

October 1, 2018

The Honorable Lisa Murkowski  
Chair  
Energy & Natural Resources Committee  
304 Senate Dirksen Building  
Washington, D.C. 20510

The Honorable Maria Cantwell  
Ranking Member  
Energy & Natural Resources Committee  
304 Senate Dirksen Building  
Washington, D.C. 20510

Dear Senators Murkowski and Cantwell,

The undersigned organizations represent several hundred thousand hunter-conservationists from all over America who understand the value of well-managed forests and rangelands to wildlife and western communities.

We write in support of the substitute amendment to S. 2160 offered by Sen. Steve Daines (R-MT) to direct the Secretary of Agriculture to establish a pilot arbitration program in Idaho, Montana and Wyoming as an alternative to judicial review of certain collaborative forest management projects.

As you know, the U.S. Forest Service has a responsibility to balance management of forests and rangelands for multiple uses, including wildlife, recreation, timber production, grazing and resource conservation. Unfortunately, the agency's ability to manage these lands for multiple uses has been significantly hampered by litigation—particularly in cases involving collaborative projects developed by diverse stakeholders. Often, these projects are litigated by special interest groups who declined to participate in the collaborative process. You may be aware of the 2015 study published by the University of Montana's Bureau of Business and Economic Research that concluded Forest Service Region One (Montana, Northern Idaho and North Dakota) has had more projects litigated in recent years than any other of its regions—more than 70 projects between 2008 through 2013. These challenges encumbered more than half of the Region's planned timber harvest volume and treatment acres while significantly impacting its timber program budget, the economies of local communities and missed opportunities to improve wildlife habitat and mitigate fire hazards.

Sen. Daines' legislation aims to find a better way to resolve land management disputes than costly, time-consuming litigation. We believe arbitration may help the agency and stakeholders execute management projects that better serve public interests and forest and rangeland health.

The substitute amendment would establish a measured, limited pilot arbitration program for no more than two projects per year in Idaho, Montana and Wyoming. The program would reward the good work of collaborative groups and provide them incentives to continue their consensus-based efforts. The legislation requires litigants to propose solutions during the process, empowers arbitrators to rule as they see appropriate, leads to swifter decisions and reduces the time and resources required of the Forest Service in responding to litigation.

With millions of forest and rangeland acres at high risk of wildfire across Idaho, Montana and Wyoming, we believe it is both imperative and common sense to encourage faster decisions and swifter completion of projects. We need to give this innovative solution a try.

We urge the Senate Energy & Natural Resources Committee to support this substitute amendment and send it to the Senate floor for full consideration.

Sincerely,

Boone and Crockett Club  
Mule Deer Foundation  
National Wild Turkey Federation  
Rocky Mountain Elk Foundation  
Ruffed Grouse Society