

**DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2012**

**THURSDAY, MAY 19, 2011**

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 2:36 p.m., in room SD-124, Dirksen Senate Office Building, Hon. Jack Reed (chairman) presiding.

Present: Senators Reed, Feinstein, Leahy, Mikulski, Kohl, Tim Johnson, Nelson, Tester, Landrieu, Murkowski, Alexander, Cochran, Collins, Ron Johnson, Blunt, and Hoeven.

**DEPARTMENT OF AGRICULTURE**

**FOREST SERVICE**

**STATEMENT OF TOM TIDWELL, CHIEF  
ACCOMPANIED BY KATHLEEN ATKINSON, BUDGET DIRECTOR**

**OPENING STATEMENT OF SENATOR JACK REED**

Senator REED. Good afternoon. I'd like to call the hearing to order. And, welcome, everyone.

This afternoon the Interior, Environment, and Related Agencies Subcommittee continues its budget oversight hearings as we examine the fiscal year 2012 budget request for the U.S. Forest Service (USFS).

And joining us to present the administration's funding request is Tom Tidwell, the Chief of the USFS.

Thank you very much for being here, Chief, and we look forward to hearing your testimony and having a productive question-and-answer period after the opening statements.

Also joining us this afternoon is Kathleen Atkinson. She is the USFS Budget Director. Ms. Atkinson has the unenviable task of making sure no one tries to fudge any of the budget numbers as we make up our various points.

We appreciate you being here with us very much.

Chief, as you and I have discussed, the USFS does not play as prominent a role in my home State of Rhode Island as it does in the States of some of my colleagues. But your agency is important to every State in the United States, and particularly Rhode Island. We take opportunities through the research program. We also have access to, and benefit from, the State and Private Forestry program. The usefulness of the Forest Legacy Program (FLP) and

Stewardship Programs in conservation and management of forests is also an integral part of Rhode Island and our region's efforts to maintain our forested lands.

The funds that go through these accounts are also extremely critical in being able to leverage the Federal dollars with State, local, and private funds to preserve those lands.

I'm also aware that our State has benefited from the programs funded through the research appropriation where we have received support in dealing with the Asian longhorned beetle, which is infesting our forests.

So I look forward to your presentation this afternoon.

And, just briefly, for fiscal year 2012, the administration is seeking a total of \$4.9 billion for the USFS. That's an increase of \$248 million, or 5 percent more than the equivalent 2011 enacted level. However, the overall request includes \$328 million for payments under the Secure Rural Schools program, which has not been previously included as part of the USFS' discretionary budget. Without this funding, then the budget the administration has proposed is essentially flat.

I'm particularly concerned with the large reductions in the research budget, the wildlands fire budget, and the maintenance budget. Together these three appropriations are proposed to be nearly \$600 million below the current enacted levels. That's a 20 percent cut. Even in these fiscally constrained times, I'm not sure cuts at that level are tenable, and so I think we need to be concerned with where we might find additional money to make up some of these shortfalls.

Having said all this, I look forward to a more in-depth discussion. And first I'd like to recognize, before that discussion, our ranking member.

Senator Murkowski.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman.

Chief, Ms. Atkinson, welcome to the subcommittee. I do appreciate you being here.

Chief, we had an opportunity not too many weeks ago in the Energy Committee to discuss your budget request. I look forward to continuing that discussion today.

As Chairman Reed has stated, the fiscal year 2012 budget request for the USFS is \$5.1 billion—essentially flat, compared to fiscal year 2011. But within the fiscal year 2012 request you do have the \$328 million for the Secure Rural Schools program. It's been funded in previous years on the mandatory side of the budget.

I certainly understand the importance of Secure Rural Schools program and support it, but I'm also concerned that, with this restructuring, it's essentially going to compete against other important programs—whether it's timber harvesting, grazing, maintenance, and all this at a time when the fiscal environment is pretty tough.

While a mandatory source of funding would avoid the Secure Rural School program from competing with your annual operating budget, as we struggle to deal with our deficits, it's unclear to me where we're going to find this offset. How to fund this program is

a dilemma that we should resolve in the context, I think, of our larger budget discussions.

Another key aspect of the budget is the proposal to establish a new integrated resource restoration (IRR), the IRR line item. This is essentially a big bucket of \$854 million created by consolidating several current budget lines for long-standing programs—whether it be timber, forest planning, even portions of the hazardous fuel reduction program. This big bucket approach appears to reflect an attitude from the agency that, essentially we've got to trust you on this with a very large pot of new money, with apparently few strings that are attached.

And I do have to tell you, Chief, that the trust for the USFS is, perhaps, in short supply with some of the colleagues—certainly some of my constituents, the general public there. My staff has met with folks from all over the ideological spectrum—whether it's the environmental community, the timber industry—and they've talked about this IRR proposal. There are concerns. And I think we've had an opportunity to raise them.

But, for instance, the timber program—extraordinarily important for the economy of southeast Alaska. And the funding for it would be buried within the IRR line item, and the agency could then see fit to put as little or as much toward timber funding—or timber sales as—as they wanted.

It's important for me, and I think, the public, to know that you're spending each year on the timber program—we need to know what that amount is. And any other programs that are then consolidated within the IRR line item. I think that's a decision that, quite honestly, we here in the Congress should be making—not something that is just left to the agency's discretion, with a mix of other choices.

And then, finally, since we last discussed before the Energy Committee, there's been some news—most notably, the Roadless Rule and its application within the Tongass. I'm very concerned about this recent ruling and the proposed settlement that the USFS has entered into regarding the litigation.

The settlement language provides some protection for a few very specific hydroelectric projects, but it does nothing for dozens of other hydro projects that are currently under consideration at the Federal Energy Regulatory Commission (FERC), or hundreds of potential hydro sites in the region that could be developed in the future. It also doesn't provide for the roads that are necessary to build the transmission lines to connect these power sources to the local communities.

And what this court decision means for the timber industry is really very, very troubling for us. You know that the timber industry in our State is hanging by a thread. In 1990, there were 3,500 direct sawmill and logging jobs in southeast Alaska. In 2009, we're down to 214 sawmill and logging jobs remaining.

It's pretty incredible to think that the Nation's largest national forest—an area the size of the State of West Virginia, 17 million acres—we only have one large sawmill operating. And that's our situation in the Tongass. And I'm very concerned that if the Roadless Rule is now made applicable to the forest, there's simply

not enough economically viable second growth timber in roaded areas for the industry to survive.

Moreover, the forest plan that took more than 10 years and millions of dollars to complete may have to now be rewritten, creating even more uncertainty into the future.

I do hope to hear from you today some concrete actions that USFS plans to take in response to the litigation, in order to protect the remaining industry left in southeast Alaska, as well as the broader economy of the region.

Again, I thank you for your service, Chief, and I look forward to the opportunity for some questions and answers.

Senator REED. Thank you, Senator Murkowski.

Do any of my other colleagues wish to make some opening remarks?

Senator TESTER. Mr. Chairman.

Senator REED. Let me recognize Senator Cochran, then Senator Tester.

#### STATEMENT OF SENATOR THAD COCHRAN

Senator COCHRAN. Mr. Chairman, I am pleased to join you and the other members of this subcommittee in welcoming our witnesses from the USFS.

I do have a prepared statement which I will ask be made a part of the record.

Senator REED. Without objection.

Senator COCHRAN. I appreciate the good work done by the USFS, not only in managing the Federal forest lands in our State, but the national impact that the work you do makes on our economy, and our recreational resources. And we know that that doesn't just happen by letting nature run everything.

#### PREPARED STATEMENT

There are some active programs that you have, that have been tried and proven to be very valuable to enhance the recreational opportunities and economic activities, at the same time that we can enjoy the beautiful scenery and the streams and rivers that make up our forest inventory. So, we're looking for ways to be sure that we allocate funds for those purposes that are consistent with good judgment, and our need to show a little sense of economy, as well, in these tight budget times.

So, thanks for being here and sharing your thoughts on those subjects with us.

[The statement follows:]

#### PREPARED STATEMENT OF SENATOR THAD COCHRAN

Mr. Chairman, thank you for convening this hearing to review the budget request for the U.S. Forest Service (USFS) for fiscal year 2012. I am pleased to join you and the other members of our subcommittee in welcoming you and working with you to identify your priorities and suggestions for funding within the limitations of our allocations.

We appreciate the efforts of the USFS for your efforts in ensuring that our Federal forest lands are well-managed. The six national forests in Mississippi provide a great deal of outdoor recreation and economic activity in my State, which would not be possible without your valued service and commitment.

The many beneficial functions of the USFS go well beyond providing quality recreational opportunities. In 1996, the USFS research units in Mississippi, including

the Southern Hardwoods Lab in Stoneville, the Forest Hydrology Lab in Oxford, and the Seed Biology Lab in Starkville, merged to function as a research center with a common mission focus. This collaborative effort is now called the Center for Bottomland Hardwoods Research and is headquartered in Stoneville, Mississippi.

The research that these units conduct is vitally important to both my State and the Nation. In addition, the dedicated work that these researchers have provided has positively impacted national and State forests, as well as privately owned forest land, with environmental and economic benefits. In 2010, the forestry industry produced more than \$1 billion in revenue in Mississippi alone.

As we move forward with the fiscal year 2012 appropriations process, I hope that the USFS will continue to focus its resources on the important work that the Center for Bottomland Hardwoods Research is doing.

I look forward to your testimony and to working with you during the coming year.

Senator REED. Thank you.

Senator Tester.

#### STATEMENT OF SENATOR JON TESTER

Senator TESTER. Yes. Thank you, Chairman Reed, Ranking Member Murkowski, for holding this hearing.

Chief Tidwell, always good to have you here.

And Kathleen, thanks for being here also.

I don't need to tell you. You're intimately familiar with the forests in Montana—some 20 million, almost 20 million acres worth, the impacts by beetles. You have a tough job because, as we talk about deficit and debt, and you come forward with a budget with some cuts, we all feel passionate about certain line items that we don't want cut. And we can't have it both ways.

That being said, in your statement, at some point in time—and we can bore down on this during my questions—there are some funds that are being reduced. And I can accept that if I know what the short-term versus the long-term impacts are.

Let me give you an example. Forest and rangeland research—you, there's a reduction in that. Is that going to cause us to spend more money long-term if we save this money short-term?

And, Kathleen, you can answer these questions too if you feel important.

And the same thing with wildland fire management. Are we cutting a fund when, in fact, it could save us money if we utilize that money before we get to a crisis situation?

And that's all.

You've got—I admire the work you do. You know, I've got a bunch of issues, and you've been very helpful on them. And I look forward to working with you in the future.

Mr. TIDWELL. Thank you, Mr. Chairman.

Senator REED. All of the statements will be made part of the record, including yours, Chief. So, if you would like to summarize, that would be perfectly fine.

And let me recognize you for your opening statement. Thank you, Chief.

#### SUMMARY STATEMENT OF TOM TIDWELL

Mr. TIDWELL. Thank you.

Mr. Chairman, and members of the subcommittee, once again, it's a privilege to be here today to discuss the President's 2012 budget request for the USFS. I appreciate the support the subcommittee has shown the USFS in the past, and I look forward to

working with you to provide more of the things that the American public need and want from our Nation's forests and grasslands.

I also want to thank you for your support with the 2011 budget. I know how difficult that was, and we do really appreciate the support that you showed us.

For 2012, the President's budget is designed to support the administration's priorities for maintaining and restoring the resiliency of America's forests. Additionally, this budget request reflects our commitment to fiscal restraint with significant reductions to ensure that we're spending efficiently and focusing on the priorities of the American public.

The budget supports these priorities through four key objectives. The first is to restore and sustain our forest and grasslands by increasing the collaborative efforts to build support for restoration activities that create jobs.

The budget requests full funding for the Collaborative Forest Landscape Restoration Fund (CFLR). It increases the emphasis on protecting and enhancing watershed health with a request for a new Priority Watershed and Job Stabilization initiative to fund large-scale projects.

It proposes a revised IRR budget line item to align the budget structure with the work we're doing on the ground. This will help facilitate a more integrated approach to developing project proposals that will result in more work being done and more jobs being created.

We will continue to track the traditional targets, such as board feet and the miles of stream improved, but we will also track the overall outcomes of restoration and watershed improvement so that we can show you that we are making a difference at a landscape scale. We will continue to incorporate strategies developed by USFS Research and Development to determine how our management needs to address the effects of climate changes, to be able to increase the ecosystems' resistance to the increasing frequency of disturbances like fire, insect and disease outbreaks, invasives, flood, and drought.

The second objective is to provide funding for wildland fire suppression that includes a level of preparedness to continue our success to suppress 98 percent of the wildland fires during initial attack. It also proposes a realignment of preparedness and suppression funds that more accurately display the costs. It provides for the FLAME Fund to increase accountability and transparency of the costs of large fires, and to further reduce the threat of wildfire to homes and communities by doing more hazardous fuels work in the wildland-urban interface (WUI).

The third objective is that we will increase support for our community-based conservation with the America's Great Outdoors (AGO) initiative, by helping Americans reconnect with the outdoors by increasing conservation, education, and volunteer opportunities through our youth programs. We want to build on the success of our 28 Job Corps Centers by supporting the creation of a 21st Century Conservation Service Corps program to build skills and work together with the States to provide work experiences for more of our youth. We want to continue to work with the States using our

State and Private Forestry programs to promote conservation and help keep private forests forested.

We are requesting an increase in the Land and Water Conservation Fund (LWCF) and our FLP to use conservation easements and land acquisitions to protect critical forests and acquire public access, while we reduce our overall administrative costs.

The fourth objective is to further support economic opportunities in rural communities by supporting the recreational opportunities that not only add to the quality of our lives, but support these communities through more than \$13 billion in annual spending by recreation visitors.

We want to encourage biomass utilization and other renewable energy opportunities, and explore ways to process oil and gas permit applications and energy transmission proposals more efficiently.

We're also proposing a framework for a 5-year reauthorization of the Secure Rural Schools Act, with \$328 million in our budget request to fund the first year. We want to work with the Congress and this subcommittee to consider options for mandatory funding and to develop the legislative proposal.

#### PREPARED STATEMENT

Our goal is to increase collaborative efforts, to encourage greater public involvement and management of our national forests and grasslands. We want to maintain and restore healthy landscapes. To do this, we need to take care of the ecosystem, but we also need to support healthy, thriving communities and provide jobs in rural areas.

Again, I want to thank you for the opportunity to address the subcommittee, and I look forward to answering your questions.

[The statement follows:]

#### PREPARED STATEMENT OF THE TOM TIDWELL

Mr. Chairman and members of the subcommittee, it is a privilege to be here today to discuss the President's budget request for the Forest Service (USFS) in fiscal year 2012. I appreciate the support this subcommittee has shown the USFS in the past, and I look forward to working together in the future to ensure that stewardship of our Nation's forests and grasslands continues to meet the desires and expectations of the American people. I am confident that this budget will allow the USFS to support this goal, while also reflecting our commitment to fiscal restraint and ensuring we are spending efficiently.

As the Secretary testified on March 10, 2011 in front of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee, we need to take some serious steps to reduce the deficit and reform Government so that it's leaner and smarter for the 21st century. The fiscal year 2012 budget the Department of Agriculture (USDA) is proposing reflects the difficult choices we need to make to reduce the deficit while supporting targeted investments that are critical to long-term economic growth and job creation. To afford the strategic investments we need to grow the economy in the long term while also tackling the deficit, this budget makes difficult cuts to programs the administration cares about. It also reflects savings from a number of efficiency improvements and other actions to streamline and reduce our administrative costs. It looks to properly manage deficit reduction while preserving the values that matter to Americans.

A healthy and prosperous America relies on healthy forests and grasslands and the benefits they provide:

- clean air and water;
- carbon storage;
- renewable energy;
- food and fiber;

- fertile soils;
- wildlife habitat; and
- recreation opportunities.

