

United States Senate

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COMMITTEES
AGRICULTURE, NUTRITION AND
FORESTRY
APPROPRIATIONS
ENERGY AND NATURAL
RESOURCES
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
INDIAN AFFAIRS

Mr. Tony Tooke
Chief of the United States Forest Service
1400 Independence Ave, SW
Washington, DC 20250-1111

Chief Tooke:

As a member of the Senate Committees on Agriculture, Nutrition, and Forestry, and Energy and Natural Resources, I want to be among the first to congratulate you on becoming the Chief of the United States Forest Service. I look forward to working with you to establish common ground in order to better manage our Nation's forests and grasslands for the benefits of all Americans.

As you are well aware, Montana is experiencing a devastating fire season. As of earlier this week, twenty-eight of the thirty largest fires in our country were occurring in Montana. These fires have destroyed dozens of homes and other structures, burned over one million acres, and worst of all, resulted in the deaths of two brave firefighters. According to projections, the fire season in Montana is expected to remain severe throughout this month. It could very well turn out to be the worst fire season in Montana in a generation.

Thank you for the diligent and untiring work of Forest Service personnel in responding to these wildfires. I ask that you continue to do everything within your power to promptly provide the resources each local fire team commander needs to suppress the fires and protect communities. As local needs are brought to my attention, I will be sure to continue to promptly relay them to you and your interagency colleagues.

The most critical near term objective is, unquestionably, protecting communities experiencing these wildfires. But, it is abundantly clear that the conditions of our forests warrant more active treatment to increase their health and resiliency. Fire season always reminds us that either we manage our forests, or our forests manage us. We need to focus our time and energy on pursuing reforms that better equip the U.S. Forest Service with the tools and resources needed to accomplish its goals. This will not be successful in Montana without addressing the key issues that impede land management.

For more than a generation, litigation—and the threat of litigation—alongside excessive process and cumbersome red tape, has greatly reduced the volume of timber being harvested from Montana and has obstructed much-needed forest management. Studies have shown that litigation encumbers between 40 and 50 percent of the timber harvest volume, and many of the projects litigated have multiple components designed to increase the health and resiliency of the forest. Most often these benefit wildlife habitat and the safety of communities. Currently, over 115 MMBF of timber volume is encumbered by litigation, representing nearly 25,000 acres in need of treatment.

Furthermore, the disastrous 9th Circuit Court ruling in the *Cottonwood* case has thus far resulted in five projects being enjoined, all of which have a fuels reduction or forest health component. I've introduced bipartisan legislation to statutorily reverse this decision and codify the recommendations of the Obama administration to ensure these important forest health projects can move forward without delay. I hope you will be able to support this approach and the important community projects that are impacted by a judicial decision that is widely opposed by stakeholders across the political spectrum.

The obstruction of a relative few fringe elements has had devastating consequences. Montana's harvests have declined nearly eighty percent over the past thirty years. Not surprisingly, our wood products workforce has correspondingly declined by forty percent and the number of mills in Montana has declined from thirty to ten. Further, of the 17 million acres of U.S. Forest Service land in Montana, nearly 5 million acres are impacted by insect infestation and disease and are eligible for expedited restoration work utilizing authorities established by the 2014 Farm Bill. In 2016, just over 46,000 acres were treated. While I appreciate the dedication and work of U.S. Forest Service personnel, the pace and scale of treatment is simply inadequate given the needs on the ground. I am eager to work together with you and others in the Trump Administration to develop and enact reforms needed to greatly accelerate responsible management.

I strongly support empowering collaborative efforts by protecting them from fringe litigators if certain project metrics are met, such as forest health projects designed to improve watersheds and reduce excessive fuels in fire-prone forests. In Montana there are approximately 7 million federally-controlled acres at risk of wildfire. Supporting collaboratively developed projects between federal, state, and local partners that aim to reduce fuel loads on landscapes susceptible to severe wildfire is vitally important if we hope to accomplish what is needed on the ground. We should incentivize and reward community members who help develop these projects by ensuring that their recommended forest management solutions are implemented swiftly.

It's also critically important that we budget catastrophic wildfires like the natural disasters they are. Irresponsible "fire borrowing" generates uncertainty for land managers from a budgeting perspective, and ensuring that the absolute worst wildfires are eligible for emergency funds would provide financial stability to the Forest Service.

On another important matter, I'd like to bring your attention to two very important projects to the state of Montana. The Montanore and Rock Creek projects located in Lincoln County and Sanders County will mine two of only four silver and copper deposits in the US. Both projects require additional analysis and coordination among the U.S. Forest Service and U.S. Fish and Wildlife Service after decades of analysis and litigation. These projects have been thoroughly vetted, researched and reviewed, beginning as early as the 1990s for Rock Creek Project and 2001 for the Montanore project. The economic benefits of the projects will be welcome to the local communities, who struggle with some of the highest unemployment rates in Montana. Not only will they bring long-term, full-time and high paying employment to hundreds of residents, they will also generate millions of dollars in direct and indirect spending and taxes for the region and state.

Due to a recent federal court ruling, a new Biological Opinion is required for the Montanore project. The Rock Creek project also requires completion of the objections period and finalization of the Record of Decision. I urge you to prioritize the completion of the Montanore and Rock Creek projects, including filling any vacancies in the Forest Service that might add to the delay of these projects.

In Montana we truly do have the ability to balance our sustainable resource industries and our world class outdoor way of life. Our ten National Forests cover over 17 million acres of land, representing almost 20 percent of the entire state. These forests are home to abundant wildlife, clean water, recreational playgrounds, rich mineral deposits, and renewable supplies of wood; all of which generate thousands of jobs and attract visitors from all over the world.

As an avid outdoorsman and hunter, I spent much of my time growing up hunting on National Forest land near my home in Bozeman, and backpacking in the Beartooth Wilderness near Red Lodge. My love for the outdoors is no different than any other Montanan. We all want to ensure our National Forests are managed for the many uses they provide so they continue to contribute to all the economies that depend on them. Supporting reforms that enables the Forest Service to improve the health and resiliency of these landscapes to the benefit of all stakeholders will ensure that this heritage will continue for future generations of Montanans.

Thank you for the dedication you have shown in your lengthy career with the U.S. Forest Service and I wish you luck as the next Chief of the U.S. Forest Service. I look forward to meeting with you and your staff in the near future, and I sincerely hope you will accept a formal invitation to join me in my home state of Montana to see first-hand the work that needs to be done and the people that are looking to you to make it to happen.

Sincerely,

A handwritten signature in blue ink that reads "Steve Daines". The signature is written in a cursive, flowing style.

STEVE DAINES
United States Senator