



October 13, 2016

The Honorable Ron Wyden
United States Senate
911 N.E. 11th Ave, Suite 630
Portland, OR 97232

The Honorable Jeff Merkley
United States Senate
121 SW Salmon Street, Suite 1400
Portland, OR 97204

Dear Senator Wyden and Senator Merkley:

I write in advance of the October 14, 2016 public meeting in Ashland, Oregon with U.S. Department of the Interior Deputy Secretary Michael Conner on the proposal to expand the Cascade-Siskiyou National Monument. AFRC and its members – some of whom own lands inside and adjacent to the proposed monument expansion – received word of the public meeting and the map on October 7, making it impossible to offer a thorough analysis of the potential impacts ahead of the meeting. However, I do want to highlight serious concerns with the monument expansion and respectfully urge you to advise President Obama not to designate the area and to work with the public and impacted stakeholders on comprehensive legislation instead.

AFRC and its members care deeply about the health and sustainability of public forestlands. In fact, the business model and future success of AFRC members is *dependent* upon the responsible management, ecological health, and long-term sustainability of our national forests and Bureau of Land Management (BLM) lands. No one appreciates the uniqueness of Southwest Oregon's forests more than our local members and the need to protect them for future generations.

AFRC's members are also a key part of the fabric of the rural communities in which they work, live, and recreate. Beyond the tens of thousands of jobs and millions in economic activity our members generate, they are also heavily invested in these communities through charitable contributions, volunteer hours, scholarships, and sponsorships. These communities have been devastated by years of broken federal forest policies and are in dire need of a balanced solution to the O&C Lands and rural economic crisis in Western Oregon. We strongly believe the most serious public land management challenge facing Southwest Oregon – and thus the highest priority for Congressional action – is the exposure of our public lands and forests to climate change, catastrophic wildfire, disease, bug infestation, and drought.

AFRC and its members believe science-based, proactive management is not only the best way respond to these pressing challenges but the best way to grow local, rural economies, put Oregonians back to work, and provide sustainable raw materials that will be locally manufactured to produce local wood products every Oregonian uses, every day.

Unfortunately, a national monument expansion would have the opposite effect by preventing federal agencies from maintaining and protecting these unique public lands for future generations. Many of the lands within the proposed monument expansion are in need of forest thinning and restoration activities to reduce the risk of catastrophic wildfire. In a 2014 environmental assessment (EA) for the Howard Forest Management Project surrounding nearby Howard Prairie Lake, the BLM found these forests to be at “moderate to high risk of losing key ecosystem components due to altered fire regimes causing increased fire risk.” The BLM determined that without active management these forests would suffer further deterioration into even higher risk fire regimes. The EA found that “the implementation of thinning would promote increased fire-resilient forest stands by removing suppressed trees while retaining larger trees within treated stands.” Unfortunately, this needed forest restoration will not occur if these areas are included in an expanded Cascade-Siskiyou National Monument.

In the face of a warmer, dryer climate and denser forests resulting from decades of fire suppression and a lack of forest management, there is widespread recognition about the need for active forest restoration across this part of Southwest Oregon. In fact, a 2014 paper titled *A new approach to evaluate forest structure restoration needs across Oregon and Washington, USA* published in *Forest Ecology and Management* by the Nature Conservancy and others, identified most of the lands proposed for inclusion into the National Monument as having “moderate to high active restoration needs.” The authors of this paper determined that these “forest restoration needs were dominated by the need for thinning” and that “disturbance alone cannot restore forest structure.” Far from “protecting” these areas, an expanded national monument will most likely result in the loss of these unique lands to stand-replacing catastrophic wildfire.

Neighboring private lands, local communities, and the local forest products industry infrastructure will also be put at risk by an expansion of the Cascade-Siskiyou National Monument. Private forest lands included in – and adjacent to – the expanded national monument will face an elevated risk of catastrophic wildfire, disease, and insect infestations coming from unmanaged neighboring federal lands. Nearby homes and communities in the wildland urban interface (WUI) will also face increased wildfire risk as fuel loads continue to increase and forest health deteriorates. An already dwindling local forest products industry infrastructure – sawmills, loggers, and truckers – will face a further reduction in the amount of land available for sustainable, responsible management.

The proposed monument expansion includes a significant amount of private land within its boundaries – much of it in a checkboard pattern with BLM lands. Road access to these lands is often dependent on reciprocal right-of-way agreements between private landowners and the BLM. Maintaining road access across an expanded national monument to privately owned and managed forestland will be made more difficult and expensive. There will be public pressure to close privately constructed and maintained roads, to acquire “inholdings” within the expansion, and increased user-conflicts as ownership boundaries become blurred on-the-ground.

The proposed designation also comes just months after a major revision to BLM’s Resource Management Plans (RMPs) that govern management decisions on more than two million acres of statutorily unique O&C Lands. The RMPs administratively remove 74 percent of the BLM lands in these drier forest types out of ongoing, sustainable forest management and place them into reserves. With less than 26 percent of Southwest Oregon BLM forests designated for ongoing management, we will continue to witness declines in active forest management and the resulting timber harvests.

The new RMPs reduce allowable harvest levels by 40 percent versus the Clinton Northwest Forest Plan, which already slashed historical harvest levels on these BLM forests. A national monument expansion only increases the risk to the remaining local industry any effort to restore the health of our forests.

Finally, while we do not question Congressional authority to change land management plans and statutes through legislative action, we do have serious concerns about the precedent of administratively withdrawing productive forestlands from the mandates of the O&C Act of 1937. Less than three years after passage of the O&C Act, the President proposed withdrawing a portion of O&C Lands and to include those lands as part of an existing national monument (Oregon Caves). In a letter to the Secretary of the Interior, the Solicitor explained “the President does not have such authority” pointing out that “Congress has set aside the lands for the specified purposes” of timber production and “administration of the lands for national monument purposes would be inconsistent with the utilization of the O. & C. lands as directed by Congress.”

Subsequent opinions from Department of the Interior solicitors dating from the 1940s to 1970s concluded the O&C Lands could not be used for 1) mining; 2) could not be withdrawn for a state park; 3) and could not be included within wilderness study areas otherwise required as part of the Federal Land Policy Management Act.¹

While AFRC cannot support the administrative designation of a national monument in Southwest Oregon under the Antiquities Act at this time – especially one that includes O&C Lands – we remain committed to working with you and the rest of the Oregon delegation to find workable, balanced solutions to the challenges facing our forests and rural communities. AFRC does believe that unique lands in Southwest Oregon can and should be preserved. But those proposals should be fully vetted by the public with ample time to understand the proposal and its impacts; be comprehensive and include both conservation and economic objectives in order to sustain rural economies and the remaining infrastructure; and be reviewed and passed by Congress.

Thank you for this opportunity to comment. We look forward to reviewing more details about this proposal, offering our constructive feedback, and partnering with you to achieve common goals for our state: healthy forests and vibrant, safe communities.

Sincerely,



Travis Joseph
President
American Forest Resource Council

Cc:
Deputy Secretary Michael Connor
Congressman Peter DeFazio
Congressman Greg Walden
Governor Kate Brown

¹ See Solicitor Opinion, March 9, 1940; Department of the Interior Memorandum, August 25, 1941; Solicitor Opinion, May 17, 1955; and Solicitor Opinion, June 1, 1977