The USFS delivers incredible value to the public by protecting and enhancing these benefits through forest health restoration, research, and financial and technical assistance to partners. Our national forests and grasslands help to sustain 224,000 jobs in rural areas and contribute an estimated \$14 billion to the gross domestic product each year through visitor spending alone.<sup>1</sup> In addition to managing 193 million acres on 155 national forests and 20 grasslands in 44 States and Puerto Rico, the USFS helps improve stewardship of lands outside the National Forest System (NFS). The agency partners with and provides technical assistance to other Federal agencies as well as tribal, State, and local governments; private landowners; and nonprofit organizations for the betterment of the Nation's forests and grasslands. Furthermore, the agency is a leader in cutting-edge research on climate change, bioenergy, wildfire management, forest pests and diseases, ecological restoration, and other conservation issues. The agency works to efficiently maximize limited resources and create a high return on investment for the American taxpayer.

The fiscal year 2012 President's budget request for the USFS totals \$5.1 billion in discretionary appropriations, a \$178 million decrease from the annualized fiscal year 2011 continuing resolution as shown in the published fiscal year 2012 budget justification. This decrease is achieved through several program re-combinations that streamline operations and increase efficiency and through major reductions in programs, including roads, facilities, and national fire plan programs and associated State and Private Forestry programs. In addition, the fiscal year 2012 budget includes \$44 million in targeted cost-saving measures for the USFS through reduced travel and improved acquisition management procedures. These actions will allow us to focus limited resources on programs where we can achieve the greatest impact and that are of highest priority to the American people. Our budget priorities respond to the public's desire to make smart Federal investments that will allow us to pass on to future generations the beauty, wildlife, water, and natural resources that we have today.

The fiscal year 2012 budget for the USFS supports President Obama's America's Great Outdoors (AGO) initiative, the goals of the USDA's strategic plan, and Secretary Vilsack's "all-lands vision". It aims to maintain and enhance the resilience and productivity of America's forests through four funding priorities:

- enhancing water resources;
- responding to climate change;
- community-based stewardship; and
- jobs in rural communities.

Climate change, severe wildfires, disease, and pests have all contributed to declining forest health. With the current forest health crisis threatening the future of our forests, ecological restoration<sup>2</sup> is a key component to our fiscal year 2012 strategy. We need to ensure that our forests are resilient in the face of future uncertainties. To most effectively address this forest health issue, we must work across landscapes and ecosystems, as well as across ownership boundaries. The USFS is plotting a course to build a forest restoration economy that would create jobs in rural areas, more actively involve local communities in caring for their land, and improve access to natural areas. Ensuring the sustainability of rural communities and increasing community collaboration in natural resources management are critical to the success of restoration efforts and the continued provision of goods and services from forest ecosystems. Finally, using forest biomass byproducts from ecological restoration activities as a source of renewable energy can help enhance U.S. energy security, economic opportunity, environmental quality, and global competitiveness. In fiscal year 2012 we aim to strengthen biomass utilization efforts through our work with other agencies and our programs that encourage market development for woody biomass.

Our four key funding priorities highlight how we as an agency are continually working to ensure that we are responding to the needs of the American public.

<sup>1</sup> USDA Forest Service. *National Visitor Use Monitoring Results*. <http://www.fs.fed.us/recreation/programs/nvum/>.

<sup>2</sup> By restoration, we mean the process of assisting the recovery of resilience and the capacity of a system to adapt to change if the environment where the system exists has been degraded, damaged, or destroyed. Ecological restoration focuses on re-establishing ecosystem functions by modifying or managing the composition, structural arrangement, and processes necessary to make a terrestrial and aquatic ecosystem sustainable and resilient under current and future conditions.



## ENHANCING WATER RESOURCES

One of the most important services that the American people receive from forested landscapes is the provision of clean and abundant drinking water. An adequate supply of clean water is integral to the health and prosperity of the United States. More than one-half of the Nation's freshwater supply originates on public and private forest lands, and is the source of drinking water for more than 200 million people. The NFS alone provides fresh water to approximately 66 million people, or 1 in 5 Americans. In addition, healthy rivers, lakes, and streams are crucial to sustaining aquatic life, supporting terrestrial ecosystems, and providing high-quality recreation opportunities. Maintaining an adequate supply of clean water will be one of the biggest challenges of the 21st century as our forests and communities continue to deal with climate change, severe wildfires, invasive pests, severe storm events, and development pressures.

In order to maximize USDA's investments, USFS in collaboration with the Natural Resources Conservation Service and Farm Services Agency has been working to identify and implement high-impact targeted practices that are expected to have the greatest impact on protecting water resources. The agencies expect to treat more than 6 million acres in priority landscapes by the end of fiscal year 2011. These priority areas include targeted acreage on national forests and private working lands in the Chesapeake Bay Basin, Great Lakes, Mississippi River Basin/Gulf of Mexico, and California Bay Delta/Sierras. The agencies are working toward developing more meaningful performance measures as part of this effort.

The Integrated Resource Restoration (IRR) budget line item, first proposed in the fiscal year 2011 budget request, will allow us to effectively integrate interdisciplinary restoration treatments that will protect and improve our water resources. The fiscal year 2011 budget request proposed to combine the forest products, vegetation and watershed management, and wildlife and fisheries management budget line items and the CFLR program from previous years. In addition to these programs, legacy roads and trails, road decommissioning, and postfire rehabilitation and restoration have also been added to the IRR for the fiscal year 2012 request. Moreover, the portion of hazardous fuels management funding work outside the wildland-urban interface (WUI) has also been added to IRR for the fiscal year 2012 request as the agency works toward restoring historic fire regimes on the non-WUI portion of the NFS lands. Restoration projects require the integration of various stewardship activities. Thus, combining these programs will allow us to use resources more efficiently and will also create the vehicle that will allow the USFS to move toward restoring watersheds as a top priority. A new watershed condition framework will be used to evaluate improvements in watershed health using a national standard and provide clear accountability for the IRR program area. Specifically, we are proposing an \$80 million Priority Watershed and Job Stabilization initiative that will use the watershed condition framework, state forest assessments, project costs, and input from local communities to prioritize projects to fund to make progress toward improving watershed condition class. Proposed projects will be developed by USFS and will come from the action plans created for the priority watersheds identified as part of the watershed condition framework. We will also continue to use some of our established targeted measures, as well as continue to track outcomes related to past measures. fiscal year 2012 restoration projects will maintain and improve water quality and watershed function, improve fish and wildlife habitat, and integrate forest products production into stewardship and watershed restoration activities.

## RESPONDING TO CLIMATE CHANGE

Climate change is occurring at an increasing rate and jeopardizes the benefits that the public receives from America's forests and grasslands, including clean air and water, forest products, and recreational opportunities. Many of the management challenges that we have faced over the past decades have been exacerbated by climate change, including catastrophic wildfires, changing water regimes, insect infestations, and disease. In fiscal year 2012, USFS will continue to focus on incorporating climate change adaptation into multiple program areas, which includes making ecosystems more resistant to climate-related stressors, increasing ecosystem resilience to disturbance driven by climate change, and facilitating landscape-scale ecological transitions in response to changing environmental conditions. This priority is again tightly tied to restoration and our IRR budget line item. Restoring key functions and processes characteristic of healthy, resilient ecosystems allows them to withstand future stressors and uncertainties. Examples of IRR projects include decommissioning roads to reduce the risk of erosion from severe storms, reducing fuels outside the WUI to reduce the risk that severe wildfire will damage resources

near important watersheds or critical habitat, and reforestation to stabilize critical watersheds and soils impacted by natural events and to increase long-term carbon sequestration capacity.

USFS has developed a roadmap for responding to climate change in order to guide the agency in achieving its climate change goals. The Roadmap focuses on three kinds of activities:

- assessing current risks, vulnerabilities, policies, and gaps in knowledge;
- engaging internal and external partners in seeking solutions; and
- managing for resilience, in ecosystems as well as in human communities.

The agency has implemented a scorecard to measure progress made by each national forest and grassland. The scorecard assesses agency capacity, partnerships and education, adaptation, mitigation, and sustainable consumption.

Our commitment to responding to climate change is underscored in the proposed planning rule, published for comment in the Federal Register on February 14, 2011. USFS will begin to operate under the proposed planning rule in fiscal year 2012 after it is finalized, emphasizing citizen collaboration and an all-lands approach to management planning, ecosystem restoration, and climate change mitigation. A new budget line item, land management planning, assessment and monitoring, has been proposed for fiscal year 2012. Combining the previous line items land management planning and inventory and monitoring highlights the clear tie between gathering information through monitoring and making management planning decisions. This combination better aligns program funding with the objectives of the proposed planning rule, ensuring that planning, monitoring, and conducting assessments are coordinated more efficiently across the landscape.

Our climate change research program will continue to help clarify how climate change is expected to affect our ecosystems and the services they provide and to inform decisionmakers as they evaluate policy options. With two decades of climate change research, the USFS is the authority on how forest and range management can be modified to address the challenges of global change.

#### COMMUNITY-BASED STEWARDSHIP

Working with local communities is critical to the success of restoration efforts and increasing ecosystem resilience across the landscape. Increasing collaboration with stakeholders can move conservation efforts from a scale of thousands of acres to hundreds of thousands of acres. Most importantly, working together with stakeholders from project planning to implementation helps build citizen support for ecosystem restoration projects. The importance of getting citizens and communities more connected and involved with the outdoors has been emphasized in AGO. AGO seeks to empower citizens, community groups, and local, State and tribal governments to share in the stewardship responsibility for protecting, improving, and accessing natural areas and their resources, with the end result of a healthy, vibrant outdoor legacy for generations to come. The agency is committed to achieving greater community-based stewardship in pursuit of resilient forests as outlined in the AGO report. The fiscal year 2012 budget strategically allocates resources to support exemplary local stewardship models and to catalyze new partnerships and innovations. USFS will work toward the goals of AGO through multiple program areas.

Building on the sentiments of the American people, the AGO initiative seeks to maximize use of the Land and Water Conservation Fund (LWCF), which directs a portion of revenue from offshore oil and gas leases to conservation projects. LWCF funds USFS's forest legacy and land acquisition programs and provides local communities the opportunity to cost-share the conservation of priority forest land. The fiscal year 2012 budget request funds LWCF at the fully authorized amount, which constitutes an increase of \$59 million for the Forest Legacy Program (FLP) and an increase of \$26 million for the Land Acquisition Program from the fiscal year 2011 annualized continuing resolution. The FLP works with States, private landowners, and other conservation partners to protect environmentally critical forests threatened by land conversion through conservation easements. Project funding is based on a nationally competitive process. To date, the FLP has leveraged more than \$630 million in non-Federal matching funds to conserve more than 2 million acres of non-Federal forest land. In fiscal year 2012, 48 projects have been proposed for funding in 38 States. FLP projects keep working forests working, which keeps jobs in rural areas. FLP projects also provide public access to recreation in many areas. Land acquisition supports a similar function. Its primary focus is on land acquisitions and donations on land adjacent to national forests, which typically help fill in holes and consolidate land ownership, making management easier and more cost-effective. In fiscal year 2012, 38 nationally prioritized lands have been proposed for funding. Recreation on national forest lands results in a boost to local economies and the cre-

ation of jobs. This budget request includes an increase of \$5.4 million for recreation in support of AGO.

Protecting land that borders NFS lands and acquiring inholdings abates the impacts of development. For more than a century, the American people have invested in protecting forests and grasslands across the United States to maintain and improve water quality, reduce wildfire risk, create recreational opportunities and enhance fish and wildlife habitat. By fully funding the LWCF, our budget will continue our historic investments, limiting forest fragmentation, which can be detrimental to these benefits that we have worked so hard to maintain and enhance. In addition to the LWCF, we also have other tools to increase our management efficiency and become better neighbors with our adjacent landowners and will use these as well. I would like to also draw the subcommittee's attention to the pilot land exchange program proposed in the landownership management budget line item, which will accentuate the benefits of consolidated land tenure on one of our national grasslands.

In fiscal year 2012, USFS will commence implementation of the 2008 farm bill's Community Forest and Open Space Conservation program. This program provides eligible tribal governments, local governments, and qualified nonprofit organizations cost-share grants for creating community forests through fee-simple acquisition. This budget request includes an increase of \$4.5 million for the Community Forest and Open Space program. These forests will be able to provide public access and recreational opportunities, as well as protection of vital water supplies and wildlife habitat, demonstration sites for private forest landowners, and financial and community benefits from sustainable management.

USFS will continue to expand community engagement in restoration efforts on NFS land through the CFLR. Under the IRR budget line item, the CFLR will provide for the continued implementation of the 10 long-term projects selected in fiscal year 2010 and will provide for the selection of additional long-term projects. The CFLR projects are proposed through multi-stakeholder collaborative planning at a local level, and priorities are suggested by a Federal Advisory Committee. In 2010, the CFLR funded 10 community restoration projects in Idaho, California, Colorado, Arizona, New Mexico, Montana, Washington, Oregon, and Florida.

Conservation education and volunteer opportunities will be a priority for the USFS as we implement AGO recommendations. We already have a variety of programs that have successfully connected youth to the outdoors, and we will continue to find opportunities for engaging youth in conservation efforts in fiscal year 2012. The Lake Tahoe Generation Green program works with local community groups to engage at-risk high-school students in outdoor leadership and forest management activities. The Kids in the Woods program at the Apache-Sitgreaves National Forest is another example of a successful locally based outdoor education program that has taught more than 5,000 participants about a wide range of topics, including invasive species, water conservation, and responsible off-road vehicle use. The Chugach Children's Forest in Alaska connects village, rural and inner-city youth with a nearby national forest, while motivating local district rangers to work alongside community officials and school superintendents, integrating community youth challenges with outdoor solutions. Volunteer opportunities will also expand across the USFS, including wilderness stewardship, trail clearing, restoration of historic structures, and campground host duties.

Finally, the proposed planning rule establishes a framework that emphasizes a collaborative approach to land management planning, assessment, and monitoring. The USFS will work with the public, tribes and other partners to develop, revise, and amend land management plans, conduct assessments and develop and implement monitoring programs. Collaborative approaches build citizen support in identifying needs, establishing desired conditions, crafting alternatives for future management, and identifying information and monitoring needs.

These are but a few examples of initiatives in the budget that exemplify the importance of community-based stewardship.

#### JOBS IN RURAL COMMUNITIES

In August 2009, in Seattle, Washington, Secretary Vilsack spoke of the need for a "shared vision" that not only focuses on forest conservation, but also on supporting a forest economy that creates jobs and vibrant rural communities. The USFS is not only committed to providing benefits to the American people in the form of clean air and water, fish and wildlife habitat, timber, and recreation opportunities, but also in the form of jobs and sustainable rural communities.

Forests and grasslands are an important source of employment and rural development. More than 2.5 million Americans have forest-related jobs in fields ranging

from ecological restoration to outdoor recreation services to the forest products industry.<sup>3</sup> The USFS provides service contracts for many types of activities including tree planting, timber harvesting, noxious weed control, culvert replacement, and road reconstruction. Recreation on national forest lands also bolsters local economies and creates jobs. We need to build a forest restoration economy, an economy built on the Secretary's forest restoration vision that inspires and brings together support for people playing, recreating and working in the woods.

Over the past year the USFS has worked to create and retain jobs in rural communities through the American Recovery and Reinvestment Act of 2009 (ARRA). USFS received funding for two programs. Capital improvement and maintenance received funds to restore infrastructure that supports public, administrative and recreation uses, while minimizing impacts to ecosystem stability and conditions. In addition, wildland fire management received funds to protect communities from large fires and to contribute to the restoration of fire-adapted landscapes. Final completion of all ARRA projects is expected to occur in the next 2 fiscal years. However, the agency will continue to have a jobs focus. Job creation and rural development will be a priority in fiscal year 2012.

