels. We believe this is unnecessary. Funds within the appropriated budget for forest and ecological health protection, forest management, and fuels management are currently used for these types of projects. The creation of this special fund is unnecessary and would increase the work load and complexity in terms of budget and accounting by creating a new line item to manage and track. In a broader context, the creation of a new special fund or "trust fund" would raise the highly contentious incentives issue. For example, some will be concerned that unnecessary timber harvesting would be proposed in order to add to, or perpetuate, the fund. Other questions include: (1) whether payments to states are reduced; (2) if these new accounts would merely siphon funds away from the existing K-V Fund and other accounts; and (3) whether it is wise to initially reduce scarce appropriated funding for hazardous fuels reduction.

Finally, the concerns raised in previous testimony regarding definition of ten-ns remain unresolved. While some of the definitions, such as "wildland/urban interface" and "hazardous fuels buildup" have been modified from previous versions, they are still vague and too broad to be practical. For example, the definition of wildland/urban inter-face is so broad that it would include anything from a single dwelling adjacent to forest lands to a high density urban housing development adjacent to or within forest lands. The agency strongly believes that broadening the definition would stretch our resources to areas that are simply not at risk of human and property losses, thereby jeopardizing our efforts in areas that are truly in danger.

CLOSING

Madam Chairman, while we agree that protection of communities, lives, and property in wildland/urban interface areas is a national priority, and agree with the need to continue our efforts to reduce threats of high intensity wildfires to human life and property, we have serious concerns about some of the aspects of the draft bill. The budget does authorize the use of the K-V Fund from open sales for priority hazardous fuels reduction projects, regardless of the site where the funds were collected. This change will enable the Forest Service to begin addressing this urgent need. In addition, we believe that the 28 stewardship pilots that we are undertaking, and the public participation we will undertake as we implement them, will assess the need for changing any of our existing authorities. We also believe that existing appropriations adequately address our high priority needs, and that existing authorities are adequate to address forest and watershed health needs. For these reasons, we feel this draft legislation is unnecessary.

This concludes my statement. I would be happy to answer any questions you or other members of the subcommittee may have.

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