One of the highlights of the IRR budget line item is creating job opportunities in rural areas. Creating job opportunities through landscape-scale restoration projects is a key component of the Priority Watersheds and Job Stabilization initiative under the IRR. Stewardship contracts and agreements will be a significant method for carrying out restoration efforts, and attention will be given to new and emerging markets for the wood removed during restoration activities, as well as the traditional uses for these products. Building a forest restoration economy will create new jobs in rural communities and help diversify the forest products industry to support the sustainability of local communities and the forest contractor infrastructure needed to perform restoration work. Also, we are working to further build a forest restoration economy around wood utilization by targeting grants to assist small businesses. Since 2005, the Woody Biomass Utilization Grant program has awarded a total of \$30.6 million to 123 grant recipients in 21 States, including small businesses, non-profit organizations, tribes, and State agencies, to further innovations in the wood products sector that lend to job creation.

USFS has also invested in job creation for youth through Job Corps, a partnership with the Department of Labor. This program helps people ages 16 through 24 improve the quality of their lives through technical and academic career training. With Department of Labor funding, we operate 28 Job Corps Civilian Conservation Centers across the country that provide approximately 6,200 students per year with the skills they need to become employable and independent so that they can find meaningful jobs or further education. In March 2010, Secretary Vilsack unveiled a green Job Corps curriculum that will help train underserved youth for jobs in the emerging green economy using national forests and grasslands as training sites for solar, wind, and biomass energy demonstrations.

AGO hopes to build on the success of programs like Job Corps by creating a 21st Century Conservation Service Corps program that will remove barriers to employment and improve career pathways to jobs in natural resource conservation. This includes use of the Public Lands Corps Healthy Forests Restoration Act of 2005, which expanded youth service opportunities while addressing important conservation and societal objectives. USFS has a long-standing commitment to recruiting employees that contribute to workforce diversity; providing opportunities for disadvantaged youth to pursue natural resource careers; and creating the next generation of land conservationists. USFS will expand on AGO Goal A (to develop conservation jobs and service opportunities that protect and restore America's natural resources) through the Youth Conservation Corps. This summer employment program aims to accomplish needed conservation work on public lands, provides gainful employment for 15- through 18-year olds from diverse backgrounds, and develops in them an understanding and appreciation of the Nation's natural environment and heritage.

To continue supporting the communities that we work in, the fiscal year 2012 President's budget proposes a 5-year reauthorization of the Secure Rural Schools Act, named Payments to Communities, and includes \$328 million of discretionary funding for fiscal year 2012. This act provides annual payments to counties for schools and roads, forest restoration/protection, and fire assistance. The proposal modifies the existing framework to emphasize enhancing forest ecosystems, improving land health and water quality, and increasing economic development activities.

<sup>3</sup>USDA, Forest Service. 2010. *Draft National Report on Sustainable Forests*. <http://www.fs.fed.us/research/sustain/>.

The administration is open to working with the Congress to fund either through discretionary or mandatory appropriations.

#### WILDLAND FIRE MANAGEMENT

The fiscal year 2012 budget request continues to reflect the President's commitment to responsibly budget for wildfires, ensuring fire management resources are used in a cost-effective manner in high-priority areas. The 10-year average of suppression costs is fully funded, and the allocations between preparedness and suppression funds have been adjusted to ensure that readiness needs are fully funded for this fiscal year. The budget request includes a two-tier system for fire suppression. The suppression account will be the primary source of funding for responding to wildfires, covering the costs of initial and smaller extended attack operations. The Federal Land Assistance, Management and Enhancement Act reserve account will provide better accounting of funds to cover fires escaping initial attack that are large and complex, as it did last year. This system ensures that funds are available to fight fires without diverting funds from other critical USFS programs and activities.

#### CONCLUSION

This President's budget request for fiscal year 2012 takes a comprehensive, all-lands approach to conservation that addresses the challenges that our forests and grassland currently face, while also taking into consideration the need to reduce spending and to find the most efficient way to do our work.

The future of our country's forests and the valuable ecosystem services they provide depend on our ability to manage for an uncertain climate and uncertain economic market. This means landscape-level restoration, working across ownership boundaries, relying upon a foundation of strong science to guide decisions, and collaborating with tribal, State, local, private, and other Federal stakeholders to achieve common goals. A comprehensive approach to restoring unhealthy ecosystems will help make our forests more resilient to stressors and disturbances related to climate change and protect our vital water resources. At the same time, we can significantly contribute to economic recovery and job support by building a forest restoration economy. Greater involvement of citizens and communities is key to successfully implementing restoration efforts at large geographic scales. Our vision in creating healthy landscapes not only includes creating healthy ecosystems, but also creating healthy, thriving communities around our Nation's forests and grasslands and providing jobs in rural areas. The fiscal year 2012 budget request highlights these priorities.

I look forward to sharing more with you about our fiscal year 2012 priorities and working with you in shaping the proposals laid out in this budget. Thank you for your time and attention, and I look forward to answering any questions you may have.

#### WILDLAND FIRE MANAGEMENT

Senator REED. Thank you very much, Chief.

I presume that Ms. Atkinson does not have a statement. Thank you, Kathleen.

Chief, let me begin with the fire budget. In the President's budget, there is an error. I understand it is a clerical error that makes your wildlife fire management request \$192 million less than it should be.

As you know, the subcommittee's allocation will be based on the President's budget, and it puts us at a disadvantage to have an inaccurate request. Can you tell us when we can expect to receive a budget amendment or errata sheet to correct this error?

Mr. TIDWELL. We've shared the subcommittee's concerns with the Office of Management and Budget, and I will also visit with them again so we can get that errata sheet up to you very shortly.

## 10-YEAR AVERAGE

Senator REED. Thank you very much, Chief. Let me continue in terms of fire suppression costs. Could you give us the 10-year average that you're working with?

Mr. TIDWELL. For 2012, we're looking at a 10-year average of \$1.17 billion. When we apply the rebaselining that you've been requesting us to do for a couple years, and make that shift between suppression to preparedness, the 10-year average will then drop to \$855 million. But the difference is just the shift of some preparedness costs that we've been showing in our suppression costs for the last few years. At the request of this subcommittee, we feel it's actually more transparent to show those costs under preparedness.

These are primarily our large aviation contracts that we have to pay up front at the start of the year no matter how much we use those aviation contracts throughout the year. We just believe that they actually should be shown under preparedness.

Senator REED. You're confident that the funds you've allocated to suppression will be adequate for the current fire season? The current budget season?

Mr. TIDWELL. Yes. Based on what we see and where we are today, and where we expect to be with 2012, we're confident that the funds that we're requesting will be adequate to handle a moderate-to-active fire season in 2012.

## IRR—COMBINING LINE ITEMS

Senator REED. Okay. Let me turn now to the IRR program, which I'm sure will be the topic of several questions from my colleagues. For many years the USFS did perform integrated activities under very specific budget lines. I think you'd be the first to point back several years ago, how you were doing integrative things using funds from different accounts to achieve a comprehensive approach.

So the question is why do we have to go to this integrated one fund? What is the roadblock that hampers a forest supervisor or regional forester from taking an integrated approach, even though they would have to, technically, spend from different accounts?

Mr. TIDWELL. Mr. Chairman, you're correct that we've been taking an integrated approach to our project design and planning for years. What we're finding as we do more and more of this—our current budget structure sometimes is a barrier to promote that integration. Based on the feedback we received from you last year, we've made some changes to the revised proposal, so that we will continue to track the traditional targets of board feet, miles of stream, et cetera. By having one fund, it will help facilitate not only a more integrated approach, but it will allow us to look at the landscape and determine what work needs to be done.

Based on our experiences in the past when we had more flexibility with our budget, we found that we were able to get more work done. It makes it easier for not only our employees to design the work, but also for the public to be part of that process. It builds more support for the overall work, because we have a much wider range of objectives that we can accomplish with every project.

The other key part of it is, there are times when you have an integrated project you want to go forward with, but one of the program areas—one of the fund codes—is lacking money on that unit that year. Sometimes in the past we've actually deferred very good projects from being able to go forward because we didn't have the right mix of money to be able to do that. That's just one of the key benefits.

In these difficult economic times, I look for ways that we can improve our efficiency. I believe, by having this IRR line item, that we can be more efficient, and we will actually get more work done on the ground.

#### IRR—CHANGES TO PROPOSAL

Senator REED. Let me just follow up before I turn it over to Senator Murkowski.

One of the improvements you've made, or, one of the more specific measures you've included is some commitment to the timber program in terms of the amount of board feet.

Can you point to other specific changes that are in response to the criticism of my colleagues last year?

Mr. TIDWELL. There were a couple things based on the comments last year. First of all, we wanted to add some additional budget line items. We felt that it was important to put some hazardous fuels funding into this mix. We also feel that the Legacy Roads program is a very good fit, because so much of that work is done to improve the overall watershed health condition.

In addition to those funds, the other thing that we've done is to ensure that we can track the outputs along with the overall outcomes. Not only will we track board feet, miles of stream improved, acres of invasives that have addressed overall watershed health and acres of wildlife habitat that have been improved, but also, the overall watershed condition class. We'll be able to track that through a new condition class assessment that we are now putting in place for the first time.

We feel that the combination of both of these will allow us to demonstrate that we are carrying out the direction of the Congress, and at the same time—especially over several years—it's my expectation that we'll be able to increase the number of outputs that we currently are doing with the same amount of money.

Senator REED. Thank you very much. Senator Murkowski—and I will anticipate a second round, because we want to make sure that everybody has a chance to ask all their questions.

Senator Murkowski.

#### TONGASS ROADLESS SETTLEMENT—HYDROPOWER

Senator MURKOWSKI. Thank you, Mr. Chairman.

Chief, before I begin my questions, I was visited by the mayor and some of the community leaders of the community of Wrangell in southeastern Alaska. And when they heard that I was going to be in hearing with you today, they asked for some assistance as a community in sitting down with their regional forester there, talking about, just, a vision for that community.

I think they've got some good news. And we always want to work to encourage the good news in some of our southeastern Alaska

communities that have been struggling for some time. So, I would—

Mr. TIDWELL. Thank you.

Senator MURKOWSKI [continuing]. Put that on your “to-do” list, if I may. Thank you.

I want to talk about, or ask you a couple of questions, about the Tongass roadless settlement and the proposal with respect to the USFS—what you have advanced with that directive. And this is as it specifically relates to hydropower, to mining, and to timber in the area.

The agency’s proposed judgment provides protection, as I mentioned in my opening, for a few hydroelectric sites. But there’s about 27 other hydroelectric projects that are filed currently with FERC, that have not been included, and there are also about 150 other potential hydropower sites in roadless areas that, again, are not included.

Can you give me some kind of understanding as to why you selected the ones that you did for the carve-out, and then left hanging 150, and then 27 that are actually filed with FERC? What’s the rationale behind that?

Mr. TIDWELL. The ones that we included were the ones that we felt had the most potential to move forward in the near term. At the same time, in our proposed judgment, there isn’t anything that would preclude those projects from being considered in the future.

Senator MURKOWSKI. Well, the one thing that would preclude them is if it’s not possible to gain access to them. If, in fact, you’ve got to build a hydroelectric site, or allow for the transmission lines to be built, but only by using a helicopter, that does make the project prohibitive.

Mr. TIDWELL. One of the things with the 2001 Roadless Rule, because it’s been in a state of flux for the last 10 years, is that we have never actually been able to move forward and to use the exemptions that are in the 2001 rule. You’re correct that when it comes to building roads and timber harvesting, there are definitely restrictions on that.

But there also are exemptions that allow us to put in transmission corridors to be able to construct these hydroelectric plants. Each one of them would have to be looked at. It’s on its own merits. We would require probably more helicopter access, especially with the transmission corridors, et cetera.

The projects that we put forward—we felt these were the ones that had the best potential. With this proposed judgment we wanted to be able to get things going forward so that we can start to provide more reasonable energy there in southeastern Alaska. I was in the process of negotiating with the plaintiffs on this. We felt by going with this list, this gave us the best chance to be able to reach an agreement so that these projects can move forward right away.

Senator MURKOWSKI. Well, and those that are looking to build those projects are glad that they’re not caught in this real incredible trap. Because to suggest that you can build a hydro project, to suggest that you can build a mine, or develop other mineral deposits, but you can’t build a road to get there—you will have to heli-



copter in everything that you're going to need for this—it just defies logic.

The agreement mentions the potential exploration and expansion of Greens Creek Mine, the exploration of Bokan Mountain and of Niblack Mine; but, again, there are some other, about 14 other mineral deposits that are not included.

Excuse me.

And so, I, I'm just at a loss as, to try to understand how you have determined that this small subsection shall move forward, when we have equal opportunities in some other areas that now have, for all intents and purposes, been put off limits.

#### TONGASS ROADLESS SETTLEMENT—TIMBER SALES

The other question that I would have would be with regards to the timber sales that have already—the USFS has already spent the money to perform the National Environmental Policy Act (NEPA) analysis for these, and this was done prior to the court's ruling. Shouldn't these have also been included in the forest settlement's proposal?

Mr. TIDWELL. Well, Senator, as far as the timber sales, with this latest court ruling, there is an impact on several timber sales that we had completed the NEPA work.

However, with the work that the region and the USFS has been doing over the last 2 years, we have moved out of these roadless areas so that, even with this court ruling, we can go forward with our planned program of work in the future. Even with this, because of the work that our folks were doing over the last 2 years, we're well-positioned to be able to move forward with a continued increase in the amount of timber harvest—not only this year, but also what we plan for 2012.

Senator MURKOWSKI. But, in fact, with the proposals and what has been advanced by the USFS and the others, if somebody decides to sue on this, there is nothing that provides protection from further suits. So, we may be no further ahead than we are right now. Is that correct?

Mr. TIDWELL. That's always the possibility. However, I feel that with the work that's been going on for the last couple of years to build more and more agreement about the need for our timber sales and for the restoration work that we need to do to help sustain these communities, we're seeing that we're able to implement more projects than we have been in the past. I think it's one of the things that we can continue to work on to build additional trust and understanding about the importance of forest management, the integrated wood products industry, and to help sustain these communities.

When it comes to what was negotiated in this proposed judgment—it was a negotiation of being able to put together a list of projects that we felt were the most important to be able to go forward with right now, and at the same time, not preclude other projects from being considered that would have to meet the requirements of the 2001 Roadless Rule.

As you know, everybody was in agreement, and so we submitted our proposal. The other proposals will be coming into the court. We're anxious to see just where we'll end up with this.

Senator MURKOWSKI. Well, I'll ask more in the next round, Mr. Chairman. Thank you.

Senator REED. Thank you, Senator Murkowski.

We'll proceed by recognizing Senators as they arrive, going back and forth from side to side.

Senator Johnson.

#### FLP—BLOOD RUN PROJECT

Senator TIM JOHNSON. Chief Tidwell, welcome and it's good to see you again.

And welcome, Ms. Atkinson.

The USFS budget emphasizes conservation and outdoor recreation through robust funding for the LWCF. As you pointed out, this funding comes from offshore rail and gas lease revenue, not taxpayer dollars.

As we develop our publicly owned natural resources, it makes sense to reinvest in public assets like our national forests.

I want to highlight a particular FLP project—the Blood Run site in southeastern South Dakota. The State of South Dakota and local partners have made this acquisition along the Big Sioux River a top priority, and I'm pleased that the administration has included the project in its priority list for fiscal years 2011 and 2012. Converting the site into a State park will protect the area from encroaching development, and provide public access to this unique and historic outdoor area.

This project involves significant coordination and financial commitment from a number of partners, and the State faces a limited time frame to purchase the property.

Can you comment on the administration's commitment to completing this project?

Mr. TIDWELL. Senator, as you've mentioned, this project is on our priority list for all the reasons that you've stated.

As far as being able to move forward with the current level of funding that we have in 2011—I'm not sure if it's on the list of projects that's funded in fiscal year 2011. So it'll depend on the amount of funding we receive in fiscal year 2012 if we can move forward with this project in this coming year.

Senator TIM JOHNSON. Sooner or later, can you make a commitment as to the completion of this project?

Mr. TIDWELL. Probably when we receive our budget for 2012, we'll be able to get back to you and be able to tell you if this project can go forward. It will depend on the amount of funding that we receive.

#### LAND ACQUISITION—LADY C RANCH

Senator TIM JOHNSON. Similarly, I also want to ask about the project that was not included in the fiscal year 2012 priority list, because it was assumed that it would be completed with 2011 funding. The Lady C Ranch is an important inholding in the southern part of the Black Hills National Forest. We have been working on this 2,400 acre acquisition project for years, bit by bit, with willing and very patient sellers. We are now in the very last phase with just \$765,000 remaining to complete the project.

Can you provide an update on the status of fiscal year 2011 land acquisition funding? If a project like the Lady C Ranch doesn't receive funding in fiscal year 2011, will it receive consideration in 2012?

Mr. TIDWELL. Senator, we did not receive enough funding in fiscal year 2011 for this very beneficial project. Depending on the funding that we receive in fiscal year 2012, that will determine how far we can go down on the priority list.

A project like you've just mentioned, if we're not able to finish it in 2012, I would hope we can then have it very high on the priority list for fiscal year 2013.

You've done a very good job to express the amount of support that's always behind our LWCF projects—that these are not only willing sellers. There's always strong support from the communities—

Senator TIM JOHNSON. Yes.

Mr. TIDWELL. A lot of folks use these lands.

We go through great lengths to set the priority list that we send up here for your consideration each year. I can tell you that it's always difficult to decide which project actually is a higher priority than the others, because they're all excellent projects, and ideally we'd be able to accomplish all of them over time.

Senator TIM JOHNSON. What criteria do you use in your, enumerating your priority of the projects?

#### LAND ACQUISITION—PRIORITIZATION

Mr. TIDWELL. The criteria that we've been using looks at the overall benefits. For instance, if it continues to maintain or increase public access, if wildlife habitats are going to be enhanced, if there are other recreational opportunities enhanced, and if there is a reduction in administrative costs. Almost always with our acquisitions, we reduce our administrative costs by not only eliminating the boundary, lines that have to be maintained, but also when it comes to our restoration work. When you don't have to worry about a section of private land that's surrounded by national forest, it's a lot more efficient to design your restoration work and your forest health work. Those are some of the criteria that we use.

The other key part of it is if the project is ready, and by ready, I mean strong support is in place. The other thing we also look at is if these projects can be phased in over a period of years. We often like to at least get started on projects. If the owner is willing to work with us over several years, that often helps us be able to get started on the project.

Senator TIM JOHNSON. Very good, Chief.

Senator REED. Thank you very much, Senator Johnson.

Senator Cochran.

#### FLOOD DAMAGE—HOMOCHITO NATIONAL FOREST

Senator COCHRAN. Mr. Chairman, thank you.

Let me bring to your attention something you already know a little bit about. If you've been watching television, we've had huge damage done to forests, businesses, and homes in our State of Mississippi because of the flooding of rivers and streams—not just the Mississippi River, because it's really still within its banks, due to

the fantastic work that has been done over time to protect landowners and homeowners along the Mississippi River.

But in the Delta National Forest, which comes to mind, there are small businesses and farms in and around the Delta National Forest. And I wonder if you've had an opportunity to assess the extent of damage, and whether you are involved actively with other Federal agencies in trying to assess the situation and prevent further damage, and try to somehow help us recover from this terrible natural disaster.

Mr. TIDWELL. You know, Senator, we haven't done any assessments of the overall damage. We have been focused on public safety and ensuring that places where people camp or go hiking either are going to be above the floods or that folks are no longer out there, especially as the waters continue to increase.

As soon as the water starts to recede, we'll be in there to assess the damage to see what we need to do to maybe shift some of our planned program of work for this year to deal with the aftermath. It's our experience that there'll be a lot of downed trees that we'll need to deal with to get roads opened up, et cetera. Also, we need to take advantage of the timber that's down, and move quickly to remove it so that we don't create another insect and disease infestation that often occurs following a situation like this. So, we are poised and working with the other agencies in the Department of Agriculture, and specifically the Natural Resources Conservation Service (NRCS), so that we'll be working together and not only helping to address the issues on the national forests, but also on the adjoining private land if there are things that we can do, especially with the NRCS programs, to assist those folks.

Senator COCHRAN. Well, we thank you for your leadership, and for being prepared to move quickly when the time is right, to try to provide that kind of assistance. We appreciate that very much.

Thank you, Mr. Chairman.

Senator REED. Thank you, Senator Cochran.

Senator TESTER.

Senator TESTER. Thank you, Mr. Chairman.

And once again, Chief, good to have you here.

Ticker's doing good?

Mr. TIDWELL. Yes, I'm still here——

Senator TESTER. That's good.

Mr. TIDWELL [continuing]. It's doing well.

Senator TESTER. Because it's good to have you here.

#### RESEARCH AND DEVELOPMENT

I want to bore down a little bit into the budget. And like I said in my opening comments, I think we all have a tough job. There's, we know that the deficit and debt issues are critically important to get under control. On the other hand of the equation, we need to do it right so we don't create more problems than we're solving.

Forest and rangeland research, a \$16 million cut. Research and development is something that's pretty important in our overall economy. Can you give me a little insight, and be as concise as you can, as to what the substantiation for that cut is?

Mr. TIDWELL. Well, Senator, I share your concerns. As we put together our budget proposal, we had to make some very difficult decisions about where we could propose some reductions.

And what we did with our research work is that we looked at our ongoing research and identified which of those projects we could go ahead and defer some activity, but at the same time, not lose the overall investment that we've made. We actually went through research project-by-research project to determine where we could either slow down the amount of research or delay it for a few years, and not lose that overall investment.

Senator TESTER. Can you tell me what kind of research you're taking about mainly? Are there main categories they fall into?

Mr. TIDWELL. We went through just about everything that we do. One of the areas where we've tried to maintain the essential funding is the research that we're doing dealing with invasives, especially with some of the insects that we're dealing with. As it was mentioned earlier, the Asian longhorned beetle is one; the emerald ash borer is another one.

Senator TESTER. Yes.

Mr. TIDWELL. But at the same time, with gypsy moths, where the research is in place, we felt that we could probably go ahead and defer or delay any additional research at this time.

Senator TESTER. Okay.

Mr. TIDWELL. The other key part of the reduction is with our forest inventory and analysis work that provides the long-term database of the condition of our forests in this country—not just on national forests, but also on private land. This is an essential database that almost everybody uses today.

And we had to make some tough decisions. There were a couple of States that we felt we didn't need, that we could postpone putting out additional plots. Those are the types of decisions we had to make.

#### WILDLAND FIRE MANAGEMENT

Senator TESTER. Okay. Wildland fire management, \$400 million, almost \$400 million. Fires are a fact of life. But we all know we need to handle them in a way—because there's a lot of people that live out there, there's a lot of forest communities.

Can you tell me how that budget's going to impact firefighting, and in particular, if it's going to have any impact on protecting our forest communities?

Mr. TIDWELL. Our proposed budget will provide the same level of preparedness that we've had for the last few years—the same number of firefighters, the same number of aviation resources.

Senator TESTER. Okay. So, where'd the \$400 million come from?

Mr. TIDWELL. Well, part of it, close to \$100 million of those funds are part of the IRR budget line item.

Senator TESTER. Which does what?

Mr. TIDWELL. Some of the hazardous fuels funding was moved into IRR.

Senator TESTER. Okay. So let's just stop there for a second. It was moved into other accounts, so it's still going to be funded? Or it's not going to be done?

Mr. TIDWELL. The majority of it was moved. There was a \$9 million reduction in hazardous fuels work that we do outside of the WUI.

Senator TESTER. Right. Because if there's more hazardous fuels, it sounds to me—and correct me if I'm wrong—there's more potential for fire. And you might have the same number of firemen, but you may have more fires.

Mr. TIDWELL. That's where it's a combination of addressing the hazardous fuels, but at the same time providing that level of preparedness. We felt it was essential to maintain almost the same level of fuels work.

#### WORKFORCE MANAGEMENT

Senator TESTER. Okay. About 1,819 employees will be terminated, or not replaced if they retire, however you're going to do it. And I'm all about making folks lean and mean, and all that. Can you give me an indication on where those people are going to come from?

Mr. TIDWELL. We do project it'll be, with this budget proposal, a loss of about 1,800 permanent, full-time positions. That's about what our attrition rate is each year. So, we believe that for this budget proposal, with what we normally see with the number of people that retire or leave the agency, we'll be able to handle this reduction without having to take any actions with any of our employees.

The challenge will be to match up where we've lost funding in the programs with our existing workforce. But we have done a very good job managing our workforce. We have had a stable, flat workforce since about 1995, and we've continued to do more and more work through contracting, so we are, I believe, well-positioned to handle this because of our conservative approach to our workforce over the years.

Senator TESTER. Just one last, if I may, Mr. Chairman.

You touched on something that drives me crazy in Government, in that we reduce the workforce on one hand. And we replace it with contract labor on the other hand. The cost is more than the workforce that existed before. That's not going to happen here?

Mr. TIDWELL. No, I believe we'll probably be doing less contract work in 2012 to be able to maintain our existing workforce.

Senator TESTER. Okay. Thank you very much.

And thank you.

Senator REED. Thank you.

Senator Blunt.

#### BUDGET TRENDS

Senator BLUNT. Well, thank you, Chief, for being here, and Director.

And maybe just to follow up on that a little bit—the budget you're requesting increases overall budget numbers, is that right?

Mr. TIDWELL. There's a slight increase to provide funding for the Secure Rural Schools program that hasn't been part of our budget in previous years. So that's the increase that you see.

Senator BLUNT. And how much is that program?

Mr. TIDWELL. \$328 million.

Senator BLUNT. All right. So there is actually in the traditional budget, you're looking at a decrease?

Mr. TIDWELL. Well, it's basically a flat budget.

PESTICIDE REGULATIONS—CLEAN WATER ACT

Senator BLUNT. Let me mention one thing in that statement, though. Just looking at the Mark Twain National Forest, which is 1.5 million acres in Missouri, the estimate is that we're adding about 210 million board feet worth of growth every year, and we're harvesting 17.2 million. Adding 210 million, harvesting 17.2 million. That 17.2 million is worth about \$2.1 million. The 210 million would be worth about \$21 or \$22 million.

Just on the record, you know, I really think one of the ways to manage the forest is to go in there and be sure that we're doing the management job we should do and capitalizing on these resources at the same time.

Another resource that I think could be huge for the country and for our State would be the whole idea of woody biomass, and what we can do with that, and the resource that provides for the USFS.

I've got a couple of questions, though, to ask specifically on. I want to be sure and get in the time the chairman's given me here.

And one is that the Environmental Protection Agency's (EPA) attempting to classify pesticide application to crops and to forests as point source, which subjects them to the Clean Water Act. There's already a lot of Federal laws in place to control pesticide applications.

I think this is going to have a real impact on forest managers. And I'm wondering—has the USFS reached out to the EPA on behalf of the managers to challenge this addition of forest into the point-source category?

Mr. TIDWELL. Well, Senator, we work with the EPA on all of their regulations. One of the things that I always want to stress with them is the need for us to be able to do the forest health work, the restoration work, and the timber harvest work to maintain and restore these forests. We work very closely with the EPA, so that the regulations that they move forward do not necessarily restrict those activities that are so important, but actually allow those activities to go forward.

We continue to have discussions on all of their regulations, so that we can move forward in a way and still do the work that has to be done on the landscape.

Senator BLUNT. On this one, are you in agreement with the forest being a point-source designee?

Mr. TIDWELL. Are you referring to this under-the-roads portion?

Senator BLUNT. I think that's right.

Mr. TIDWELL. Oh.

Senator BLUNT. Under the—no, this is, this would be pesticides. Director, do you want to clarify what I'm—

Mr. TIDWELL. You know, Senator, I'll have to get back to you on this one.

[The information follows:]

In January 2009, the Sixth Circuit Court of Appeals determined that residues of chemical pesticides and biological materials are point-source pollutants. Because of that court finding, the Environmental Protection Agency (EPA) is obligated under

the Clean Water Act to develop a National Pollutant Discharge Elimination System (NPDES) permitting system for pesticide applications on/over/near waters of the U.S. Most States have “primacy” under the NPDES program, and will develop permits at least as stringent as those requirements that the EPA establishes. The United States Forest Service (USFS) will need to establish internal procedures to meet State-level requirements of NPDES permits. Our forest health protection program is the USFS lead for pesticide management and has been engaged over the last couple of years in talks with the EPA on development of their proposed NPDES Pesticide General Permit (PGP). Because State requirements are still yet-to-be determined, pending the release of the EPA PGP, the impacts on our agency are still largely unknown. We will continue to maintain communications and work with the EPA to ensure that we stay current on the PGP timeline and subsequent State requirements.

Senator BLUNT. All right. That would be great. That would be great. I’d like to hear more about this. Because I think it’s a new—it treats them in a different way than they’ve been treated in the past. And I think it creates a management challenge. So, well, let’s, let’s keep talking about that.

Mr. TIDWELL. Okay.

#### THOUSAND CANKERS DISEASE

Senator BLUNT. That was actually going to be my next thing to say on that. Well, let’s continue to talk about it and see if there’s not a better way to do this, than to create another management nightmare for forest managers that you represent, including the forest management that the Government itself does.

I also wanted to be sure and call attention to a disease that threatens black walnut trees. It’s called the thousand cankers disease. And I know you’re familiar with it already. It’s domestic. I think Animal and Plant Health Inspection Service only gives priority to exotic, invasive species. I’m not sure what the treatment will be with thousands cankers, but I do know that it has the potential—at least I’m told it has the potential to wipe out millions of, and billions of black walnut trees in Missouri and in other places. And just a little comment on where we’re headed there would be helpful, Chief.

Mr. TIDWELL. Thousand cankers disease has been out West for years, and it really hasn’t been a major concern. But now, as it’s moved eastward, and especially to black walnut, we’re very concerned. Our research scientists are now focusing on that to try to discover the insect vector with this pathogen, so that we can develop some type of either biological control or insecticide, et cetera, to be able to stop this before it really gets established more than where it is right now.

Senator BLUNT. And the reason it was less of a problem in the West than it will be as it moves into the eastern tree species is what?

Mr. TIDWELL. Well, for instance, the black walnut is a highly valuable tree. Some of the species that it’s infested in the West, those species have evolved with it, so it doesn’t take out all of them, it just reduces some of those stands. They’re usually the less profitable trees where we’ve had this disease. So actually out West, it doesn’t really cause a big problem.

The other thing we want to also look into is, what’s created this change now allowing thousand cankers disease to start moving East, so that we can also understand if there are some things that



we can change so it can't go even further East, or head North, or wherever. So that's the other thing that we want to look into—not only the specific control, but to understand, what's changed and if it's some type of change in our climate that's allowed this pathogen to expand, or what. That's the other thing that we're looking into.

And there's some urgency to get ahead of this before it becomes a major problem.

Senator BLUNT. Well, if you'll put me on your list to update on this—

Mr. TIDWELL. Yes.

Senator BLUNT [continuing]. As you look at it, I'd be very pleased to be both involved and supportive in your efforts there.

And thank you for the time, Chairman.

Mr. TIDWELL. Thank you.

Senator REED. Thank you.

Senator Hoeven.

#### AGRICULTURAL MEDIATION SERVICE

Senator HOEVEN. Thank you, Mr. Chairman.

Chief, good to see you again. Thanks for being here today.

And, Ms. Atkinson, thank you as well.

Also, Chief, I want to thank you for coming out to North Dakota and spending some time with our ranchers in the grasslands. We appreciate it very much. And you were very responsive after your testimony in front of the Energy and Natural Resources Committee. So thank you very much. And, I think that your visit out there was well received.

I guess I want to follow up on a couple of the issues that we discussed, and that I know you had opportunity to discuss with the grazing associations and our ranchers in the grasslands, and make sure that your planning—both in terms of your management plan, but also in terms of your budget—to follow up on some of the things that are of particular importance to our ranchers and grazers.

The first relates to use of the Ag Mediation Service. And I'd like your comment both in terms of using the Ag Mediation Service up front when those contracts are signed with a grazer—well, I actually should take a step back—in negotiations with the grazing associations, but then also contracts with the grazers, and then ongoing dispute resolution. So, if you would comment on all three of those?

Mr. TIDWELL. Senator, what we had discussed when I was out in North Dakota is to be able to use certified mediators to help in two steps of the process.

The first one is, before we even start any of the proposed projects or a proposed NEPA, to address the grazing agreements and to use those certified mediators to help bring people together so we have a better understanding of the issues, whether it's issues the USFS has or issues the grazers have, so that as we move forward there is a better understanding of just what we need to address.

Then, the second part is during our pre-decisional process, before a decision is made, to actually use the certified mediators to really bring the parties together and talk through that prior to when that decision's made.

We felt those were the two areas that we could probably have the most benefit, to use the additional skills available to really head off some of these issues before a decision's actually made.

Senator HOEVEN. Delineate in your mind where you have agreement with the grazers, the grazing associations, and where you don't.

Mr. TIDWELL. It's different, probably, with each of the associations where we have agreement. There is definitely some disagreement over which parts of the grasslands have the biological potential for the high structure, to produce grass high enough to address the wildlife habitat concerns. We have come to agreement with the university to go forward with the study to be able to help determine that. I think once completed, that'll go a long way to resolve what I believe is probably the number one issue that we have with the grazing associations.

I think bringing people together and having them sit down with a certified mediator can resolve a lot of the other issues that have continued at times. We need to focus on not only maintaining the grasslands, but continuing to do it in a way that not only sustains grazing but also can increase wildlife habitat opportunities.

#### GRAZING MANAGEMENT—WILDLIFE HABITAT

Senator HOEVEN. Are you willing to wait to get the study—and I appreciate you using the range scientists at North Dakota State University. I think that's helpful, both because they're very good, but also, because the grazers in our part of the world have confidence in them and tend to know them. And so they have a higher comfort level with them.

But both as to the structure, the grass structure and so forth, as it relates to wildlife like the sage grouse, and as it relates to current management practices and any change you would make in your management practices, are you willing to look at those studies first, get some agreement with the ranchers, hopefully, a meeting of the minds, use some of those mediators if you need to, to get that meeting of the minds, before you go forward with the new management plan?

Mr. TIDWELL. Well, Senator, without having the specific knowledge of the status of each one of those agreements, and also which allotments we've completed, to determine whether we have the biological capability or not, I would suggest that we look at each situation on its own merits and make that determination of where we have adequate data to be able to move forward. Where we don't, then we need to wait and collect additional information.

Most, if not all the ranchers are good managers. We share the same results. They want to be able to sustain that forage so they can go out year after year. We all know that no two years are the same, as you well know in your State. That's the other thing we have to factor into it—every year we have a different amount of precipitation, and a different amount of growth that occurs. We need to collect information over a period of time, and then we can make adjustments.

The other thing is that these adjustments don't have to be permanent. They can be very flexible depending on each year because no 2 years are going to be the same. I think the other key part of

is to be able to reach an agreement about—this is what we want the grasslands to look like when we're done each year and then to work together to have the right stocking level out there. That's where the ranchers are in the best position to make that determination.

Senator HOEVEN. Mr. Chairman, with your indulgence, if I could—

Senator REED. Go right ahead.

Senator HOEVEN [continuing]. Continue for just a minute.

Well, two things. First off, you're absolutely right. For example, this year there's going to be a lot of high structure, because it's been, well, you know, even when you were out there, and there's been a lot of rain since then. So you're absolutely right about no two years are the same.

But both in terms of, with some of the individual grazers who are anxious to get their contract or their leases signed, using those mediators could really be helpful. And I'd strongly urge you to do that wherever you can.

Second, in a lot of other cases, both with individual grazers and the associations, really working on, together with them on the studies to get the results—

Mr. TIDWELL. Yes.

#### GRAZING ASSOCIATIONS—FREEDOM OF INFORMATION REQUESTS

Mr. HOEVEN. Get a competence level, and then go forward with your agreements. I'd strongly urge you to do that. And I think that you've shown a willingness to work with them that I greatly appreciate.

And the only other thing that I'd throw out, because my time is up, is, at least one of the grazing associations, if not more, has a Freedom of Information Act request into—and it's been pending for quite some time. And I'd really encourage you to respond to them on it. And if there's some issue or impediment, maybe you can let my office know, and we can try to follow up and help you with it.

#### LWCF—PRIORITY LIST

Mr. TIDWELL. Okay. Thank you, I'll do that. We'll, look into that tomorrow.

Senator HOEVEN. Okay. Thank you.

And thank you, Mr. Chairman.

Senator REED. Thank you, Senator.

Let me begin a second round, and, by following up on Senator Johnson's question with respect to the LWCF.

Now that you have an idea of the funding—in fact, a good idea of the funding for fiscal year 2011—and which projects you can complete, do you expect to send us an amended list for fiscal year 2012 that will take into account the projects in fiscal year 2011 priority list that were not funded?

Mr. TIDWELL. At this time, we're not planning to send up a changed list. The projects that were not funded in fiscal year 2011 are the ones that we'd like to consider for our fiscal year 2013 proposals.

## SECURE RURAL SCHOOLS PROGRAM

Senator REED. Okay.

Let me turn to the issue of the Secure Rural Schools program. And both Senator Murkowski and I have indicated the challenge this poses to our budget. Discretionary funding of \$328 million, as you said, Chief, if you take it out, you have a flat budget, basically. So, you've had to make some hard calls within your budget to do everything before you even got to Secure Rural Schools program.

Previously, this was a mandatory funding program, so it didn't impact your budget. You also recognize that we had to cut 8 percent from the fiscal year 2011 continuing resolution. We don't have the Senate allocation yet. We have to fix the errata, which we mentioned before. And the House is working with a 10 percent reduction below their fiscal year 2011 funding. So, there's huge pressure on the budget, and yet now we have this new program, more or less.

And one other point I'd add, too, is, the shift from a mandatory program to a discretionary program, even for those schools that are benefiting, given the difficulty of funding discretionary programs, this is not something I think they can bet on for a long time, or feel secure about. So that's another aspect.

But, essentially—and I'd be very eager for my colleagues to discuss it, and I'm sure we'll talk about this—are you working with the authorizers to continue this as a mandatory program, so that we have flexibility in the budget to do more traditional USFS activities?

Mr. TIDWELL. We've made it clear that we're very interested in finding a way to make this mandatory. I think everyone agrees. We agree that ideally that would be probably the best approach. As we were putting together our budget proposal, as you folks well understand, it was difficult for us to find the funding for a mandatory program.

At the same time, it's such an important program, especially to these counties, and it provides the funding for their schools and their roads. This is also not the time for this program to be discontinued in our view. We have put it in the budget and understand the consequences. At the same time, we want to work with the authorizing committees. We'll work with this subcommittee. We'll work with anyone that has some ideas about how to pursue the mandatory program.

Senator REED. Well, obviously, we look forward to working with you. Just looking at the terrain at the moment, if we get something close to the House allocation, a 10 percent reduction, then, you know, no program, I think, is sacred. So, we're going to have to do something about this program.

And again, I can see the premise behind the program. There was a loss of jobs, abrupt loss of jobs because of changing rules about timber cutting; communities who were at risk. And, frankly, my colleagues want, as I would, to protect their constituents. But it seemed to be a 5-year program that would have a finite point. And that point now is being extended.

And also, there are some communities that are still suffering grievously—unemployment rates about 10 or 11 percent. But, look-

ing quickly at some of the other recipients, I've seen unemployment rates down to 2.7, 3.1, and 4 percent, which are, trust me, relative to Rhode Island, in fact, relative to Alaska, they're doing pretty well. So, there are a lot of issues we have to deal with in the context of this program. And, obviously, we're going to be working with you. And I'm working with the ranking member to see what we can do.

#### PRIORITY WATERSHEDS AND JOB STABILIZATION PROGRAM

Let me turn to another topic. That's the Priority Watershed and Job Stabilization program. What's the current status of the Watershed Condition Framework classifications? How far are you along?

Mr. TIDWELL. We have completed our assessment, and now have all 15,000 of our watersheds done. Basically, we've classified their current conditions, if they're healthy and stable, if they're at risk, or if they're actually an impaired watershed. We used a set of 10 to 12 criteria to make that determination. We have completed that, so we now have our baseline. As we move forward with our work over the years, we're going to be able to track the improvement by watershed.

Senator REED. Now, you've essentially prioritized these watersheds as you've described. Is there a geographic trend? Or, are you going to try to devote resources across the country based upon these critical or deficient watersheds? Is there any geographic principle?

Mr. TIDWELL. We have watershed concerns in every region of this country. The way I envision this will work is that, within our regions, they'll make some determinations about what is the best investment and where is the best place to do the work.

I don't see any shifts in resources between regions. But I do see there will probably be a shift within national forests and also a shift in where we need to make the investment. For some of our watersheds—it's really a forest health issue. If we have a concern about potential catastrophic fire in there and the impacts, that might be the highest-priority work. In another watershed, it may just be improving the drainage on a few roads. I mean, that's the sort of thing that would really help us to identify, where's the best investment to make?

You will see shifts in some areas as to what type of work we need to focus on first. But I don't believe you'll see any shifts between the regions on this, and it will probably be more shifts within the forest activities.

Senator REED. Can I ask a final question before I recognize the ranking member, and that is, it's called the Priority Watershed and Job Stabilization program. Can you kind of give me the concrete link between the watershed condition and job stabilization? I mean, how does this focus on jobs, or differentiate from other parts of the IRR, and any other elaboration about the job effect?

Mr. TIDWELL. Well, the connection with jobs is that, with this priority watershed focus, we want to look at larger landscapes. It's one of the places I feel we can gain some efficiencies. In the past, most of our planning and project design has been focused on relatively small acreages—500, maybe 1,000 acres. We want to look, encourage our forests and grasslands to look, at much larger

project areas, like up to 10,000 acres, so that we can gain some efficiencies. Also, we want to use stewardship contracting to be able to provide some certainty about the amount of work that's going to be done over the next few years. That is one of the places where we can, I think, increase jobs.

By looking at larger areas this time, we'll just be able to get more work done, and thus be able to put more people to work.

Senator REED. Thank you.

Senator Murkowski.

#### SECURE RURAL SCHOOLS PROGRAM

Senator MURKOWSKI. Thank you, Mr. Chairman.

Just to follow up with the Chairman's questions about the Secure Rural Schools program. I think you've heard from the subcommittee here, as well as the Energy Committee—a great deal of concern about where we are with the Secure Rural Schools program right now and how it continues to meet the needs. I think the Chairman's noted that it is appropriate to be looking at it, but recognizing that in, for instance, in many of the communities in the Tongass that receive Secure Rural Schools program funding, there is no other economy there to grow to. And we've had this discussion before.

A question for you with regard to, if we were to determine that within this fiscal year 2012 budget, that the funds that have been requested are appropriated, how will the funds be allocated? Do you, will you be sticking to the current formula, working with authorizers to revise that formula? What are you thinking at this time?

Mr. TIDWELL. We want to work with the authorizing committee to develop the legislative proposal. We made some, in my view, significant improvements when we re-authorized this 5 years ago from the initial authorization. I think there's an opportunity to continue that. We want to be able to work with the authorizing committee about how this would actually work over the next 5 years.

#### TONGASS ROADLESS SETTLEMENT—TIMBER SALES

Senator MURKOWSKI. Okay. I want to take you back to the Tongass and the impact of the Roadless decision on the long-term.

As we, as you know, historically, the allowable board feet that have been put forth historically have been enough to sustain the area. The allowable sale quantity for the Tongass is 267 million board feet. But according to your own figures, the average offer level over the last 5 years—even with the Roadless exemption—has only been about 36 million board feet.

So, if we are now to assume that the Roadless Rule applies in the Tongass, how do we deal with these, just, abysmally low numbers?

Mr. TIDWELL. Well, Senator, as I've expressed, we've not been happy with the amount of work we've been able to get accomplished on the Tongass over the last few years. I am optimistic with the focus on our transition plan—the focus to work, bring people to the table and provide more of a collaborative environment up there—that we are seeing some changes, and we saw that in 2010.

Senator MURKOWSKI. But, unfortunately, we're seeing—many of those who have been willing to collaborate and sit around the table at the Tongass Futures Roundtable, they're peeling off of that. And that's disappointing, I know, for you, certainly for me, and for those that have invested so much time.

But do you really still feel that level of optimism?

Mr. TIDWELL. Well, I do. It's based on what we were able to accomplish in 2010, what the forest is planning to do in 2011, and what they're planning to do in 2012—even with the latest court ruling.

I think, one of the things we need to do is to be able to move forward, to build some trust and credibility with the folks that have been on the roundtable, so that they can see that their hard work and the time that they spent working together is starting to pay off. They need to be able to actually get some work accomplished so that we can maintain the existing wood products infrastructure still there.

TONGASS ROADLESS SETTLEMENT—TONGASS LAND MANAGEMENT  
PLAN (TLMP)

Senator MURKOWSKI. Well, I am usually a person that says the glass is half full. But I have been less optimistic, less encouraged—and certainly now, since this decision on the Roadless has come out, I feel pretty discouraged. That's why I started off my comments today asking if your folks would be willing to sit down with the people in Wrangell to talk about a local plan there. Maybe it's bit by bit that we're able to offer some degree of hope. But, I feel very, very discouraged and very frustrated right now.

Do you think that the court's ruling is going to require that we rewrite the TLMP? And if so, if we've got to do the rewrite, how long is that going to take? What's it going to cost?

Mr. TIDWELL. Well, the reinstatement of the 2001 Roadless Rule by itself would not require us to revise that plan. I think we need to look at the Tongass plan, like all of our plans that we have to look at from time to time, and assess the current conditions to see if there's a need to do a revision or an amendment. That's one of the things that we're hoping to change with our proposed planning rule to be able to have a process that makes it easier to amend forest plans so that we don't spend the years, or in the case of the Tongass, a decade, to actually complete a plan, or complete a revision.

The 2001 Roadless Rule in itself would not require us to do a revision.

Senator MURKOWSKI. But would you agree that if, in fact, it was rewritten, if you did have to rewrite it, wouldn't the allowable sale quantity be drastically reduced from what we currently have?

Mr. TIDWELL. You know, it would be my expectation that it would probably be reduced.

AIR TANKERS

Senator MURKOWSKI. So the glass is getting emptier.

One last question for you.

And then I'll quit here, Mr. Chairman.

And this is regarding fire aviation and our tanker replacements. I got a letter from the Governor of the State, who is concerned about the USFS not including any water-scooping amphibious aircraft—either the Bombardier or the CL-415s—as you’re looking to the replacement of the aging firefighting aircraft. The State of Alaska and the Bureau of Land Management both seem to really like the water-scooping aircraft. They seem to be working well within the State.

What is the strategy for replacement of the aging air tanker fleet? And, kind of, where do you see that going?

Mr. TIDWELL. Well, I was hoping to have that completed by now. But, the RAND Corporation that’s doing the study for us has not completed their work. We’re hoping to get that here in the next month or so. Once we receive that, that’ll probably be the last piece of information we need to move forward with our strategy.

We want to look at all the various aviation resources that are available, and then look at which resources should the USFS provide? Which ones should the Department of the Interior provide? Which ones should our States, our cooperators provide? So that we have the right mix of resources.

The Department of the Interior, I know, has a couple of scoopers under contract. The State of California often will bring planes down from Canada during their fire season. We’d use those in the Great Lakes sometimes. So, I think it’s one of the tools that just needs to be included in the overall mix of aviation resources.

Senator MURKOWSKI. Do you see a situation where private industry could purchase some of these aircraft, and then work out some kind of a leasing arrangement? Is that something that is considered in part of the strategy here?

Mr. TIDWELL. Yes, the RAND Corporation will provide their views, their findings on what is the right mix of how many large air tankers, how many small air tankers, the type of air tankers, whether they’re water scoopers—they will provide us some insight into that.

The other part of it is that we’ll have to really look at is what is the right way to acquire or maintain these resources? I believe that we’re going to have to look at every option that we have. Our contractors that are currently providing our large air tankers have done an outstanding job to be able to keep these planes flying with these aging aircrafts. As we move forward, we’re going to have to find some replacement solutions for our large air tankers. We know that. But there are various options, and part of that is definitely to continue to work with our contractors or with others that want to get into this business.

Everything’s going to be on the table as we determine what is the most economical way to go forward. I believe it’ll probably take a mix of about every option that we have for us to be able to do this.

Senator MURKOWSKI. Well, I’m glad to think that you’re thinking pretty holistically about how you’re going to have to approach it. I think we recognize that when we’re dealing with these tough budgets, some of these line items are going to raise some eyebrows. We know that it’s going to be expensive to replace them, but we also know that we have to have them, that this is an asset that’s



going to be necessary as we deal with the fires, whether they're up in my State or out in Senator Tester's part of the country.

And we recognize the risk that the men and women who are fighting these fires place themselves in. We want to make sure that the aircraft that are working, as well, are also safe so, that we don't have accidents there. So, big balance.

Mr. Chairman, I thank you for the indulgence and extra 5 minutes.

And thank you, Chief. Appreciate it.

Senator REED. Thank you, Senator Murkowski, for your questions, and for your participation. So, thank you.

Chief and Kathleen, thank you very much for your testimony today.

ADDITIONAL COMMITTEE QUESTIONS

If there are any questions for the record, I would ask my colleagues to submit them by next Friday, May 27.

And obviously, Chief, we would ask you to respond as quickly as you could to written questions.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR JACK REED

REDESIGN PROCESS

*Question.* The State and private forestry programs are critical for Rhode Island and the region. In particular, the cooperative programs of forest stewardship, forest legacy, the urban and community forestry, and forest health are the foundation for program delivery at the local level. The United States Forest Service (USFS) has begun a redesign process of State and private forestry programs with an increased emphasis on a competitive process for funding, pooling funds from multiple programs and taking 15 percent of those funds and designated them to the new competitive program. This program could provide opportunities for all States to benefit from new, innovative ideas. However, it is important to have a balance and ensure that States have the funding they need to continue to meet their fundamental programmatic goals.

What has been the impact on funding for the cooperative programs in Rhode Island and the Northeast region under the redesign process? Specifically, what has Rhode Island and the region received in formula and competitive grants for the 2 years prior and each year since the redesign program, and how much would those States have received if there were no redesign in the funding process? In addition, what are the projected funding levels for Rhode Island in fiscal year 2012 in the President's budget and current operating plan of the redesign process, and what would the projected levels be if there were no redesign process?

*Answer.* In the Northeast region, most States fare better under the redesign process than they would without it. If the redesign process was not in effect it would not necessarily mean that all of those funds currently allocated competitively via the redesign would be allocated to States via formula.

Redesign was implemented starting in fiscal year 2008. The following table shows the amounts that Rhode Island received from 2006 to 2011 in cooperative programs with redesign and estimated amounts without redesign based on historical cooperative program allocation methodologies.

Fiscal year	With redesign	Without redesign
2006 <sup>1</sup> .....	\$595,095	( <sup>2</sup> )
2007 .....	\$620,386	( <sup>2</sup> )
2008 .....	611,342	\$542,010
2009 .....	576,100	583,760
2010 .....	800,561	805,361

Fiscal year	With redesign	Without redesign
2011 .....	<sup>3</sup> 636,806	583,173

<sup>1</sup> Does not include forest legacy project funding or the American Recovery and Reinvestment Act of 2009 funding.

<sup>2</sup> Not applicable.

<sup>3</sup> Estimated.

We expect Rhode Island will receive about 3 percent less core funding in fiscal year 2012 than in fiscal year 2011, accounting for the reductions in applicable State and private forestry programs proposed in the fiscal year 2012 budget justification. Rhode Island also received \$48,000 in redesign competitive funds in fiscal year 2011. However, it is unknown at this time whether Rhode Island would receive more or less funding of this type in fiscal year 2012 as the competitive process is currently underway.

The following table displays the funding that all other States in the Northeastern area have received prior to and following implementation of redesign which occurred in 2008. The table also indicates estimated funding that would have occurred without redesign.

State	Fiscal year 2006	Fiscal year 2007	Fiscal year 2008	Fiscal year 2008 without	Fiscal year 2009	Fiscal year 2009 without	Fiscal year 2010	Fiscal year 2010 without
Connecticut	\$566,353	\$643,744	\$1,014,341	\$729,445	\$692,097	\$652,908	\$839,621	\$888,955
Delaware	585,786	585,780	776,167	558,541	568,538	553,912	528,556	534,156
Iowa	985,768	968,193	1,461,507	936,966	1,367,481	896,940	2,108,336	1,005,872
Illinois	1,369,140	937,685	1,794,860	1,508,988	1,358,578	1,593,550	1,151,052	1,210,712
Indiana	1,009,156	1,054,086	1,130,821	1,023,165	1,265,951	1,125,704	1,601,179	1,281,890
Massachusetts	788,592	899,929	1,066,312	967,016	1,030,931	966,898	1,392,240	1,064,047
Maryland	991,941	969,754	1,048,238	977,457	1,110,810	1,005,594	1,198,651	1,088,973
Maine	1,364,764	1,432,366	1,352,719	1,502,817	1,664,914	1,593,874	2,077,137	1,722,238
Michigan	1,835,151	2,226,190	2,278,720	2,300,419	2,541,342	2,336,626	2,071,368	2,333,767
Minnesota	1,655,628	1,673,780	1,605,033	1,639,593	2,016,194	1,743,575	1,917,506	2,076,423
Missouri	1,557,001	1,612,844	1,555,989	1,628,229	1,920,246	1,740,058	1,641,328	1,783,323
New Hampshire	814,340	852,879	757,408	817,230	858,627	831,749	1,321,680	845,906
New Jersey	853,793	841,537	859,791	1,022,763	1,223,340	1,219,874	1,075,975	1,276,634
New York	1,941,144	2,370,898	2,192,554	2,719,401	2,960,915	2,819,203	2,482,017	3,041,044
Ohio	1,462,756	1,532,074	1,965,988	1,667,520	1,456,865	1,534,025	1,500,904	1,762,108
Pennsylvania	1,399,397	2,067,392	1,552,856	1,863,030	2,085,362	2,221,370	2,741,349	2,619,048
Vermont	694,818	726,295	800,241	736,503	1,413,321	792,743	1,126,306	786,216
Wisconsin	2,092,958	1,959,994	2,284,811	2,014,168	2,315,816	2,187,470	2,449,154	1,977,104
West Virginia	1,136,784	1,322,140	1,161,956	1,230,334	1,446,253	1,362,901	1,365,297	1,399,616
Total	23,641,365	25,232,946	26,660,312	25,843,585	29,297,581	27,178,974	30,589,656	28,698,032

*Question.* Going forward, what is the outlook for the redesign process? For future years, what will be the minimum level or percentage that goes out in competitive bids, and who makes that decision?

*Answer.* USFS anticipates that the percentage of funding that goes into redesign will remain the same. Of the net available for State and private forestry funds, traditionally 15 percent has been awarded to State forestry agencies via the competitive process (not including forest legacy; volunteer fire assistance; and forest health management—Federal lands). This level is after congressional requests and national commitments are removed. The Deputy Chief of State and private forestry work in conjunction with the State foresters to make that decision.

*Question.* In addition, how can we give a commitment to smaller State programs which may have limited capacity to compete for funding in order to ensure their continued capacity to meet the programmatic goals of the cooperative programs?

*Answer.* All States, regardless of size, receive and will continue to receive core State and private forestry funding that supports their capacity to meet State and private forestry program goals. In addition, the Northeastern area has partnered with the Northeastern Area Association of State Foresters (NAASF) to implement an approach that focuses Federal investments on issues, challenges, and opportunities across the landscape. The purpose of the competitive allocation of funds is to shape, influence, and enhance forest land management on a scale and in a way that optimizes public benefits from trees and forests for both current and future generations. This model has been designed to address on-the-ground priorities, integrated across program areas, with the goal of delivering Federal funds to non-Federal partners.

USFS views the annual competitive allocation as a partnership where we have a regular dialogue with States and NAASF. We have joint goals to ensure the fairness of the process and the ability of each State to compete for the available noncore funding. The USFS works on many fronts to provide training and support to help deliver grant applications that will compete and rank fairly against other States. In New England and the mid-Atlantic, the USFS serves States that are smaller geographically than others, yet are extensively forested and densely populated.

USFS has a network of field offices with responsibility to meet the needs of these States. Field representatives work directly with each State forester to deliver Federal programs. Additionally, our field offices have technical staffs who work cooperatively with technical staff at the State level to accomplish results. Our field representatives and technical staff advise States on the development of strong grant proposals, through training, technical visits, and coordination and information sharing among States. The work is done in a one-to-one manner, as well as in a networking fashion. States also network amongst each other to address common issues. Many of the funded 2011 competitive allocation grant applications involve landscape projects across multiple States.

In addition to our local leadership and technical work with States, our regional grant administration staff provides frequent training to States and works daily with State forestry agencies, from the development of grant proposals through delivery on funding and execution of work on-the-ground. Where States have been unsuccessful in competitive allocation bids in the past, the field representative and field staff makes a focused effort with that State the following year to help them compete, individually or in partnership with other States facing similar issues.

#### FOREST LEGACY PROGRAM (FLP)

*Question.* FLP has been a great success in Rhode Island. FLP funds have been effectively leveraged with State, local, and private funds to protect forested lands that will be managed according to conservation values, while at the same time contributing to the local economy by conserving working forest landscapes. There are two important phases of the conservation process: the acquisition itself and the ongoing oversight of the land. Land acquisition for forest protection can be a complex undertaking involving multiple funding sources with different administrative processes and reporting. In addition, each FLP acquisition will demand oversight and compliance activities including field review to assure commitment to baseline conditions and forest stewardship goals.

As more lands are protected under FLP, is there a role for greater partnerships between the Federal and State officials to ensure the proper management and oversight of acquired lands? In addition, is there a way to ensure that States have the necessary resources, such as training and staff, to comply with all responsibilities to effectively implement this program over time?

*Answer.* Yes, in acquiring lands and especially conservation easements, States have taken on perpetual stewardship responsibilities. Upon entering the FLP,

States have committed to managing and monitoring the lands and interests in lands acquired through FLP. This commitment is also in the grant agreement that States enter with USFS. Under current FLP implementation guidelines, no FLP funds can be used directly for conservation easement monitoring.

USFS provides each State with annual administration grant funds. These are separate from project grant funds. These can be used for due diligence costs for FLP projects such as appraisals or surveys, staff salary, training, and to purchase necessary software or equipment for conservation easement stewardship. Administration grant funds and project grant funds may be used for development of baseline documentation reports and forest stewardship plans.

USFS has strong partnerships with the States that participate in the FLP. USFS provides training to States on conservation easement stewardship. This is done through national and regional FLP managers meetings and through conservation easement monitoring training sessions. One such training is planned by a field unit in July of this year. As noted earlier, States may use FLP administration grant funds to attend USFS-sponsored trainings or other trainings and may also use their administration funds to visit other States to learn about their conservation easement stewardship practices. There are examples of States using their administrative funds to do both of these activities.

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QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

MARIJUANA CULTIVATION ON PUBLIC LANDS

*Question.* As you may know, my home State of California once again led the Nation with more than 70 percent (7.1 million) of all the marijuana seizures in the United States. It is our duty to protect these lands for all Americans and allow for safe, uninhibited access to our Nation's treasures. For the past 2 years, our national forests have been the largest home to illegal marijuana cultivation grows in California. In 2010, the U.S. Forest Service (USFS) Pacific Southwest region eradicated more than 3 million marijuana plants with a street value of more than \$3 billion on 585 grow sites.

What funds have been allocated to combat this problem in the Pacific Southwest region or more specifically California forests?

*Answer.* USFS did not receive any funds specifically for drug enforcement. In fiscal year 2010, law enforcement and investigations spent 10.4 percent, \$15.2 million nationally, of our \$144,252,000 general allocation on drug enforcement and investigation operations. Of the \$15.2 million, \$6.6 million was spent in California for drug trafficking operation activities on National Forest System (NFS) lands.

*Question.* Is money appropriated for marijuana eradication efforts spread equally or based on the grow threat of each forest?

*Answer.* The other eight regions of the USFS spent about 7.3 percent of their resources on drug enforcement. The law enforcement and investigations resources are utilized for eradication operations as needed on forests throughout the Pacific Southwest region.

In 2010, the Campaign Against Marijuana Planting (CAMP), a program operated and run by the California Department of Justice and Bureau of Narcotics Enforcement eradicated almost 50 percent of the marijuana located on USFS lands during large-scale operations. CAMP has praised your assistance on operations, the use of law enforcement, and the allocation of \$200,000 in 2010 which assisted them greatly with budget cuts.

*Question.* How will budget cuts to the CAMP program affect eradication efforts on USFS lands in California?

*Answer.* The budget decreases to the CAMP program will affect eradication efforts on NFS lands in California. It is not known what the State of California will provide to the CAMP program.

*Question.* Given the focus of CAMP program on USFS lands, do you have plans to allocate funds to this program?

*Answer.* The fiscal year 2012 President's budget proposes funding CAMP at the same level as provided in fiscal year 2011 at \$200,000.

I want to commend you for making the reclamation of marijuana grow sites a priority. I have been told that in 2010 the USFS Pacific Southwest region spent 33,500 man hours to reclaim 335 grow sites and remove more than 300,000 pounds of trash and debris.

*Question.* How much money was spent last year to reclaim these sites?

*Answer.* The Pacific Southwest region spent \$2,435,000 to clean up the sites.

Per statistics reported to our office, California forests have a remaining 490 grow sites that have yet to be reclaimed causing environmental destruction and animal deaths.

*Question.* How much money has been allocated to reclaim the 490 grow sites?

*Answer.* While not specifically targeted, the cleanup of these toxic sites remains a priority for watershed restoration, balanced with other restoration needs. In fiscal year 2010, \$3.5 million of NFS funds were allocated for site clean-up. In fiscal year 2011 clean-up remains a priority but no specific allocation was made.

#### NIGHT-FLYING HELICOPTERS AND AIRTANKERS STRATEGY

*Question.* Chief Tidwell, on May 26, 2010 you testified in front of this subcommittee that USFS would complete reviews of night operations and the optimal combination of helicopters and airtankers by January 2011. This did not occur, and I understand that now you do not expect to complete these reports until at least late summer. So I will once again ask you Chief: When will this subcommittee receive the *Helicopter Night Operations Study*; the RAND Corporation's *Determination and Cost Benefit Analysis of the Optimum Mix of Helicopters and Airtankers Study* (RAND Corporation Study); and the *Forest Service Large Airtanker Strategy* (Strategy)?

*Answer.* USFS is working on the *Helicopter Night Operations Study* and is coordinating with cooperator agencies in southern California to provide helicopter night-flying coverage for USFS fires. Additionally, USFS is analyzing the other alternatives in the draft study. We are continuing to implement night-flying helicopter operations through the use of State and local cooperators.

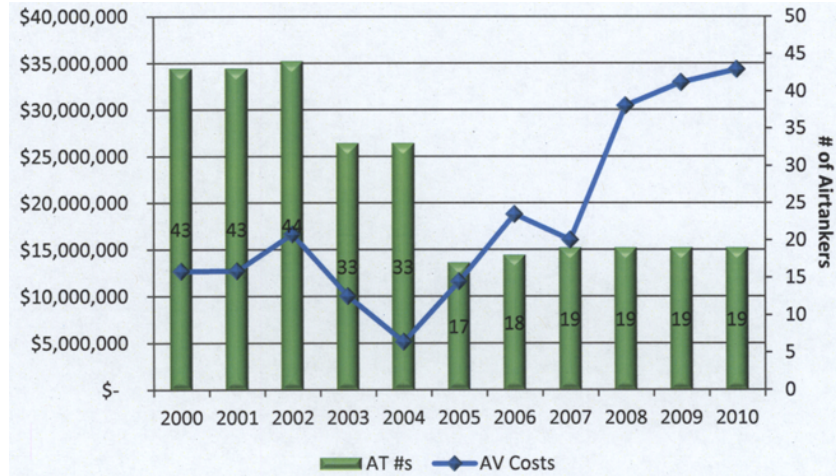
Similarly, USFS is also making progress on the *Forest Service Large Airtankers Strategy*. The RAND Corporation has asked USFS to provide additional tactical information to refine the models being used, which has delayed the delivery of the RAND report. However, USFS expects the RAND report to become available around the same time as the *Forest Service Large Airtanker Strategy* is released. Due to the complexity of the issues in the interagency environment; the high costs of multi-year contracts in the current budget environment; and the agency's desire to be effective, efficient, and safe, the reports have been delayed to ensure we get it right. These reports will be provided to the Congress prior to their release to the public.

#### NEW PLANE ACQUISITION

*Question.* I recognize that in this time of shrinking budgets that implementing a new night-time firefighting operation program or funding the acquisition of new planes will be a significant challenge. But the failure to address these problems is also becoming a burden to the taxpayer.

Compared to fiscal year 2002 what are the per-plane operations and maintenance costs of USFS' firefighting fleet? Absent an investment in newer planes, how do you expect these costs to change in future fiscal years?

*Answer.* The operations and maintenance costs per plane of USFS firefighting fleet have more than doubled since fiscal year 2002. In fact, in just 4 years, costs for daily airtanker availability have more than doubled—from just more than \$15 million in 2007 to \$35 million in 2010. This trend is expected to continue. The increase in costs is directly related to the expense of maintaining the airworthiness and safety of these aircraft for the firefighting mission.



*Question.* Since the precipitous decline in the number of firefighting aircraft began in 2002, annual expenditures on suppression have skyrocketed and the 10-year average has continued to grow. To what extent do these two trends correlate and why?

*Answer.* Annual expenditures on suppression activities are not only a function of what suppression resources are used but also other factors including weather conditions, location of the fire, fuel loadings, and overall fire season intensity and complexity. In the past several decades we have accumulated extreme fuels loads coupled with drought conditions in much of the West. This is where most of the fire activities occur and suppression expenses are accrued. The number and type of aviation assets in use do correlate with overall suppression costs, but the rapid increase in the cost to operate these aging planes overshadowed the respective decrease in the quantity under contract, and aviation assets are not the only factor in suppression costs. Projections from both climate and fire experts indicate we will have sustained, to above average fire conditions, in the near term. We expect suppression costs to stay the same.

#### NIGHT FLYING

*Question.* As the Station Fire proved in 2009, night-time aerial firefighting capabilities are critically important to containing fires in the WUI. This is especially true in southern California where high-value homes and property abut national forests and other public lands.

What modifications to USFS operating agreements have been made to clarify that night-time aerial fire operations are permissible?

*Answer.* Guidance has been provided to the regional foresters where cooperators are capable of performing night missions. The guidance is to update their local agreements, annual operations plans, and run cards to include these missions prior to commencing field operations.

*Question.* What changes have been made to your incident commander training courses to reflect this change in policy?

*Answer.* Incident Commanders have been briefed on the availability of this capability. A GO/NO GO checklist has been developed for aviation and incident commanders to complete prior to commencing any night operations on NFS lands.

#### ANGELES NATIONAL FOREST, MOUNT WILSON

*Question.* Mount Wilson, which lies in the middle of the Angeles National Forest, houses a number of communications towers and structures. This highly valuable infrastructure was threatened during the Station Fire. In an effort to protect this infrastructure from future fires, LA County Supervisor Mike Antonovich and LA County Fire Chief Mike Freeman asked that you increase the brush clearance requirements at this location to 200 feet. This request was made on November 23, 2009.

What steps have you taken to protect the valuable equipment on top of Mount Wilson?

Answer. In 2005, 160 acres of fuels reduction work was completed in the Mount Wilson observatory and recreation site areas. The treatments included thinning, pruning, pile burning, and chipping.

In 2008, the Los Angeles River District Ranger held a Mount Wilson stakeholders meeting to inform the stakeholders of the need for additional fuels work, and to attempt to raise the interest of the stakeholders to form a fire safe council in the Mount Wilson area. A Mount Wilson Fire Safe Council was formed in June 2008. Since that time, the forest has worked with that council to upgrade their water capacity and water systems. This includes repairing a large 530,000 gallon water cistern so that it can store water to be used for fire-suppression purposes. In fiscal year 2010, a \$200,000 Fire Safe Council grant was divided among four other fire safe councils in the local area. The Observatory and the Mount Wilson television stations generally keep a large supply of stored water specifically intended for fire suppression, with a total combined capacity of more than 2 million gallons. Additionally, USFS has worked with local stakeholders to provide information on how and why to fireproof their structures and remove excess debris from their areas.

The Station Fire of 2009 threatened the Mount Wilson area. During the fire a "burn out" was conducted north of the Mount Wilson area to help reduce the fuel build-up and create a "black line" around the area. The back fire stayed in the ground fuels and backed down the hill to the north, protecting the facilities. This was successful because the back fire stayed on the ground as a direct result of fuel reduction projects that had been completed in 2005.

In May 2010, an environmental analysis was completed to implement an additional 736 acres of fuels reduction in the Mount Wilson area. This ongoing work will take approximately 3 to 5 years for completion and is being completed by Los Angeles County and USFS crews and includes fuels treatments such as thinning, pruning, and chipping.

*Question.* Why have you failed to enforce the county standard 200-foot brush clearance requirements at this location?

Answer. USFS regional direction issued December 17, 2009 allows for 100-foot defensible space around structures. However, permittees could only implement this new standard where applicable because many communication sites do not have 100 feet of brush to clear due to the presence of asphalt and concrete. All structures located at the Mount Wilson Observatory have at least a 100-foot of minimum defensible space and this standard has been implemented. We have achieved the 100-foot minimum defensible space clearance standard around the perimeter of all the communication site structures located at the Mount Wilson Observatory. We continue to have the goal of a 300-foot clearance. The forest has worked closely with Los Angeles County Fire to accomplish this effort.

*Question.* Will you implement the 200-foot clearance requirement before the beginning of the 2011 fire season?

Answer. Currently, the clearance is 200 feet on the south side of the communication sites, with a goal of 300 feet around everything. The forest supervisor of the Angeles National Forest has analyzed the situation, values at risk, and possible fire behavior and has made the decision to increase the defensible space clearance around the perimeter of the Mount Wilson Observatory and communication site structures to 300 feet. Also, the Mount Wilson Observatory received a National Science Foundation grant of \$12,000 to complete hazardous fuel reduction work in their permit area. Additional appropriated funds just distributed to the Angeles National Forest allow for additional defensible space accomplishments to be achieved.

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#### QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

##### FOREST LEGACY PROGRAM (FLP)

*Question.* In fiscal year 2011, the Forest Service (USFS) received only \$53 million for FLP, just a little more than one-half of the budget request. This allocation was too little to finance the full list of 38 projects across the country. For fiscal year 2012 you are requesting funding for 46 projects, about 18 of which were on last year's list.

Are you setting unrealistic expectations by identifying so many new projects for fiscal year 2012 when many fiscal year 2011 projects went unfunded? What do you think subcommittee should do with respect to the fiscal year 2011 projects the agency was not able to fund last year? Are they expected to get back in line, apply again, and wait another year or 2 or 3? Or should preference be given to those projects that were not fully funded last year and have second phase on your request list for fiscal year 2012?



Answer. Consistent with the recommendations of the USFS Response to America's Great Outdoors report (March 21, 2011), the administration has expressed its desire to fully fund the Land and Water Conservation Fund, in response to the overwhelming public support for this program. The funding levels requested in fiscal year 2012 are consistent with the administration's goal. When the prioritized project list was developed for fiscal year 2012, we were still unaware of what the fiscal year 2011 appropriation would be. Certainly, this presented the States with a degree of uncertainty in how they should handle the fiscal year 2012 request for projects.

Since 2002 through a nationally competitive process, we have developed a prioritized project list. Projects are funded in accordance with congressional appropriations. Some projects submitted in any given year may go unfunded. States with projects that fall below the available funding needed to be resubmitted in the following year. Based on this history, States anticipated that if a project did not receive funding in fiscal year 2011 it would need to be submitted again in fiscal year 2012.

Selecting fiscal year 2011 lower-priority projects that were not funded by the Congress ahead of the high-priority projects on the fiscal year 2012 list will change the process that has been developed in consultation with the subcommittee and has been in place for nearly a decade. The process is designed to be open and transparent and facilitate dialogue with State partners and others. The fiscal year 2012 list in the President's budget justification is the order of priorities developed at the time of publication (February 2011).

*Question.* Do you think any Community Forest and Open Space projects will be completed this year? This program is something I fought for in the 2008 farm bill and I continue to hear from constituents as well as forest groups across the country that are interested in accessing it once the regulations are finalized.

Answer. The Community Forest and Open Space Program (CFP) was appropriated \$500,000 in fiscal year 2010 and \$1 million in fiscal year 2011. The final rule for CFP is undergoing clearance and we hope to publish the final rule in 2011. USFS plans to request applications shortly after the rule is published. We would like to award the first project later this year or in early 2012.

#### RESEARCH AND DEVELOPMENT

*Question.* The Forest Research and Development (R&D) funding request from the administration has steadily decreased over the last few years. The fiscal year 2012 request is \$295.8 million, less than the fiscal year 2011 and fiscal year 2010 requests which were \$304.4 million and \$300.6 million, respectively. The Congress increased these numbers to \$312 million in fiscal year 2010 and \$307 million in fiscal year 2011. These funds support the Northern Research Station (NRS), which serves the entire Northeastern region and the Midwest. NRS relies on these funds to support research for white nose syndrome, which continues to plague bats in Vermont and States across the country. R&D also seems critical to supporting responses to climate change, which was identified as a USFS priority for fiscal year 2012. Our maple syrup industry in Vermont is struggling because of warmer winters and earlier springs.

Our maple syrup producers are also concerned that they will suffer even more though if something is not done to stop the spread of the asian longhorned beetle, which has already decimated other parts of the Northeast. NRS is also leading all research on this beetle for USFS. This forest pest poses an enormous threat if it reaches Vermont where it could devastate fall tourism, maple syrup, timber, greenhouses, and the State's nurseries.

*Question.* These problems are not going away, so how can the agency justify decreasing R&D funding, especially for NRS, which serves such a large portion of the country?

Answer. The fiscal year 2012 President's budget provides for a base level of funding to address priorities for research in climate change, forest inventory and analysis, watershed management and restoration, bioenergy and biobased products, urban natural resources stewardship, nanotechnology, and localized needs. The Research and Development Deputy Area, including NRS, has proposed the best-possible request to match science capacity and demands for services. We fully understand the critical needs in the 20 States of the Northeast and Midwest and in particular, the contemporary conservation issues facing Vermont.

Clearly, the threat of major forest pests such as the asian longhorned beetle, the emerald ash borer and other pests and pathogens that affect vegetation and wildlife will test our ability to ensure that environmental health and community stability remain in harmony and that there will be available resources to conduct leading-edge science. USFS will do all that it can to ensure the forests of New England re-

main healthy and sustainable so the long-standing goal of “keeping forests in forestry” in that region shall remain intact.

#### FOREST HEALTH PROGRAM

*Question.* Other cuts to programs, such as Forest Health on Federal Lands and Forest Health on Coop Lands, also affect insect and disease work. How can we be assured that our forests will be guarded against the spread of these growing problems with less funding for so many programs that address them?

*Answer.* USFS recognizes the important work that is done through our forest health programs. The President’s fiscal year 2012 budget is formulated to balance the activities of different program areas, with some program reductions necessary to exercise appropriate fiscal prudence in these difficult economic times. The agency will continue to focus on the highest-priority prevention and suppression needs, including those for emerald ash borer, asian longhorned beetle, sudden oak death, western bark beetles, oak wilt, root diseases, hemlock woolly adelgid, white pine blister rust, sudden oak death, Port Orford cedar root disease and southern pine beetle; as well as slowing the spread of gypsy moth.

Also, the agency is committed to the Secretary’s “all lands” vision for forest conservation and recognizes the need for greater collaboration across Federal, State, and private forestlands and the importance of maintaining working forest landscapes for rural economies. The agency will provide incentives for maximizing this “all lands” approach by utilizing a mix of programs to conduct work to address insect, disease, and wildfire risk on Federal lands and to expand this work on all lands while also involving programs beyond these budget line items.

#### RURAL DEVELOPMENT PROGRAM

*Question.* I am concerned how some of the USFS budget cuts will affect Vermont programs. The State and private forestry program, and in particular your rural development program is one that has yielded great benefits to Vermont at very low cost. USFS, through those programs has helped us realize real and significant economic development outcomes by supporting development and marketing of value added, locally harvested forest products. One of the most successful programs in Vermont has been support for the wood products collaborative funded through as a rural development through forestry project, within the economic action program. Many small but very effective forest based economic development initiatives have succeeded as a result.

Will forest-related economic development programs be eligible to compete for funds through these or other programs within the fiscal year 2012 funding request? If not, how else is the USFS supporting these efforts that are so vitally important to Vermont’s private forestland owners?

*Answer.* The fiscal year 2012 President’s budget does not propose funding for the economic action program, so Vermont would not be able to compete for funds through this program in fiscal year 2012. However, the USFS has other programs that support working forest landscapes for rural economies. In fiscal year 2012, the agency is requesting funding for the community wood to energy competitive grant program, which would provide State, tribal, and local governments support in developing community wood energy plans. In addition, the agency continues to support a small biomass grant program for the 35-State eastern hardwood region at the Wood Education Resource Center in West Virginia focused on maintaining or expanding the economic competitiveness and sustainability of wood products manufacturing businesses. The agency also continues to fund the competitive Woody Biomass Utilization Grant program which provides funding to help build capacity for biomass utilization in support of fuels reduction and restoration.

The agency’s other State and private forestry programs also support forest landowners by providing funds for technical and financial assistance to monitor, assess and mitigate forest health conditions on non-Federal lands through the forest health cooperative program; by providing funds for fire management; firefighter training, and fuels treatment on non-Federal lands through State and volunteer fire assistance; and providing private forest landowners with assistance to develop comprehensive, multi-resource management plans so they can manage their forests for a variety of products and services through the Forest Stewardship program.

#### STAFFING LEVELS

*Question.* I notice that the USFS full-time equivalent (FTE) employment will be at an all-time low with this request. It appears you will have 1,819 fewer employees than you did in fiscal year 2010. Many of these loses are in important programs

such as wildlife and fisheries habitat management, forest products, vegetation and watershed management, and wildland fire management.

How do you plan to carry out your critical missions with such low staffing? Are your programs becoming more efficient or will you rely on more seasonal employees to carry out these activities?

Answer. The President's proposed fiscal year 2012 budget indicates a reduction of 1,819 FTE across the agency. However, not all programs would be equally affected nor would this necessarily result in a reduction in outputs. Some areas would increase. The President's proposed fiscal year 2012 budget shows an estimated increase of 167 FTE in National Forest System areas from 11,547 in fiscal year 2011 to 11,714 for fiscal year 2012.

Along with these changes the President's budget would include integrating activities such as wildlife and fisheries management, forest products, vegetation and watershed management, and portions of wildland fire management and road decommissioning into a single program of work referred to as Integrated Resource Restoration (IRR). Integrating these activities under IRR is expected to lead to increased efficiencies in performance and levels of outputs. The wildland fire management program will have similar staffing levels as compared to previous years.

Through the IRR process, there will be an emphasis on integrated priorities. In some cases, there will be opportunities to hire more of the seasonal workforce or local contractors to help implement the priority work on the ground. A mix of full-time, seasonal staff, and contractors will continue to be available to meet wildland fire response requirements.

#### NEW HEADQUARTERS GREEN MOUNTAIN NATIONAL FOREST

*Question.* Will USFS take advantage of the cost savings in deferred rent payments by completing construction of the new headquarters for the Green Mountain National Forest this year?

Answer. The new headquarters for the Green Mountain National Forest will not be completed this year. The headquarters office for the Green Mountain National Forest is currently under lease, which runs through August 2014. Cost saving derived from deferred rent payments, along with project planning and design for a new headquarters office have not been initiated.

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#### QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

##### 10-YEAR TIMBER SALES

*Question.* In 2008, the Forest Service (USFS) committed to preparing and offering four 10-year timber sales with a volume of 150 to 200 million board feet each in the Tongass National Forest. The purpose of these timber sales was to provide sufficient assured volume for a single-shift at four medium-size manufacturing facilities. Without the volume assurance, the industry cannot make the investments necessary to upgrade their existing mills or to construct a facility that could process the low-grade timber in the region. The Congress has repeatedly made available pipeline funds to allow USFS to prepare these 10-year sales and other timber sales. Now we are told that the agency plans to convert two of the 10-year timber sales to Stewardship contracts and to offer only one-half of the promised volume and to offer that reduced volume in small parcels.

Can you explain what happened to the commitments for each of the four 10-year sales?

Answer. In response to Under Secretary Mark Rey's direction in September 2008 to develop a work plan and proposed budget to offer four 10-year timber sales, each averaging 15–20 million board feet per year, the Tongass National Forest identified several areas to analyze for 10-year sale programs.

Two of the four 10-year timber sales, for which pipeline funds have been received, are currently in the planning stages, including National Environmental Policy Act (NEPA) compliance, and will continue to move forward in fiscal year 2012 and fiscal year 2013 as scheduled. Opportunities to incorporate additional restoration activities within the project areas are being explored. The volume of timber to be sold with these two projects, including volume from stewardship contracting, is currently being estimated as a part of the NEPA analysis that is ongoing. These two projects are part of the overall transition framework for southeast Alaska announced by the Department of Agriculture in May 2010.

*Question.* Do you realize that when USFS walks away from the commitments that it made, you risk the Congress walking away from funding many of the priorities the agency hopes to pursue?

Answer. The agency will work to provide sufficient supply of timber volume over the course of 5 years to ensure the industry remains solvent. The agency shares the objective of keeping a viable forest products industry in place in southeast Alaska, a necessary ingredient to achieve the Secretary's restoration goals and the transition framework.

#### LAND ACQUISITION

*Question.* The agency has testified to the Congress that USFS has 60–80 million acres of unhealthy productive forestland at risk to insects, disease, and wildfire. It has become increasingly apparent through missed timber targets, reduced outputs, and a shift away from active forest management that USFS cannot take care of the 193 million acres it already has.

In light of these problems, can you explain the reason the agency has increased its request for land acquisition programs by 160 percent, from roughly \$86 million to \$225 million?

Answer. The fiscal year 2012 budget justification supports President Obama's America's Great Outdoors (AGO) initiative to strengthen citizen and community connections to the outdoors, including the national forests and grasslands. The fiscal year 2012 budget proposes program increases to ensure the success of the AGO initiative. Those programs include:

- the Forest Legacy Program;
- community forest and open space conservation program;
- urban and community forestry;
- land acquisition; and
- recreation, heritage, and wilderness.

Land acquisition serves an important role in meeting the 2012 strategic plan objective to protect forests and grasslands from conversion to other uses. We will focus on acquiring the highest-priority lands that serve both the President's AGO initiative and the Department's strategic plan for fiscal year 2010–2015.

Land acquisition can also reduce management costs by consolidating landownership, avoiding further fragmented development within forest boundaries which can exacerbate fire, insect, and disease management challenges. Land acquisitions sought by USFS have broad support from stakeholders at the local level and ensure water quality, recreational access, wildlife habitat, and other public benefits. USFS actively engages in land exchanges where there are opportunities to adjust Federal ownership patterns while conveying lands to non-Federal entities.

Land exchanges, acquisitions, right-of-way acquisitions, and limited sales of USFS facilities and adjacent land are all important land adjustment tools to promote the long-term health and sustainability of the national forests and grasslands. These actions will support a healthy, vibrant outdoor legacy for generations to come in alignment with the AGO and the Department priorities for achieving an "all-lands vision" for forest conservation.

#### FACILITIES MAINTENANCE

*Question.* At the same time, you've also cut your facilities maintenance programs by \$31 million and your roads program by \$37 million. I think these priorities are simply misplaced at a time when we're looking at deep cuts in your core operations. How would you respond to such criticism?

Answer. The fiscal year 2012 President's budget reflects difficult choices we need to make to reduce the deficit while supporting targeted investments. This decrease is achieved through several program re-combinations and streamlining to increase operations and efficiencies. Our fiscal year 2012 budget request reflects four priorities:

- enhancing water resources;
- responding to climate change;
- community based stewardship; and
- jobs in rural communities.

Emphasis will be on eliminating health and safety risks at agency-owned buildings and recreation sites and reducing critical deferred maintenance on the aging infrastructure. Priority will be placed on repairing and improving those facilities that receive public use and are critical to supporting agency operations. With regard to roads the agency will focus on the work to ensure public safety, and critical access needs.

#### ALASKA SUBSISTENCE PROGRAM

*Question.* Your budget proposes to eliminate the Alaska subsistence program. How will you carry out these responsibilities, if at all, with no funding?

Answer. At this time, there are no changes being implemented for the Alaska subsistence program. The subsistence program delivery in fiscal year 2012 would be similar to that implemented in fiscal year 2010. The subsistence program is a Federal inter-agency responsibility administered by USFS, Fish and Wildlife Service, Bureau of Land Management, National Park Service, and the Bureau of Indian Affairs. USFS will continue to meet its subsistence program management responsibilities under Alaska National Interest Lands Conservation Act (ANILCA).

*Question.* Are you simply going to assign other employees to add this to their current duties?

Answer. We expect to continue to manage the program with adequate personnel as managed in recent years and consistent with meeting our responsibilities under ANILCA.

#### LAND MANAGEMENT PLANNING RULE

*Question.* USFS expects to issue its new planning rule by the end of the year. I have a number of questions about certain aspects of the proposed rule.

Would you please explain “species of conservation concern” as discussed in the draft land management planning rule? It seems from the definition provided in the draft that a “responsible official” might have overly broad latitude to deem any number of species as a “species of conservation concern” without undergoing sufficient scientific review.

Answer. The intent of the provisions in the new draft planning rule is to provide for plant and animal diversity, and to keep common species common, contribute to the recovery of threatened and endangered species, conserve candidate species, and protect species of conservation concern. Responsible officials would be required to develop components in plans, using a two-pronged approach of overall habitat (ecosystem and watershed) maintenance or restoration combined with targeted measures designed to address the needs of specific species (section 219.9, Federal Register/Vol. 76, No. 30, February 14, 2011/Proposed Rules, p. 8492). By including these requirements, the draft rule recognizes that there will be circumstances outside of the agency’s capability that may impact particular species. The agency believes that the proposed approach is both more reflective of the National Forest Management Act, and more implementable than the 1982 planning rule.

The proposed rule requires that the best available scientific information be considered throughout the rule-making process, and the responsible official would have to document how the most relevant, reliable, and accurate science was appropriately interpreted and applied, including in determining which species are “species of conservation concern” for the unit. USFS directives would contain specific criteria for selecting species of conservation concern. For example, State lists of endangered, threatened, rare, endemic, or other classifications of species, such as those listed as threatened under State law, may be used to inform the selection of species of conservation concern for the unit.

The proposed rule’s requirement for species of conservation concern would be to maintain or restore ecological conditions to maintain viable populations of species of conservation concern within the plan area, within the agency’s authority and consistent with the inherent capability of the plan area. Where a viable population of a species of conservation concern already exists within the plan area, the appropriate ecological conditions needed to maintain the long-term persistence of that species would continue to be provided.

The responsible official would identify ecosystem-level plan components to provide the overall ecological conditions needed by a species of conservation concern: for example, restoration of mature longleaf pine habitat for red-cockaded woodpeckers. In addition, the responsible official would identify specific ecological conditions needed by a species: for example, providing artificial nesting cavities for red-cockaded woodpeckers while longleaf pine stands that can provide natural nesting cavities are being restored.

At times, factors outside the control of the agency will prevent the agency from being able to maintain a viable population of species of conservation concern within the plan area: for example, some of our southern forest units are too small to provide nesting habitat for the number of pairs needed to provide for a viable population of red-cockaded woodpeckers solely within the boundaries of the unit. In such cases, the proposed rule would require that the agency provide plan components to maintain or restore ecological conditions within the plan area for that species, and by doing so to contribute to the extent practicable to a viable population across its range.

Additionally, the responsible official would be required to reach out beyond National Forest System (NFS) boundaries, to coordinate management with other land

managers for the benefit of a species across its range. This requirement does not impose any management requirements or attempt to impose management direction on other land managers—rather, it imposes a duty on the responsible official to reach out to work with others and to coordinate management to the extent practicable. This requirement recognizes that species move across the landscape, and as habitat and ecological conditions change, greater cooperation among land managers will be necessary to conserve individual species.

*Question.* What is meant by “landscape planning” in the land management planning rule?

*Answer.* The proposed rule takes an “all-lands” approach to planning. What this means is that the responsible official would need to understand the context for management within the broader landscape, to determine the best management plan for a specific unit within the NFS.

In the assessment phase, responsible officials would draw on information from many sources to understand the social, economic, and ecologic conditions and trends relevant to the plan area, and to identify the distinctive roles and contributions of the unit in providing various multiple uses or benefits to the local community, region, and Nation. In the planning phase, responsible officials would provide opportunities for other Government agencies and land managers to participate, would review the planning and land use policies of other governmental entities where relevant to the plan area, and would coordinate with other planning efforts to the extent practicable and appropriate. In the monitoring phase, responsible officials would assess information and data from monitoring on both the unit and the broader landscape to determine whether any change to management within the boundaries of the plan area might be warranted.

This approach recognizes that management of national forests and grasslands can both impact and be impacted by management or conditions on the lands that surround the unit and that management can be improved by understanding that context and communicating with other land managers.

*Question.* How do you envision USFS managing at the “landscape” level, “irrespective of ownership or other artificial boundaries?”

*Answer.* This “all lands” approach recognizes that management issues do not stop and start on a property, political, or other boundary line. The primary trends and threats that face our Nation’s forests such as:

- forest fragmentation;
- increased urbanization and conversion of forestlands;
- the effects of climate change;
- severe wildfire; and
- the spread of invasive species cross all jurisdictional boundaries.

To be successful in addressing these issues we must work with landowners and interested parties to conserve, protect, and enhance the Nation’s forests.

USFS land management authority applies within national forest boundaries, and USFS manages lands within NFS and its authorities. Consistent with Federal law, USFS cooperates with adjacent landowners, local government entities, and others on a range of land management issues, including fire suppression, invasive plant control, law enforcement, recreational use and access, and other shared priorities. USFS, through its planning process and through project specific management actions, consults and coordinates with adjacent landowners to improve the health, sustainability, and productivity of national forests and surrounding lands.

USFS also provides technical and financial assistance to landowners and resource managers to help sustain the Nation’s urban and rural forests. The USFS works with our State partners to address those priority landscape-level issues that they identified in their Statewide forest resource assessments and strategies through cooperation and coordination across jurisdictional boundaries. The primary trends and threats that face our Nation’s forests such as forest fragmentation, increased urbanization and conversion of forestlands, the effects of climate change, severe wildfire, and the spread of invasive species cross jurisdictional boundaries. To be successful in addressing these issues we must work with landowners and interested parties to conserve, protect, and enhance the Nation’s forests.

*Question.* And, do you believe that property lines are “artificial boundaries?”

*Answer.* USFS respects all boundaries, private property rights, and understands the limits of the agency’s land management authority. NFS employees survey, mark, manage, and protect national forest and grassland boundaries in order to protect the public’s investment in the national forests and grasslands. Property lines are legal landownership boundaries whose location and extent is defined by the legal land title ownership of the United States and the adjoining landowners. USFS does not assert management authority on other Federal, State, tribal, county, local, private, or corporate lands lying within the exterior perimeter boundary of NFS. USFS does

actively seek opportunities to work cooperatively and collaboratively with adjoining landowners and communities to protect both public and private estates.

*Question.* How far from USFS boundaries do you think your agency's influence should extend?

*Answer.* USFS respects all boundaries, private property rights, and the limits of the USFS' land management authority. The primary trends and threats that face our Nation's forests (such as forest fragmentation, increased urbanization and conversion of forestlands, the effects of climate change, severe wildfire, and the spread of invasive species) cross jurisdictional boundaries. To be successful in addressing these issues we must work with landowners and interested parties to conserve, protect, and enhance the Nation's forests.

Consistent with USFS' authority and direction, the State and private forestry, research and development, and international programs provide technical assistance, grants, and other support to non-Federal forests and grasslands throughout the United States and internationally. Together USFS programs improve forest health, sustainability, and productivity, whether in an urban forest in Chicago, on private forest land in northern New England, or in the rainforests of Africa, and the benefits to the American people of these investments are substantial. Likewise, the long-term health and resilience of national forests and grasslands directly affect surrounding non-Federal lands, communities, and waters that are adjacent or downstream. Therefore, we implement management decisions to improve the long-term health of broader ecosystems and watersheds as well as respecting private property rights and the broader interests within communities, States, and regions.

#### ACCESS TO ALASKA LANDS

*Question.* Just recently small placer miners in Alaska have been informed that the USFS is planning to restrict motorized access to a host of mining claims in Alaska in the Chugach National Forest and also in the Tongass National Forest. While some of this may be the result of the USFS moving to close the use of logging roads no longer needed for future timber sales based on a 2008–2009 study, some of the complaints appear unconnected to budgetary concerns about the lack of funding for maintenance of traditional access routes. Clearly access across lands protected by the ANILCA is protected by the 1980 law, but the complaints about access denial for mineral operations in the Chugach National Forest is rapidly increasing.

What exactly is the reason for the attempt to close access?

*Answer.* The Chugach National Forest closed a number of roads and trails to motorized access in 2002, as directed by the unit's land management plan, which was revised that year. Those roads and trails were closed based on environmental and economic concerns and were done so with the appropriate level of NEPA analysis and documentation. Motorized access to mining operations in areas otherwise closed to motorized use on the Chugach National Forest is routinely allowed for mining purposes by written authorization under a mining plan of operations, consistent with 36 CFR 228.4.

*Question.* Under what scope of authority is the USFS moving to deny access?

*Answer.* Land management plans are completed under authority of the requirements of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976.

*Question.* And how can small miners access their valid claims to minerals under the mining law without having the right to motorized access on routes they have used for many decades?

*Answer.* Prior to mining activities, the miners must develop and submit a plan of operations, which would identify motor vehicle use needs. The plan of operations requires NEPA compliance and would enable the USFS to identify where motor vehicle use is reasonable pursuant to the proposed mining activities. Stipulations may include seasonal restrictions to protect resource values, such as, road or trail improvements and surfaces due to the particular and unique needs of the mining operating plan.

Forest visitors including those engaged in recreational mining or panning are subject to the same motorized access restrictions. USFS has provided maps and brochures to the Gold Prospectors Association of America showing locations open to the public that are easily accessible near open roads and/or that can be accessed with off-road vehicles.

#### CONCLUSION OF HEARINGS

Senator REED. If there are no further questions or comments, then the hearing is concluded.

[Whereupon, at 3:58 p.m., Thursday, May 19, the hearings were concluded, and the subcommittee was recessed to reconvene subject to the call of the Chair.]